



European Lawyers:

A travesty of justice - 18 Turkish lawyers sentenced to long prison terms, 159 Years, 1 Month, 30 Days in Total

Wednesday 20 March 2019, the İstanbul 37th Heavy Penal Court in Silivri Courthouse. announced its verdict in the case of the ÇHD (Çağdaş Hukukçular Derneği, Association of Progressive Lawyers). The lawyers have been sentenced to prison terms between 2 years, 13 months, and 15 days and 18 years and 9 months. The Court delivered its judgment without taking into account the lawyers defence.

The allegations and sentences:

For alleged "founding and managing a terrorist organization"

- Barkın Timtik: 18 years and 9 months

For alleged "membership in a terrorist organisation"

- Ebru Timtik, Özgür Yılmaz 13,5 years
- Behiç Aşçı, Sukriye Erden: 12 years
- **Selçuk Kozagaçlı (ÇHD President)** : 11 years and 3 months
- Suleyman Gokten, Aytaç Ünsal, Engin Gökoğlu: 10,5 years,
- Aycan Çiçek, Naciye Demir: 9 years
- Ezgi Cakir: 8 years

For alleged "willingly and knowingly aiding a terrorist organization,"

- Ayşegül Çağatay, Yağmur Ereren, Didem Baydar Ünsal, Yaprak Türkmen: 3 years 9 months
- Ahmet Mandacı, Zehra Özdemir: 2 years 13 months, and 15 days

Numerous lawyers from European and non-European countries observed the trial from the outset. Among them were representatives of the International Association of Democratic Lawyers (IADL), the European Association of Democratic Lawyers (AED-EDL), the European Association of Lawyers for Democracy and World Human Rights (ELDHD), Lawyers for Lawyers, Défense Sans Frontière - Avocats Solidaires (ASF AS), Bar Associations from Belgium, France and Norway, the Italian Democratic Lawyers, the Italian Association of Criminal Lawyers, and Legal Team Italy.

After the court had issued the verdict the observers held a press conference to declare

"We are convinced that at this point this trial is completely null and void. Protesting against the heavy prison terms inflicted we insist on the immediate acquittal of all defendants, to be attained through all possible judicial and legal means. We express our solidarity to the defendants in the name of the common struggle for upholding justice and rule of law."

Milena Buyum, Amnesty International's Senior Campaigner on Turkey, who observed the trial hearing, commented: "Today's convictions are a travesty of justice and demonstrate yet again the inability of courts crippled under political pressure to deliver a fair trial."

From the beginning the trial observers had the impression that the defendants were only accused for practising their legal profession according to the Turkish, European and International rules. This impression was confirmed when the court released 17 lawyers from pre-trial detention on 14 September 2018 only for them to be rearrested one day later after the judge was replaced. On 18 March 2019 the presiding judge expressed his decision not to admit any new evidence or any other applications of the defence lawyers. Finally he excluded the defence lawyers from the trial.

Other courts in Turkey or in Europe will have to decide if they accept this blatant violation of the rule of law and of the principles of a fair trial.

In the view of ELDH, the verdict is politically motivated by the state of emergency, despite the fact that the state of emergency was lifted a few months ago. The present charges have all the hallmarks of intimidation of lawyers, and the sentences will prevent them from carrying out their professional duties.

ELDH, AED-EDL, DSF AS, Norwegian Bar Association - Human Rights Committee demand

- the immediate acquittal of all 18 lawyers
- respect for the UN "Basic Principles on the Role of Lawyers", in particular Art. 16 "to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference" and Art. 18 "Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions"
- respect for Art. 6 ECHR and Art.14 International Covenant on Civil and Political Rights (right to a fair trial)

For further information contact:

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