



# ELDH European Association of Lawyers for Democracy & World Human Rights

EJDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt  
EJDH Asociación Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo  
EJDH Association Européenne des Juristes pour la Démocratie & les Droits de l'Homme  
EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

WITH LAWYERS  
IN 21 COUNTRIES

Equality Privacy Social Rights  
No Racism Peace No Torture No War  
Self-Determination of Peoples Civil Rights Democracy  
Human Rights Rights of Migrants

London/Düsseldorf, 17 March 2020

## ELDH Statement

### New mass arrests of lawyers in Turkey: European lawyers' grave concern

The European Association of Lawyers for Democracy and Human Rights (ELDH) is gravely concerned at the news, that on 12 March 2020, 10 lawyers were arrested and later detained, and their homes and those of another 3 lawyers and offices were searched (7 in Urfa, 5 in Diyarbakır and one in Şırnak province).

The following lawyers were arrested or are threatened with arrest:

#### Urfa Bar

Av. Hidayet Enmek, Av. Sevda Çelik Özbingöl, Av. Emin Baran, Av. Şeyhmus İnal, Av. Metin Özbadem, Av. Hüseyin İZOL, Av. Cemo Tüysüz

#### Şırnak Bar

Av. Gürgün Kadirhan

#### Amed/Diyarbakır Bar

Av. Zeynep Işık, Av. Özkan Avcı

#### Amed/Diyarbakır Bar

11-Av. Bahar Oktay (not arrested yet), Av. Osman Çelik (not arrested yet)

13-Av. Mesut Beştaş (not arrested yet)

Several of them are members of ÖHD (Lawyers for Freedom), one of the two member organisations of ELDH in Turkey.

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Reports published by the Human Rights Association and the Urfa Bar Association indicate that the headquarters of the Urfa Anti-Terrorism Branch Directorate responsible for the arrest of the lawyers has been a centre where torture has been systematically practised for at least five years.

Following the 15 July 2016 State of Emergency announcement, the Urfa Anti-Terrorism Branch Directorate and Public Prosecutor's Office have investigated the lawyers' professional activities and. These investigations have been based on secret witness statements or illegal phone tapping, and aim to intimidate the lawyers. These investigations also violate the confidentiality between lawyers and their clients.

Progressive lawyers have been the victims of politically motivated prosecutions over many years now in Turkey. Mass prosecution of lawyers, mass trials of lawyers and mass conviction of them have become a tradition, contrary to the rule of law. In all these cases lawyers were attacked for performing their professional functions, and because they were legally representing opponents to the government. These attacks target not only a specific profession but the whole legal system and the independence of the judiciary. These new arrests represent a further attack on the few remaining principles of the rule of law in Turkey and must be strongly rejected.

ELDH demands that the Turkish authorities act now

- to secure the immediate release of the detained lawyers, who have only fulfilled their professional duties
- to put an end to the unlawful prosecution of lawyers because they have been representing political opponents to the Turkish government
- to guarantee unrestricted application of the UN Basic Principles on the Role of Lawyers, in particular Art. 16 (Governments shall ensure that lawyers ( a ) 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)
- to guarantee the application of the right to a fair trial Art. 6 ECHR, which includes also the presumption of innocence