



The Freedom Initiative

December 20, 2019

Joint Statement:

Turkish Authorities Must Free Osman Kavala and End the Gezi Trial

The fourth hearing in Turkey's political and unjust trial of 16 civil society activists and human rights defenders is scheduled for December 24 before an Istanbul court. The defendants, who include civil society leader Osman Kavala, artists, filmmakers, architects, and NGO workers, are accused of conspiring to overthrow the Turkish government by allegedly organizing the mass, nationwide protests of 2013, which were triggered by police violence against a small group of environmentalists opposing the demolition of Istanbul's Gezi Park. They also face charges relating to criminal damage during the protests despite the fact that none of them are accused of having personally caused it. If found guilty, the accused all face potential life sentences without parole. This high-profile trial is an example of the government's punishment of dissent and is part of a broader crackdown on civil society.

The Gezi case represents a serious threat to all those defending human rights in Turkey and has been condemned by global watchdogs, including the Council of Europe Commissioner for Human Rights, as politically motivated and legally baseless.¹ Indeed, the 657-page indictment fails to provide any credible evidence of criminal activity or intent by the defendants to overthrow the government. Due process and fair trial guarantees have been denied to the main defendant, Osman Kavala, who has been held in detention in Istanbul's Silivri high security prison since November 2017. On December 10, the European Court of Human Rights ruled that Kavala's detention has been carried out and prolonged in bad faith for unlawful purposes, in

¹ "Third party intervention by the Council of Europe Commissioner for Human Rights under Article 36, paragraph 3, of the European Convention on Human Rights Application No. 28749/18 Mehmet Osman KAVALA v. Turkey," *Council of Europe*, December 20, 2018, <https://rm.coe.int/third-party-intervention-before-the-european-court-of-human-rights-cas/1680906e27>

violation of the European Convention on Human Rights, and that he should be immediately released.² The Turkish authorities are not ensuring that a credible judicial process is conducted, but instead are seeking to criminalize dissent by portraying peaceful protests as an illegal enterprise to topple the government, thereby threatening the rights to freedom of assembly and expression.

The Gezi trial is emblematic of the Turkish government's systematic persecution of civil society and human rights defenders, which has created a climate of fear in Turkey against the backdrop of declining independence of the judiciary. We call on the Turkish authorities to drop the bogus charges against all defendants in the Gezi case and to immediately and unconditionally release Osman Kavala from prison. The continuation of this prosecution not only would violate the human rights of the defendants, but also would cause severe harm to Turkey's civil society and the standing of the country's judiciary.

Signed,

Amnesty International
EuroMed Rights
Freedom House
The Freedom Initiative
Human Rights First
PEN America
Project on Middle East Democracy
Reporters Without Borders
Robert F. Kennedy Human Rights

² "Judgement: Case of Kavala v. Turkey," European Court of Human Rights, December 10, 2019, [https://hudoc.echr.coe.int/eng#{%22itemid%22:\[%22001-199515%22](https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-199515%22)