

Legal Profession in Turkey under attack: Four lawyers sentenced to long prison terms

On 24 January 2013, four Ankara lawyers, Ms Filiz Kalaycı, Mr Hasan Anlar, Mr Halil İbrahim Vargün and Mr Murat Vargün received sentences ranging from 6 years and 3 months to 7 years and 6 months in jail on charges of being a member of “an armed, illegal organization”. International observers fear that these charges are merely based on the lawyers’ legitimate professional activities and their involvement in the promotion of universal human rights standards.

Lawyers for Lawyers (L4L) and Fair Trial Watch (FTW) have closely followed the case against four Ankara lawyers and attended most trial hearings. Their observation of the case confirmed concerns raised by Thomas Hammarberg, former Commissioner for Human Rights of the Council of Europe about the definition of some offences in Turkish laws concerning terrorism and membership of a criminal organization and their wide interpretation by courts. The lawyers’ legitimate professional activities including the provision of legal advice, investigating torture and ill treatment claims in prisons and their phone talks with colleagues were seen by the court as criminal activities.

The case against the four Ankara lawyers is not an isolated case. Over the last year, more than 60 lawyers were arrested. At least 35 lawyers are still detained. These mass arrests indicate that judicial harassment against lawyers in Turkey has become large-scale and systematic. Lawyers defending clients accused of terrorism-related offences or otherwise involved in defending human rights standards are at risk. Lawyers are also otherwise hindered in the performance of their professional functions. The specially authorized courts in Turkey, weaken the status of defence counsel by limiting their plea time at certain trials. This strengthens the fear of L4L and FTW that criminal proceedings are being misused to repress, intimidate and punish lawyers. This practice results in arbitrary detentions, discourages lawyers from representing clients involved in politically sensitive cases and undermines the right to be legally represented and thus constitutes a serious violation of the rule of law and Turkey’s international law obligations.

L4L and FTW call on the Turkish authorities to ensure the independence and safety of lawyers in their professional and personal capacities in compliance with national and international law duties applicable to Turkey.

**- Press Release -
Lawyers for Lawyers**

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Lawyers for Lawyers (L4L) is an independent and non-political Dutch foundation that seeks to promote the proper functioning of the rule of law by pursuing freedom and independence of the legal profession. L4L does this by supporting lawyers worldwide who are threatened or suppressed in the execution of their profession. See for more information: www.lawyersforlawyers.org.

Fair Trial Watch (FTW) is a Dutch foundation that aims to promote the development of a fair trial for anyone, with particular attention to the Middle-East. FTW dedicate themselves to the protection and defense of the right of everyone to have a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law, as it established by article 6 of the European Convention on Human Rights and the ICCPR.