



CNF
Consiglio
Nazionale
Forense

English version of the February 2020 Report of
The Arrested Lawyers Initiative

MASS PROSECUTION OF LAWYERS IN TURKEY



605
ARRESTED

345
CONVICTED

2158
YEARS IN PRISON

**Unjust Arrests &
Convictions (2016-2020)**

<https://arrestedlawyers.org/>



Nuova Editrice Universitaria



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Unjust Arrests & Convictions (2016-2020)





“NEU-Nuova Editrice Universitaria”
on behalf of the “The Arrested Lawyers Initiative”
VOLUNTEER ORGANISATION TO DEFEND THE DEFENDERS
on behalf of the CNF-Consiglio Nazionale Forense
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Finished printing in February 2020
by Infocarcere LTD limited cooperative company
Via Collatina n. 146 - 00132 Roma

Publication out of print

ISBN: 978-88-32133-29-5

PREFACE

The publication of the 2019 edition of the report *Arrested Lawyers Initiative* on the repression of lawyers in Turkey, curated by the Consiglio Nazionale Forense, is one of the many initiatives undertaken for 2020, declared “Year of the endangered lawyers across the world”. Cases of violence and repression against lawyers, who are threatened, hurt, killed, or unfairly arrested and convicted only for having freely and diligently defended their clients, are not, alas, limited to a small number of States, but constitute an expanding and ever more concerning phenomenon in different geographical areas. Despite the current global emergency caused by the spread of the Covid-19 virus, we decided to publish the report on Lawyers Day, celebrated in Turkey every 5th of April. The Consiglio Nazionale Forense has been following closely the situation of Turkish lawyers, especially of those who are detained, some since many years, following court proceedings often held in spite of the basic rules of fair trial and those of international conventions, for example, resorting to prosecution witnesses who had their face covered or their voice distorted, and without any cross-examination by the defence. The C.N.F. is concerned with this issue also through the action of the International Observatory for Lawyers in Danger, founded in 2016 together with the French, Spanish and Parisian Bar Association, today counting more than 30 Bar Associations as its members, 12 of which are Italian.

Through constant contact with free or exiled Turkish lawyers, such as the members of the Arrested Lawyers Initiative, the monitoring of some of the major trials held in Turkey has been set up by sending “observers” to attend court hearings or by deploying fact-finding missions to jails, in order to raise awareness among lawyers and the public opinion, and by publishing reports, which often are the only reliable source of

information. In some cases, support to lawyers applying for asylum in an EU Country has been provided, assisting them throughout the application process and helping them coping with first needs.

The reading of this report provides a quick, yet accurate picture of the price that Turkish lawyers, together with journalists, academics and human rights defenders in general, are paying in their fight for the freedom to exercise their profession and the rule of law.

We will always stand by their side, aware that their struggle and their sacrifices testify of a determination to defend not only their rights, but those of all of us.

Avv. Andrea Mascherin
President of the Consiglio Nazionale Forense

INTRODUCTION

By: Avv. Francesco Caia*

The cover of this report shows the dramatic figures of the repression against lawyers in Turkey. Colleagues unjustly stripped of their families, their friends, their profession, their freedom. An unbearable reality. Years of preventative detention inflicted on the basis of vague accusations, heavy sentences issued at the end of summary proceedings, held in spite of any standard imposed by the rule of law. Arrested Lawyers Initiative has been denouncing for years the systematic repression of public dissent seeping out of the gag imposed on lawyers in Turkey. The report shows how the absolute vagueness of the crimes ascribed to lawyers, among which the promotion of and participation in armed terrorist organisations, together with the lack of specific charges and the impossibility to know the identity of prosecution witnesses, made any attempt at a defence in court impossible. A wicked mechanism often extends the crime of which defendants are accused to the lawyers defending them. It takes a tweet or the subscription of an appeal on social media criticising a government decision to be accused and convicted. In October last year, the Consiglio Nazionale Forense took part in a fact-finding mission at Sliviri detention centre, 70 km away from Istanbul, together with lawyers coming from all European countries, to look into the circumstances that, on 20 March 2019, brought to the sentencing, up to 18 years and 6 months of prison, of 18 Turkish lawyers members of the ÇHD, Çagdas Hukukçular Dernegi (Progressive Lawyers Association), to ascertain their detention conditions and find out about the grave breaches to the principles of fair process and equality of arms, which clearly emerged during the ensuing debate with state officials. Many convicted lawyers have been on hunger strike since 3 February 2020 and, pending the ban imposed by

the spread of COVID-19, there is no way to know about their health conditions.

Let's not forget them!

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V. President of the International Observatory of Endangered Lawyers (OIAD)

RELENTLESS CRACKDOWN AGAINST LAWYERS IN TURKEY

1. Since 2016's coup attempt, there has been a relentless campaign of arrests which has targeted fellow lawyers across the country. In 77 of Turkey's 81 provinces, lawyers have been detained, prosecuted and convicted due to alleged terror-linked offenses. As of today, more than 1.500 lawyers have been prosecuted and 605 lawyers arrested. So far, 345 lawyers have been sentenced to 2.158 years in prison on the grounds of membership of an armed terrorism organization or of spreading terrorist propaganda.

PROVINCE	NUMBER OF CONVICTED LAWYERS
Adana	12
Adıyaman	2
Afyon	9
Ankara	30
Antalya	13
Aydın	5
Balıkesir	6
Batman	1
Bilecik	1
Bolu	2
Bursa	16
Çorum	2
Denizli	8
Diyarbakır	4
Düzce	3
Erzincan	2
Erzurum	10

Eskişehir	14
Gaziantep	3
Gümüşhane-Bayburt	2
Hakkari	1
Giresun	3
Isparta	1
İstanbul	56
İzmir	9
Kayseri	22
Kırıkkale	3
Kırşehir	2
Kocaeli	3
Konya	23
Kütahya	2
Malatya	2
Manisa	11
Mardin	3
Mersin	11
Muş	1
Niğde	3
Ordu	1
Sakarya	3
Samsun	13
Siirt	1
Sivas	10
Şanlıurfa	6
Şırnak	1
Tokat	4
Trabzon	4
Tunceli	1
TOTAL	345

Table: Number of convicted Turkish lawyers (since 2016 July) by provinces

14 PROVINCIAL BAR ASSOCIATIONS' PRESIDENT HAVE BEEN ARRESTED OR DETAINED

2. 14 of the persecuted lawyers are presidents (or former presidents) of their respective provincial bar associations, for example;

- President of the Konya Bar Association, Fevzi Kayacan,
- President of the Trabzon Bar Association, Orhan Öngöz,
- President of the Siirt Bar Association, Cemal Acar,
- President of the Gumushane Bar Association, Ismail Tastan,

were arrested and unlawfully unseated. Furthermore, the presidents of the Aksaray and Kahramanmaras Bar Associations, Levent Bozkurt and Vahit Bagci, respectively, and the former presidents of the Yozgat Bar Association, Hacı İbis and Fahri Acikgoz, were detained for a certain time before they were released on bail.

