
Le Président
The President

His Excellency Mr. Recep Tayyip Erdoğan
President of the Republic of Turkey
Cumhurbaşkanlığı Külliyesi
06689 Çankaya, Ankara
Turkey

Brussels, 14 August 2020

Subject: Concerns regarding the impact of law no. 7249 on Turkish bar associations

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which represents the bars and law societies of 45 countries, and through them more than 1 million European lawyers. The CCBE places great emphasis on respect for human rights and the rule of law and is particularly concerned with the situation of human rights defenders around the world.

The CCBE wishes to express its serious concerns about the adoption of a new bill, now law no. 7249, which entered into force through its promulgation in the Official Gazette on 15 July 2020, modifying the electoral system of the chambers of the bar and further restricting the independence of bar associations and the legal profession in Turkey.

We understand that law no. 7249 alters the number of delegates provincial bar associations can send to the Union of Turkish Bar Associations, mostly affecting the bar associations representing the largest number of lawyers by dramatically reducing their influence within the Union of Turkish Bar Associations. We also understand that this new law allows any group of 2000 lawyers in provinces with over 5000 lawyers to set up their own bar association, which could lead to several bar associations being created in big cities where bars are representing a large number of lawyers.

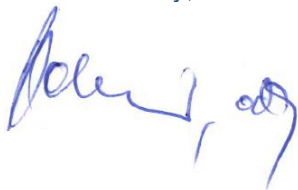
This results in a lack of proportionality and breaches core principles of democracy which will consequently hinder the independence, integrity and freedom of expression of the legal profession.

In this context, the CCBE wishes to draw your attention to:

- the [European Convention on Human Rights](#), in particular article 10 on Freedom of expression;
- the [United Nations Basic Principles on the Role of Lawyers](#), in particular Principle 16 on Guarantees for the functioning of lawyers, Principle 23 on Freedom of expression and association and Principle 24 on Professional associations of lawyers;
- the [Charter of Core Principles of the European Legal Profession](#) which states that “Bars and Law Societies (...) should seek to uphold and protect the core principles in the public interest”. These core principles are notably a): “the independence of the lawyer, and the freedom of the lawyer to pursue the client’s case”; i): “respect for the rule of law and the fair administration of justice” ; and j) “the self-regulation of the legal profession”;

In view of the above, the CCBE respectfully urges Your Excellency to withdraw law no. 7249 and refrain from taking any measure which would have the effect of hindering the independence, integrity and freedom of expression of the legal profession in Turkey.

Yours sincerely,



Ranko Pelicarić
President

Conseil des barreaux européens – Council of Bars and Law Societies of Europe

association internationale sans but lucratif

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