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ON İHD CO-CHAIRPERSON ÖZTÜRK TÜRKDOĞAN'S ARREST AND RELEASE ON 19 MARCH 2021

The Human Rights Association (İnsan Hakları Derneği –İHD) Co-Chairperson Öztürk Türkdoğan was arrested together with ten other individuals on 19 March 2021 early in the morning after the police searched his house within the scope of an investigation conducted by Ankara Chief Public Prosecutor's Office. Following democratic reactions both at home and abroad to his arrest along with the fact that the issue was passed on to the Ministry of Justice, Mr. Türkdoğan was released under judicial control, i.e. he has to present to the police station closest to his residence twice a month to sign a document, and an international travel ban the same day after his statement was taken by the prosecutor's office. İHD had, in a previous statement, shared with the public that it would not accept such treatment under any condition. Ten individuals who were arrested the same day are still in police custody as their 4-day custody periods were extended.

Only the police inquiry report was available during the interview at the prosecutor's office since there was a confidentiality order on the investigation. The police report incorporated Mr. Türkdoğan's statements to the press as the co-chairperson of İHD, posed questions based on some of his phone conversations within the scope of his professional activities as a lawyer and about the association, and charged him with membership in an illegal armed organization based on these. Mr. Türkdoğan stated that such an outrageous charge was baseless underlining that all his activities were done within the context of human rights advocacy and those he carried out as the co-chairperson of the association.

The unlawful points within this investigation include but are not limited to: Although Mr. Türkdoğan is a lawyer, the authorities failed to inform Ankara Bar Association's Lawyers' Rights Center about the fact; failure to pass the issue on the Ministry of Justice as he serves as the co-chairperson of İHD; leaking his arrest footage to Demirören News Agency for broadcast while he was being taken to the police department following his arrest by the police in spite of the fact that the investigation was confidential; imposition of an arbitrary restriction order on the file despite the fact that the investigation does not require such restriction; Mr. Türkdoğan should have been invited for his statement to be taken under Article 140 of the Code of Criminal Procedure because the investigation was based on his press statements but instead he was arrested; he should have been released with no conditions attached but he was released under judicial control with an international travel ban.

Although the public prosecutor himself was aware of such blatant unlawfulness and a release order without any judicial law enforcement measure should have been delivered immediately along with a non-prosecution decision, the decision to implement a judicial law enforcement measure, which can only be delivered if there are strong indicators that a crime was committed, lays bare the whole goal of the process. Mr. Türkdoğan is virtually placed under perpetual control and is threatened with judicial measures against him due to his human rights work at any time. Aside from the entire unjust judicial process, this ongoing situation cannot be accepted either.

Human Rights Association (İnsan Hakları Derneği-İHD) is a non-governmental, independent, and voluntary body. The association, which was founded in 1986 by 98 human rights defenders, today has 28 branches, 5 representative offices, and 7,945 members. İHD is the oldest and largest human rights organization in Turkey and its "sole and specific goal is to promote 'human rights and freedoms.'"

Such treatment of Mr. Türkdoğan is, in fact, inflicted on tens of individuals every day in Turkey. This state of affairs reveals the fact that the political power has indeed rendered its pressure over political and social opposition figures through the judiciary a significant policy. Further, all these show that Turkey has become a closed and open prison for all those fighting for democracy and human rights.

The fact that such an operation was launched following the Interior Minister's address on 16 February 2021 at the Grand National Assembly of Turkey in which he directly targeted İHD using the phrase "canı çıkasica" [a curse commonly used wishing great evil, misery and death befall on someone] shows that a change in the Interior Ministry has to take place in order for the Human Rights Action Plan to be implemented. Without a change in the pro-security mentality, it is not possible for Turkey to head towards freedoms.

While the political power announced its Human Rights Action Plan pledging it would raise consciousness in the human rights field led to the arrest of the co-chairperson of İHD, the oldest and largest human rights organization in the country, an ironic state emerged in the human rights field. We leave this irony to the discretion of the public.

The human rights movement in Turkey and the world and the human rights organizations, activists within this movement, and international human rights protection mechanisms have all stood expressed solidarity and friendship with İHD during this process. We do believe that the vigilance and power of the human rights movement are the most significant forces that protect human rights defenders in Turkey and worldwide.

The mechanisms set up by the UN, Council of Europe and OSCE for the protection of human rights defenders have been mobilized during this process. The UN Declaration on Human Rights Defenders prescribes human rights advocacy as a right and sets forth that human rights defenders should especially be protected. The Declaration also regulates states' responsibilities and duties to take measures for the protection, promotion, implementation and exercise of human rights.

Turkey has often been neglecting its international obligations. Turkey's stand has become an overall habit and has been exposed internationally.

The silence embraced by the human rights protections mechanisms formed within Turkey during this process has unfortunately revealed once again that these mechanisms were neither independent nor impartial working in tandem with the political power.

Expressions of solidarity and friendship with İHD by a significant part of the political opposition and pro-democracy social opposition, and of course, pro-democracy people for human rights in Turkey are very important.

We would like to take this opportunity to thank all those who have expressed their solidarity, friendship and support once again.

İHD has been working to protect and promote human rights for the last 35 years. Launching an investigation into İHD's co-chairperson because of his human rights work, arresting him, subjecting him to judicial control, imposing an international travel ban go against the guarantees in supranational human rights documents Turkey is a party to. Such policy and practice of coercion and intimidation against human rights defenders should be ended.

Human rights defenders' unwavering fight will persevere.

Human Rights Association