

Beşir ATALAY
TC İçişleri Bakanlığı
Bakanlıklar / Ankara
Türkei

Bochum, January 2011

Dear Interior Minister Beşir Atalay,

We, the participants of the 2nd Juridical Expert Conference “The so-called anti-terror-struggle using the example of Kurds – practice in the European legal sphere” conducted by the Association for Democracy and International Law (MAF-DAD), the legal help funds AZADÎ, the International League for Human Rights (ILMR) and the European Association of Lawyers for Democracy and World Human Rights (ELDH), are lawyers and jurists from different countries and jurists' organisations who observe the trial against 151 defendants at the 6th Assize Court in Diyarbakir with deep concern .

Most of the defendants have been in pre-trial detention for more than 20 months. To us the charges appear to be solely politically motivated and are directed against elected political mandataries, representatives of civil society organisations and several of our colleagues. Ultimately all of them are charged with nothing but fulfilling their professional duties and/or social engagement.

According to our conviction the whole trial does not stand up to fundamental principles of the rule of law. For us this means also the refusal of the court to permit the defendants to defend themselves in their mother tongue.

Furthermore, the right to unrestricted professional activity for lawyers belongs to the minimal requirements of a trial according to the rule of law.

We have learned that also more than 200 criminal investigations have been launched against our colleagues of the Asrin Law Office. According to our information, lately our colleagues Ibrahim Bilmez and Asya Ülker have been sentenced to 6 years and 3 months in prison by the Assize Court in Istanbul. These sentences are based on illegal records of conversations between lawyer and client which actually should be kept confidential.

We expect the still imprisoned defendants of the Diyarbakir trial to be released at the next day of the trial, 13 January 2010, the latest, that they be allowed to defend themselves in their mother

tongue and are granted a fair trial. Also we expect that the criminal proceedings against our colleagues from the Asrin Law Office are ceased or they be acquitted respectively.

We will continue to observe the Diyarbakir trial as well as the trials against our colleagues.

Respectfully yours,

Heike Geisweid
President of MAF-DAD e. V.
in the name of the participants of the conference