

## URGENT APPEAL - THE OBSERVATORY

---

**New information**  
**TUR 001 / 0310 / OBS 040.1**  
Release / Judicial harassment  
**Turkey**  
April 5, 2011

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), has received new information and requests your urgent intervention in the following situation in **Turkey**.

### **New information:**

The Observatory has been informed by reliable sources about the release of Ms. **Vetha Aydın**, President of the Siirt branch of the Human Rights Association (*İnsan Hakları Derneği* - İHD), as well as about the ongoing judicial harassment against her.

According to the information received, on March 15, 2011, Ms. Vetha Aydın was released under order of the 4<sup>th</sup> High Criminal Court of Diyarbakır for lack of evidence. Ms. Vetha Aydın was arrested on March 16, 2010, for her alleged membership to the Kurdistan Communities Union (*Koma Civakên Kurdistan* - KCK). However, charges of "membership to an illegal organisation" pursuant to Article 314.2 of the Criminal Code, with reference to Article 220/6 of the Criminal Code in the Law No. 5237 and Articles 2 and 5 of the Law to Fight Terrorism (Law 3713), are still pending against her. The next hearing will take place on May 26, 2011.

The Observatory welcomes the release of Ms. Vetha Aydın and thanks all the persons, institutions and organisations who intervened in her favour. However, the Observatory remains deeply concerned by the fact that charges remain pending against her and seem merely to aim at sanctioning her human rights activities.

### **Background information:**

On March 16, 2010, Ms. Vetha Aydın and Mr. **Abdullah Gürgen**, Board Member of İHD Siirt branch, were arbitrarily arrested at their houses in Siirt by the Anti-Terror Unit of the police who were in possession of a warrant from the Diyarbakır Special Prosecution, as part of the ongoing anti-terror operation in Turkey (in the framework of the so-called "war on terrorism"). The exact charges brought against them were unknown at that moment. They were detained at the police headquarters in Siirt.

On March 17, 2010, Mr. Abdullah Gürgen was released from the Siirt police headquarters. He was later charged with "membership to an illegal organisation". However, Ms. Vetha Aydın remained detained at the police headquarters in Siirt.

After the arrest, on March 16 in the morning, the police raided the offices of İHD Siirt branch. They searched for information concerning the activities of the association and its members. The police filmed with a camera all of the membership registration forms and confiscated some of the association's hard disk, files and CDs. They also confiscated some letters sent by prisoners regarding to human rights violations faced in detention. All the material and equipment confiscated was later returned after the authorities had made a copy.

Accordingly, the Observatory calls upon the Turkish authorities to put an end to the continuing harassment - including at the judicial level - against Ms. Vetha Aydın and Mr. Abdullah Gürgen, as well as against all members of İHD.

### **Actions requested:**

Please write to the authorities in Turkey urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Ms. Vetha Aydın and Mr. Abdullah Gürgen as well as all human rights defenders in Turkey;
- ii. Put an end to all acts harassment, including at the judicial level, against Ms. Vetha Aydın and Mr. Abdullah Gürgen, all members of IHD as well as against all human rights defenders in Turkey;
- iii. Comply with the provisions of the UN Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, in particular:
  - its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”,
  - as well as Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
- iv. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with international and regional human rights instruments ratified by Turkey.

### **Addresses:**

- President of Turkey, Mr. Abdullah Gül, Cumhurbaşkanlığı 06100 Ankara, Turkey; Fax: +90 312 468 5026; Email: [cumhurbaskanligi@tccb.gov.tr](mailto:cumhurbaskanligi@tccb.gov.tr)
- Prime Minister, Mr. Recep Tayyip Erdogan, Office of the Prime Minister Basbakanlik 06573 Ankara, Turkey, Fax: + 90 312 417 0476; [receptayyip.erdogan@basbakanlik.gov.tr](mailto:receptayyip.erdogan@basbakanlik.gov.tr)
- Deputy Prime Minister and State Minister for Human Rights, Mr. Cemil Çiçek Fax: + 90 312 417 42 06
- Interior Minister, Mr. Beşir Atalay, Ministry of Interior, İçişleri Bakanlığı, 06644 Ankara, Turkey; Fax: + 90 312 418 17 95 / +90 312 418 7696, [besir.atalay@icisleri.gov.tr](mailto:besir.atalay@icisleri.gov.tr)
- Justice Minister, Mr. Sadullah Ergin, Ministry of Justice/ Adalet Bakanlığı, 06659 Ankara, Turkey; Fax: + 90 312 414 62 26
- Foreign Minister Mr. Ahmed Davudoglu, Office of the Prime Minister, Basbakanlik, 06573 Ankara, Turkey; Fax: +90 312 287 88 11
- Ambassador, Mr. Ahmet Üzümcü, Permanent Mission of Turkey to the United Nations in Geneva, Ch. du Petit-Saconnex 28b - CP 271, CH-1211, Geneva 19, Switzerland, E-mail: [mission.turkey@ties.itu.int](mailto:mission.turkey@ties.itu.int), Fax: +41 22 734 08 59
- Diplomatic Mission of Turkey to the European Union in Brussels, avenue Louis Lepoutre, 99, 1050 Brussels, Belgium, Fax: + 32 2 340 98 79.

Please also write to the embassies of Turkey in your respective country.

\*\*\*

Paris-Geneva, April 5, 2011

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

To contact the Observatory, call the emergency line:

- E-mail: [Appeals@fidh-omct.org](mailto:Appeals@fidh-omct.org)
- Tel and fax FIDH + 33 (0) 1 43 55 25 18 / +33 1 43 55 18 80
- Tel and fax OMCT + 41 (0) 22 809 49 39 / + 41 22 809 49 29