Former president of Konya Bar Assoc
Fevzi Kayacan was sentenced to 10
years 6 month imprisonment. 20 lawyers
were sentenced 3 to 11 years



8:35 PM - 27 Oct 2017

President of the Konya Bar Association, Fevzi Kayacan, was arrested 23 July 2016, he was sentenced to 10.5 years in October 2017.



President of the Siirt Bar Association, Cemal Acar, was arrested (and unseated) 23 September 2016, and sentenced to 8 years on May 2018.



Cemalettin Ozer, former president of the Erzincan Bar Association was sentenced to 8 years and 9 months.



Zeynel Balkiz, former president of the Manisa Bar Association was sentenced to 2 years and 1 month in October 2018.



Erzurum 2nd High Assize Court has sentenced Mehmet Güzel, former president of the Erzurum Bar Association, to 13 years in prison.



President of the Trabzon Bar Association, Orhan Öngöz, was arrested (and unseated) on 27 September 2016, and sentenced to 6 years and 3 months in April 2019.

345 LAWYERS WERE SENTENCED TO 2158 YEARS IN PRISON

3. All of the persecuted lawyers are being charged with terror-linked offenses; the two main accusations imputed to them are membership of an armed terrorist organisation, and forming and leading an armed terrorist organisation.

4. Turkey's anti-terrorism legislation consists of two separate laws: the Turkish Penal Code (5237) ("TPC") and the Anti-Terrorism Law (3713). Sub-section 1 (Article 314/1) of Article 314¹ of the Turkish Penal Code criminalises the establishment and/or commanding of an armed terrorist organisation, and Subsection 2 (Article 314/2) criminalizes the membership of an armed organization. Under the Turkish Penal Code, these two offences **carry a penalty of 7.5 to 22.5 years imprisonment**.

5. Since 2014, Turkey has been arbitrarily using the anti-terrorism legislation to oppress its dissidents, particularly lawyers, journalists and politicians. The Commissioner for Human Right of the Council of Europe said: "Laws with an overly broad definition of terrorism and membership of a criminal organisation and the judiciary's tendency to stretch them even further is not a new problem in Turkey, as attested in numerous judgments of the European Court of Human Rights.

¹ Armed Organisation

Article 314 (1) Any person who establishes or commands an armed organisation with the purpose of committing the offences listed in parts four and five of this chapter, shall be sentenced to a penalty of imprisonment for a term of ten to fifteen years. (2) Any person who becomes a member of the organisation defined in paragraph one shall be sentenced to a penalty of imprisonment for a term of five to ten years. (3) Other provisions relating to the forming of an organisation in order to commit offences shall also be applicable to this offence. [http://www.venice.coe.int/webforms/documents/?pdf=CDL-REF\(2016\)011-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-REF(2016)011-e)

This problem has reached unprecedented levels in recent times. Prosecutors, and increasingly also the courts, consider lawful and peaceful acts and statements protected under the European Convention on Human Rights as proof of criminal activity ... what is used as evidence is sometimes so inconsistent and arbitrary ... that it has become virtually impossible to foresee in good-faith the legal consequences of actions ... this uncertainty discourages legitimate dissent and criticism”².

6. Art. 314 of the Penal Code does not contain a definition of either an armed organization or an armed group. The lack of legal definitions and criteria for an armed terrorist organization and the crime of membership in such an armed terrorist organization, make them prone to arbitrary application³. The vague formulation of the criminal provisions on the security of the state and terrorism, and their overly broad interpretation⁴ by the Turkish judges and prosecutors, make all lawyers and other human rights defenders a prospective victim of judicial harassment.

7. This blurred area under the Turkish Penal code is actively used by the Turkish government to investigate, prosecute and convict opponents. This has become a common practice since the 15th July Coup attempt, and 540.000⁵ individuals have been detained for terrorism offences stipulated in Article 314 of the Turkish Penal Code.

² <https://www.coe.int/en/web/commissioner/-/turkey-needs-to-put-an-end-to-arbitrariness-in-the-judiciary-and-to-protect-human-rights-defenders>

³ **CDL-AD(2016)002-e Opinion on articles 216, 299, 301 and 314 of Penal Code of Turkey**

[http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2016\)002-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2016)002-e)

⁴ <https://rm.coe.int/third-party-intervention-10-cases-v-turkey-on-freedom-of-expression-an/168075f48f>

⁵ <https://arrestedlawyers.org/2019/07/15/chief-of-turkish-national-police-admits-that-540000-detentions-have-been-made-without-legal-ground/>

8. According to the survey⁶ by the Arrested Lawyers Initiative, which was carried out using the Turkish Justice Ministry's statistics,

- Turkey indicted 337,722 people under Art. 314 of the Turkish Penal Code (membership of an armed terrorist organization) between 2012 and 2018,
- Moreover, public prosecutors indicted more than 300,000 individuals under Articles 309-316 of the Turkish Penal Code, which stipulate crimes against the Constitutional Order, in 2017 and 2018,
- Statistics also indicate that, in 2017, Turkish prosecutors opened investigations against 527,154 individuals under Articles 309-316, this number was 456,175 in 2018.

