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Konföderation der unterdrückten Migranten in Europa
Confédération des Opprimés Immigrés en Europe
Konfederation der Underdrückten Migran in Europa

Press map

Başak Şahin Duman



Miss Basak Sahin Duman, resident in Germany, is being threatened with deportation to Turkey. There, a long term prison sentence is expecting her because of her political work as an oppositional. The reason for the arrest of Miss Basak Sahin Duman is the constructed accusation of terrorism made by the Turkish State as a means of criminalisation and for the suffocation of the political opposition.

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Immediate Release of Miss Basak Sahin Duman

On 29th of May 2012 Miss Basak Sahin Duman was taken to custody by the Croatian Police after her arrival to Zagreb. Miss Sahin Duman is a Turkish Citizen and lives with her German husband in Germany since 2006. The Croatian Government has arrested Miss Sahin Duman because of an international arrest warrant and wants to deport her to Turkey. The request to Interpol was applied by the Turkish Government. The arrest warrant is based on a judgment in 2010. The judgment accuses Miss Basak Sahin Duman of a membership in a terrorist organisation and propaganda on behalf of such one.

Before Miss Sahin Duman's arrival to Germany, she was living in Turkey. She was the chairwoman of the SGDF (Federation of Socialist Youth Associations) and politically active in the Socialist Platform of the Oppressed. The Socialist Platform of the Oppressed (Ezilenlerin Sosyalist Platformu - ESP) was formed within the process of the general elections on 3rd of November 2002. It leads a political struggle with the aim of the illumination of all oppressed layers of the society, primarily the working class. It defends the rights of working men and women, is engaged for the equality and freedom of Kurdish people and organises protest actions against imperialist wars and attacks in the Middle East. It fights on the side of democratic movements which defends the freedom of press and expression every day. It engages itself against the isolation of the political prisoners and fights for the release of imprisoned members of the opposition.

Miss Sahin Duman had been already arrested on the 7th of December 2004 with many others during a public protest action against the new anti-terror laws and against the intensification of imprisonment conditions and was imprisoned for three months. Just short after her imprisonment, Miss Sahin Duman was threatened and confronted with violence. She was beaten on the way to prison and thereafter also in prison itself. The new Anti-terror laws, against which she fought, have the aim to criminalise and silence every political opposition. Just afterwards, a lawsuit was opened against the imprisoned people, ESP-Members, Journalists, artists and trade-union activists. In the lawsuit, dozens of people, that had been arrested in December 2004, were sentenced on the basis of alleged membership and propaganda for a terrorist organisation. The verdict was spoken only at the end of the process in 2010. The court sentenced Miss Sahin Duman to 6 years and three months of imprisonment on the basis of membership in a terrorist organisation. Additionally, she was sentenced to one year and three months on the basis of propaganda for a terrorist organisation. The last mentioned is already in lapse. In the verdict, the terrorism accusation was constructed in order to oppress and to halt the legitimate political oppositional work performed by the ESP, the Socialist Platform of the Oppressed against the Turkish State. The court attempted in its accusation to connect the ESP, the Socialist Platform of the Oppressed with an organisation which is banned in Turkey and thus to denigrate all active members within this as terrorists. The ESP is a legal organisation which has meanwhile built itself as a party and also participates in general elections and operates until today publicly in numerous cities of Turkey and Northern Kurdistan.

Miss Sahin Duman and all others confronted the accusation of terrorism in 2010. Currently there are over 10.000 people in the Turkish prisons. Among them, there are over 1000 children and young people, democratically elected Kurdish mayors and MPs, journalists, advocates, writers and oppositional intellectuals as well as numerous human rights activists and women activists. According to the statements issued by the international human rights organisations such as Amnesty International, Human Rights Watch and even the Council of the European

Union itself, Turkey is one of the most repressive regimes with thousands of political prisoners. They report that the prisoners are tortured and maltreated. The attacks of the Turkish State under the pretext of terrorism serve only to the intimidation and containment of a legitimate opposition for civil rights, general human rights and for an end of the war against the Kurdish people.

