
Le Président
The President

President
Dr. Abdullah Gül
Cumhurbaşkanlığı Genel Sekreterliği
06689 Çankaya, Ankara

Brussels, 12th March 2013

RE: Concerns over the arrest of 15 Human Rights lawyers

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further eleven European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its concerns over the arrest of 85 people, including 15 human rights lawyers, well-known for their professional activity in defence of individuals' right to freedom of speech and victims of police violence.

The CCBE has been informed that this new wave of arrests is the result of simultaneous raids carried out in several Turkish cities early on the 18th of January. These raids were conducted under Turkish anti-terrorism laws and targeted alleged members of the armed Revolutionary People's Liberation Party/ Front (DHKP/C), listed as a terrorist group in Turkey, while the arrested lawyers are accused of "transferring instructions from organization leaders in prison to militants".

Especially worrisome is that it appears that a number of principles stemming from the Turkish Criminal Procedure Code were infringed by the police while conducting the abovementioned investigative operation. According to the information we have received, the doors of at least three lawyers' firms were forced and some searches were conducted despite the absence of the member of the Bar in charge of being in attendance during police operations concerning lawyers.

In this context the CCBE would draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

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, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Furthermore, Article 23 states that:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.

In view of the above, the CCBE urges you to take effective steps to guarantee that the special provisions setting up procedural guarantees in favour of lawyers are properly applied by the police when performing their duties, and that lawyers in Turkey are able to conduct their professional duties without fear of reprisals and free of all restrictions, in order to preserve the independence and integrity of the administration of justice. To the extent that these guarantees were breached in respect of the 15 lawyers who are the subject of this letter, we urge you to ensure that these breaches are remedied swiftly in their cases.

Yours sincerely,



EVANGELOS TSOUROULIS
CCBE President