9. LEGAL SAFEGUARDS FOR LAWYERS HAVE BEEN IGNORED: The conduct and practice of lawyers within the legal

The right to a fair trial is contained in Chapter Two, Section XIII of the Constitution which relates to the protection of rights. Article 36 states: 'Everyone has the right of litigation either as plaintiff or defendant and the right to a fair trial before the courts through legitimate means and procedures.' Art 14 ICCPR envisages the right to fair trial. Independence of profession of lawyers is backbone to ensure the right to fair trial is effectively exercised.

profession is regulated by Law No 1136, which is also known as the Code of Lawyers (Avukatlik Kanunu). Article 1 of the Code of Lawyers classifies the legal profession as an independent public service and a liberal profession. As per the Code of Lawyers (Arts. 58-60), a lawyer can be prosecuted under a

⁶ <https://arrestedlawyers.org/2019/05/30/abuse-of-the-anti-terrorism-laws-by-turkey-is-steadily-increasing/>

special procedure. According to this special procedure,

- a) lawyers cannot be detained and remanded for pretrial detention,
- b) a lawyer can be prosecuted only if the Minister of Justice gives authorization.
- c) Art. 61 of the Code of Lawyers exempts the situation of *flagrante delicto*⁷, if a lawyer is caught *in flagrante delicto*, he / she can be prosecuted without seeking authorization for prosecution, and can be detained and remanded for pretrial detention^{8 9}.

However, some 600 lawyers have been detained through the use of a misinterpretation of *in flagrante delicto* and the abuse of Art 314 of Penal Code, moreover more than 1500 lawyers have been prosecuted without the ex-ante authorization that should be given by the Minister of Justice in order to prosecute them.

10. Lawyers have particularly been targeted due to the identity or affinity of their clients. The **United Nations High Commissioner for Human Rights** reports that the OHCHR has

⁷ Article 2 of the Criminal Procedures Code defines the *flagrante delicto*:

“... ”

(j) the following shall be classified as cases of discovery in *flagrante delicto* (suçüstü):

1. an offence in the process of being committed;
2. an offence that has just been committed, and an offence committed by an individual who has been pursued immediately after carrying out the act and has been apprehended by the police, the victim or other individuals;
3. an offence committed by an individual who has been apprehended in possession of items or evidence indicating that the act was carried out very recently.

⁸ In cases of discovery in *flagrante delicto* falling within the jurisdiction of the assize courts, the investigation shall be conducted in accordance with the rules of ordinary law.

⁹ In the judgment of *Alparslan Altan v Turkey* (App no. 12778/17), ECHR rendered that Turkish Judiciary's interpretation of *in flagrante delicto* is not only problematic in terms of legal certainty, but also appear manifestly unreasonable. (para 115).

observed a pattern concerning the persecution of lawyers representing individuals who are accused of terrorism offences, where they are associated with their clients' political views (or alleged political views) in the discharge of their professional duties and are consequently prosecuted for the same, or other related offences of which their clients are being accused¹⁰.

11. Those charged with terrorism-related offences, including lawyers, face a reversed burden of proof, in violation of the presumption of innocence. The Court of Cassation has decided that the mere use of a certain bank account or secure messaging app constitutes evidence of membership of, as well as aiding and abetting, a terrorist organization¹¹. Lawyers' representation of certain clients, visiting them in prison, making statements to the press, tweeting about ECtHR cases, contacting international organizations, and criticizing state practices, have all been used as a basis for convicting lawyers¹². The use of criminal law and anti-terrorism legislation to criminalize lawyers' legitimate professional activities undermines the rule of law. Specifically, the use of vaguely defined offences to arrest and prosecute lawyers, politically motivated prosecutions with a lack of evidence, and trials before courts lacking independence and impartiality¹³.

12. A large amount of data that is controlled by the Ministry of Justice's National Judiciary Informatics System (UYAP) is also

¹⁰ **Office of the UN High Commissioner for Human Rights. "Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East. January-December 2017".**

[http://www.ohchr.org/Documents/Countries/TR/2018-03-](http://www.ohchr.org/Documents/Countries/TR/2018-03-19_Second_OHCHR_Turkey_Report.pdf)

[19_Second_OHCHR_Turkey_Report.pdf](http://www.ohchr.org/Documents/Countries/TR/2018-03-19_Second_OHCHR_Turkey_Report.pdf)

¹¹ The Law Society of England and Wales, and others, Joint Stakeholder Submission to the UN Human Rights Council's Universal Periodic Review – TURKEY, paras 34 and 36

¹² Ibid

¹³ Ibid

being used to target lawyers, i.e., lawyers have been subjected to profiling through the processing of the data on the charges imputed to their clients. This profiling is used to produce the list of lawyers who are to be prosecuted.

13. THE INDEPENDENCE OF BAR ASSOCIATIONS HAS BEEN DIMINISHED: Under Article 135 of the Constitution, Bar Associations are independent professional bodies having the characteristics of public institutions¹⁴. However, by Presidential Decree No:5 (Presidential Decree as to the State Inspection Institution / Devlet Denetleme Kurumu – DDK), the Turkish Presidency acquired the authority to inspect Bar Associations, and to suspend their Chairperson and board members (Article 6)¹⁵. The Turkish Presidency’s power to suspend a Bar Association’s elected executives has significantly impaired their independence.

14. UNLAWFUL RESTRICTIONS ON ADMISSION TO THE PROFESSION OF LAWYER¹⁶: Pursuant to the Law No.1136 (the Code of Lawyers), everyone who successfully fulfils the internship as a lawyer, or who serves as a judge or prosecutor for at-least five years, is admitted to the profession of lawyer. Since July 2016, the Turkish Justice Ministry has been preventing dismissed public servants from being a lawyer. The

¹⁴ **ARTICLE 135** - Professional organizations having the characteristics of public institutions and their higher bodies are public corporate bodies established by law, with the objectives of meeting the common needs of the members of a given profession, to facilitate their professional activities, to ensure the development of the profession in keeping with common interests, to safeguard professional discipline and ethics in order to ensure integrity and trust in relations among its members and with the public; their organs shall be elected by secret ballot by their members in accordance with the procedure set forth in the law, and under judicial supervision.

¹⁵ <https://arrestedlawyers.org/2018/09/24/erdogan-gets-infinite-authority-over-the-national-and-provincial-bar-associations/>

¹⁶

Justice Ministry argues that the dismissed public servants cannot be lawyers and cannot be admitted to an internship as a lawyer, under the Article of the Decree Laws, as follows “those dismissed from service under paragraph one shall no longer be employed in public service”. Having misinterpreted this provision, The Justice Ministry refuses to issue lawyers’ licenses to school academics, judges and prosecutors who were dismissed under the Emergency Regime.