Miss Sahin Duman and all the other persons sentenced in 2010 filed an appeal at the European Court of Human Rights in November 2011 under the file number 71667/11.

We demand from the Croatian Government to immediately release Miss Basak Sahin Duman. She cannot be extradited to the country, in which the basic democratic rights are levered, and the opposition as well as democratic grass-roots movements are deliberately pursued and oppressed.

Furthermore we demand from the German Government, especially from the Foreign Office to set every lever immediately in motion for the release of Miss Sahin Duman and so that she can return to Germany to her family and friends.

We call on everyone to be engaged in the process to achieve the release of Miss Sahin Duman.

Backgrounds:

Miss Başak Şahin Duman fought for democratic universities in Turkey

On 4th of October 2002 during a speech by the university rector Prof. Dr. Alemdaroglu, she got up and demanded "free and democratic universities" in Turkey and the abolition of the "Higher Education Board" established following the military coup. Thereupon, she was dragged out from the hall and in front of the eyes of the press with raw violence to the police station.

Other Professors expressed themselves towards the press about the incident as follows:

Prof. Aslan Gündüz: "Within a democratic system it is not acceptable, that people who didn't commit a criminal offense, are taken into custody. She can be eventually sent out. As I spoke in front of the European Court of Human Rights, the people, who held signs directed against me, were only accompanied to outside.

Prof. Dr. İbrahim Kaboğlu: "If there are no offenses or call to violence, then a person cannot be sent outside. If there is no other act present except the demand of education and right to education in the mother tongue, then a student cannot be taken into custody. She can go to the court against this".

Düşüncesini söyledi yerlerde sürüklendi

AB'ye üyelik hayaliyle yatıp kalkan Türkiye'de bir kız öğrenci sadece fikirlerini söylediği için yerlerde sürüklenerek karakola götürüldü. Sonra gözaltına alındı

BURCUM DEVREZ İstanbul

İstanbul Üniversitesi'nin 2002 - 2003 akademik yılı açılışında yaşanan manzaralar, AB'ye girmeye çalışan Türkiye'ye yakışmadı. Rektör Prof. Dr. Kemal Alemdaroglu'nun konuşması sırasında YOK'u protesto eden Başak Şahin adlı genç kız polisler tarafından gözaltına alındı. Fen - Edebiyat Fakültesi Konferans Salonu'ndaki törene Devlet Bakanı Musum Türker, İstanbul Valisi Erol Çakır, 1. Ordu Komutanı Orgeneral Çetin Doğan, Emniyet Müdürü Hasan Özdemir ile bazı milletvekilleri katıldı. Çakır ve Özdemir salondan ayrıldıktan bir süre sonra Başak Şahin ayağa kalkıp YOK'u protesto etti.

▼ 19 ÖĞRENCİ GÖZALTINDA

Alemdaroglu kürsüde konuşurken kız öğrenci "YÖK'e hayır, demokratik ve özgür üniversite istiyoruz. Onlarca öğrenci hakkında anadilde eğitim için soruşturulma başlatıldı" diye tepkisini dile getirdi. Yaşanan koşuşturmanın ardından polis ve görevliler genç kıza sürükleyerek dışarı çıkarıp karakola götürürken; Alemdaroglu konuşmasına devam etti. Bu sırada salonda yaşanan hareketlilik, balkona da yansıdı. Balkondaki bir grup "IMF'ye hayır", "Öğrencilere daha fazla söz hakkı" yazılı karton dövizlerle protestoya katıldı. 8'i kız 19 öğrenci gözaltına alındı.

▼ TUTUKSUZ YARGILANACAKLAR

İstanbul Üniversitesi Tıp Fakültesi 3. sınıf öğrencisi Başak Şahin'in de aralarında bulunduğu 19 öğrenci, Sultanahmet Adliyesi'ne çıkarıldı. Yaklaşık üç saat süre ile ifade veren 19 öğrenci daha sonra tutuksuz yargılanmak üzere serbest bırakıldı.

Anayasa Hukukçuları ne diyor?

Bence öğrenciler dava haklarını kullanmalı...

