

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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TÜRKİYE: UPHOLD HUMAN RIGHTS IN RESPONDING TO THE ARMED ATTACK OUTSIDE ISTANBUL'S COURTHOUSE

Amnesty International condemns the armed attack which took place on 6 February outside the İstanbul Justice Palace, in which one member of the public was seriously injured and later died in hospital, and three law enforcement officials and two other members of the public were also injured. The two attackers were killed on the scene by law enforcement officials. Such an attack endangering the lives of civilians can never be justified and violates the most fundamental principles of international law. Amnesty International reiterates its solidarity with the victims of the attack and their families.

Authorities have claimed that the attack was carried out by the armed group Revolutionary People's Liberation Party-Front (DHKP-C). As authorities in Türkiye investigate the attacks, they must ensure that international human rights law principles are upheld, and their responses are limited to those strictly required and proportionate to the situation.

As an apparent response to the attack, the authorities carried out raids in which 96 people, including four lawyers, were detained in İstanbul between 6-8 February. A 24-hour ban on consultation with a lawyer was imposed on those detained in violation of their right to be assisted by a lawyer upon arrest. On 9 February, the Minister of Justice shared a post on his X social media account saying 48 people were remanded in pre-trial detention while 48 others were released with judicial control measures.

Among those remanded in pre-trial detention are three lawyers from the People's Law Bureau, also members of the Progressive Lawyers Association (ÇHD). Amnesty International has documented that Turkish authorities have regularly used overly broad anti-terrorism laws to criminalize dissenting opinions, including lawyers¹ and that some members of the Progressive Lawyers Association (ÇHD) have previously faced criminal proceedings in politically motivated and unfair trials.² Amnesty International is concerned that the latest arrests of the lawyers could be a continuation of this trend, and the organisation will be monitoring these cases closely.

Just four hours after the attack on 6 February, police carried out a raid on People's Law Bureau, gaining entry by breaking the door and detained the lawyers Seda Şaraldı, Betül Vangölü Kozağaçlı, Berrak Çağlar and Didem Baydar Ünsal, and two other people who were present in the office at the time. The law enforcement officials had a warrant issued only for the arrest of one of the lawyers, however they also detained others who happened to be in the office.

On 9 February, the prosecutors referred two lawyers, Betül Vangölü Kozağaçlı and Seda Şaraldı to the İstanbul Peace Judgeship No. 3 to be remanded in pre-trial detention for allegedly "attempting to overthrow the constitutional order" and "intentional and premeditated act of killing" under Article 309 and Article 82/1-a of the Turkish Penal Code respectively. Both were remanded in pre-trial detention while the investigation continues. The third lawyer Didem Baydar Ünsal who was referred to İstanbul Peace Judgeship No. 5 for alleged "membership to armed terrorist organization" under article 314/2 of the

¹ Amnesty International Turkey: Weathering the storm: Defending human rights in Turkey's climate of fear, (Index Number: EUR 44/8200/2018), 26 April 2018, <https://www.amnesty.org/en/documents/eur44/8200/2018/en/>

² Amnesty International "Turkey: Conviction of lawyers deals heavy blow to right to fair trial and legal representation", 20 March 2019, <https://www.amnesty.org/en/latest/press-release/2019/03/turkey-conviction-of-lawyers-deals-heavy-blow-to-right-to-fair-trial-and-legal-representation/>

Amnesty International "Turkey: Court's decision to re-detain lawyers adds credence to allegations that their prosecution is politically motivated," (Index Number: EUR 44/9149/2018) 28 September 2018

<https://www.amnesty.org/en/documents/eur44/9149/2018/en/>

Amnesty International "Turkey: Anti-terror arrests target prominent human rights lawyer," 18 January 2013,

<https://www.amnesty.org/en/latest/news/2013/01/turkey-anti-terror-arrests-target-prominent-human-rights-lawyers-2/>

Turkish Penal Code, was also remanded in pre-trial detention. All three lawyers are currently detained in Silivri High Security Prison in Istanbul.

Amnesty International condemns indiscriminate attacks killing and injuring civilians which violate international human rights laws, and we call on the authorities to ensure effective remedies for those affected.

The Turkish authorities must conduct a prompt, thorough, impartial, independent and effective investigation to bring to justice those responsible through fair trials in line with international human rights standards. Authorities must ensure procedural safeguards including access to counsel and due process to any person legitimately suspected of involvement in these attacks and guarantee the rights of those detained.

Authorities must only continue the cases against those legitimately suspected of involvement in the attacks and must guarantee fair trials in accordance with international human rights law and standards. Anyone who has been detained without credible evidence of having committed an internationally recognizable offence must be released.

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