

Statement by the French Human Rights Ambassador and the German Human Rights Commissioner on the continuation of the trial against Osman Kavala and his codefendants

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Federal Government Commissioner for Human Rights Policy and Humanitarian Assistance at the Federal Foreign Office Bärbel Kofler and French Ambassador for Human Rights Delphine Borione issue the following joint statement on the continuation of the trial against Osman Kavala and his codefendants on 8 October in Turkey:

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Almost two years ago, the European Court of Human Rights ruled in favor of Osman Kavala and called for his immediate release. Despite this decision, Osman Kavala will be summoned to a new audience on 8 October before the Istanbul Court. Yet 18 October 2021 will mark for Mr. Kavala his fourth year in pre-trial detention with little prospect for a swift judgement.

His case is one of the most prominent examples of Turkey's intimidation of human rights defenders and civil society activists, thus violating the values enshrined in the European Convention on Human Rights.

We reiterate our urgent call on Turkey to fully comply with its international obligations and to implement without further delay the decision of the European Court of Human rights which calls for the immediate release of Osman Kavala.

Background:

Cultural philanthropist Osman Kavala has been in prison since 18 October 2017. On 10 December 2019, the European Court of Human Rights (ECtHR) determined that the prolonged pre-trial detention of Osman Kavala is in violation of the European Convention on Human Rights and demanded his immediate release. The Committee of Ministers of

the Council of Europe has repeatedly called on Turkey to implement this judgement. On 17 September 2021, the Committee underlined its readiness to initiate infringement procedures against Turkey if Osman Kavala is not released by its next meeting dedicated to the supervision of the execution of ECtHR judgements in December 2021.

On 18 February 2020, an Istanbul Court cleared Mr. Kavala of “attempted overthrow of the government” in the context of the so-called Gezi-protests of 2013. However, he was re-arrested on different charges. A Court of Appeal repealed the previous acquittal on 22 February 2021. The last trial hearing took place on 21 May 2021 when the Gezi case and allegations of espionage were brought together. On 2 August 2021 a Turkish court decided to join these two cases with the so-called Çarşı proceedings involving other defendants. In the hearing on 8 October, all three cases will be examined together for the first time.