15. THE FREEDOM OF ASSOCIATION OF LAWYERS HAS BEEN DIMINISHED: The Turkish Government’s crackdown on lawyers has targeted not only their rights to liberty and security, but also their freedom of association. 34 (of the 1412) associations (NGOs) operating in 20 different provinces of Turkey that were founded by lawyers were permanently dissolved under Emergency Decrees, all the assets of these NGOs were confiscated, without any compensation. What is worse, almost all of the members of these lawyers’ associations’ have been prosecuted under Anti-Terrorism Laws¹⁷.

¹⁷ <https://arrestedlawyers.org/2017/10/11/the-right-to-free-association-vanished-in-turkey/>

CONCLUSION

UN Basic Principles on the Role of Lawyers stipulates ‘Guarantees for the functioning of lawyers.’ As per these principles

- Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics, (Para 16)
- Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions, (Para 18)
- Lawyers shall enjoy civil and penal immunity for relevant statements made in good faith in written or oral pleadings or in their professional activities, (Para 20)
- It is the duty of the competent authorities to ensure lawyers effectively access to appropriate information, files and documents on the cases they perform their profession, (Para 21)
- Governments shall recognize and respect lawyers' professional privileges, (Para 22)
- Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly, (Para 23)
- The executive body of the professional associations of lawyers shall be elected by its members and shall exercise its functions without external interference, (Para 24)
- Charges or complaints made against lawyers in their professional capacity shall be processed expeditiously and fairly under appropriate procedures. Lawyers shall have the right to a fair hearing, including the right to be assisted by a lawyer of their choice. (Para 27)

1. The Turkish Government's ongoing crackdown against lawyers breaches:

- a.* Arts. 58-61 of the Code of Lawyers, which aims to ensure their independence and to provide protection and a guarantee for lawyers against acts of judicial harassment,
- b.* The rights to liberty and security and the freedom of association of lawyers,
- c.* Paras 16, 18, 20, 21, 22, 23, 24, 27 of the UN Basic Principles on the Role of Lawyers,
- d.* Art 36 of the Constitution, and Art 14 ICCPR,
- e.* Art 135 of the Constitution, and Para 24 of the UN Basic Principles on the Role of Lawyers.

2. The Turkish Government's ongoing crackdown against lawyers

- a.* abolishes safeguards against torture,
- b.* constitutes an illegal obstacle to the right of access to justice and the rights to legal counsel and a fair trial.

RECCOMANDATIONS & EPILOGUE

We urge the Turkish Government to:

- i. Guarantee the independence of the judiciary and the prosecution services, in accordance with the UN Basic Principles on the Independence of the Judiciary, and the UN Guidelines on the Role of Prosecutors.
- ii. Ensure that lawyers can effectively perform their professional functions in accordance with the guarantees provided for in Article 14 of the ICCPR, the UN Basic Principles on the Role of Lawyers, and Articles 5 and 6 of the ECHR
- iii. Amend the anti-terror legislation (including the new Anti-Terrorism Bill adopted on 25 July, 2018), and the provisions in the Criminal Code, as recommended by the Council of Europe, the European Court of Human Rights, and the European Union,
- iv. Ensure that lawyers are not identified with their clients or clients' causes and can perform their duties without intimidation, hindrance, harassment or improper interference, in accordance with the UN Basic Principles on the Role of Lawyers;
- v. Immediately end the arbitrary and systematic arrest, prosecution and detention of lawyers, drop the charges against those arbitrarily accused, and release those who are detained, unless credible evidence is presented in proceedings that comply with international fair trial standards;
- vi. Ensure the independent and prompt investigation and prosecution of all cases of torture and ill-treatment of lawyers committed by law enforcement officers, in accordance with applicable international standards;

- vii. Immediately end the interference in, and systematic persecution of, bar associations and lawyers' associations and the arbitrary arrest and prosecution of their members; and
- viii. Ensure that lawyers are entitled to form and join independent and self-governing professional associations, as protected by Principle 24 of the UN Basic Principles on the Role of Lawyers,
- ix. End the administrative praxis that prevents dismissed law school academics, judges and prosecutors from being lawyers.

The efforts and cooperation of the above-mentioned international organizations, together with any others which may join them in the future, is paramount in exerting pressure on Turkey to respect universal human rights and to bring its criminal law in line with the standards specified by the European Convention on Human Rights and that is acceptable to the European Commission and the European Union. The unified front of the Bar Associations and other legal organizations in the European Countries which will be shown to the Turkish authorities to make them stop criminalizing Turkish lawyers, is absolutely crucial for the existence of the rights to defense and the separation of powers in Turkey. Persecuted lawyers and human rights defenders who have to suffer inhumane treatment at the hands of Turkish officials desperately need such action from European organizations. Any efforts in support of arrested lawyers, human rights defenders and other victims of the Turkish government's unlawful actions is highly appreciated.

PROVINCE	CONVICTS	NAMES OF THE CONVICTED LAWYERS	TERM OF GIVEN SENTENCE Years Months Days			DATE OF DECISION
Adana	12	İsmail Kara	12			Nov 2017
		Mustafa Kökten	9	2		Nov 2017
		Mehmet Aygün	9	2		Nov 2017
		Melek Sarı	9	2		Nov 2017
		Serkan Ulufer	9			Jan 2018
		Ayhan Gül	9			Jan 2018
		Alp Değer Tanriverdi	7	6		18.01.2019
		Nazmi Değirmenci	6	3		Nov 2017
		Fatma Çilem Ömeroğlu	2	6		1.03.2018
		M.D.	1	6		28.05.2018
		Ö.A.	1	6		28.05.2018
		Menguçek Gazi Citirik		5		21.11.2019
Adıyaman	2	Mehmet Canpolat	12			
		Cüneyt Göğüs	9			Jan 2018
Afyon	9	Ali Rıza Küçükilhan	12			20.04.2017
		Nedim Saru	11	3		2.06.2017
		Yücel Akdağ	10			8.10.2018
		Haşim Söndürülmeyecek	9			
		Hüseyin Şükrü Ölmez	9			
		Hayrettin Ayvalı	6	3		

