



**KAMU EMEKÇİLERİ SENDİKALARI KONFEDERASYONU**  
**CONFEDERATION OF PUBLIC EMPLOYEES TRADE UNIONS**  
**LA CONFÉDÉRATION DES SYNDICATS DE TRAVAILLEURS**



28.11.2013

**Ref** : 2013-640/02-69

**Subject:** Demand for International Support and Solidarity

Dear Colleagues,

As we expressed in several occasions, members and leaders of KESK-affiliated trade unions have been kept under repression since their establishments. Members and the leaders of the KESK affiliated trade unions have been arrested-detained and tried on several grounds. By arrests and trials, and judicial procedures, our trade unions' organization-unionization are tried to be hindered.

Through two main court hearings that will be on January 2014, KESK and dissenting opinions will be brought before the court again. We consider international delegations of observers' presence during two court hearings as significant since it might cause a pressure to be done what is necessary for the principle of right to a fair trial.

Via this letter, we demand and call for international solidarity and support. International observation of such court cases would contribute to the elimination of arbitrary sentences, by raising public awareness and pushing the authorities to follow the principle of right to a fair trial. We demand attendance of international delegations of observers to the court hearings which will be in *Ankara* on *13 January 2014* and in *İstanbul* on *23-24 January 2014*.

The court hearing that will be heard on *January 13, 2014 at Ankara Criminal Court of General Jurisdiction* is the first hearing of a trial launched on the ground of two day long protest meeting organized by our Confederation in order to protest new law enabling 4+4+4 education system. This demonstration had been held on March 28, 2012 at Ankara, Kızılay.

On the ground of this demonstration, the Ankara Public Prosecutors' Office placed a charge against 502 people, including President and General Secretary of KESK.

**Background Information:**

Our confederation had organized a strike action on 28-29 March 2012 by enjoying legal rights and freedoms. Thousands of public employees, particularly laborers from education sector from all provinces of Turkey gathered in Ankara on March 28, 2012 in order to show their reaction, and will of democracy and make their voices heard. This demonstration was ended after the police attack.

More than one year later after this event, Ankara Public Prosecutors' Office placed a charge against 502 people on the ground that such acts consist of the violation of Act No. 2911 on Meetings and Demonstrations. By this lawsuit, crime committed by causing damage on the public properties and by using inappropriate violence attributed

to us; while police violence was found as appropriate. There is no imprisoned defendant of this court case.

This court case is one of the indicators that Act No. 2911 has been referred as a tool to silence public opposition and that: Laborers can be tried as they enjoying their democratic rights and freedoms and as they expressed their reaction.

Within the scope of this lawsuit not only KESK but also other organizations such as DİSK (Confederation of Progressive Trade Unions), TMMOB (Chambers of Turkish Engineers and Architects), TTB (Turkish Medical Association) and representations of political parties and democratic mass organizations will be tried.

This trial is also important since it is against the highest number of defendants, that we have faced recently.

By this and such trials, all opponents of the ruling power are tried to be judged.

During the period of AKP ruling, peaceful enjoyment of our fundamental rights, especially of right to organize and rights to freedom of expression which are guaranteed by the Constitution and international conventions are tried to be prevented by using Act No. 2911 on Meetings and Demonstrations and Anti-Terrorism Legislation.

The other lawsuit is against 27 imprisoned KESK's members and leaders. The first hearing of this law suit will be on **23-24 January 2014 in İstanbul at İstanbul 16th High Criminal Court** (İstanbul, Çağlayan Court House).

We are calling for international solidarity in order to demand immediate release of our friends whose only crime is struggling for rights, freedoms and democracy and making a claim for their trade union rights and freedoms. Thus we demand your attendance to the court hearing that will be on **23-24 January 2014 at İstanbul 16th High Criminal Court**.

### **Background Information:**

As a part of the campaign carried out by the government to blame our Confederation an operation was started on February 19, 2013. Operation covered 28 provinces. 167 members and leaders of KESK-affiliated trade unions were detained. 66 of them were sent to the prisons. Lawsuits were opened in several provinces of Turkey and after the first hearing of these trials all friends who had been held in prison were released in pending trials.

As of today, there are 47 executives and members of KESK-affiliated trade unions, including who were arrested and detained during the 19 February operation in prison. 12 of them are women.

Criminal indictment against total of 30 friends who were arrested in İstanbul on 19 February were issued by the Prosecutors' Office and submitted to the Court. Relevant high criminal court rejected the accusations and returned it to the prosecutors on the ground that "the allegations and evidences which were mentioned in criminal indictment is not enough for accuse defendants on the ground of illegal organization' membership." Relevant Prosecutors' Office sent the accusation to the Court again and criminal accusation was agreed and the date for the hearing of the trial was agreed as January 27-28.

27 defendants of the law suit have been in pretrial detention since 19 February 2013.

Only last two years, almost 400 members and executives of KESK-affiliated trade unions were detained and arrested. Many of them are held in prison for a long time without to be brought before the Court. Some of the criminal accusations against imprisoned people were issued nearly two year after the date of the detention of our trade unions' members and executives. Although some of members and executives even find guilty after the hearings, the period they spend in prison exceed the time that would be the verdict of courts. They are, however, still kept in prisons.

While there is not any new evidence and allegation against them, our friends are still imprisoned. Such a fact, for us, is one of the proofs that such operations and arrests and detentions are derived from political decisions.

### ***Program***

**For the court hearing in Ankara**, international participants are expected to attend the court hearing and to participate in press meeting that will be held in front of the Ankara Court House on 13 January 2014.

**For the court hearing in Istanbul**, There will be a press conference with the participation of international delegation on **22 January 2014 at 13.00 in Istanbul** (you'll be informed about the place of the press conference later). International representatives are also expected to attend court hearing on **23 January 2014 in İstanbul Çağlayan Court House**.

We would be pleased to see and welcome you in Ankara and Istanbul.

Thank you in advance for your solidarity.

Best Regards

  
Ismail Hakki Tombul  
General Secretary

### **Provisional program for international delegation**

<b>13 January 2014, Monday</b>	
12.00	Press Release with the participation of international delegates in front of the <b>Ankara Court House</b>
	Court Hearing
<b>22 January 2014, Wednesday</b>	
13.00	Press Conference with the participation of international delegates in <b>İstanbul</b>
<b>23 January 2014, Thursday</b>	
10.00 (t.b.c)	Court Hearing at <b>İstanbul Çağlayan Court House</b>

\*\*Please note that KESK will organize and cover accommodation for the members of delegations.

\*\* The pick-up at the Ankara Esenboğa Airport for the trial on 13 January 2014 will be organized on the basis of your flight details. Please send names and flight details of members of the delegation via sending email to [kesk@kesk.org.tr](mailto:kesk@kesk.org.tr).

\*\* Details concerning the transportation and accommodation in Istanbul will be sent later. Thus, if you inform us about your participation as soon as possible, organization for Istanbul trial will be more proper.