

URGENT ACTION

ACADEMICS DETAINED FOR SIGNING PEACE APPEAL

On 15 March three academics who signed an appeal for peace in January 2016 were charged with “making propaganda for a terrorist organization”. If convicted they face up to seven and a half years’ imprisonment. A fourth academic was detained on 31 March for signing the same appeal. The four are currently in pre-trial detention.

Academics **Muzaffer Kaya, Esra Mungan, Kivanç Ersoy** and **Meral Camcı** are amongst the over 2,000 signatories to a petition criticizing ongoing curfews and security operations in south eastern Turkey and calling on the “government to prepare the conditions for negotiations and create a road map that would lead to a lasting peace which includes the demands of the Kurdish political movement.” Shortly after the publication of the petition on 11 January 2016, the Ankara and Istanbul Chief Prosecutors opened a criminal investigation into its initial signatories, including the four academics.

In a press conference on 10 March, Muzaffer Kaya, Esra Mungan, Kivanç Ersoy and Meral Camcı renewed their call for peace and condemned the harassment of academics who had signed the petition, on behalf of all the signatories to the original statement. Subsequently, the Istanbul Chief Prosecutor opened a new separate investigation accusing the four academics of “making propaganda for a terrorist organisation”.

On 15 March the court granted the prosecutor’s request that Muzaffer Kaya, Esra Mungan and Kivanç Ersoy be remanded in pre-trial detention and found that “...despite knowing that the terrorist organisation [the PKK] is the source of the violence, the statement notably does not criticise or condemn the terrorist organisation, demonstrating that the defendants in reality support the actions of the terrorist organisation.” Meral Camcı was abroad when the arrest warrant was issued and returned to Turkey on 30 March. On 31 March she was remanded in pre-trial detention in Bakırköy women’s prison in Istanbul along with Esra Mungan.

Esra Mungan was held in isolation in Bakırköy prison until 28 March. Muzaffer Kaya and Kivanç Ersoy were held in isolation from other detainees between 24 March and 4 April. They are currently being held in Silivri prison, near Istanbul. The first objection to the pre-trial detention of Esra Mungan, Muzaffer Kaya and Kivanç Ersoy was rejected on 28 March and a hearing date was set for 22 April. A decision on the objection to the pre-trial detention of Meral Camcı is still pending.

The statements made by the four academics at the 10 March press conference, and the 11 January petition of the 1,128 original signatories in no way represent incitement to violence and are protected under the right to freedom of expression.

Please write immediately in Turkish or your own language:

- Calling on the Turkish authorities to release the four detained academics (Muzaffer Kaya, Esra Mungan, Kivanç Ersoy and Meral Camcı) and drop the charges against them;
- Urging them not to hold any of the detained academics in solitary confinement whilst they are in detention;
- Calling on them to drop the investigations into the academics who originally signed the petition.

PLEASE SEND APPEALS BEFORE 19 MAY 2016 TO:

Minister of Justice

Mr Bekir Bozdağ
Ministry of Justice
Adalet Bakanlığı
06659 Ankara, Turkey
Fax: +90 312 417 71 13
Salutation: Dear Minister

Minister of Interior

Mr Efkân Ala
İçişleri Bakanlığı
Bakanlıklar
Ankara, Turkey
Fax: +90 312 418 1795
Salutation: Dear Minister

And copies to:

Chair of the Human Rights Institution
Dr Hikmet Tülen
Yüksel Caddesi No. 23, Kat 3, Yenışehir
06650 Ankara, Turkey
Fax: +90 312 422 29 96
Email: tihk@tihk.gov.tr

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

**AMNESTY
INTERNATIONAL**



Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

In addition to the 1,128 academics who originally signed the petition in January, a further 1,084 academics added their name to the statement, bringing the total number of signatories to 2,212. The academics who signed the original petition (see: http://www.barisicinakademisyenler.net/node/63.html?_sm_au_=iVVTjtJv4FjsVfRM) are being investigated under laws prohibiting “making propaganda for a terrorist organization” and laws against “denigrating the Turkish nation” (see: <https://www.amnesty.org/en/latest/news/2016/01/turkey-detention-of-academics-intensifies-crackdown-on-freedom-of-expression/>). Many of the signatories have been subject to administrative investigations in their universities. Thirty academics were suspended, 38 were dismissed and some received death threats on social media. President Recep Tayyip Erdoğan compared them to “terrorists”, calling them the “the darkest of the dark” and demanding they be punished.

Turkey is obliged under Article 19 of the International Covenant on Civil and Political Rights and Article 10 of the European Convention on Human Rights to guarantee the right to freedom of expression. Permissible restrictions on freedom of expression include such restrictions as are necessary to prohibit propaganda for war or incitement to violence. Article 7/2 of the Anti-Terrorism Law which prohibits “making propaganda for a terrorist organisation” is too broad, with no explicit requirement for propaganda to advocate violent criminal methods. It has been used repeatedly to prosecute non-violent opinions on issues related to Kurdish rights and politics. The day before the court decision to remand the four detained academics, President Erdogan called for anti-terrorism laws to be amended to broaden the definition of ‘terrorism’ to include non-violent acts by authors, academics, journalists or NGOs. Given the existing broad wording and prevailing attitudes of prosecutors and judges, such a revision would mark a further regression in standards of freedom of expression in Turkey.

Solitary confinement should be used only as an exceptional measure and for as short a time as possible. The UN Special Rapporteur on torture has called for an end to its use in pre-trial detention as solitary confinement creates psychological pressure that can induce detainees to make incriminating statements. The revised UN Standard Minimum Rules for the Treatment of Prisoners state that solitary confinement for over 15 consecutive days amounts to prolonged confinement and should be prohibited.

Twenty-four-hour curfews have been imposed in parts of south-eastern Turkey since December, as the army and police conduct operations against the Revolutionary Patriotic Youth Movement, the youth wing of the Kurdistan Workers’ Party (PKK), an armed group. Those living in areas under curfew have been unable to access food and medical care, and face severe shortages of water and electricity. The law enforcement and military operations conducted in areas under curfew have been characterised by the use of heavy weaponry and sniper fire by the police and army, putting the lives of trapped residents at risk.

Name: Muzaffer Kaya (m), Esra Mungan (f), Kıvanç Ersoy (m) and Meral Camcı (f).
Gender m/f: both

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