



*The Ambassador*  
*Permanent Representative*

OHCHR REGISTRY

21 FEB 2012

Recipients: *SPD*  
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Dear Ms. Sekaggya, Dear Ms. Manjoo

With reference to your joint letter dated 30 November 2011, I have the pleasure to enclose herewith a non-paper which contains information received from the relevant Turkish authorities as regards the sentencing of Ms. Buse Kılıçkaya, Ms. Selay Tunç and Ms. Naz Güzümen.

Please accept the assurances of my high consideration.

Oğuz DEMİRALP  
Ambassador  
Permanent Representative

Encl: As stated

Ms. Margaret Sekaggya  
Special Rapporteur on the situation of human rights defenders

Ms. Rashida Manjoo  
Special Rapporteur on violence against women, its causes and consequences

20 February 2012

With reference to your letter of 30 November 2011, the Republic of Turkey wishes to submit the following information regarding the arrest of Ms. Buse Kılıçkaya, Ms. Selay Tunç and Ms. Naz Güdümen.

On 19 June 2011, in Ankara, the police received a tip denouncing for the said persons creating a disturbance in the Seyranbağları district by picking up individuals in their car for prostitution purposes.

A police team arrived to the said location to proceed in accordance with the Law on Contravention. Police officers asked the said persons to accompany them to the police station. However, they physically resisted and insulted the police officers.

While they tried to escape by riding their car, a police officer's leg was stuck in the car door and his portable radio was broken. Thereafter, they were brought by force to the police station.

Following this incident, Ankara Chief Public Prosecutor Office initiated an investigation. Buse Kılıçkaya, Selay Tunç and Naz Güdümen were charged with "resisting public officials in order to prevent them from performing their duty, insults and damaging public property"

Ankara 15<sup>th</sup> Criminal Court of First Instance found Selay Tunç and Naz Güdümen guilty for "resisting public officials in order to prevent them from performing their duty" and handed out a **suspended** six-months prison sentence.

Naz Güdümen was also sentenced to one year prison term for insulting public officer on duty. This sentence was also **suspended**.

The Court sentenced Buse Kılıçkaya to six months in prison for resisting the police officer on duty. However, taking into account her respectful behavior during the court hearing, the Court reduced this sentence by 1/6 of the term and decided its **suspension**. She was acquitted of damaging public property. As the Court decision being appealed and not definitive, the case is before the Supreme Court.

Therefore, all of the sentences being suspended, the said persons will not have to serve any prison sentence if they do not commit any new criminal offence within the next five years.

The above-mentioned judicial process was launched due to the offences which are considered as a breach of law for every person in the Turkish Criminal Code.

Buse Kılıçkaya, Selay Tunç and Naz Güdümen were absolutely not arrested, prosecuted, convicted or subjected to any discrimination in relation with their sexual orientation, gender identity or their activities as human rights defenders.