İFADE özgürlüğü çerçevesinde insanların görüşlerini belirtebileceğini anımsatan Prof. Aslan Gündüz, şunları söyledi: "Suç teşkil edecek bir davranışta bulunmayan kişinin gözaltına alınması, demokratik bir sistemde kabul edilemez. Belki dışarı çıkarılabilir. Ben AHİM'de konuşurken pankart açtılar. Sadece dışarı çıkarıldılar."

Prof. Dr. İbrahim Kaboğlu da görüşlerini şöyle dile getirdi: "Hakaret ve şiddet çağrısı yoksa bir kişiyi alıp götüremezsiniz. Anadilde eğitim, anadilde yayın konusundaki taleplerin dışında suç oluşturan eylem yoksa öğrenci karakola götürülemez. Dava açabilirler."

Polisler böyle götürdü

Fen Edebiyat Fakültesi'ndeki törende Alemdaroglu konuşurken ayağa kalkıp "Demokratik Üniversite istiyoruz" diye bağırın Başak Şahin, salondaki güvenlik görevlileri tarafından önce yaka paça dışarı çıkarıldı. Sonra yerlerde sürüklenerek karakola götürülen genç kız, burada gözaltına alındı. Şahin'in ardından pankart açan 19 öğrenci de polis tarafından gözaltına alındı.

Milliyet, 04.10.2002, Page 16

“I chose this way, I cannot remain silent!”

One Day after the incident in university, the daily newspaper Milliyet made an interview with the student activist Başak Şahin Duman. She stated to the journalist that she doesn't want to remain silence towards the injustice in the university and she is determined to go forward for her rights.

Başak Şahin, fikrini söylediği için gözaltına alındı. Genç kız ifade için beklerken yanındaydık

'Bu yola baş koydum tepkisiz kalamam ki'

Babası yargıç, annesi öğretmen olan tıp öğrencisi Başak, 'Üniversitelerdeki durumdan şikâyetçiyiz. Sorunlara duyarsız olamam. Bir şeyler değişmeli. Bu yola baş koyduk' diyor



BURCUM DEVREZ, ESRA ALUS

Istanbul Üniversitesi'nin yeni eğitim ve öğretim yılının açılış töreninde 18 arkadaşıyla "YOK'e hayır" diye bağırdı Başak Şahin... Sonra yaka paça polis tarafından gözaltına alınıp önce Beyazıt Karakolu'na götürüldü, ardından İstanbul Adliyesi'ne sevk edildi. Savcılık soruşturmayı sürdürürken, hem Başak hem de diğer 18 genç serbest bırakıldı. Başak ve arkadaşlarının önceki gün

yaşadıklarına biz de dakika dakika şahit olduk, isteklerini, şikâyetlerini tartıştık.

▼ ELLERİ TİTRİYORDU

İlk adresimiz karakoldu. Sonra saat 17.00 sıralarında Başak ve diğerleri adliyeye sevk edildi. Savcı gençleri tek tek içeri çağırıyor, ifadelerini alıyordu. Hepimiz yerlere oturduk. Acıkmıştık ama içeriye yiyecek bir şey sokamıyorduk. Herkesin tek avuntusu sigaraydı. Sinirler de gergin olduğu için yasağa rağmen sigaranın biri söniyor, diğeri yakılıyor. İşte bu ortamda ifade vermek için

bekleyen Başak'ı bulup sohbet başladık.

Başak, İstanbul Üniversitesi Tıp Fakültesi'nin 3. sınıfında öğrenci. İyi bir doktor olmak istediğini anlatırken, sigarasından derin bir nefes çekiyor, elleri titriyor. Babası yargıç olduğu için adliye koridorlarına alışık. Ama yine de sinirleri bozuk, sinirden sık sık gültüyor. Ailesinin tek kızı. Annesi öğretmen. Daha önce de protesto gösterileri nedeniyle gözaltına alınmış. Anlattığına göre, öğrenim gördüğü üniversitedeki sorunlara duyarsız kalmak yerine, protesto gösterilerine katılıyor.

Demokrat bir ailede büyümediğini belirten Başak, "Annem ve babam yedi yıldır ayrı. Onlara kızdığımdan değil, tercihim olduğu için devrimciyim" diyor.

