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CCBE Statement on the situation of Turkish lawyers and the challenges facing the European Court of Human Rights

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The Council of Bars and Law Societies of Europe (CCBE) represents the bars and law societies of 46 countries and, through them, more than 1 million European lawyers.

The CCBE reiterates its deep concern regarding the continuing politically motivated prosecutions of lawyers in Türkiye, including those associated with the Progressive Lawyers Association (ÇHD) and the People's Law Office (HHB)[1]. In response to this dire situation, affected lawyers submitted individual applications to the European Court of Human Rights (the Court), including applications on pre-trial detention lodged on 29 April 2021 and applications on the right to a fair trial submitted on 15 March 2023. Despite the urgency of these cases, there have been significant procedural delays.

These lawyers have been arrested, detained, and convicted on charges directly linked to their professional activities, including representing clients accused of political dissent, participating in human rights protests. Various fact-finding missions, including one country visit conducted by the former Council of Europe Commissioner for Human Rights, have documented systemic violations of fair trial standards in these mass trials, including denial of defence rights, use of anonymous witnesses, and the judicialisation of the practice of law itself as an aggravating factor[2].

The CCBE reiterates the urgency and gravity of the human rights breaches suffered by these lawyers, recognising their essential role in upholding the rule of law and access to justice.

At the same time, the CCBE recognises the broader institutional context in which the European Court of Human Rights currently operates, including severe resource

[1] See notably Rearrest of lawyer Selçuk Kozağaçlı (23/04/2025) and all others letters in support of Turkish lawyers including those from the Progressive Lawyers Association (ÇHD) and the People's Law Office (HHB): https://www.ccbe.eu/actions/human-rights-portal/human-rights-letters/

[2] https://rm.coe.int/report-on-the-visit-to-turkey-by-dunja-mijatovic-council-of-europe-com/168099823e

constraints and an unprecedented backlog of applications with a disproportionately large share originating from a small number of high-volume countries, notably Türkiye.

These structural constraints impact all applicants, not only lawyers, and largely explain delays in processing complex cases, including those concerning Turkish lawyers. The CCBE further emphasises that the Court has delivered numerous important judgments on fair trial rights in the Turkish context, but persistent challenges in domestic implementation foster repetitive applications and compound the Court's caseload. It is important in this context to recognise that these challenges are system-wide and affect the ability to process and adjudicate a wide spectrum of cases efficiently and fairly.

In this context, the CCBE recalls its longstanding position, as articulated in its Proposals for reform of the ECHR machinery (2019)[3] and further elaborated in the Proposals for further reform of the ECHR machinery (2021)[4], calling for and proposing practical reforms to enhance the Court's capacity, transparency, and procedural efficiency without delay and without amending the Convention.

The CCBE also stresses the need to strengthen the supervision of the execution of judgments by the Committee of Ministers, increase transparency, and ensure prompt enforcement of just satisfaction and general measures to break cycles of non-compliance and repetitive litigation.

The CCBE warmly welcomed[5] the reaffirmations by Member States at the 4th Council of Europe Summit (Reykjavík, 16–17 May 2023) to ensure sufficient and sustainable resources for the Court to exercise its judicial functions effectively and expeditiously, and to strengthen supervision of execution, as set out in the Declaration and its Appendix IV on recommitting to the Convention system. These commitments should now be translated into concrete measures, including increasing judicial resources, improving case management and triage, and facilitating the accelerated examination of urgent and serious cases.

In view of the above the CCBE calls

- On the European Court of Human Rights to prioritise and accelerate the examination of the urgent cases concerning Turkish lawyers, and issue interim measures where appropriate, while continuing to improve transparency, case

[3] CCBE Proposals for reform of the ECHR machinery (28/06/2019)
[4] Proposals on further reform of the ECHR machinery (21/05/2021)
[5] CCBE Statement on the declaration made at the 4th Council of Europe Summit on recommitting to the Convention System (02/06/2023)

management, and judicial prioritisation for high-volume and urgent cases in a manner that balances efficiency and fairness.

- On the Council of Europe Member States to provide stable and adequate funding to reinforce the Court's capacity and deliver on the Reykjavík commitments to ensure the Court can maintain its role as the final guardian of human rights in Europe.
- On the Committee of Ministers to enhance supervision mechanisms for execution of judgments, improve transparency, and enable more effective engagement with applicants' representatives to reduce repetitive violations and caseloads.

The CCBE reaffirms its unwavering solidarity with Turkish lawyers and the legal profession in Türkiye, and it remains committed to working constructively with the Court, Council of Europe institutions, Member States, and all relevant partners to strengthen the system of human rights protection in Europe. Strengthening the Court's capacity while ensuring effective implementation of its judgments is imperative to uphold the rule of law and the fundamental rights.