		Mehmet Akalın	5		22.03.2018
		Mustafa Faydalı	4	22	
		Buseyne Kahraman	1	7	8.10.2018
Ankara	30	Abdülkadir Aksoy	10	6	
		Mustafa Çuhacı	10		10.07.2018
		Ali Fuat Babatan	8	1	15 30.03.2019
		Mehmet Rasim Kuseyri	8	1	15 30.03.2019
		Umran Delice	7	6	11.12.2018
		Mehmet Deveci	7	6	30.03.2019
		Abdulkadir C. Özgül	7	6	30.03.2019
		Hasan Basri Aksoy	7	6	30.03.2019
		Cemalettin Karadaş	7	6	30.03.2019
		Çağlayan Erginay	7	6	30.03.2019
		Süleyman Sallı	7	6	30.03.2019
		Şaban Yağcı	7	6	30.03.2019
		İsmail Yıldırım	6	10	15 30.03.2019
		Ömer Karadeniz	6	10	15 30.03.2019
		Mehmet Derdiyok	6	10	15 30.03.2019
		Murat Araç	6	10	15 30.03.2019
		Hüseyin Mehan	6	10	15 30.03.2019
		İbrahim Temur	6	10	15 30.03.2019
		Raziye Aktaş	6	3	7.12.2018
		Muhammet Ali Özdel	6	3	30.03.2019
		Eren Babahanoğlu	6	3	30.03.2019
		İbrahim Löküoğlu	6	3	30.03.2019

		Fuat Yüksel	6	3	30.03.2019
		Mücahit Kozan	6	3	30.03.2019
		Sait Şahan	6	3	30.03.2019
		Irem Danacioglu	6	3	25.07.2019
		Nurullah Albayrak	2		29.09.2016
		H.Y.	1	6	10.07.2018
		Hasan Tok	8	1	26.09.2019
		Murat Çelebi	1	6	
Antalya	13	Osman Yengil	6	10	15 Jan 2018
		Sedat Alp	6	10	15 Jan 2018
		Adnan Taşkın	6	10	15 Jan 2018
		Ali Yıldırım	6	10	15 Jan 2018
		Kenan Mengi	6	10	15 Jan 2018
		Mustafa Özmen	6	10	15 Jan 2018
		İbrahim Yıldız	6	10	15 Jan 2018
		Ömer Binali	6	3	Jan 2018
		Ersan Satılmış	6	3	Jan 2018
		Murat Bayoğlu	6	3	Jan 2018
		Muhammet Sercan Üst	6	3	Jan 2018
		Ceylan Güler	6	3	Jan 2018
		Tarik Akin	3	1	
Aydın	5	Ufuk Kececi	2	6	28.05.2018
		Aydın Bilgin	8		28.05.2018
		İsmail Kelleroglu	8		28.05.2018
		Hasan Huseyin Bektas	8		28.05.2018

		Yalçın Kayaaltı	9	27.01.2018
Balıkesir	6	Mustafa Ezber	8	9 8.08.2018
		Cengiz Çağlar Ayyıldız	6	3 22.05.2018
		Ahmet Çatalbaş	3	2
		Mehmet Ali Yıldız	6	3 14.06.2019
		Burak Dede	3	2
		Alaattin Akay	3	2
Batman	1	Neczat Kidir	6	3
Bilecik	1	Metin Yücel	8	9 5.01.2018
Bolu	2	Erol Altıntaş	8	9 29.05.2018
		Özgür Beyarslan	7	6 24.11.2017
Bursa	16	Ali Türkeli	7	6
		Davut Terlemmez	6	3 18.09.2018
		Mustafa Güleç	6	3 18.09.2018
		Mehmet Sönmez	6	3 18.09.2018
		Buğra Büyükeren	6	3 26.11.2018
		Hilmi Sarı	6	3 26.11.2018
		Mehmet Işık	6	3 26.11.2018
		Mustafa Yelbey	6	3 26.11.2018
		Okan Gökalp	6	3 26.11.2018
		Ebru Kocagöz	6	3 12.03.2019
		Ayşe Faika Bilgiç Erol	6	3 12.03.2019
		Mustafa Canbaz	6	3
		Ali Hasdemir	1	6 26.11.2018
		Çağatay Aygün	1	6 26.11.2018
		Neşe Aygün	1	6 12.03.2019

		Havva Benian İlhan	1	6	12.03.2019
Çorum	2	Nurullah Layik	7	6	5.02.2018
		Fazli Olcek	7	6	5.02.2018
Denizli	8	Muhammed İkbāl Çil	7		9.05.2018
		Muammer Güler	7		9.05.2018
		Özcan Aksoy	7		9.05.2018
		Emre Karcı	6	3	9.05.2018
		Yusuf Yılmaz	6	3	9.05.2018
		Müdayi Kaplan	6	3	9.05.2018
		Hüdayi Kayhan	6	3	9.05.2018
		Mustafa Maskan	6	3	9.05.2018
Diyarbakır	4	Sinasi Tur	6	3	28.09.2019
		Seyhmus Bayhan	6	3	28.09.2019
		Muharrem Erbey	6	3	28.09.2019
		Aysel Tuğluk	10		16.03.2018
Düzce	3	Teoman Yaman	6	10	15 23.03.2019
		Hasan Çabuk	5		23.03.2019
		Süleyman Hilmi Şirin	4	2	23.03.2019
Erzincan	2	Talip Nayır	10		21.07.2017
		Cemalettin Özer	8	9	21.07.2017
Erzurum	10	Mehmet Güzel	13		10.10.2017
		Mehmet Ali Sarı	6	3	
		Sevgi Akın	6	3	
		Serap Çimen	6	3	
		Şerafettin Yaşar Laloğlu	4	8	7 10.10.2017

		Hakan Dişkeser	4	8	7	10.10.2017
		Mehmet Salih Bayoğlu	1	6	22	10.10.2017
		Serhat Akbulut	1	6	22	10.10.2017
		Lokman Pirim	1	6	22	10.10.2017
		Sinan Kurt		10		21.03.2017
Eskişehir	14	Murat Uzun	12			
		Hakan Ata	10			
		İlyas Özkan	10			
		Ahmet Taktak	10			
		Vahap Ata	6	3		
		Osman Nuri Özcan	6	3		
		Akkız Uzun	6	3		
		Mustafa Erhan Boğur	6	3		
		Selamet Şen	6	3		
		Nurullah Tulum	4	2		
		Turgay Balaban	3	2		
		Ramazan Ural	2			
		Fatih Türk				
		Evliya B.				
Gaziantep	3	Ömer Kayar	6	8		11.12.2017
		Mehmet Gazi Yüzgeç	6	3		12.12.2018
		Ömer Faruk Tosun	6	3		20.11.2018
Gümüşhane - Bayburt	2	Ahmet Terzi	6	3		
		Hasan Köprülü	6	3		28.02.2019
Giresun	3	Serkan Ozdemir	6	10		14.01.2019

		Ibrahim Aydın	6	3	14.01.2019
		Hakan Civelekoglu	6	3	14.01.2019
Hakkari	1	Harika Gunay Karatas	3	1	15 21.11.2019
Isparta	1	Bilal Özcan	6	3	
İstanbul	56	Barkın Timtik	19		20.03.2019
		Ebru Timtik	13	6	20.03.2019
		Özgür Yılmaz	13	6	20.03.2019
		Hurol Karadaş	12		13.03.2019
		Behiç Aşçı	12		20.03.2019
		Şükriye Erden	12		20.03.2019
		Süleyman Gökten	10	6	20.03.2019
		Selçuk Kozagaçlı	10	6	20.03.2019
		Aytaç Ünsal	10	6	20.03.2019
		Engin Gökoğlu	10	6	20.03.2019
		Aycan Çiçek	9		20.03.2019
		Naciye Demir	9		20.03.2019
		Suphi Bat	8	9	
		Ezgi Çakır	8		20.03.2019
		Özge Elif Hendekçi	7	11	
		Eren Keskin	7	6	29.03.2018
		Akın Atalay	7	6	25.04.2018
		Burak Keskin	7	6	
		Fatma Saadet Yılmaz	7	6	21.11.2018
		Hasan Günaydin	7	6	28.12.2018
		Yusuf Aydın	7	6	

		Yılmaz Çiçek	7	3	
		Burak Karaduman	7		
		Mustafa Çağlar Akgün	6	3	
		Ali Rıza Mete	6	3	
		Selim Özkan	6	3	
		Coşkun Taşkın	6	3	
		Salih Boyalı	6	3	
		Turan Öztürk	6	3	
		Yakup Başer	6	3	
		Kamil Ata	6	3	
		Nuri Polat	6	3	12.12.2018
		Doğan Akkurt	5	10	23.11.2017
		Mustafa Kemal Güngör	4		25.04.2018
		Ayşegül Çağatay	3	9	20.03.2019
		Yağmur Ereren	3	9	20.03.2019
		Didem Baydar Ünsal	3	9	20.03.2019
		Yaprak Türkmen	3	9	20.03.2019
		Ahmet Mandacı	3	1	15 20.03.2019
		Siddik Filiz	7	9	
		Zehra Özdemir	3	1	15 20.03.2019
		Efkan Bolaç	3		28.12.2019
		Faruk Seçen	2	6	14.03.2019
		Bülent Utku	2		25.04.2018
		Fidel Okan	1	6	24.04.2018
		Ramazan Demir		11	12.01.2018
		Deniz Atmaca	7	6	20.06.2019

		OsmanYalcin	8	1	15
		Vural Ergul	3		
		Ayşe Batumlu		5	29.03.2018
		Veysel Ok		5	12.09.2019
		Yasin Dangir	7	6	
		Muammer Ekinci	6	3	
		Halil Gürsoy	6	3	
		Kemal Ucar	7	6	6.11.2019
		Sevki Gokhan Köymen	6	3	
İzmir	9	Ali Aksoy	19	9	17.07.2018
		Fethi Ün	12		20.11.2017
		Muzaffer Uzlaş	7	6	
		Akif Toman	6	3	
		Oguz Cetin	6	3	
		Mustafa Ömer Tamer	9	9	
		Niyazi Baykurt	9	9	
		Melih Dikayak	7	6	11.12.2017
		Nurten Eğercioğlu	6	8	29.03.2019
Kayseri	22	Süleyman Gürkök	8	9	
		Ahmet Kemal Göncü	8	9	
		Hakan Özbek	7	6	
		Sibel Gürkök	6	3	
		Oguz Holat	6	3	
		Hacı Hasan Aydın	6	3	
		Hilmi Şençanlar	6	3	
		Bekir Sıddık Çelik	6	3	

		Mutlu Karayılan	6	3	
		Nejla Bektaş Kavgacı	6	3	
		Kemal Bahadır Öztaş	6	3	
		Necati Çoşkun	6	3	
		Halil İbrahim Akkaş	6	3	6.12.2018
		Ekrem Horozoğlu	4	3	
		Ali Osman Turgut	3	1	15
		İbrahim Bakır	2	1	
		Mahmut Aydın	1	10	
		Selcuk Aydemir	6	3	
		Tarik Ünlüer	6	3	
		Mehmet Ari	6	3	
		Hakan B.	1	8	23.03.2018
		N.A	1	6	22 4.09.2019
Kırıkkale	3	Mustafa Babayiğit	6	3	Feb 2018
		Mikail Ünal	6	3	Feb 2018
		Osman Karataş	6	3	Feb 2018
Kırşehir	2	Şerafettin Sarıgül	10		June 2017
		Hasibe Toklucu	6	3	
Kocaeli	3	Sait Yılmaz	7	6	
		İsmail Onur Aktan	6	3	18.06.2017
		Ömer Ünlü	6	3	
Konya	23	Fevzi Kayacan	10	6	27.10.2017
		Erhan Şahin	8	9	27.10.2017
		Mehmet Şimsek	8	9	27.10.2017
		Osman Bugur	8	9	27.10.2017

		Ahmet Bal	8	9	27.10.2017
		Mehmet Yıldırım	8	9	27.10.2017
		Özgür Solak	8	9	27.10.2017
		Bekir Alper Kösterit	8	9	27.10.2017
		Arif Özer	7	6	27.10.2017
		Veysel Köylü	7	6	27.10.2017
		Erdal Soydaş	7	6	27.10.2017
		Hatice Erdem	7	6	27.10.2017
		Nihat Karahan	6	3	27.10.2017
		Elşad Mehmetanlı	6	3	27.10.2017
		Hasan Hüseyin Avcı	6	3	27.10.2017
		İbrahim Bakım	3		27.10.2017
		Ramazan Arı	3		27.10.2017
		Mehmet Balta	3		27.10.2017
		Orhan Özkavak	3		27.10.2017
		Muhammed Tahra	3		27.10.2017
		Mikail Furkan Yiğit	6	3	22.04.2018
		Ahmet Ari	2	1	
		Oğuzhan Yetkin		10	27.10.2017
Kütahya	2	Halil Özcan	7	6	
		Mustafa Demet	7	6	
Malatya	2	Turan Canpolat	10		Nov 2017
		Mehmet Ali Canpolat	6	3	8.01.2018
Manisa	11	Haluk Bedel	7	6	17.10.2018
		Gürhan Onat	7	6	17.10.2018

		Sadettin Yılmaz	7	6		17.10.2018
		Ali Özcel	6	10	15	17.10.2018
		İsa Koşar	6	10	15	17.10.2018
		Besim Yücel	6	10	15	17.10.2018
		Gökhan Çelik	6	3		17.10.2018
		Kadir Çelik	6	3		17.10.2018
		Hüseyin Azman	6	3		17.10.2018
		Yalçın Cabar	6	3		17.10.2018
		Zeynel Balkız	2	1		17.10.2018
Mardin	3	Emrullah Dogan	7	6		6.05.2019
		Mehmet Doğantekin	6	3		6.05.2019
		Meryem Aktürk Ayan	2	1		6.05.2019
Mersin	11	Musa Bire	8	1	15	8.06.2018
		Tevhide Yıldız	8	1	15	8.06.2018
		Erdoğan Günal	7	6		8.06.2018
		Hasan Aygün	7	6		8.06.2018
		Firdevs Dinçer	6	10	15	8.06.2018
		İsmail Çatal	6	3		8.06.2018
		Serhat Ozgur	6	3		29.03.2019
		Hasan Tek	6	3		29.03.2019
		Mehmet Tekeli	6	3		29.03.2019
		Şahnur J. Kardeşahin	3	1	15	8.06.2018
		Nersin Çağlayan	1	6		8.06.2018
Muş	1	Burcu Çelik Özkan	7	3	10	9.04.2018
Niğde	3	Yasin Ü.	3	1	15	June 2017

		Hakan Algar	3	1	15	June 2017
		Okan Y.	3	1	15	June 2017
Sakarya	3	Seckin Yokus	6	6		12.04.2019
		Sumeyye Kaplan	6	6		12.04.2019
		Zeynep Kucak	2	1		12.04.2019
Ordu	1	Akin Göl	6	3		
Samsun	13	Fevzi Cem Şenocak	10	6		16.05.2018
		Yusuf Zotluoğlu	7	6		16.05.2018
		Mustafa Kemal Açıcı	6	3		16.05.2018
		Zekeriya Albayrak	6	3		16.05.2018
		Serdar Kutlu	6	3		16.05.2018
		Neşe Yıldızoğlu	6	3		16.05.2018
		Fatma Şen	6	3		16.05.2018
		Serdar Şenocak	1	6		16.05.2018
		Kemal Yıldız	1	6		16.05.2018
		Serdar Baskın	1	6		16.05.2018
		Elmas Çatar	1	6		16.05.2018
		Dilek Kütükçü	1	6		16.05.2018
		Recep Bağ	1	6		16.05.2018
Siirt	1	Cemal Acar	8	1		4.05.2018
Sivas	10	Dilek Fırtına Toraman	9	2		
		Ömer Nazlım	9	2		
		Halil İbrahim Darıcı	7	3		
		Erdal Özkan	6	8		
		Ersin Coşman	6	3		Dec 2017

		other 1 lawyer	6	25.09.2017	
		other 1 lawyer	6	25.09.2017	
		Murat Güler	5		
		Fatih S.	3	9	
		Hakan P.	3	1	15
Şanlıurfa	6	Harun Kaplama	10	2019	
		Rifat Tokdemir	7	6	2019
		Huseyin Kaytan	6	3	2019
		Muslum Avcı	7	6	2019
		Cuma Gunes	6	3	2019
		Emin Baran	1	9	8.10.2018
Şırnak	1	Filiz Ölmez	15		23.11.2018
Tokat	4	Kadir Tulum	3	Dec 2016	
		Mesut Böğrek	2	Dec 2016	
		Şaban Top	2	Dec 2016	
		Ferhat Kızılkaya	2	Dec 2016	
Trabzon	4	Orhan Ongoç	6	3	25.04.2019
		Hüseyin Yılmaz	1	6	22 25.04.2019
		Mustafa Öngün	1	6	22 25.04.2019
		Selman Bitiş	1	6	22 25.04.2019
Tunceli	1	Suna Bilgin	6	3	19.04.2018

EXCERPTS FROM OUR REPORTS ON THE MASS TRIAL OF LAWYERS

ISTANBUL | 50 lawyers have been convicted



Lawyers to *Cumhuriyet Daily*, [Bulent Utku](#), [Akin Atalay](#) and [Mustafa Kemal Gungor](#), were convicted under Turkey's Anti-Terror Law.

PROVINCE OF ISTANBUL (50 lawyers)



Burak Karaduman



Hacı Salih Boyalı



Ali Rıza Mete



Coşkun Taşkın



Selim Özkan



Kamil Ata



Mustafa Çağlar
Akgün



Yılmaz Çiçek



Suphi Bat



Yakup Başer

Under Article 314(2) of the Turkish Penal Code,

- Lawyer Suphi Bat was sentenced to 8 years & 9 months
- Lawyer Burak Keskin was sentenced to 7½ years,
- Lawyers Burak Karaduman, Özge Elif Hendekçi, were sentenced to 7 years,
- Lawyer Yılmaz Çiçek was sentenced to 7¼ years,
- Lawyers Kamil Ata, Turan Öztürk, Yakup Başer, Hacı Salih Boyalı, Mustafa Çağlar Akgün, Ali Rıza Mete, Selim Özkan, Coşkun Taşkın, were sentenced to 6¼ years.

PROVINCE OF ISTANBUL (50 lawyers)

Members of [the Contemporary Lawyers' Association \(ÇHD\)](#) and [People's Law Bureau \(HHB\)](#) were sentenced to some 160 years in prison in March, 2019. Silencing lawyers abolishes the most important safeguards against torture. The Victim lawyers are members of [the Contemporary Lawyers' Association \(ÇHD\)](#) and [People's Law Bureau \(HHB\)](#), which were Turkey's most prominent NGOs in fighting against torture.



ANKARA | 29 lawyers have been convicted

Ankara Court sentences 21 lawyers to some 150 years in prison

BY THE ARRESTED LAWYERS INITIATIVE on 29 MARCH 2019 • (1)

Ankara 22nd Heavy Penal Court sentences 21 lawyers to some 150 years in prison. Lawyers who were detained on 3rd and 26th of August 2016, were convicted under Article 314§2 of the Turkish Penal Code which criminalizes membership to an armed terrorist organization. Two of the 21 lawyers are remanded by the Court while the other 19 lawyers were released.



KONYA | 22 lawyers have been convicted

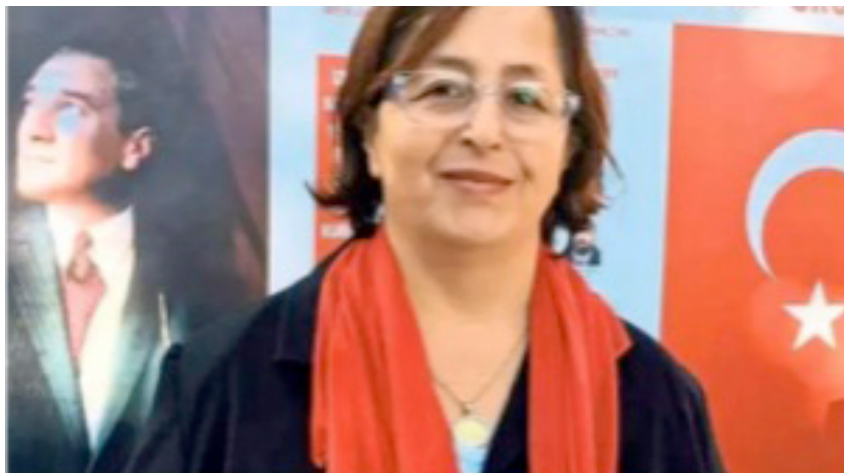


The Konya 6th High Assize Court [sentenced](#) Fevzi Kayacan¹⁸, who is the former president of the Konya Bar Association, and 19 other lawyers, to imprisonment for up to 14 years. The Court sentenced;

- Lawyer Fevzi Kayacan to 10 years 6 months imprisonment,
- Lawyers Berat Alper Kösterik, Erhan Şahin, Osman Buğur, Ahmet Bal, Mehmet Yıldırım, Mehmet Şimşek, Özgür Solak, to 9 years,
- Arif Özer, Veysel Köylü, Erdal Soydaş, Hatice Erdem, to 7 years 6 months,
- Nihat Karahan, Elşad Mehmethanlı, Hasan Hüseyin Avcı, to 6 years 3 months,
- İbrahim Bakım, Ramazan Arı, Mehmet Balta, Orhan Özkavak, Muhammed Tahra, to sentences ranging from 2 to 4 years imprisonment.

¹⁸ [kayacan-were-sentenced-range-to-2-and-11-years-imprisonment/](#)

- **PROVINCE OF IZMIR (9 lawyers)**



Lawyer Nurten Egercioglu, the member of Izmir Bar Association, was sentenced to 6 years and 8 months on 29 March, 2019 on grounds of allegedly downloading an i-message app named ByLock.

PROVINCE OF KAYSERİ (21 lawyers)

Two lawyers were sentenced to 6 years in Kayseri

BY THE ARRESTED LAWYERS INITIATIVE on 21 NOVEMBER 2017 • { 9 }



Kayseri 4th High Penal Court sentenced lawyers HŞ and HHA 6 years 3 months prison sentence with the charge to be the member of the armed terrorist organization only for allegedly downloading the Bylock i-message app.

The victim lawyer, Hacı Hasan Aydın said (in his tweet below) that despite the digital forensic report presents that I have never downloaded the BYLOCK secure i-message application, the court sentenced me 6 years 3 months, I wish hell for them.

PROVINCE OF KAYSERI (21 lawyers)

Crackdown Against Lawyers: Turkish Court sentences the Law School Dean to 12 years in prison

BY THE ARRESTED LAWYERS INITIATIVE on 4 NOVEMBER 2018



25 October | Kayseri| Kayseri Court sentences Murat Sen who is professor of law, twelve years in prison

PROVINCE OF MANISA (11 lawyers)

Manisa 3rd High Assize Court sentences 11 lawyers to long imprisonment after two-year trial. Members of Manisa Bar Associations Ali Özcel, İsa Koşar, Besim Yücel, Gökhan Çelik, Kadir Çelik, Hüseyin Azman, Yalçın Cabar, Haluk Bedel, Hasan Gürhan Onat, Sadettin Yılmaz, and former president of Bar Association, Zeynel Balkız who were first taken into custody on August 2016 were sentenced under the article 314/2 of Turkish Penal Code that punishes membership to an armed terrorist organization.

The Court sentenced,

- lawyer Zeynel Balkız to 2 years and 1 month,
- lawyers Gökhan Çelik, Kadir Çelik, Hüseyin Azman, Yalçın Cabar to 6¼ years,
- lawyers Ali Özcel, İsa Koşar, Besim Yücel to 6 years and 10 months,
- lawyers Haluk Bedel, Hasan Gürhan Onat, Sadettin Yılmaz to 7½ years,



PROVINCE OF SAMSUN (13 lawyers)

Samsun, 16 May |Thirteen Members of Samsun Bar Association were sentenced to long prison terms

Samsun 3rd High Assize Court convicted thirteen (13) lawyers of the membership to the armed terrorist organisation and sentenced them to ranging from two to ten and half years.

Thirteen lawyers who are members of the Samsun Bar Association were taken into custody on August 2016 in the wake of the failed coup attempt.

After 21-month trial, the Court sentenced:

- lawyer Fevzi Cem Şenocak to 10½ years
- lawyer Yusuf Zotluoğlu to 7½ years
- lawyers Mustafa Kemal Açıcı, Zekeriya Albayrak, Serdar Kutlu, Neşe Yıldızoğlu, Fatma Şen to 6¼ years
- lawyers Serdar Şenocak, Kemal Yıldız, Serdar Baskın, Elmas Çatar, Dilek Kütükçü ve Recep Bağ 1,5 years.





