

UK statement on the arrest of Osman Kavala in Turkey

Mr Chairman,

The UK adds its voice to those expressing concern over the continued detention of Mr Osman Kavala, Chairman of Anadolu Kultur. Mr Kavala was originally taken into custody in October 2017, and placed in detention on 1 November 2017. In February 2019, sixteen months later, Mr Kavala was first informed of the charges against him after the Istanbul Chief Prosecutor's Office issued an indictment relating to the 2013 Gezi Park protests.

On 10 December 2019, the European Court of Human Rights ordered Mr Kavala's release, finding that his continued incarceration constituted arbitrary detention. Mr Kavala remained in detention.

Last week, on 18 February, Mr Kavala and eight other defendants were acquitted of all charges. The Court ruled that "there was no concrete and material evidence which would determine that the charged crimes had been committed." The Court further ruled for the release of Osman Kavala, who had at that point spent 840 days in prison.

However, within hours of the verdict, the Istanbul chief public prosecutor's office issued a new detention order for Mr Kavala, as part of a separate investigation into the 2016 coup attempt. Mr Kavala was charged with "attempting to overthrow the constitutional order" and detained before he could be released.

We support the statement of 19 February by the Council of Europe Commissioner on Human Rights, Dunja Mijatovic. In it, she noted that the allegedly new charges "have no credibility" and that the arrest amounts to ill-treatment. We also share the concerns over Mr Kavala's re-arrest expressed in the letter from the Council of Europe Secretary General to the Justice Minister of Turkey of 21 February.

We urge the Turkish authorities to ensure every person's right to a fair trial, and to uphold the principle of the presumption of innocence and judicial independence, as agreed in the Copenhagen Document of 1990. As well as the commitment, made in Vienna in 1989, to ensure "that no one will be subjected to arbitrary arrest, detention or exile".

We would welcome an update on this case, and on the postponed hearing of Amnesty International Honorary Chair Taner Kilic in the Buyukada case. We also seek assurance from the Turkish authorities of their commitment to the rule of law, including the independence of the judiciary.