Joint statement: The only just outcome is the acquittal of the METU Pride human rights defenders

News, Civil Rights and Freedom, Freedom of Assembly, Human Rights Defenders, Pride, Turkey

We, the undersigned human rights organisations, believe that the only just outcome in the unfair prosecution of 19 human rights defenders for their participation in a peaceful Pride march on the campus of Ankara's Middle East Technical University (METU) on 10 May 2019 is their wholesale acquittal at their next hearing on 10 December at 09:00 UTC+3.

The human rights defenders face charges of "participating in an unlawful assembly" and "failing to disperse despite being warned," despite the fact that earlier in the year, on 21 February 2019, the Ankara Administrative Appeals Court had lifted the blanket ban prohibiting all LGBTI+ activities in Ankara introduced under the state of emergency, which was used as the legal basis to ban the march. The regional court lifted the ban on the grounds that it was unlawful and restricted rights and freedoms in unconditional, vague, and disproportionate ways.

METU Pride had been organised peacefully every year since 2011. However, on 6 May 2019, the administration of METU unlawfully banned the METU Pride march. Since the administration's decision contravened the Ankara court's ruling, activists and students exercised their legal right to freedom of assembly and gathered to proceed with their annual march. The university administration then contacted the Ankara Security Directorate asking them to intervene to prevent the march from taking place.

The police used excessive force on peaceful protestors on the day: tear gas and plastic bullets were fired at the crowd, students were dragged across the ground, pushed up against trees and sustained head injuries. The excessive force used during the police intervention is a clear violation of the right to peaceful assembly, which is protected under domestic law and international laws, including the European Convention of Human Rights, to which Turkey is a party.

Despite there being ample video footage of the police violence, to-date, none of the police officers seen using excessive force have been charged. On the contrary, 18 students and an academic who were exercising their right to freedom of assembly were detained, charged and prosecuted, facing a possible prison sentence of up to three years.

In June 2020, the Ankara Administrative Court No. 7 made reference to the 2019 ruling by the Ankara District Administrative Court No. 12 which quashed the blanket ban on all LGBTI+ events in the capital in place since 2017, stating that "although specific assemblies and demonstrations may be banned, the right to peaceful assembly and demonstration should be protected as an inalienable right in a democratic society" and that "the State has an obligation to take necessary measures to ensure this right can be exercised securely". This ruling confirms that the METU administration's ban on the May 2019 Pride March on campus had no legal basis.

We therefore call on the trial prosecutor to recommend the acquittal of all the human rights defenders at the hearing on 10 December, and for all the relevant authorities in Turkey to ensure that the security forces and METU administration uphold the right to freedom of peaceful assembly as enshrined in domestic law and international human rights law, by ensuring that future Pride marches at METU campus and in Ankara take place without

obstruction. We also call on the Turkish authorities to conduct a prompt, independent and impartial investigation into the excessive use of force by the police on the campus, and for police officers responsible for arbitrary or abusive force to be brought to justice.

- Agir ensemble pour les droits humains
- Amnesty International
- Civil Rights Defenders
- Front Line Defenders
- Human Rights Without Frontiers
- ILGA-Europe – the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association
- International Federation for Human Rights (FIDH), within the framework of the Observatory for the Protection of Human Rights Defenders
- Netherlands Helsinki Committee
- World Organisation Against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders

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Further information:

- Read our press release dated 7 December 2020.
- Watch and share our video on Twitter in support of the METU LGBTI+ Solidarity's campaign.
- Timeline of the story so far.