

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

**Re: Concerns regarding the current situation of lawyers in Turkey**

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 is seriously concerned about the arrest of at least 51 Turkish lawyers during raids, which were simultaneously carried out in many Turkish cities and provinces. These arrests are the latest step following the recent threats by Turkish prosecutors and courts to persecute the large number of lawyers who are defending 152 accused in a mass trial in Diyarbakir.

The CCBE notes that in this trial the lawyers took the position that they were not able to defend their clients any further after the Diyarbakir Court ordered that the accused were not permitted to speak their native Kurdish language in their trial.

Especially worrisome is that all the defence lawyers as a group, and also the leader of the Diyarbakir Bar, were threatened in strong terms in advance by the prosecutors, and by the Court itself that they would be persecuted if they did not immediately continue to defend their clients in the Turkish language.

The CCBE would like to draw your attention respectfully to the fact that the arrests and threats constitute grave violations of human rights treaties to which Turkey is a party. The CCBE is concerned that the trial is an attempt to suppress the legally organized political movement of the Kurdish people in Turkey through the judicial system.

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.*

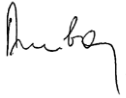
Furthermore, Article 23 states that:

*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 respectfully urges you to take immediate and effective steps to: release and reinstate in their duties as lawyers all of the lawyers who have been arrested or threatened; restore the full and free exercise of their independent advocacy role; and guarantee in all circumstances 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.

Yours sincerely,



Marcella PRUNBAUER-GLASER

President