▼ KAPI KAPI DOLAŞIYOR

Gözaltında ölen sendikacı Süleyman Yeter'in eşi olan İstanbul 3. bölgeden bağımsız milletvekili adayı Ayşe Yumlu'yle çalışan Başak, İstanbul'daki evleri gezip AB'nin ve IMF'nin kandırmaca olduğunu anlattıklarını belirterek, sözlerini şöyle noktalyor: "Değişimin gerçekleşeceğine inanıp bu yola baş koyduk."

Başak Şahin Duman has started legal proceedings against the Police and the University Rector Alemdaroğlu.

On 08th of October 2002, Başak Şahin Duman reported her complaint against the police officers, who had taken her into custody with raw violence, and against the university rector Alemdaroğlu. She stated that the bourgeois parties destroy the future of the youth and that she wants to defend herself against it. The action was supported by the parliamentary election candidate of the time, Ayşe Yumlu Yeter of the ESP (Socialist Platform of the Oppressed).

She was not allowed to continue to study, just because she demanded “democratic universities”.

In a further interview to the daily newspaper Milliyet, the student activist Başak Şahin Duman stated that she had already taken 15 times into custody because of her determined struggle for democratic universities. She also explained that she has been also accused in a lawsuit because of the incident from 04.10.2002, whereby a prison sentence of 3 years in total is demanded against her, because of her alleged disturbance of public order. She was additionally suspended from the university for a month. Because of the overlap of the suspension with the exam period, she couldn't continue her study of medicine.

'Yanlış yapmadım'

✓ İstanbul Üniversitesi'nin açılış töreninde gözaltına alınan Şahin, vize döneminde uzaklaştırma cezası verildiği için kızgın ✓ "Fikrimi söylediğim için eğitim hakkım kısıtlanıyor" diyen Şahin, yaptıklarında bir yanlışlık olmadığını savunuyor...

BURCUM DEVREZ İstanbul

İstanbul Üniversitesi'nde yeni eğitim - öğretim yılının açılış töreninde protesto gösterisi yaptığı için polis tarafından yaka paça gözaltına alınan Başak Şahin, üniversiteden bir aylık uzaklaştırma cezası aldı.

15 kez gözaltına alındı

Hakkında üç yıla kadar hapis cezası istemiyle dava açılan Şahin (23), dört yıldır tıp fakültesi öğrencisi... Ancak katıldığı eylemler yüzünden aldığı cezalar, ona iki yıl kaybettirdi. Üniversite tarafından hakkında sekiz soruşturma açılan Şahin, çeşitli eylemlere katıldığı gerekçesiyle 15 kez gözaltına alındı. Gözaltılarda maruz kaldığı davranışların psikolojisini etkilemediğini

belirten Şahin, "Yaptıklarında herhangi bir yanlışlık görmüyorum. Korkmuyorum, çünkü ne istediğimi biliyorum" diyor. Şahin, üniversitenin açılış töreni sonrasında basına gelenleri de şöyle anlatıyor.

3 yıl hapis istemi

"Olaydan kısa süre sonra savcılık hakkımda, kamu düzenini bozmaktan dava açtı. Üç yıl hapis cezası istemiyle yargılanacağım. İstanbul Üniversitesi de eğitimi engellediğim gerekçesiyle soruşturma başlattı. Bir ay okuldan uzaklaştırılma cezası aldım. Bu uzaklaştırma süresi vizelerime denk geldi. Ama ben bunun bilerek yapıldığına inanıyorum. Çünkü birkaç defa daha böyle oldu. Böylece vizelere de giremiyorum. Fikrimi söylediğim için eğitim hakkım kısıtlanıyor."



Şahin, üniversiteden böyle yaka paça çıkarılmıştı...

Babam onaylamadı Babası hâkim olan Şahin, yaşadığı olaylar nedeniyle ailesinden tepki gördüğünü belirterek, "Babam, davranış şeklimi onaylamadı. Annem durumu kabullendi" diyor. Şahin, son yasal düzenlemelerin de göstermelik olduğunu savundu.

