

Paris, on 21st April 2016

Mister Jean-Claude JUNCKER
President of the European Commission
Wetstraat 170
B1049 BRUSSELS
BELGIUM

Re: Communication of a Letter addressed to Misters ERDOGAN, President of the Republic of Turkey, and Mister BOZDAG, Minister of Justice, relating to “grave concerns about the judicial harassment, arbitrary detention and abusive use of force by the authorities against Lawyers in the exercise of their functions”

Mister President,

As lawyers called to the bar of several countries, we have to express our deep concern about the judicial harassment, arbitrary detention and abusive use of force by the authorities against our colleagues, lawyers in the exercise of their functions, namely İrfan Arasan, Hüseyin Boğatekin, Şefik Çelik, Adem Çalışçı, Tamer Doğan, Ramazan Demir, Mustafa Ruzgar, Ayşe Acinikli and Ayşe Gösterişlioğlu.

Lawyers İrfan Arasan, Hüseyin Boğatekin, Şefik Çelik, Adem Çalışçı, Tamer Doğan, Ramazan Demir, Mustafa Ruzgar, Ayşe Acinikli and Ayşe Gösterişlioğlu, all members of the OHD association (Lawyer’s Association for Freedom), have been repeatedly and unfairly prosecuted. These nine lawyers were scheduled to appear at a hearing on March 17, 2016 to defend 46 lawyers being prosecuted in the exercise of their professional function. On March 16, 2016, just one day before the hearing, these nine lawyers were arrested, and their homes were searched, as part of an alleged anti-terrorist operation. The lawyers were charged with affiliation, from 2011 to 2014, with an illegal organization. The accused lawyers have not been given access to the case file, and therefore, they have no ability to challenge the charges levied against them. During their interrogations, these nine lawyers were questioned about interviews they gave to the media, complaints they lodged before the European Court of Human Rights and meetings they had with their clients.

On the basis of the questions posed during the interrogation, the defense lawyers understood that prosecutors had ordered monitoring of telephone communications or/and use of covert surveillance techniques of lawyers during the preliminary investigation from 2011-2014.

Between March 16, 2016, and today, these 9 lawyers have been consistently arrested, released, and re-arrested, without being able to exercise their defense rights at any hearing. As of April 7, 2016, Ramazan Demir and Ayşe Acinikli remain in pretrial detention. Ramazan Demir has been held in solitary confinement in Silivri prison and Ayşe Acinikli in Bakirkoy prison.

It seems that the main alleged accusations against our colleagues to justify those measures are linked to their participation in the defense of the opponents to the GEZI Park, the submission of complaints to the ECHR for victims of violence and the demand for colleagues or international observers to watch certain hearings. It thus appears that our colleagues are being prosecuted, in complete violation of international standards regulating the Profession, for having exercised their defence mission and being assimilated to their clients, which is not admissible.

We ask you to urgently intervene so that they can immediately be released and that be recognized and protected, in TURKEY, the Defence rights for all, basis for a fair trial.

We thank you for your attention to this very serious and urgent matter.

Respectfully yours,

For your perfect information, please find attached the Letters addressed to both Mister ERDOGAN, as President of the Republic of Turkey, and Mister BOZDAG, Ministry of Justice.

We thank you for your attention to this very serious and urgent matter.

Respectfully yours,