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Turkey: Nine Human Rights Lawyers Imprisoned

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Yesterday's Istanbul court decision to order the pre-trial detention of nine human rights lawyers highlights the arbitrary and abusive use of anti-terrorism laws in [Turkey](#), said Human Rights Watch. The 9 were among 12 lawyers arrested, 11 during early morning raids on January 18, and 1 on January 20.

In the past few years, Turkey's overbroad anti-terrorism laws have been used against an ever-widening circle of people, charged for non-violent political activities and the legitimate exercise of freedom of expression, association, and assembly. Such charges are often accompanied by prolonged pretrial detention. Prolonged pretrial detention that cannot be justified under international standards constitutes arbitrary detention in violation of human rights norms.

"Police raids against lawyers at 4 a.m., their arrest and imprisonment are part of a wider clampdown on those who oppose the government," said [Emma Sinclair-Webb](#), senior Turkey researcher at Human Rights Watch. "What makes the latest arrests particularly disturbing is that these lawyers are well-known for acting on behalf of those whose rights have been violated by the state."

The arrest of 12 lawyers by the Istanbul police, and searches of their homes and offices on January 18 and January 20, is part of a wider police operation around the country against scores of individuals suspected of links with the armed outlawed Revolutionary People's Liberation Party-Front (DHKP-C), which has carried out attacks on police and military targets, and against politicians.

Two of the 12 were released by the prosecutor, and a third was released by the court but may still

face trial depending on the outcome of the prosecutor's continuing investigation. The police also has arrest warrants for four other lawyers.

The nine lawyers imprisoned have been particularly active on human rights cases, especially in representing victims of police violence. There is a secrecy order on the investigation into the lawyers, and the nature of the evidence against them has not been fully disclosed. However, Human Rights Watch learned that all the questions asked by the prosecutors focused on the lawyers' legal activities on the board or as members of the Progressive Lawyers' Association, legitimate activities carried out in the course of discharging their professional duties, their simple participation in demonstrations without suggestion that they committed violent acts, and their histories of earlier prosecutions and convictions. Statements against the lawyers by a protected witness also raised no concrete allegations other than that they had performed activities amounting to the legitimate discharge of their professional duties as lawyers.

The imprisoned lawyers awaiting trial are: Güçlü Sevimli, Barkin Timtik, Sükriye Erden, Naciye Demir, Nazan Betül Vangölü Kozagaçlı, Taylan Tanay, Ebru Timtik, Günay Dag, Selçuk Kozagaçlı. Kozagaçlı is national head of the Progressive Lawyers' Association, and Tanay is head of its Istanbul branch.

Human Rights Watch has raised serious concerns about the misuse of anti-terrorism laws and arbitrary imprisonment pending and during trial over the past few years ([Protesting as a Terrorist Offense](#), [Journalists' Arrests Chills Free Speech](#), [Kurdish Party Members' Trial Violates Rights](#), [Arrests Expose Flawed Justice System](#)). The problem is exacerbated by excessive length of many legal proceedings in Turkey, with those remanded in custody being detained for months before the investigation is concluded and an indictment is produced, and then years before a final verdict is rendered. The misuse of anti-terrorism laws and delays in legal proceedings are all incompatible with Turkey's obligations under the European Convention on Human Rights, as well as international treaties such as the International Covenant on Civil and Political Rights. They give rise to violations of some of the most fundamental protections guaranteed by the treaties, including freedom of expression and association, right to liberty and security, and right to due process.

Official Ministry of Justice figures from end of May 2012 put the number of prisoners charged with terrorism offenses at 8,995. Half of them are remanded prisoners, and the other half has at least received a first verdict though it may still be on appeal.

"Official figures from a few months ago suggest that many thousands are in prison for terrorism offenses, many of them political activists, students, journalists, and human rights defenders," Sinclair-Webb said. "Most have committed no offense that could or should be described as terrorism under international law."

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