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EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK  
RÉSEAU EURO-MÉDITERRANÉEN DES DROITS DE L'HOMME  
لشبكة الأوروبية - المتوسطية لحقوق الإنسان



Union Internationale des Avocats  
International Association of Lawyers  
Unión Internacional de Abogados

## TURKEY: Four years on, Muharrem Erbey still in pre-trial detention

**Paris-Geneva, January 10, 2014 - Four years after Muharrem Erbey's arrest, FIDH and OMCT, within the framework of the Observatory for the Protection of Human Rights Defenders, the Union Internationale des Avocats (UIA - International Association of Lawyers), the Euro-Mediterranean Human Rights Network (EMHRN), the Human Rights Association (İnsan Hakları Derneği - İHD) and the Human Rights Foundation of Turkey (Türkiye İnsan Hakları Vakfı - TİHV) remain gravely concerned about the prominent human rights lawyer's continued arbitrary detention and the continuous harassment targeting human rights defenders in the country.**

On January 13 2014, the trial against human rights lawyer, Vice President of the İHD, former President of the İHD's branch office in Diyarbakır and recipient of the Ludovic-Trarieux International Human Rights Prize for 2012 **Muharrem Erbey** will resume. Mr. Erbey has been suffering judicial harassment and protracted pre-trial detention for more than four years and is being prosecuted with 152 other Kurdish figures.

On December 24, 2009, Mr. Muharrem Erbey was arrested by the Anti-Terror Unit of the Diyarbakır Security Directorate as part of an operation launched simultaneously in 11 provinces in Turkey. His arrest and detention were based on his alleged membership to the Kurdish Communities Union (KCK), an organization said to be the "urban branch" of the armed Kurdistan Workers Party (PKK). Consequently, he was charged with "being a member of an illegal organisation", pursuant to Article 314 of the Turkish Criminal Code. Mr. Erbey is facing a minimum sentence of 7,5 to 15 years in prison should he be found guilty.

Minutes taken during Mr. Erbey's interrogation on December 25, 2009 by the prosecution clearly show that the real reasons for his arrest were linked to his legitimate human rights work. According to Mr. Erbey's lawyers, the charges were mainly based on his participation in a workshop in Diyarbakır in September 2009 on constitutional amendments aimed at ensuring a greater respect for minorities' rights, his speeches on Kurdish rights made before parliaments in Belgium, Sweden and the UK, and his attendance to the "Kurdish Film Festival" in Italy in 2009. Additionally, lawyers representing Mr. Erbey were only given access to the criminal file six months after his arrest, in clear breach of his defence rights, as recognised under international law.

Since 2009, over 8,000 people have been arrested in the context of the KCK investigations - mass counter-terrorism operations that in fact have little to do with countering terrorism, but rather have been used as a means of criminalising peaceful dissent and Kurdish political and cultural expression. Similar investigations have targeted human rights defenders based on their alleged membership in other terrorist groups such as the Revolutionary People's Liberation Party-Front (DHKP-C)<sup>1</sup>. In this context, dozens of human rights defenders, including İHD members and executives, have been subjected to judicial harassment for trumped-up and abusive terrorism charges in Turkey. The situation of Mr. Erbey is particularly serious due to the length of his pre-trial detention, which also contravenes international fair trial standards.

Our organisations firmly denounce the protracted and unjustified detention of Mr. Erbey in the last four years. They are alarmed by the Turkish authorities' blatant disrespect for Mr. Erbey's fundamental right to a fair trial within a reasonable time and to defence, and his legitimate right to promote and defend human rights, including by participating in activities aimed at promoting those rights in the public sphere and taking up their defence in the context of his professional activity.

Our organisations urge the Turkish authorities to immediately and unconditionally release Mr. Erbey since charges pending against him seem to merely aim at sanctioning his human rights activities, to guarantee Mr. Erbey's right to a fair trial and to refrain from further harassing human rights defenders, including members of İHD.

More generally, our organisations reiterate their call to the Turkish authorities to put an end to the ongoing repressive climate targeting human rights defenders and organisations in the country, in line with the United Nations Declaration on Human Rights Defenders, the Universal Declaration of Human Rights and international and European human rights instruments ratified by Turkey.

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<sup>1</sup> See Observatory's Press Release, January 28, 2013.