

Turkey: Stop Judicial Harassment of “Saturday Mothers /People”

The undersigned organisations are deeply concerned about the prosecution of 46 participants of the “Saturday Mothers/People” weekly sit-ins in Istanbul, Turkey ([Cumartesi Anneleri/İnsanları](#)). The group consists of relatives of forcibly disappeared persons and other human rights defenders (HRDs), whose peaceful gathering in 2018 was violently dispersed, and for which they are now standing trial. Our organisations call on authorities in Turkey to immediately and unconditionally drop all charges against the individuals, to immediately and effectively investigate the police violence and rights violations against them, and lift the indefinite ban on the weekly peaceful sit-ins of the Saturday Mothers.

On [August 25, 2018](#), the Saturday Mothers held their 700th weekly vigil at Galatasaray Square, Istanbul, calling on authorities to inform them on what happened to their loved ones who were abducted between the 1980s and early 2000s, and not accounted for by state bodies since. The group was banned from gathering in their regular spot for reasons of “national security, public order, prevention of crime, protection of public health, public morality or the rights and freedoms of others.” Those who assembled peacefully were violently dispersed by the police, among which were elderly whose vulnerability was not taken into consideration by law enforcement officers. In total, 47 persons were taken into custody and released eight hours later. The group included family members of the disappeared and HRDs, including the head of the Istanbul branch of the Human Rights Association Working Group on Disappearances (*İnsan Hakları Derneği İstanbul Şube Kayıplar Komisyonu*) [Saime Sebla Arcan Tatlav](#), and other members and executives of [Human Rights Association](#) (İHD).

At the time, the Minister of Interior [accused the group](#) of peaceful protestors of “trying to create victims through motherhood and mask terrorism through that victimisation.” Over two years later, on [November 18, 2020](#), an indictment was confirmed against 46 participants who are accused of “participating in an unauthorised/illegal assembly” and “persistent refusal to disperse despite warning and use of force”—an alleged violation of art. 32/1 of Law on Meetings and Demonstrations (*Toplantı ve Gösteri Yürüyüşleri Kanunu*), which can result in a prison sentence up to 3 years. The first hearing will take place in Istanbul on March 25, 2021.

The indictment states that on August 25, 2018, “marginal groups such as” İHD, the so-called “Peoples’ Houses” Association (*Halkevleri Derneği*), the Confederation of Progressive Trade Unions of Turkey (DİSK), the Confederation of Public Employees’ Unions (KESK) and opposition parties made individual and collective calls on social media (Twitter) for people to join the movement’s 700th sit-in and deliver

a press statement at Galatasaray Square. The same document argues that the group did not inform law enforcement agencies prior to the meeting as dictated by the Law on Meetings and Demonstrations. Raising this argument in the indictment, even though the group had never notified authorities before as press statements do not require prior applications and police officers had attended many of the gatherings to ensure the protection of the participants before, indicates that the decision to ban the weekly sit-ins indefinitely is an arbitrary one. Given the peaceful nature of the gatherings which had continued uninterrupted since 2009, and which the group even convened during the State of Emergency period following the 2016 coup attempt, it is clear that the peaceful group did not pose a threat that would permit the use of force as claimed by the Istanbul Governor, and should never have been prohibited from gathering in its regular spot.

Both the ban and the prosecution are clearly politically motivated and violate the right to freedom of assembly. As Maina Kiai, former United Nations Special Rapporteur on the rights to freedom of association and peaceful assembly has [said](#): “The right to express grievances or aspirations for change through peaceful protest lies at the heart of any democratic society.” The right to truth has been acknowledged by resolutions of the United Nations, for example when proclaiming March 24 as [International Day for the Right to the Truth Concerning Gross Human Rights Violations and for the Dignity of Victims](#), not only of the relatives of disappeared person but also of the whole society. In this context, judicial harassment of those asking about the fate of their disappeared people is unacceptable.

Ahead of the first hearing on March 25, 2021, the undersigned call on the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the promotion and protection of freedom of opinion and expression, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Working Group on Enforced or Involuntary Disappearances, the Council of Europe Commissioner on Human Rights and the EU Special Representative for Human Rights to urge the Turkish authorities to:

- Unconditionally drop all charges against all 46 individuals who are judicially targeted for exercising their right to freedom of assembly;
- Immediately and effectively investigate the police brutality and rights violations reported by the individuals, which were disregarded; and
- Lift the indefinite ban on the weekly sit-ins of the Saturday Mothers, and thereby fully uphold the right to freedom of assembly recognized by art. 34 of the Constitution of the Republic of Turkey and international obligations.

Undersigned:

- Association for Monitoring Equal Rights (Turkey)
- Civil Rights Defenders (Sweden)
- Truth Justice Memory Center (Turkey)
- Human Rights Association (Turkey)
- Human Rights Foundation of Turkey (Turkey)
- Life Memory Freedom Association (Turkey)
- Media and Law Studies Association (Turkey)
- Netherlands Helsinki Committee (Netherlands)
- P24 Association for Independent Journalism (Turkey)
- Research Institute on Turkey (United States)
- Turkey Human Rights Litigation Support Project (United States)

Background

The “Saturday Mothers/People” group was formed on May 27, 1995 with the aim of demanding disclosure about their forcibly disappeared relatives in Turkey between the 1980s and the early 2000s, and holding accountable those who committed and ordered the disappearances (thereby ending the impunity for these crimes). Since its initial vigil, the group has faced police violence and persecution in various degrees. In 1999, the group was forced to halt its weekly gatherings after a year of extreme police violence. The movement resumed in 2009 and has been continuing its weekly calls for justice and accountability ever since. Since their presence at Galatasaray Square was banned as of August 25, 2018, the group [has been gathering](#) in Istanbul in front of the office of the Istanbul branch of İHD.

In 2013, the group was awarded the International Hrant Dink Prize and in 2019 it received the PEN Duygu Asena Prize.

Names of the prosecuted are: Adil Can Ocak, Ahmet Karaca, Ahmet Süleyman Belli, Ali İcak, Ali Yiğit Karaca, Atakan Taşbilek, Ataman Doğa Kiroğlu, Ayça Çevik, Besna Tosun, Cafer Balcı, Can Danyal Aktaş, Cihan Oral Gülünay, Cüneyt Yılmaz, Deniz Koç, Ercan Süslü, Ezgi Çevik, Faruk Eren, Fecri Çalboğa, Ferhat Ergen, Gamze Elvan, Hakan Koç, Hasan Akbaba, Hasan Karakoç, Jiyan Tosun, Kenan Yıldızlerler, Koray Çağlıyan, Koray Kesik, Leman Yurtsever, Levent Gökçek, Lezgin Özalp, Maside Ocak, Mehmet Günel, Muhammed Emin Ekinci, Murat Akbaş, Murat Koptaş, Onur Yanardağ, Osman Akın, Özer Oysam, Özge Elvan, Ramazan Bayram, Rüşa Sabur, Sadettin Köse, Saime Sebla Arcan Tatlav, Sinan Arslan, Ulaş Bedri Çelik and Volkan Uyar.