

## **Lawyers delegation from Europe and the USA observe the ÇHD trial in Silivri**

### **- The trial which already has lasted for 10 years**

In 2013, ten years ago, a mass trial started against 22 lawyers, all of them members of the lawyers organisation Progressive Lawyers' Association (ÇHD, Turkey) and of the Peoples Law Office (HHB). Since then up to three hearings have taken place each year – first before the “Special Assize Court” (the Heavy Penal Court), then, in 2014, after a change in penal procedural law of Turkey, before the ordinary Heavy Penal Court.

All lawyers in question were convicted or face charges for their professional activities. In violation of the UN Basic Principles on the Role of Lawyers, they are, firstly, identified with their clients' causes, and, secondly, limited in their freedom of expression, which includes the right to take part in public discussions about human rights.

Several of the defendants, among them the ÇHD president Selçuk KOZAGAÇLI, have already been subject to years of pretrial detention. One of the defendants in this trial, Ebru Timtik, died during her hunger strike seeking fair trials in the courts of Turkey.

Lawyers from Europe and other continents have observed all hearings. This week the International Observers include more than 60 lawyers from 8 European countries and the USA: Austria, Belgium, France, Germany, Greece, Italy, The Netherlands, Spain/Catalonia, and the US. The lawyers represent various local Bar Associations, European and International Bar confederations, and other lawyers' organisations.

Article 10 of the Universal Declaration of Human Rights and Article 14 of the International Covenant on Civil and Political Rights require Turkey to provide all defendants with a fair and public trial by a competent, independent, and impartial court.

Previously, in 2021, on the occasion of the International Fair Trial Day, which focused on Turkey that year, the jury came to the conclusion that these international standards for a fair trial are frequently violated in Turkey.

This week, the International Observers are monitoring the ÇHD trial very closely to determine whether the court will adhere to international fair trial standards and whether prior violations of these principles in the course of this trial will be remedied by the court.

The trials against the lawyers of ÇHD are part of a larger pattern of attacking lawyers in Turkey and identifying them with their clients. Lawyers are unjustly criminalized and prosecuted for fulfilling their professional duties. This is intolerable and in clear violation of international law. Further, the International Observers have concluded that international fair trial standards have not been respected in the hearings they have previously observed.

Therefore we demand the immediate release of all lawyers incarcerated based on their work on political cases. It is not a crime to be a lawyer. We will continue to insist on ending the criminalization of merely exercising the profession of lawyers and on upholding the fundamental principles of the rule of law, including the right to a fair trial for all people in Turkey and elsewhere throughout the world.

### **Signatories:**

- European Association of Lawyers for Democracy and World Human Rights, ELDH
- La Conférence des Bâtonniers, France
- L'association Défense Sans frontière - Avocats Solidaires (Defense Without Borders - Solidarity Lawyers, France (DSF-AS))
- Giuristi Democratici - National Association of Democratic Jurists, Italy
- UIA-IROL (the Institute for the Rule of Law of the International Association of Lawyers)
- Lawyers for Lawyers, the Netherlands
- The German Federal Bar
- Union of Italian Penal Chambers (UCPI)
- Republikanischer Anwältinnen - und Anwälteverein e.V. (RAV)
- The International Observatory for Lawyers in Danger (OIAD)
- The Center of Research and Elaboration on Democracy/ Legal International Intervention Group
- The Catalan Association for the Defense of Human Rights
- The Barcelona Bar Association's Defence Commission
- The New York City Bar Association
- The Foundation of the Day of the Endangered Lawyer
- The Dutch League for Human Rights
- Avocats Européens Démocrates / European Democratic Lawyer (AED)
- The Association for the Support of Fundamental Rights Athens, Greece
- Marseille Bar Association
- Fair Trial Watch
- Berlin Bar Association
- Bordeaux Bar Association
- Conférence Régionale des Bâtonniers de l'Ouest
- Epinal Bar Association
- The International Association of Democratic Lawyers (IADL)
- National Union of People's Lawyers, the Philippines (NULP)
- Asociación Americana de Juristas
- Confederation of Lawyers of Asia and the Pacific (COLAP)
- Brussels Bar Association
- AVOCATS.BE - Order of French- and German-speaking bar associations of Belgium
- Syndicat des Avocats Pour la Démocratie
- Liège-Huy Bar Association
- Toulouse Bar Association
- Montpellier Bar Association

- Lyon Bar Association
- Amsterdam Bar Association
- Hauts-de-Seine Bar Association
- Grenoble Bar Association
- Institut des Droits de l'homme de Grenoble
- Human Right Institution of Montpellier
- Nanterre Bar Association
- Bologna Bar Association
- Genoa Bar Association