

## URGENT APPEAL - THE OBSERVATORY

**TUR 003 / 1111 / OBS 121**

Arbitrary detention / Judicial harassment

**Turkey**

November 3, 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), requests your urgent intervention in the following situation in **Turkey**.

### Description of the situation:

The Observatory has been informed by reliable sources about the arbitrary detention of Mr. **Ragıp Zarakolu**, Honorary Board Member and Founder of the Human Rights Association (İHD), Director of the Belge Publishing House and Chairman of the Publishers Association Freedom to Publish Committee of Turkey, and Ms. **Büşra Ersanlı**, lecturer at the Marmara University Faculty of Political Sciences and International Relations in Istanbul, in the framework of a wide ranged anti-terrorist operation intended to dismantle an alleged terrorist network - the Kurdish Communities Union (KCK) - that in fact targets peaceful activists from the Kurdish community who are not related to any terrorist activities.

According to the information received, on October 28, 2011, Mr. Ragıp Zarakolu and Ms. Büşra Ersanlı were both arrested in Istanbul as part of a vast operation that targeted more than 48 people, mostly Kurdish political activists and particularly members of the Peace and Democracy Party (BDP). On November 1, 2011, the two were officially charged with "being a member of an illegal organisation", namely the KCK - an organisation said to be the "urban branch" of the armed Kurdistan Workers Party (PKK) - under Article 314 of the Turkish Penal Code by İstanbul Heavy Penal Court No. 14.

As of issuing this Urgent Appeal, Mr. Ragıp Zarakolu is detained in Metris prison while Ms. Büşra Ersanlı is detained in Bakırköy closed prison for females. They both have access to their lawyer and family.

Mr. Ragıp Zarakolu is a well known human rights activist since the 1970s and has particularly focused on freedom of expression and minorities' rights. Through the Belge Publishing House, he has published numerous books on the repression of national minorities in Turkey and on the Armenian Genocide and has been subjected to arbitrary detention and judicial harassment on numerous occasions. Ms. Büşra Ersanlı has been engaged with NGOs for political rights of the women.

The Observatory denounces the continuing policy of arbitrarily arresting human rights defenders in Turkey, and particularly İHD members, members of trade unions and those fighting against the impunity of serious crimes and calling for a peaceful resolution of the Kurd question, which seems to merely aim at sanctioning their human rights activities. To that extent, the Observatory recalls that several İHD members are currently in pre-trial detention, notably Mr. **Muharrem Erbey**, İHD General Vice Chairperson and Chairperson of its Diyarbakir Province branch who had been detained since December 2009, Mr. **Arslan Özdemir** and Ms. **Roza Erdede**, İHD members in Diyarbakır<sup>1</sup>, as well as members and executives of İHD Şanlıurfa Branch, the Education and Science Workers Trade Union (Eğitim-Sen), the Health and Social Service Workers Trade Union (SES)<sup>2</sup> and members of associations of families of victims of abusive anti-terrorism policies<sup>3</sup>. Dozens of other human

<sup>1</sup> See Observatory Press Release, April 18, 2011.

<sup>2</sup> See Observatory Annual Report 2011 and Urgent Appeal TUR 001/0911/OBS 114, issued on September 28, 2011.

<sup>3</sup> See Observatory Urgent Appeal TUR 002/1011/OBS 119, issued on October 25, 2011.

rights defenders remain in provisional release pending the outcome of criminal trials on alleged terrorism charges.

Accordingly, the Observatory calls upon the Turkish authorities to put an end to the continuing harassment against human rights defenders and urges the Turkish authorities to release all human rights defenders currently held in detention immediately and unconditionally, since their detention is arbitrary as it only aim at sanctioning their human rights activities.

#### **Actions requested:**

i. Guarantee in all circumstances the physical and psychological integrity of Mr. Ragıp Zarakolu and Ms. Büşra Ersanlı, as well as Mr. Muharrem Erbey, Mr. Arslan Özdemir and Ms. Roza Erdede as well as all other members of İHD, Egitim-Sen and SES Şanlıurfa Branch and members of associations of families of victims of abusive anti-terrorism policies, and in general, all human rights defenders in Turkey;

ii. Release Mr. Ragıp Zarakolu and Ms. Büşra Ersanlı, as well as Mr. Muharrem Erbey, Mr. Arslan Özdemir and Ms. Roza Erdede as well as all other members of İHD, Egitim-Sen and SES Şanlıurfa Branch and members of associations of families of victims of abusive anti-terrorism policies, immediately and unconditionally since their detention is arbitrary as it only aim at sanctioning their human rights activities;

iii. Put an end to all acts harassment, including at the judicial level, against Mr. Ragıp Zarakolu and Ms. Büşra Ersanlı, as well as Mr. Muharrem Erbey, Mr. Arslan Özdemir and Ms. Roza Erdede as well as all other members of İHD, Egitim-Sen and SES Şanlıurfa Branch and members of associations of families of victims of abusive anti-terrorism policies and, in general, all human rights defenders in Turkey;

iv. Comply with the provisions of the United Nations Declaration on Human Rights Defenders, especially 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” ;

v. 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 Başbakanlık 06573 Ankara, Turkey, Fax: + 90 312 417 0476; [receptayyip.erdogan@basbakanlik.gov.tr](mailto:receptayyip.erdogan@basbakanlik.gov.tr)
- Deputy Prime Minister Responsible for Human Rights, Mr. Beşir Atalay, Email : [besir.atalay@tbmm.gov.tr](mailto:besir.atalay@tbmm.gov.tr), Fax: 00 90 (312) 422 13 98
- Interior Minister, Mr. İdris Naim Şahin, 06644 Ankara, Turkey; Fax: + 90 312 418 17 95 / +90 312 418 7696,
- 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, Başbakanlık, 06573 Ankara, Turkey; Fax: +90 312 287 88 11

- Ambassador, Mr. Oğuz Demiralp, 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
- Ambassador, Mr. Selim Kuneralp, Diplomatic Mission of Turkey to the European Union in Brussels, Avenue des Arts 36-38, 1000 Bruxelles, Belgium, Fax: + 32 2 511 04 50.

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

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Paris-Geneva, November 3, 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:

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