



BY AIRMAIL

His Excellency Mr. Erdoğan
President of the Republic of Turkey Cumhurbaşkanlığı
Külliyesi
06689 Çankaya,
ANKARA, TURKEY

Amsterdam, 30 March 2020

Your Excellency,

Re: arrest of several lawyers from Diyarbakır, Urfa and Şırnak province

We write to you on behalf of the Dutch Lawyers for Lawyers Foundation.

Lawyers for Lawyers is an independent and non-political foundation that seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession.

Lawyers for Lawyers has grave concerns about the continuing judicial harassment of human rights lawyers from Diyarbakır, Urfa and Şırnak province as a result of an investigation conducted by the Prosecutor's Office in Urfa.

According to our information, on 12 March 2020 the houses and offices of Messrs. Özkan Avcı and Zeynep Işık from the Diyarbakır Bar Association, Messrs. Hidayet Enmek, Sevda Özbingöl Çelik, Emrah Baran, Hüseyin İzol, Metin Özbadem, Cemo Tüysüz and Şeyhmus Inal from the Şanlıurfa Bar Association, and Mr. Gürgün Kadirhan from the Şırnak Bar Association were raided and their computers were seized. The above-mentioned lawyers were taken into police custody on the grounds of 'assisting a terrorist organisation'.

On 17 March 2020 the peace judgeship issued the release and a travel ban for Messrs. Özkan Avcı, Zeynep Işık, Hidayet Enmek, Emrah Baran, Hüseyin İzol, Metin Özbadem, Cemo Tüysüz, Şeyhmus Inal and Gürgün Kadirhan, and ordered the pre-trial detention of Ms. Sevda Özbingöl Çelik. Two other lawyers, Akdoğan and Cevdet Demiroğlu, were arrested on 17 March 2020 under the same operation.

This is not an isolated case. Many other lawyers were arrested on suspicion of involvement in terrorism after representing political opponents or taking on other politically sensitive cases, especially since the attempted coup in July 2016. Lawyers are being targeted solely because they are carrying out their professional activities. The use of "mass trials" against lawyers or lawyers' associations is frequent and fundamental rights and procedural safeguards are often not respected.

We would like to draw your attention to the United Nations Basic Principles on the Role of Lawyers¹, and more in particular Article 16 and 18, which read:

¹ The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly "welcomed" the Basic Principles in their 'Human rights in the administration of justice' resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.



16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

18. Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

In view of the above, Lawyers for Lawyers respectfully urge you to:

- Immediately and unconditionally release Sevda Özbingöl Çelik, Akdoğan and Cevdet Demiroğlu, put an end to all acts of harassment – including judicial harassment – against them and ensure that they are able to carry out their professional activities without hindrance or fear of reprisals;
- Put an end to all forms of harassment – including judicial harassment - against Messrs. Özkan Avcı, Zeynep Işık, Hidayet Enmek, Emrah Baran, Hüseyin İzol, Metin Özbadem, Cemo Tüysüz, Şeyhmus Inal and Gürgün Kadirhan, and ensure that they are able to carry out their activities without hindrance or fear of reprisals;
- Guarantee in all circumstances the physical integrity and psychological well-being of Sevda Özbingöl Çelik, Akdoğan and Cevdet Demiroğlu.

Thank you for your attention to this very important matter. We are confident that the government of Turkey will give this case the attention it deserves and we will continue to monitor this case closely.

On behalf of the President of Lawyers for Lawyers, Ms. Irma van den Berg,

Yours sincerely

LAWYERS FOR LAWYERS (L4L)

Sophie de Graaf, executive director

Letters concerning the same topic were sent to:

- Mr. Abdülhamit Gül, Minister of Justice of the Republic of Turkey. Email: info@adalet.gov.tr

A copy of this letter was sent to:

- Ambassador Mr. Sadık Arslan, Permanent Mission of Turkey to the United Nations in Geneva, Switzerland.
Email: turkey.unog@mfa.gov.tr