

## MISSION

<b>Mission:</b> Double judicial observation mission: <ul style="list-style-type: none"> <li>- <b>Hearing on 27 May:</b> criminal trial against Selçuk Kosagaçlı and other members of ÇHD</li> <li>- <b>Hearings on 28-29 May:</b> criminal trial against the Bar President of Istanbul and members of the Bar Council.</li> </ul>	<b>Duration of assignment :</b> 26-30 May 2025
<b>Date:</b> 22-04-2025	<b>Addressee :</b> <ul style="list-style-type: none"> <li>▪ Members of the International Observatory for Lawyers in Danger (OIAD)</li> </ul>

### 1. Reasons for the mission and context of the hearings

The aim of this mission is to monitor two emblematic trials in Turkey that the OIAD has been following closely.

#### A. Trial against Selçuk Kosagaçlı and other members of ÇHD (27 May at 11am, Istanbul)

This is a new trial against members of the Progressive Lawyers Association (Çağdaş Hukukçular Derneği, ÇHD), including the lawyer and honorary president of the association Selçuk Kosagaçlı, who was released on 16 April and re-arrested the following day. The lawyers are accused of "*propaganda in favour of an illegal organisation*".

This case follows the "ÇHD trial" in which our colleagues were accused of "belonging to an illegal organisation" and sentenced to arbitrary prison terms (the verdicts for Selçuk Kozağaçlı and Barkın Timtik have become final).

The allegations in this new case relate to statements made by colleagues about their clients' affairs and their professional activities, which are criminalised as propaganda activities

The lawyers **Selçuk Kozağaçlı, Barkın Timtik, Oya Aslan, Özgür Yılmaz, Güçlü Sevimli and Gülvin Aydın Savran** are being tried as defendants in this trial. Our imprisoned brothers and sisters will be present in the courtroom on 27 May 2025 at the Çağlayan court in Istanbul.

The OIAD has been following the ÇHD trials for several years:

- ÇHD I began in 2013 with 22 lawyers prosecuted under the anti-terrorism law. Some of them, such as Selçuk Kozağaçlı, Barkın Timtik and Ebru Timtik, were convicted on charges such as "belonging to a terrorist organisation". Sentences varied, but many were sentenced to more than 10 years in prison.

- ÇHD II began in 2017 and involved 20 lawyers, several of whom had already been charged in the first trial, raising concerns that the *ne bis in idem* principle (the prohibition on being tried twice for the same acts) would be violated.

[For more details, see the OIAD's latest detailed report on the ÇHD case.](#)

The ÇHD colleagues organising the mission will provide further details on this new case and its link with the ÇHD trial at a later date.

**B. Criminal trial against the Bar President and members of the Istanbul Bar Council (28-29 May, Silivri)**

On 19 December 2024, two Turkish journalists were killed in an attack in Syria. Following this event, several journalistic and trade union bodies called for an effective investigation into their deaths. A demonstration was organised in Sishane on 21 December 2024, near the headquarters of the Istanbul Bar Association, to demand justice. The police intervened and made arrests, including lawyers who were members of the Bar Association.

On the same day, the Istanbul Bar Association published a message calling for the protection of journalists in conflict zones and the release of demonstrators. On 22 December 2024, the Istanbul Public Prosecutor's Office announced the opening of an investigation against the Bar Association for terrorist propaganda and dissemination of false information.

The case took a judicial turn when, on 14 January 2025, the Ministry of Justice authorised proceedings against the Bar President and members of the Bar Council. On 21 March 2025, the Second Istanbul Assize Court issued a decision to dismiss the elected leadership of the Istanbul Bar Association under Article 77/5 of the Law on the Legal Profession. The judge handed down his decision, after a fairly rapid "deliberation": dismissal of the Bar Council and removal of Bar President KABOĞLU without any preventive enforcement measures. The Bar President and the members of his Bar Council will therefore be able to continue to sit and perform their duties until the Court of Appeal has given its ruling.

**On 28 and 29 May**, the first hearings will take place in the criminal proceedings brought against the Bar President of Istanbul, Ibrahim Kaboğlu, and ten members of the Bar Council.

The colleagues are accused of "propaganda for a terrorist organisation through the press" and "publicly disseminating misleading information", with the prosecution seeking up to 12 years' imprisonment and bans on political activity.

## **2. Purpose of the mission**

The objectives of the assignment are as follows:

- To monitor respect for the fundamental rights of defendants, in particular the right to a fair trial and guarantees of the independence of the Bar and lawyers in Turkey;
- To ensure international visibility of the situation and raise awareness of the situation in Turkey among judicial institutions and human rights organisations.

## **3. Mission agenda**

A large delegation of international observers, particularly from France, is expected. The representative(s) of the OIAD selected will be put in contact with the rest of the delegation to ensure coordination.

Recommendations concerning the safety of electronic equipment carried:

- Never connect to the airport wifi.
- Never leave a computer or mobile phone in the hotel.
- Prudent and advisable measure: do not carry the computers/mobiles you normally use.
- Install a VPN app to hide your location.
- Avoid writing the mission report from the country.
- Avoid mentioning the names of your colleagues who welcome you, only those of the lawyers who are the subject of proceedings.

*(Please note that this is a provisional timetable subject to change).*

The mission will take place from 26 to 30 May 2025 in Istanbul and Silivri (Turkey).

<b>26 May 2025</b>		
Evening	Arrival in Istanbul.	
<b>27 May 2025</b>		
11h00	Observation of the ÇHD hearing at the Çağlayan Court (Istanbul 18th High Criminal Court)	
Afternoon/evening	Meeting with the Bar President and members of the Istanbul Bar Council	
<b>28 May 2025</b>		
Time to be specified	Observation of hearings against the Bar President and members of the Istanbul OC in Silivri	Transfer from Istanbul to Silivri organised by the Istanbul Bar Association to enable observers to travel to the event.
<b>29 May 2025</b>		
Time to be specified	Observation of hearings against the Bar President and members of the Istanbul OC in Silivri	Transfer from Istanbul to Silivri organised by the Istanbul Bar Association to enable observers to travel to the event.
<b>30 May 2025</b>		
Time to be specified	Return	Visits to lawyers in prison ? (to be confirmed by the organisers).

#### **4. Commitments of the candidate**

The candidate representing the OIAD on the mission must first sign a letter of commitment which specifies the following elements.

Prior to the assignment, the candidate undertakes to:

- Prepare a budget for the mission, which must be approved by the Observatory;
- Inform the consular authorities of the host country of their arrival and send a copy to the OIAD;
- Contact fellow lawyers in the host country and send a copy of the e-mail to the OIAD;
- When preparing the mission, take care not to endanger local contacts;
- Find out about the local context.

During the course of the assignment, the contractor must

- Provide the OIAD with daily updates on the progress of the mission;
- Prepare one tweet per day related to the mission;
- Where possible, document the assignment with photographs that can be published.

After the mission, the mission holder must

- Writing a press release;
- Write a mission report according to OIAD's templates, to be submitted within 15 days of the end of the mission;
- Send photos of the mission;
- