



URGENT APPEAL - THE OBSERVATORY

New information TUR 003 / 0618 / OBS 087.1

Lift of travel ban/
Judicial harassment
Turkey
October 17, 2018

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

New information:

The Observatory has been informed by reliable sources about the lift of the travel ban against human rights lawyer Ms. **Eren Keskin** and her ongoing judicial harassment. Ms. Eren Keskin is also the co-president of the Human Rights Association (IHD) and is running as next chairperson of the Istanbul Bar Association. For almost thirty years, she has contributed to the protection of minority rights, countered violence against women, and campaigned to challenge militarism and end torture. She is the founder of a legal office providing pro bono services for transgender persons and women who were raped or sexually abused by the national security forces. From 2013 to 2016, Eren Keskin held the title of 'co-editor-in-chief' for *Özgür Gündem* ('Free Agenda')¹, as a form of support of the imprisoned editorial staff. An honorary member of the Paris Bar Association, Eren Keskin is the winner of multiple international awards for her peace and human rights work, including the 2018 Helsinki Civil Society Award².

According to the information received, on October 10, 2018, in the tenth hearing held in the *Özgür Gündem* main case, the Istanbul 23rd High Criminal Court ordered to lift Ms. Eren Keskin's international travel ban as an interim ruling. The trial, which started in December 2016, was then postponed again until January 17, 2019. Travel bans issued against her in other pending trials remain active (see background information).

Ms. Eren Keskin and eight other defendants were charged with "disrupting the unity of the state," "terrorist group membership" and "propaganda for a terrorist organization" in relation with articles published in *Özgür Gündem* newspaper (see background information below).

The Observatory welcomes the court's decision to lift Ms. Eren Keskin's travel ban in this case, but reiterates its call to the Turkish authorities to lift the travel bans against her in other pending cases, end any act of judicial harassment against Ms. Eren Keskin as it seems to be merely aimed at punishing her for her human rights activities and her legitimate exercise of her right to freedom of expression, and to respect the freedom of movement of all the human rights defenders currently travel banned³.

¹ *Özgür Gündem* is one of the few independent newspapers in Turkey critical of the government and is known for its extensive reporting on the Kurdish-Turkish conflict. The newspaper was shut down in August 2016 by a court order following the coup d'état attempt in Turkey, while several criminal charges were brought against its journalists and editors. More than 100 persons voluntarily named themselves as editor-in-chiefs on a rotating basis. Eren Keskin was targeted by criminal convictions for news and articles by other authors exercising their right to freedom of expression. According to the Turkish Press Law, editors-in-chief can be indicted for publications in cases when the responsible authors cannot be held to account.

² See <https://www.nhc.nl/helsinki-civil-society-award-2018-goes-to-eren-keskin/>

³ There is an ample number of HRDs for whom international travel ban orders have been imposed, including but not limited to Taner Kılıç from Amnesty International, Günel Kuşun from Human Rights Agenda



Background information:

On March 30, 2018, Istanbul's 2nd Criminal Court of First Instance sentenced Eren Keskin to seven and a half years in jail in relation to some articles published in Özgür Gündem during the time when she was co-editor-in chief. According to the court's decision, the articles have "degraded" the Turkish nation and "insulted" the Turkish president.

A total of 143 cases have been lodged against Eren Keskin. Some of these lawsuits/case files have been combined by the courts. 12 of these lawsuits have been finalized, five are still pending before the Supreme Court of Appeals (or the Court of Cassation), while seven are pending before the Court of Appeals. As a result of these cases, the courts sentenced Ms. Keskin to a total of 12.5 years in prison and 460 thousand TL (around xx Euros) in fines. Out of the files imposing fines on Ms. Keskin in the amount of 158 thousand TL (around xx Euros) have been finalized, while the sentences totaling to 12.5 years in prison and the remainder of the fines are still pending before the Court of Appeals and the Supreme Court of Appeals (or the Court of Cassation).

In addition, Eren Keskin's ongoing work as a human rights lawyer has also been challenged: the legal team of the Office of the President of Turkey filed an application to the Istanbul Bar Association in August 2018 requesting the Bar to launch a disciplinary investigation against Ms. Keskin, which may result in disbarment. The Istanbul Bar Association asked for a defense from Ms. Keskin and the investigation is still pending.

Actions requested:

Please write to the authorities of Turkey asking them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Ms. Eren Keskin;
- ii. Put an end to all forms of harassment, including at the judicial level, against Ms. Eren Keskin and against all human rights defenders in Turkey;
- iii. Until all charges are dropped, ensure that all proceedings against Ms. Eren Keskin are carried out in compliance with her right to a fair trial, as protected under international law;
- iv. Comply with all the provisions of the United Nations Declaration on Human Rights Defenders adopted by the UN General Assembly on December 9, 1998, in particular its Articles 1, 6(a), 9, 11 and 12.2;
- vi. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Turkey.

Addresses:

- President of Turkey, Recep Tayyip Erdoğan, Fax: (+90 312) 525 58 31
- Prime Minister of Turkey Binali Yıldırım. Email: ozelkalem@basbakanlik.gov.tr
- Minister of Justice, Mr. Bekir Bozdağ. E-mail: ozelkalem@adalet.gov.tr
- Minister of Interior, Mr. Süleyman Soylu. Fax: +90 (312) 425 61 30

Association (former academic dismissed by a decree-law), Osman İşçi of Human Rights Association (Secretary General and former teaching assistant dismissed by a decree-law), a total of 93 IHD members and executives -26 being executives (dismissed by various decree-laws), Omer Atalar of Rights Initiative (formerly of Mazlum-Der), Ayşe Bilgen of Human Rights Research Association, and more than 400 Academics for Peace who signed the petition "We will not be a party to this crime" (dismissed by various decree-laws). The passports of those dismissed from public posts, including the academics, were canceled but no new passports are being issued for them which, in turn, turns out to serve as a *de facto* international travel ban.



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- Ambassador Izzet Selim Yenal, Diplomatic Mission of Turkey to the European Union in Brussels, Belgium. Fax: + 32 2 511 04 50
- Ambassador Mr. Ali Naci Koru, Permanent Mission of Turkey to the United Nations in Geneva, Switzerland. Email: mission.turkey@ties.itu.int

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

Paris-Geneva, October 17, 2018

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

The Observatory for the Protection of Human Rights Defenders (the Observatory) was created in 1997 by FIDH and the World Organisation Against Torture (OMCT). The objective of this programme is to intervene to prevent or remedy situations of repression against human rights defenders. FIDH and OMCT are both members of ProtectDefenders.eu, the European Union Human Rights Defenders Mechanism implemented by international civil society.

To contact the Observatory, call the emergency line:

- E-mail: Appeals@fidh-omct.org
- Tel and fax FIDH + 33 1 43 55 25 18 / +33 1 43 55 18 80

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