

PRESS RELEASE – THE OBSERVATORY

Republic of Turkey: Trial against three human rights defenders resumes tomorrow

Their prolonged arbitrary detention must end now

Paris-Geneva, April 18, 2011. As the trial against hundreds of officials, activists, and elected mayors from the pro-Kurdish Peace and Democracy Party (BDP), including three members of prominent Turkish human rights NGO Human Rights Association (İnsan Hakları Derneği – İHD) resumes tomorrow, 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), calls for the end of their prolonged arbitrary detention and for the end of the use of the anti-terrorism legislation to repress legitimate human rights activities.

On April 19, 2011, Mr. **Muharrem Erbey**, General Vice-President of İHD and President of its Diyarbakır province branch, Mr. **Arslan Özdemir** and Ms. **Roza Erdede**, İHD members in Diyarbakır, who have worked closely with associations of families of the disappeared and been defending unresolved cases of extra-judicial killings and enforced disappearances in the region, will again appear on trial before Diyarbakır Special Heavy Penal Court. Almost six months after the opening of the trial and more than 16 months after their arrest¹, the examination of terrorism charges faced by the three human rights defenders along with 149 other defendants, which include varied members of Kurdish civil society, including mayors, civil servants, journalists and intellectuals, has made little progress.

The Observatory recalls that the three human rights defenders were arrested by the Anti-Terror Units as part of an operation launched in 11 provinces of Turkey between the end of 2009 and April 2010 to dismantle a so-called terrorist network - the Kurdish Communities Union (KCK) - an organisation said to be the “urban branch” of the armed Kurdistan Workers Party (PKK). The three defenders have been charged of “being a member of an illegal organisation” pursuant to Article 314 of the Criminal Code, with reference to Article 220/6 of the Criminal Code in the Law No. 5237 and are facing a minimum sentence of 7,5 to 15 years of prison.

Following a mission conducted in Turkey from October 16 to 22, 2010, at the occasion of the opening of the trial, the Observatory concluded that the accusation of membership to a terrorist organisation was baseless and that the three human rights defenders were being prosecuted under terrorism law merely in relation to their human rights activities.

Therefore, the Observatory calls on the Diyarbakır Special Heavy Penal Court to examine the request for provisional release lodged by the three human rights defenders as a matter of urgency and apply human rights standards adhered to by the Republic of Turkey. More generally, the Observatory urges the authorities of Turkey to put an end to the judicial harassment faced by numerous human rights defenders in the country and to act in conformity with the UN Declaration on Human Rights Defenders adopted by the General Assembly on December 9, 1998.

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¹ Messrs Muharrem Erbey and Arslan Özdemir are remanded into custody since 23 December 2009. Ms. Roza Erdede is remanded into custody since April 2010. See the Observatory's Press Release, December 29, 2009.