

30 April 2019

Turkey: Member of Academics for Peace, Zübeyde Füsün Üstel, due to begin prison sentence

A member of Academics for Peace, Prof. **Zübeyde Füsün Üstel**, whose 1 year and 3 months prison sentence was upheld on 25 February 2019, is due to begin her prison sentence within ten days. The human rights defender was convicted based on charges of disseminating “terrorist propaganda” for signing a petition drafted in January 2016 by Academics for Peace, calling for a peaceful resolution to the conflict in the mostly Kurdish-populated southeastern provinces. She will be the first Academic for Peace to enter jail.

[Zübeyde Füsün Üstel](#), is a well-known academic in the field of political science. She was a faculty member of the Department of Political Science at Galatasaray University. Apart from her academic studies, she has a long history working in civil society organisations, particularly at [Citizens Assembly](#) and [History Foundation](#) in Turkey.

[Academics for Peace](#) are the signatories of the petition “[We will not be a party to this crime!](#)” (also known as the “peace petition”), publicized in January 2016. The petition condemned the security operations conducted by Turkish authorities in the mostly Kurdish-populated southeastern provinces because of their disastrous impact on the civilian population. The petition drew attention to the human rights violations committed during the operations and called for a peaceful resolution to the conflict. In total, 2212 academics signed it. Since then, they have been subjected to numerous [human rights violations](#), including judicial harassment and smear campaigns.

On 4 April 2018, the 32nd High Criminal Court of Istanbul sentenced Zübeyde Füsün Üstel to 1 year and 3 months in jail, based on the charge of disseminating “terrorist propaganda”. As provided in the procedural rules, she was asked by the court whether she wanted the pronouncement of the verdict to be delayed, if the court ruled that such a delay could be applied. The human rights defender refused as this would have denied her a right to appeal her sentence and to further defend her position that calling for peace does not constitute a crime.

Article 231 of the Turkish Criminal Procedure Code allows for the pronouncement of a judgement to be delayed, which does not equate to suspending a sentence. When the pronouncement of a sentence is delayed, this sentence does not have a legal effect on the accused and does not appear in their criminal record, provided that they are not charged with any other crimes during a five year probation period. This provision is particularly relevant to the case of Academics for Peace, since having the verdicts in their criminal records, the academics lose their status as civil servants and with it, the ability to work as scholars at Turkish universities. In accepting a delay, the convict loses the right to launch an appeal of the verdict. Therefore, despite the risk of losing their ability to work as scholars, some of the defendants, including Zübeyde Füsün Üstel, have refused to accept the delay of the pronouncement of the judgement in order to retain the right to appeal.

The 32nd High Criminal Court of Istanbul did not suspend the execution of Zübeyde Füsun Üstel's sentence, on the grounds that the human rights defender had not shown any remorse regarding the alleged crime. On 25 February 2019, the 3rd Panel Chamber of the Istanbul Regional Court of Justice upheld the verdict in her case, thus making it final. On 30 April 2019, the human rights defender received official notice stating that she should surrender herself to court to begin her prison term within ten days.

This is the first case concerning Academics for Peace which has been ruled on by the Court of Appeals. Therefore, this ruling is likely to set a precedent for other related cases pending appeal.

Since 2016, many Turkish academics, including Zübeyde Füsun Üstel, have been subjected to human rights violations due to their calls for peace. As of 30 April 2019, 549 members of Academics for Peace have been dismissed from their jobs either directly by their universities or by emergency decrees issued during the last state of emergency. Further, many scholars were forced to resign or retire. Four hundred and six academics lost their right to work in the public sector through statutory decrees. Hundreds have had their passports cancelled and confiscated. Many have not been able to find new jobs due to stigmatisation and some have even received threats. Since the petition was launched, nearly 70 academics have been taken into custody, while four, who gave a press statement to inform the public about the unjust treatment of Academics for Peace, were kept in detention for more than two months.

Currently, 691 academics are facing judicial harassment and the threat of imprisonment. One hundred and eighty five have been sentenced on charges of disseminating "terrorist propaganda". The pronouncement of judgements has been delayed in 149 cases. Thirty six academics, including Zübeyde Füsun Üstel, have received prison sentences, suspended only in four cases. The legal proceedings concerning 506 academics remain ongoing.

Front Line Defenders urges the authorities in Turkey to:

1. Immediately and unconditionally release Zübeyde Füsun Üstel and drop all charges against all members of Academics for Peace, as Front Line Defenders believes that they are solely motivated by their legitimate and peaceful work in defence of human rights;
2. Take all necessary measures to guarantee the physical and psychological integrity and security of Zübeyde Füsun Üstel;
3. Immediately cease all persecution, harassment and intimidatory acts against Academics for Peace;
4. Guarantee in all circumstances that all human rights defenders in Turkey are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment, in particular stop criminalising human rights defenders under broad terrorism-related charges.