

Turkey sued over violence in protests in Washington in 2017

Twenty people beaten outside the Turkish ambassador's residence in Washington in 2017 have filed lawsuits against the government of Turkey and five individuals after the bloody assault on demonstrators that drew international condemnation.

In a complaint filed Thursday in U.S. District Court in the District, 15 mostly pro-Kurdish demonstrators, nearly all U.S. citizens and residents, sought unspecified damages for injuries sustained when they said guards for visiting Turkish President Recep Tayyip Erdogan charged their ranks. Five other victims filed suit May 3 seeking more than \$100 million in damages from Turkey.

Video of the May 16 melee outside the Sheridan Circle residence showed men in suits and olive-green military-style jackets kicking and bludgeoning protesters, including women carrying young children and men in their 60s. Victims contend they suffered concussions, seizures, neurological damage, lost and broken teeth and post-traumatic stress.

[Erdogan's guards clash with protesters outside Turkish ambassador's D.C. residence]

Analysts at the time of the high-profile violence on Washington's stately Embassy Row called it another provocation in a U.S.-Turkey relationship strained by disputes over the war in Syria, Russia's role in the Middle East and a conspiracy theory that the United States was behind a 2016 coup attempt in Turkey.

U.S. law generally bars private lawsuits against foreign governments but carves out exceptions, including for cases involving terrorism or wrongful actions by governments, officials or employees in the line of duty that result in injury or death on U.S. soil.

[Nine injured in violent confrontation outside Turkish ambassador's residence]

A spokesman for the Turkish Embassy in Washington could not immediately be reached for comment.

In the lawsuits, attorneys recite U.S. State Department and human rights groups' objections to Erdogan's tilt to authoritarianism, crackdown on dissent, and the Turkish government's political and military campaign against its Kurdish minority as the basis for their claims of hate crimes, human rights and terrorism violations. The filings also make allegations of assault and battery.

"The attack carried out by Turkish security agents and their sympathizers was a direct and brutal assault not only on our plaintiffs, but on a hallmark of American democracy — the right to peacefully assemble," said Agnieszka M. Fryszman, co-counsel in the lawsuit filed Thursday and chair of the Cohen Milstein Sellers & Toll law firm's human rights practice.

Fryszman and co-counsel Joshua Colangelo-Bryan of Dorsey & Whitney said that the incident "is shocking and should shock the consciences" of Americans, and that whatever its diplomatic complexities, it poses a straightforward question.

"These are foreign agents trying to suppress a peaceful protest in our country, which makes it a somewhat unusual case, but the underlying conduct" is violent attacks and beatings, Colangelo-Bryan said.

The legal team reviewed 400 hours of surveillance, cellphone and camera videos, but after "about three minutes and 30 seconds of it, you would understand the whole case from start to finish," showing people carrying children pushed to the ground, kicked and stomped in the head by men with guns and ID badges on lanyards, and a woman on the grass, trembling with seizures, Colangelo-Bryan said.

Murat Yasa, 61, a flooring company owner from Great Falls, Va., was among the protesters and is among the 15 plaintiffs in the larger lawsuit.

Yasa, a U.S. citizen of Kurdish descent who immigrated in about 1987, said he helped lead a protest at the White House and then at the ambassador's residence on May 16, 2017, before he said he was beaten, kicked repeatedly by a ring of men and left bloodied with a concussion and a missing tooth.

“They started cursing us . . . but I never ever thought they were going to attack us,” Yasa said. “Each time I tried to get up to defend myself or at least protect myself, four or five people were kicking me. I heard their laughter.”

Yasa acknowledged leading chants calling Erdogan a “baby killer” but said his assailants threatened, “Do you think you’re coming to America and you can save yourself? We’re going to find and kill you wherever you are.”

Erdogan last year accused demonstrators of affiliating with a terrorist Kurdish separatist group **and denounced U.S. authorities** for criminally charging his guards in the incident, which followed his White House visit to President Trump.

Under U.S. law, the Turkish government may fight, settle or refuse to defend against the lawsuits. In a refusal, a judge could enter a default judgment for the protesters.

In recent decades, victims of terrorism have amassed \$50 billion in default judgments against the Islamic Republic of Iran, for example, while Congress overrode a presidential veto in 2016 to allow lawsuits against Saudi Arabia by victims of the 9/11 attacks.

Similarly, a federal judge in January entered a \$563,000 default judgment against Congo after it failed to respond to a lawsuit by three protesters alleging they were beaten by its security personnel outside a Georgetown hotel where the Congolese president was staying in August 2014.

[Supreme Court allows families of terrorism victims to collect Iranian assets]

In the pair of lawsuits, six of the total 20 plaintiffs — some Turkish citizens — are proceeding anonymously, citing fear of retaliation against themselves or their families in Turkey, an

attorney said. Only two have previously identified themselves as victims in criminal proceedings.

Both lawsuits were filed, attorneys confirmed, but not yet publicly available pending a judge's approval to proceed with anonymous plaintiffs.

Yasa testified in Congress on May 25, beside Lucy Usoyan, 35, an Alexandria resident and U.S. citizen who is a lead plaintiff in the smaller lawsuit, who said she was beaten unconscious and sustained a minor brain injury.

“I was on the ground and someone was kicking me in the head. I remember a thought, ‘Ok, I am on the ground, what’s the purpose of beating me?’” Usoyan said in her written testimony. Usoyan is represented by attorneys Andreas Akaras, Douglas Bregman and Steven R. Perles, an attorney who has brought several successful terrorism claims.

The lawsuits follow attempted U.S. criminal prosecution of 15 security guards with Erdogan, as well as two individual Canadians and two Americans.

[Plenty of tough talk for Erdogan guards, but action is unlikely, experts say]

U.S. prosecutors **later dropped charges** against 11 of the guards, who had been indicted after being identified through surveillance video and passport and entry visa photographs. Four other guards who left the country soon after the incident are unlikely to face trial. Prosecutors had declined to say why the cases were dropped.

[Federal prosecutors dismiss assault charges against 11 Turkish guards in D.C. brawl]

Two American citizens who assaulted protesters **were each sentenced** to 366 days in jail in April, the first criminal punishments in the incident.

The lawsuit filed Thursday names two Canadians as defendants who were indicted but who fled the country; the two U.S. citizens who pleaded guilty to assault; plus a fifth person, an uncharged Canadian citizen.

U.S. authorities including the State Department, lawmakers from both parties and the House Foreign Affairs Committee last year condemned what they called a highly offensive attack on free speech and American law enforcement, and a unanimous House passed a resolution calling for charges against the security forces.