

January 17, 2013

Hello,

My name is Fusun Erdogan and I am writing this letter from Gebze (nearby Istanbul) Women's Prison in Turkey. I am married and have a son. I carry both Turkish and Dutch citizenships. I am a journalist and I had always worked as a journalist in Istanbul from my return to Turkey in 1989 to my arrest in 2006.

Now, I am in my 7th year of imprisonment. My case is not over, yet. At each hearing the public prosecutor uses the same general cliché like "based on type of crime and the state of evidence" and requests for continuous custody until the next hearing which usually means three months later. None of these so called "evidence" is proven to be linked to me.

These clichés are accepted by the court and this charade turns into an execution without a fair trial since 2006. And now I felt the urge to bring this injustice to the attention of a broader community. Therefore, I would like to inform individuals and/or organizations about my situation, and look for your solidarity and support.

I am the founder and director of Özgür Radio which started broadcasting regionally, around Istanbul and surrounding, in 1995. I resumed this same role until I was arrested.

On a broad daylight in the middle of a crowded street in Izmir, I was forcefully taken into a civilian car and detained by undercover policemen on September 8, 2006. From the moment I was pushed into that vehicle, I lost sense of time and place because I was sandwiched between the front and rear seats, and my eyes were covered. I did not know where they were taking me. We traveled for many hours under these conditions.

After many hours, they brought me to a house and I was taken to the second floor. I was asked to lie down the same way next to other people who were on the floor face down. When refused, they forcefully pushed me down.

During the process, I had wounds on my knees and elbows that were included in the forensic report. After videotaping us, they took me to a car. I did not know exactly what time it was but must have been late because it was dark and the street and home lights were on.

I finally understood where I was once I saw the sign of police station; I was in Nazilli (. I spent the night there on a wooden bank handcuffed by one arm. Very early in the morning I was put into an unofficial vehicle to be taken to Istanbul.

After four days of detention by the police, I was taken to the court on Sept. 12, 2006. I told the prosecutor that I would not give any testimony as I did not know the reason(s) for my detention.

My lawyer also could not defend me for the same reason. On that day, I was arrested.

Because of "classified" clause on my file, no information was shared by the court until the summer of 2007. Neither my lawyer nor I could obtain any information about accusations.

In the summer of 2007 the indictment was made available and the first hearing took place on

October 26, 2007. However, police reports were incomplete; as a result, I was not able to defend myself until the third hearing in 2008. So, this meant I was kept in prison for exactly two years without knowing why I was arrested. I wish my victimization would have ended there.

Unfortunately, since 2008, the system continued to keep me in prison based on a computer output prepared by the police as main evidence.

All the managers of private radio stations are required by RTUK (English: Radio and Television Supreme Council) to provide a copy of information to the Bureau of Press Directorate of police headquarters.

Type of information includes our up-to-date home and work addresses/phone numbers. Istanbul Police department already knew where I lived and worked. Police had no reason to kidnap me in the middle of the street in Izmir while I was on a work related trip.

The only reason I could think was to link me to an operation police was conducting at the time. An operation against an illegal organization!

My journalist husband and his assistant were also taken into the police custody as part of this operation. In reality, there was only one real reason for our arrest: police was trying to intimidate members of the progressive, independent, democratic and alternative media.

In few words, any opposition (radios and newspapers) to the existing system should be silenced. As many of you know I am not alone and there are many journalists in prisons today.

So, what is my crime? I am accused of being a leader of an illegal organization and the prosecutor is asking for life imprisonment without parole.

For a harsh penalty like this, one would expect a very strong evidence and case against the person.

I have studied every single folder (about 40 dossiers and thousands of pages). However, I did not find any single concrete evidence against me. In the entire 300 page indictment there wasn't any tangible evidence against me either. The only information in the indictment was related to my registry query.

Yes, I was the founder and director of Özgür Radio. All my activities took place before everyone's eyes in public. Why didn't police search my home and work place right away if I were the member of Central Committee of an illegal organization?

They made the search two weeks after my arrest, on Sept. 21st. There is no evidence in the dossiers linked to this search either.

Now, what is in these dossiers used as evidence against me? There were two documents. The main one was a few pages (seven pages to be exact) of computer outputs presented by the police.

Supposedly, my name and last name was included at the bottom of these pages. That's all! Never mind the fact that there was no evidence showing that I prepared these pages, or no wet signature or fingerprints found to be belonging to me.

Police insists that they found these pages at the house in the village of Ocaklar, Nazilli and they were outputs of these computers owned by the illegal organization.

How was this so called “evidence” collected? Even from the testimony of policemen at the court, it became very clear that these pages were not collected according to the protocol required by the law.

At the time of search, the highest official of the village, village headman, should have been present as a witness. However, the village headman came long after the search was complete and he was asked to sign a blanket document that indicated he has seen all the material. My share of these seven pages included information on legal demonstrations and assessments of these events that took place in different cities of Turkey in 2005.

In addition to these pages, there was another document which was made of numbers and again my name at the bottom. Total of seven lines! This document was used to charge me as the chief financial officer, which was made public on Nov. 1st, 2007.

As a result, bank accounts and/or assets belonging to me, my husband and close relatives were investigated. Even in February 2009 Anti-Terror Unit of Istanbul Police conducted an operation and arrested many people including accountant, office secretary, cleaning personnel and co-founder of Özgür Radio as well as nephew of my husband, accountant of the newspaper where my husband worked and some other people I did not even know.

All these accused were acquitted when taken to the court. At the moment, the case is before the High Court of Appeal.

The prosecutor finds these two documents sufficient enough to declare me as a leader of an illegal organization and charges me with life without parole.

The following additional information about my past was also included in the file: I was detained and arrested in 1996, and released after the first hearing. The charges of aiding and abetting were dropped. One other time I was also detained after taking part in a press release on the massacre of prisoners at Ankara Ulucanlar Prison.

And here is the official version of the charges on page 226 of the indictment:

“... attempted to change the constitutional order by force; being an administrator and also the member of central committee; being responsible for the finances and legal activities of the illegal organization; therefore, being responsible as if a principle offender for all the crimes committed by the organization and its other members according to the Turkish Penal Code (TCK) 220/5 in connection with TCK 314/3..”

Yes, this is it! Nothing less, nothing more! I have been in prison for the last 6.5 years. Is this justice?

So, neither police nor the prosecutor can provide any concrete evidence for my involvement of any illegal activity. Based on a document prepared by the police, I am first declared as the administrator of an organization and kept accountable for the forceful activities of it.

I have tried to summarize the violent treatment I was exposed to and all the accusations brought

against me by the prosecutor. On top of all these legal issues, I have been facing some health problems since my arrest: high blood pressure, hepatitis B, cysts in both breasts and increased myopia (from -2.5 to -5.0).

As if these were not enough, I was diagnosed with thyroid cancer and operated on November 13, 2012. I am on medication now. I don't even want to mention different types of joint problems I face due to being on concrete surface all the time.

For all the abovementioned reasons my detention no longer can be considered as a safety measure by the prosecution but it has become an EXECUTION! This injustice against me has to be made public and has to be reversed.

All my rights have to be reconstituted. For this, I invite you individuals and/or organizations to show solidarity with me and be my voice out there, wherever you are in the world.

I would like to thank you all for your interest, empathy, and future support. My next hearing is on March 12, 2013 at 10th Heavy Penal Court in Caglayan, Istanbul. I hope to see some of you there. Best regards and greetings to you all,
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