



Joint statement by the Dutch Bar Associations

23 February 2025

The undersigned Dutch Bar Associations join the international legal and human rights community in expressing our grave concern over the actions of the Turkish authorities against the Istanbul Bar Association, its President İbrahim Kaboğlu, and the executive board.¹

Information received from Lawyers for Lawyers indicates these actions are based on a statement published by the Bar Association of 21 December 2024 that denounced the killing of journalists in Syria as a violation of international humanitarian law and called for an investigation. The authorities have launched a criminal investigation into the Bar Association's leadership, accusing it of spreading terrorist propaganda and misleading information. Moreover, they have initiated a lawsuit seeking removal of the recently elected Bar Association's president and executive board. Finally, the authorities have detained one of the Bar Association's board members, lawyer Fırat Epözdemir, on allegations of "membership in a terrorist organisation" and "making propaganda for a terrorist organisation" upon his return from an advocacy visit to Council of Europe institutions.

These actions constitute an unacceptable attack on the independence of bar associations. They impede the freedom of expression,² the independence of the legal profession,³ and the rule of law in Turkey. Bar associations, such as the Istanbul Bar Association, have a right and a professional duty to speak out about justice, the rule of law and human rights.⁴ As such, the measures taken by the Turkish authorities contravene the United Nations Basic Principles on the Role of Lawyers, which explicitly prohibit retaliation against lawyers and bar associations for fulfilling their professional responsibilities.⁵ In addition, they undermine public trust in the legal profession and create a chilling effect on lawyers and bar associations in Turkey.

¹ 'International organisations harbour deep concern over actions taken against the Istanbul Bar Association and lawyer Fırat Epözdemir' (Lawyers for Lawyers, 28 January 2025) <www.lawyersforlawyers.org/international-organisations-harbour-deep-concern-over-actions-taken-against-the-istanbul-bar-association-and-arrest-of-lawyer-firat-epozdemir/>.

² Article 19 of the International Covenant on Civil and Political Rights (ICCPR) and Article 10 of the European Convention on Human Rights (ECHR), as well as Principle 23 of the United Nations Basic Principles on the Role of Lawyers.

³ Principles 16, 23, and 24 of the United Nations Basic Principles on the Role of Lawyers underscore that lawyers and bar associations must operate independently without undue interference from authorities. The principle of independence is also enshrined in the Council of Europe Committee of Ministers' Recommendation (2000)21 on the freedom of exercise of the profession of lawyer.

⁴ Report A/73/365 of the United Nations Special Rapporteur on the independence of judges and lawyers (2018), p. 19.

⁵ Preamble and Principles 16 and 17 of the United Nations Basic Principles on the Role of Lawyers.

Recognising that independent bar associations play a fundamental role in strengthening the rule of law and protecting human rights,⁶ we call on the Turkish authorities to respect their obligations under international law to ensure the independence of the legal profession and the right to freedom of expression. This includes ceasing all investigations and proceedings against the Istanbul Bar Association and its leadership and releasing the detained board member.

SIGNATORIES:

Amsterdam Bar Association

Den Haag Bar Association

Gelderland Bar Association

Limburg Bar Association

Midden-Nederland Bar Association

Noord-Holland Bar Association

Noord-Nederland Bar Association

Oost-Brabant Bar Association

Overijssel Bar Association

Rotterdam Bar Association

⁶ Preamble United Nations Basic Principles on the Role of Lawyers.