



AMNESTY INTERNATIONAL
TURKEY: APPEAL CASES

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Turkey: Human rights defender imprisoned

Human rights defenders around the world are united by their commitment to protecting and upholding the dignity and rights of people. They are individuals and groups who put pressure on governments to live up to international human rights obligations.

The Turkish human rights group Mazlum Der – whose full name in Turkish translates as “The Organization for Human Rights and Solidarity with Oppressed People” – was founded on 24 January 1991 in Ankara. Independent of the state and political parties or groups, it aims to defend and support human rights for all people both in and outside Turkey without any discrimination or double standards. Nevertheless, the organization has found itself targeted for unfounded allegations of links with armed Islamist groups.

Özkan Hoşhanlı is the former chair of the local branch of Mazlum Der in Malatya, a town in south east Turkey. On 1 May 2003 a court in Turkey confirmed that he should be imprisoned for fifteen months for attempting to participate in demonstrations in April and May 1999 while he was deputy chair of the branch. On 28 October 2003 Özkan Hoşhanlı entered Yeşilyurt prison where he is serving this sentence.

Özkan Hoşhanlı had been trying to observe – in his role as a human rights defender - demonstrations in support of female students banned from attending classes at İnönü University in Malatya because they chose to wear a headscarf for religious reasons. The rector of İnönü University had issued a ban on all students wearing headscarves on 26 April 1999 threatening anyone who violated this ban with suspension from their studies. This ban resulted in demonstrations by students and other members of civil society on 26 and 30 April and 7 May. The latter demonstration reportedly ended in violent clashes between the security forces and protestors with reports of excessive force being used to disperse the crowd including beatings with truncheons. More than two hundred individuals were detained during and after this demonstration – including Özkan Hoşhanlı.

A trial was opened against 75 of these detainees in 22 June 1999 at Malatya State Security Court (DGM) in which the prosecutor asked for the death sentence for 51 of the defendants on charges of “having tried to create public unrest with the aim of

forcibly changing the constitutional order of Turkey”. Sentences of between 5 and 15 years were requested for Özkan Hoşhanlı and another 24 defendants for supposedly participating in this unrest. In the indictment it alleges that “...Özkan Hoşhanlı’s point of reference is radical Islam according to the types of work of the association for which he is deputy head [Mazlum Der]”.

These charges against the protestors were eventually dropped by the court. However, Özkan Hoşhanlı and 18 other defendants were later convicted for being in contravention of Law No 2911 on Meetings and Demonstrations for “participating in an illegal demonstration and not dispersing after orders and warnings, and having to be dispersed by government forces with force”. On 1 May 2003, the Turkish High Court of Appeals upheld a sentence against Özkan Hoşhanlı of imprisonment for 15 months in addition to a monetary fine. Amnesty International considers him a prisoner of conscience imprisoned for his activities as a human rights defender.

On 28 May 1999 the Mazlum Der branch in Malatya was shut down by a court order that reported that it was necessary to do so “to prevent the carrying out of a crime”. It has only recently reopened. The current chair of the Malatya branch of Mazlum Der, Hüseyin Sarıgül, stated “I want to say once more that we won’t give up on the rights and freedoms of our people and of our fellow human rights defenders...we won’t stop defending human rights in the face of any difficulty or intimidation.”

Recommended action:

Please send politely worded letters to the Turkish authorities in English or your own language:

- Expressing your concern at the case of Özkan Hoşhanlı whom Amnesty International considers is a prisoner of conscience imprisoned for his work as a human rights defender;
- Calling for his immediate and unconditional release from prison;
- Requesting that the authorities take steps to extend durable protection in law to Mazlum Der and its staff and to allow human rights defenders to pursue unhindered their lawful role of monitoring and reporting human rights matters in line with the UN Declaration on the Protection of Human Rights Defenders;
- Calling on the authorities to take effective action to ensure all public servants recognize the legitimacy of the work of human rights defenders.

<u>Minister of Justice</u> Mr Cemil Çiçek Ministry of Justice Adalet Bakanlığı 06659 Ankara, Turkey E-mail: cemilcicek@adalet.gov.tr Salutation: Dear Minister	<u>State Minister with responsibility for Human Rights</u> Mr Abdullah Gül, Office of the Prime Minister, Başbakanlık, 06573 Ankara, Turkey E-mail: abdullah.gul@basbakanlik.gov.tr Salutation: Dear Minister
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Send copies of your letters to the diplomatic representatives of Turkey accredited to your country.