



Mrs. Marija Pejčinović Burić

Secretary General

Council of Europe

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Dear Mrs. Marija Pejčinović Burić,

While it is necessary to tackle dozens of problems such as the pandemic conditions in Turkey, amendment in the Turkish Attorneys' Code and the intervention to the election system of the bar associations is considered as a priority by the political power. Interestingly enough, the Ministry of Justice and the Union of Turkish Bar Associations stated that they are not informed about this amendment.

As an indication of the absolute will of our 80 Bar Associations, we have repeatedly insisted on our request for this amendment to be withdrawn as it is, from the very beginning, is aimed at segmenting, destroying, silencing and capturing the bar associations. With this amendment, the multiple bar system is envisaged and changes will be introduced in the election system of the bar associations. This division, which is unprecedented, targets changing the perception that bar associations display in terms of protecting the rule of law in their struggle for human rights. What is in question is an amendment, which is made *fait accompli*, without asking for the opinion of the bar associations contrary to the settled procedure.

As of today, we find that all our meetings with the relevant authorities have remained inconclusive.

With the determination we have revealed in our joint statements of 19 May and 1 June, we have started the "action process" as we have promised to our colleagues and citizens.

This new process is the expression of our loyalty to the signature we made as 80 Bar Associations in Turkey.

Article 76 of the Turkish Attorneys' Code lays down that bar associations are professional organizations in the nature of public institutions with a legal entity operating on the basis of democratic principles by defending and safeguarding the order, ethics, and honor of the profession as well as the rule of the law and human rights through its legal aid function in civil procedure and compulsory defense mechanism in the criminal procedure. Moreover, in accordance with Article 135 of the Turkish Constitution, bar associations are in the nature of "a professional organization having the characteristics of public institutions".

In line with these duties assigned to the bar associations, we have decided to start "Defense March" [by the Presidents of the Bar Associations in Turkey each departing from their own provinces towards Ankara] on 19 June 2020 and to engage in informative activities for the public using the interaction power of the social media tools.

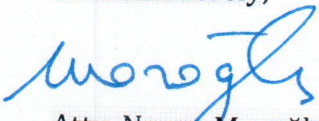
Heading to Ankara to protest the government's attempt to amend the Attorneys' Code, presidents of the bar associations arrived in Ankara on Monday, 22 June 2020, but they were not able to enter the city as the police have closed the entrances to the capital at their meeting point.

Lack of any humanitarian conditions, bar presidents had to spend the night unsheltered on an open field and even without a chair they could sit on. Any humanitarian aid such as food, blankets were not allowed to be distributed.

While the bar presidents were facing police barricades, President of the Union of Turkish Bar Associations Feyzioğlu- already based in Ankara- arrived on the scene at the end of hour 27. He was welcomed by the protest of the bar presidents, who all acted in solidarity.

Therefore, as a representative of a bar association in Turkey, which is a member of the Council of Europe, I deem it necessary to share our concerns about the recent developments as they would make the bar associations nonfunctional. The draft amendment was communicated to the opposition parties by the political power as of 24 June. Allowing more than one bar association in a province, multiple bar association system would lead to the division of the bar associations and therefore, would hamper the rule of law and legal integrity. We strongly believe that you will provide any possible support, which would be highly appreciated, for the withdrawal of this draft in the name of safeguarding the rule of law and human rights.

Yours sincerely,



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