



Press release, 7 April 2020, 11h00

Covid-19 – No time to lose ! –

Why imprisoned lawyers must be released immediately

The European Association of Lawyers for Democracy and Human Rights (ELDH) and the European Democratic Lawyers (AED-EDL) are European lawyers' organisations with members in over 20 European countries, including Turkey. Both organisations have been monitoring court cases in Turkey for many years, especially the mass trials against lawyers of their two member organisations ÇHD - Çağdas Hukukcular Derneği - (Progressive Lawyers Association) and ÖHD - Özgürlükçü Hukukcular Derneği - ÖHD (Association of Lawyers for Freedom). The foundation The Day of the Endangered Lawyer's goal is to promote the unobstructed practice of the lawyers' profession anywhere in the world who, under repressive regimes come to the defence or support of clients whose human rights are at stake.

Currently, 7 lawyers of the CHD are detained (Selçuk Kozağaçlı, Behiç Aşçı, Engin Gökoğlu, Aytaç Ünsal, Aycan Çiçek, Barkın Timtik, Oya Aslan, Ebru Timtik; Sulçuk Kozağaçlı is the ÇHD President, a human rights attorney who received several Human Rights Awards. and Doğukan Ünlü, Halil İbrahim Vargül, Semra Özbingöl Çelik are lawyers of the ÖHD ()).

The worldwide spread of the C-19 epidemic does not stop at the prison gates. On the contrary, the overcrowding of prisons increases the risk of proliferation among prisoners and staff. The Turkish government has therefore rightly decided to release almost a third of the more than 300,000 prisoners from prison - or place them under house arrest. However, those accused of supporting, being a member of or leading a terrorist organization are excluded from this measure. This decision also affects lawyers who, in the exercise of their professional duties, have represented alleged terror supporters in court.

The lawyers began a hunger strike on Feb. 3 in protest of the lengthy jail sentences imposed on them for terrorism charges and after the 30th day of the hunger strike, 4 of them announced a break. Presently 4 lawyers (Ebru Timtik, Barkın Timtik, Oya Aslan, Aytaç Ünsal), who are all members of the Progressive Lawyers' Association (ÇHD), are on a hunger strike in prison, demanding a fair trial and justice for themselves and for their clients. All the lawyers were arrested in a September 2018 operation. Two of the lawyers have announced to start fasting to death on the 5th of April, that is the Day of Lawyers in Turkey.

Lawyers around the world and human rights representatives of international organisations have repeatedly appealed to the all governments to release prisoners as far as possible.

- The UN High Commissioner for Human Rights urged governments and relevant authorities to work quickly to reduce the number of people in detention.
- 32 Turkish bar associations demanded on 19 March 2020 that the Turkish government takes appropriate measures to protect the lives of the detainees from the

spreading C-19 epidemic and to release them. The bar associations explicitly mentioned lawyers who have been imprisoned for political reasons.

- Last week, more than 70 lawyers from all over the world followed the call of the International Association of Democratic Lawyer (IADL), of the two European Lawyers Associations ELDH, AED-EDL, and of the Haldane Society of Socialist Lawyers (England) for a video conference in solidarity with lawyers imprisoned for political reasons in Turkey, with interventions from Ayşe Bingöl of the Turkey Human Rights Litigation Support Project, Barbara Spinelli of Giuristi Democratici, and Şerife Ceren Uysal, of the Progressive Lawyers Alliance (ÇHD). The lawyers unanimously called for the immediate release of the lawyers detained in Turkey.

The Turkish Government should bear in mind

- Although the official number of victims of C-19 in Turkey is still relatively low, Turkey is the country with the fastest increase in the number of victims.
- The lives of the imprisoned lawyers, including 8 lawyers of the ÇHD and 3 lawyers of the ÖHD, are acutely endangered by the spreading C-19 Pandemic and the prison conditions in Turkey.
- Because of Ebru Timtik's hunger strike against unjustified conviction, which has already lasted 90 days for (over 60 days for 3 of them) , her organism is weakened and the risk of death in case of infection is significantly increased. This also applies to the other 2 lawyers who have announced to start the fasting to death on April 5, 2020
- Many observers of the trials against ÇHD and ÖHD lawyers came to the conclusion that the accusations lack any factual basis and were based on incorrect assessment of the evidence. They expressed severe doubts concerning compliance with the fair trial standards of the ECHR and the independence of the tribunals.
- Even the competent Turkish court, initially had no reservations about releasing the defendants from custody during the ongoing proceedings. They were released. Only after a questionable exchange of judges was detention ordered again. There is therefore no justification for endangering the lives of the lawyers by the increased risk to them in detention.
- The lawyers concerned have not yet been finally convicted. They have all appealed against their conviction. As long as the proceedings continue, they must not be treated as if their guilt had been finally adjudicated.

Under these circumstances, the immediate release of the detained lawyers is the imperative for the government if it is not to be responsible for serious damage to the health or even death of the detainees.

European Association of Lawyers for Democracy and World Human Rights (ELDH),

Thomas Schmidt (lawyer), Secretary General , Platanenstrasse 13, 40233 – Düsseldorf, Germany
PHONE +49 - 211 - 444 001, MOBILEPHONE +49 – 172 – 6810888, Email thomas.schmidt@eldh.eu, Web www.eldh.eu

Day of the Endangered Lawyer Foundation , Hans Gaasbeek, International coordinator

Nieuwe Gracht 5a, NL 2011 NB Haarlem, Netherlands, Telephone: +31 (023) 531 86 57,,Email: hgaasbeek@gaasbeekengaasbeek.nl, Web: <http://dayoftheendangeredlawyer.eu/>

European democratic lawyers federation (AED-EDL), Robert Sabata Gripekoven,

Col·legiat 20381 ICAB C/ Provença, 332, 3er, 08037 - Barcelona
tel / fax (+34) 93 457 83 58, mòbil (+34) 619 30 43 77, <http://www.aeud.org/>, robertsabata@icab.cat