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Milliyet, 26.10.2002, page 15

The demonstration on 7 December 2004 against the new anti-terror laws and its consequences:



On the 7th of December 2004, trade-union activists, artists, members of ESP and students demonstrated against the new anti-terror laws in Turkey. The police prevented the demonstration with violence and attacked the protestors. During the day, 46 people had been arrested.

Among the arrested was also Başak Şahin Duman. During her custody, she was constantly beaten by the Turkish police.

In order to criminalise the demonstration, the ESP was announced as the legal branch of the MLKP, which is banned in Turkey. So, all statements and press announcements of ESP began to be seen as the actions of

MLKP. All Flags of ESP have been equated to the MLKP-Flags. All participants of the demonstration were detained because of this accusation until the first court hearing on 10th of March 2005. On 10.03.2005, there were at present approximately 200 lawyers and advocates, human rights associations, representatives of chamber of lawyers, organisations, institutions and observers from Europe. The ESP is until today a legal organisation in Turkey.

What is the ESP?

The ESP was formed within the process of the general elections on 3rd of November 2002. The ESP participates since 10 years in elections through independent candidates and is meanwhile an authorized legal party. It was formed by the people with socialist thoughts, who also participate in the class issues through the elections. Its main slogan is “to make politics for the masses and together with the masses”. The ESP has set itself for the goal, to enlighten all oppressed layers of the society, especially the working class and to gain them for socialism. The ESP stands for the equality and freedom of the Kurdish Nation. It enlightens the public about the isolation cells in Turkey. It stands against the imperialist wars and occupations.

Through its oppositional work, the ESP is constantly under the surveillance of the Turkish State. Until today hundreds of its members have been attacked, arrested, tortured and put into prison. In many cases, members of ESP were abducted by the police and through torture it was attempted to bring them away from their political work. Despite dozens of attempts to ban the ESP, it has defended itself successfully against all attacks. The answer of ESP was each time: “We let us neither take down, nor to remain silent!” Despite the on-going attacks, the ESP continues its struggle on the streets and city squares. With the help of the solidarity movement in the country and on international level, ESP could stop these attacks until today.

224 years of imprisonment for 46 people in total

After 5 years and 6 months, the verdict was spoken. 46 people have been sentenced to 224 years of imprisonment in total, because they had participated in the demonstration against the anti-terror laws on 7th of December 2004. The participation in a demonstration was enough for the court in



order to sentence the 46 people as “members of a banned terrorist organisation”. The banners and flags of a legal party were rated arbitrarily as “propaganda for a banned organisation”.

Contradiction at the European Court of Law

At the European Court of Human Rights, a lawsuit against the verdict is going on since 25.10.2011. Because none of the pseudo-evidences presented by the Turkish Court at the verdict are reasoned and can be refuted without greater effort. The sentencing of 46 protestors to 224 years of imprisonment is based just and only on their behaviour during the demonstration. The court in Turkey spoke the verdict arbitrarily and without real evidences. Thus it is to assume that the European Court of Human Rights will dispute the verdict and thus sentence Turkey to a higher monetary fine as compensation.

When injustice becomes the justice...

The lawsuit against the 46 protestors shows very clearly, how the injustice is being announced in the state of torture, Turkey, as the justice. The 46 people are attacked, arrested and tortured because of their participation in a legally permitted demonstration. Subsequently, their legal protest is criminalised and banned through insane allegations and evidences. The verdict is based not on evidences; on the contrary it is based on the assumption that the participants of the demonstration behaved themselves just like members of a banned party. 46 members of a legal demonstration were thus announced as terrorists and sentenced to 224 years of imprisonment all together. The protestors were forced to leave their country and apply for political asylum in various European countries or to emigrate. Various people that were sentenced in this process have already sought asylum in countries such as Germany, France and the Switzerland. However, these people are not left in peace even abroad. The Turkey calls in Interpol and demands their extradition to Turkey, just like in the case of Miss Basak Sahin Duman. This must absolutely not happen under any circumstances. The Croatian State can by no means become an instrument of the torture and injustice state of Turkey through the extradition of Basak Sahin Duman.

We demand the immediate release of Miss Başak Şahin Duman!