



Press release

THE DAY OF THE ENDANGERED LAWYER – 24 JANUARY 2012

**European lawyers protest all over Europe –
in Amsterdam, Barcelona, Berlin, Bern, Brussels, Düsseldorf, The Hague, Hamburg, Madrid,
Milan, Paris, Rome, and other cities –
against unfounded and unlawful arrests and obstruction of lawyers in Turkey.**

This year, the Day of the Endangered Lawyer is dedicated to the lawyers in Turkey who have been persecuted and arrested for political reasons, and by this and other obstructions prevented from fulfilling their professional duties.

The Day of the Endangered Lawyer is organized this year by three European lawyers' associations: the European Democratic Lawyers (AED-EDL, www.aed-edl.net), the European Association of Lawyers for Democracy and World Human Rights (ELDH, www.eldh.eu) and the European Bar Human Rights Institute (IDHAE, www.idhae.org). Together they represent lawyers all over Europe.

The Day of the Endangered Lawyer is an initiative which was started by AED-EDL in 2010, on behalf of the lawyers of Iran. The date of 24 January was chosen this year in remembrance of the assassination of 4 trade union lawyers and one employee in Madrid in 1977 (Massacre of Atocha), in the time of transition after the death of the Spanish dictator Franco (in 1975). The perpetrators arrested were close to far-right parties and organisations.

In order to protest against the unlawful and intolerable obstruction of lawyers in Turkey and against the severe human rights violations connected to this, on the 24th of January lawyers in many cities in Europe will organize demonstrations wearing their gown in front of Turkish Embassies and Consulates. A petition addressed to the Turkish Government will be handed over. In Amsterdam, Barcelona, Berlin, Bern, Brussels, Düsseldorf, The Hague Hamburg, Madrid, Milan, Paris, Rome and other cities forum discussions or other activities will be organized.

For decades, human rights organisations like Amnesty International and Human Rights Watch, but also the European Union, have clearly denounced the human rights violations which have been committed or tolerated by the Turkish State. These violations have been perpetrated not only against political opponents to the Government but also against minorities, in particular against the Kurdish population in Turkey. They are also directed against lawyers who have the courage to defend the victims of such human rights violations committed by the state.

According to unofficial estimates, almost 8.000 alleged members of KCK have been arrested since 2009 on the basis of the Anti-Terror Law of 1991. The KCK or Union of Communities in Kurdistan is a Kurdish organization, founded by Abdullah Öcalan, which is suspected by the Turkish Government of collaboration with the PKK. More than half of the arrested people are still in custody. In a response to the concerned request of the European Commission, the Turkish government confessed only to the continued detention of 605 persons.

The trial against the alleged members of KCK has started on 18 October 2010 at the Diyarbakir 6th High Criminal Court. Out of the 151 defendants, 103 are still in custody; 8 of them are lawyers themselves. On 19 October 2010, as well as in later hearings, the defence insisted on a defence in Kurdish, which was rejected by the court. Instead more than 100 lawyers – many of them from the Diyarbakir Bar Association - have been interrogated for this demand.

During many sessions of the court, lawyers from several European countries participated as observers, among them several colleagues from AED-EDL and ELDH. A lawyer from Italy who intended to observe the KCK trial in Diyarbakir was arrested at the airport of Istanbul, and deported after one day.

At the end of last year, on the 22nd of November, in the course of the so-called KCK-trial, the assaults against lawyers have reached a never before seen intensity. These violations have culminated in the arrest of 36 Turkish and Kurdish lawyers. Their offices were searched. Many of them were active as defence advocates in the KCK-trial in Diyarbakir or for Abdullah Öcalan. Similar actions were carried out on 20 December against journalists in Turkey, of whom 20 have been arrested.

AED-EDL, ELDH and IDHAE condemn in the strongest possible terms the above mentioned actions and demand the following:

- The Turkish Anti-Terror Law of 1991 protects the security of the state at the expense of the freedom and security of individuals and violates international human rights law and must therefore be repealed.
- To immediately release the arrested lawyers and to guarantee a full and free exercise of their independent advocacy role
- A fair trial for the defendants in the KCK-trial, including the unrestricted admission of foreign legal observers to the trial
- An international independent investigation into the actions noted above, with the objective of holding those responsible for these arrests and the obstruction of the free exercise of the independent advocacy role of these lawyers accountable for violations of basic human rights.

Many other lawyer organizations have decided to give moral or logistical support to the Day of the Endangered Lawyer.

Prof. Bill Bowring, barrister, President of ELDH, London

www.eldh.eu

Mr. Gilberto Pagani, barrister, President of AED-EDL, Milan

www.aed-edl.net

Mr. Bertrand Favreau, barrister, President of IDHAE, Paris

www.idhae.org

Mr. Thomas Schmidt, barrister, Secretary General of ELDH, Düsseldorf, 0049 17 26810888

Mr. Hans Gaasbeek, barrister, Vice President of AED, Haarlem, 0031 6 52055043

and coordinator of the Commission "Defense de la Defense" of the AED

Mr. Ivonne Leenhouders, barrister, co-coordinator of the Commission Defense de la Defense