



"Day of the Endangered Lawyer" January 24, 2019

TURKEY

FBE HUMAN RIGHTS COMMISSION

On January 24, 1977 four Spanish trade union lawyers and an employee in their office in Madrid were murdered by neo-fascists. A few years ago, European lawyers associations chose this sad occasion to establish the "Day of the Endangered Lawyer".

The Day of the Endangered Lawyer on January 24, 2019 is a day on which we call for the attention for lawyers all over the world who are facing harassment, threats, persecution or even torture and therefore the work of those Colleagues is made increasingly difficult.

This year, the alarming political and legal situation in Turkey is in the international focus. According to reports more than 1.500 Turkish lawyers have been prosecuted and nearly 600 lawyers have been arrested since the declaration of a state of emergency in 2016.

These numbers are alarming. A European way is to support colleagues, however, does not help the persecuted lawyers in their situation in the short term (*The European Court of Human Rights has not yet addressed the situation in these cases and rejects the cases with reference to unexhausted national judicial remedies*).

FBE Human Rights Commission started in 2018 a very important project called "TURKEY TRIAL OBSERVATION PROJECT". In Bilbao/Spain in Dec 15, 2018 HRC organized a special training dedicated to HRC Members and other interested in what makes possible our assistance to trials in Turkey. The training was led by Mr Nardy Desloover, our friend from Netherlands.

Basing on the report of the last mission of the year 2018 carried out by DSF-AS in Istanbul/Turkey on December 11, we got to know that it was the eleventh hearing of the year 2018 attended by DSF-AS to support our colleagues. The next hearings announced in 2019 for the 5 files DSF-AS follow in 2019 in: February 19, March 5, March 6, March 18 and May 23.



We were also present in September 7-9, 2018 in Istanbul/Turkey where the second International Conference on Law took part. The leading subject of the Conference was situation in Turkey and situation of Turkish legal system after all implemented changes. FBE was represented there by Me. Dominique Attias 2nd Vice President of Federation and Artur Wierzbicki, FBE President of Human Rights Commission. In the conclusions of that event all participants confirmed that as lawyers we cannot accept that human rights violations and war crimes have been committed without significant criminal consequences, without compensation for the victims, without fundamental amendments of the law and the constitution.



We cannot forget also about Turkey's media. In November 28, 2018 Artur Wierzbicki took part in *the House of European Union* in Berlin/ Germany in a conference called "Press freedom and the rule of law in Turkey". The discussion was around the future and supporting of independent journalism in Turkey and Europe's role in protecting fundamental rights in Turkey. Apart of Turkish Lawyers, over 160 journalists are currently behind bars in Turkey (*the world's leading jailer of journalists*). The vast majority of those held were detained – many arbitrarily and without formal charges (*the very similar way to our lawyers Colleagues in Turkey*).



But, we can help our Colleagues by demonstrating our support that day in front of Turkish Embassies all over Europe. Also we can take part in many panels/discussions. One of them is

organized by Amnesty International and DAV in Berlin/Germany January 24, 2019 (*Turkish cases before the RCtHR*). And I will be there !.

In the opinion of many, Turkey must restore the rule of law, release still-detained magistrates and journalists, and lawyers, restore the rights of teachers and magistrates (judges and prosecutors) who have resigned from July 2016, restore freedom of press and information, end the state of emergency and fully implement the European Convention on Human Rights.

Artur Wierzbicki

President of Human Rights Commission, FBE