



## JOINT PUBLIC STATEMENT

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# TURKEY: AUTHORITIES SHOULD SEEK ACQUITTAL OF ALL IN THE SATURDAY MOTHERS/PEOPLE TRIAL

On 25 March, the first hearing takes place in the trial of 46 people charged with ‘refusal to disperse despite warning and use of force’ under Article 32/1 of Turkey’s Law on Meetings and Demonstrations (Law No. 2911) during the 700th weekly vigil of the Saturday Mothers/People on 25 August 2018.<sup>1</sup> Police used excessive force including water cannons and tear gas to disperse a large, peaceful crowd, which had gathered for the vigil in Istanbul and detained 46 individuals now on trial. If found guilty, they face a sentence of between six months and three years in prison.

The 46 individuals include human rights defenders, political activists, journalists, and relatives of victims of enforced disappearances. The baseless prosecution of these 46 individuals for exercising their rights to freedom of expression and peaceful assembly in defence of human rights is only the most recent government action in a relentless crackdown on civil society, human rights defenders and those who peacefully express their dissent in Turkey.

Amnesty International, Human Rights Watch and Front Line Defenders urge the Turkish authorities to call for the immediate acquittal of the 46 and guarantee their right to freedom of expression and peaceful assembly; and should ensure an immediate, thorough and impartial investigation into the allegations of excessive use of force and ill-treatment by the police in Istanbul’s Galatasaray Square on 25 August 2018, with a view to bringing those responsible to justice in accordance with international fair trial standards.

## THE BAN AND DISPERSAL OF THE 700TH VIGIL AND THE PROSECUTION OF THE MEMBERS OF THE SATURDAY MOTHERS/PEOPLE

Members of the Saturday Mothers/People are relatives of victims of enforced disappearances during the 1980s and 1990s who have been holding a peaceful vigil every Saturday at the same spot since May 1995,<sup>2</sup> calling for truth and justice for their loved ones. These vigils, which saw the participation of larger numbers of people on landmark dates such as the 500th and 600th weeks, had been held peacefully in Istanbul’s Galatasaray Square without any restrictions by the authorities.

The 700th vigil on 25 August 2018, was subject to a ban by the Beyoğlu district governor on the grounds that the authorities had not been notified 48 hours prior to the vigil. At around 10am, approximately 50 people arrived early to prepare for the vigil. Law enforcement officials told them to disperse and intervened using excessive force including tear gas, water cannons and plastic bullets. By the time the vigil was due to begin, more participants had arrived and a sit-in protest had started. Police continued to use excessive force, detaining 47 people including a child for around 10 hours.

According to the Human Rights Foundation of Turkey, 12 participants sustained injuries during their detention. The Istanbul Governorate dismissed the participants’ subsequent complaints regarding use of excessive force by the police, evidenced by medical reports. The Istanbul Chief Prosecutor rejected criminal complaints for ‘wrongful conduct’ against the Istanbul governor and the Beyoğlu district governor as well as the application to the Istanbul Administrative Court No.6 for the annulment of the protest ban on Galatasaray Square. The Istanbul regional administrative appeals court also

<sup>1</sup>Amnesty International public statement, 29 August 2018. Turkey: Authorities must ensure relatives of people forcibly disappeared can continue with their peaceful weekly vigil <https://www.amnesty.org/en/documents/eur44/9009/2018/en/>

Front Line Defenders public statement, 31 August 2018, Turkey: Saturday Mothers’ weekly vigils must be allowed and their right to peaceful assembly guaranteed, <https://www.frontlinedefenders.org/en/statement-report/turkey-saturday-mothers%E2%80%99-weekly-vigils-must-be-allowed-and-their-right-peaceful>

<sup>2</sup> The vigils were stopped for ten years between 1999 and 2009. They resumed and have continued uninterrupted since then. From September 2018, they were held outside the offices of the Istanbul branch of the Human Rights Association in Taksim. Since the onset of the COVID-19 pandemic, they have been held online.

rejected the subsequent appeal in October 2020. This decision was further appealed to the Council of State on 27 January 2021, where it is pending.

On 18 November 2020, the Istanbul Criminal Court of First Instance accepted the indictment against 46 individuals, among them relatives of victims of enforced disappearances, human rights defenders, political activists, journalists, and others. The first hearing in their trial will take place in Istanbul on 25 March 2021.

The undersigned organizations are alarmed by public comments by the President<sup>3</sup> and Minister of Interior<sup>4</sup> referring to the Saturday Mothers / People as 'terrorists', raising concerns that the trial against the 46 is motivated by a desire to silence the Saturday Mothers / People and others who support them in their quest for justice.

## BACKGROUND

Saturday Mothers / People is a group of relatives of individuals subjected to enforced disappearances during the 1980s and 1990s in Turkey and human rights defenders. The disappeared people were kidnapped, detained, or taken into unofficial custody without a record by individuals presumed to be state agents. Taking the Plaza del Mayo as their example, the families started holding a sit-in vigil at Galatasaray Square in Beyoğlu, a popular touristic and shopping district in Istanbul, to make their voices heard and raise awareness of the then endemic problem of enforced disappearances in Turkey. The first vigil was held on 27 May 1995, right after the tortured body of Hasan Ocak was found in an unmarked grave.

The group came together peacefully in a silent vigil at Galatasaray Square every Saturday at noon until 1999. During each meeting, the story of a disappeared person was told and state authorities were called on to make public the truth about the fate and the whereabouts of their disappeared loved ones and to bring the perpetrators to justice.

Although the group faced occasional police violence or arrests, the violent police intervention intensified in 1998, along with smear campaigns against the families, claiming that the disappeared people had in fact joined terrorist organizations. In seven months, 1,093 people were arrested even before reaching Galatasaray Square; they were dragged away, beaten and harassed.

On 13 March 1999, at the 200<sup>th</sup> week of their gathering, the families of the disappeared announced that they would suspend their action due to the attacks and repression they faced by the police forces.

On 31 January 2009, Saturday Mothers / People restarted their gathering at the same location.

On 5 February 2011, after gaining increased visibility and public support and in the context of a changing political climate, then Prime Minister Recep Tayyip Erdoğan held a meeting with representatives of the group at which they presented a series of demands. Their requests included the establishment of an independent inquiry commission into the cases of enforced disappearances and ratification of the International Convention for the Protection of all Persons from Enforced Disappearance.

Saturday Mothers / People continued their peaceful gathering until the 700<sup>th</sup> week on 25 August 2018 without any major interruption by the police.<sup>5</sup> The 500<sup>th</sup> gathering on 25 October 2014,<sup>6</sup> and the 600<sup>th</sup> gathering on 25 September 2016<sup>7</sup> were attended by thousands of supporters, including human rights defenders, and took place without police intervention or disturbance.

Following the ban on 25 August 2018, their weekly peaceful vigils continued in a narrow street in Taksim, outside the offices of the Human Rights Association and with heavy police presence. At least twice, police intervened with tear gas to disperse the attendees, solely on the basis of the content of a statement that was read out by a representative of the group. Since the outbreak of COVID-19, the vigils are held online each week.

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<sup>3</sup> A speech by President Erdogan implying that the Saturday Mothers (and airport construction workers) are 'terrorists'  
<https://www.evrensel.net/haber/363013/erdogan-cumartesi-anneleri-ve-havalimani-iscilerini-terorist-ilan-etti>

<sup>4</sup> <https://www.hurriyetdailynews.com/terror-groups-exploit-saturday-mothers-turkeys-interior-minister-says-136184>

<sup>5</sup> <https://www.cumhuriyet.com.tr/haber/arrest-at-the-saturday-mothers-657162>

<sup>6</sup> <https://www.hurriyetdailynews.com/mothers-of-the-disappeared-in-turkey-gather-for-500th-time-in-istanbul-73462>

<sup>7</sup> <https://www.dw.com/en/turkeys-saturday-mothers-meet-for-600th-time-demanding-justice-for-forcibly-disappeared/a-35884103>

## **THE SIGNIFICANCE OF GALATASARAY SQUARE FOR SATURDAY MOTHERS / PEOPLE**

The vigil of Saturday Mothers / People is the longest lasting peaceful assembly in Turkey. For more than 800 weeks, the group did not change the form of their vigil. It brings together people from different backgrounds, raising their voices for any disappearance claim brought forward by their families without discrimination. During their 25 years of struggle, their demands have not changed, and they have never given up.

Galatasaray Square has become a significant place of memory in the human rights struggle of Turkey and has become synonymous with the Saturday Mothers / People. The attack on the 700th week vigil and what appears to be a permanent ban is perceived by the group as an attempt to erase the memory of those forcibly disappeared. This belief is supported by the fact that no efforts have been made to bring the perpetrators to justice or to uncover the whereabouts of many of the victims of enforced disappearance.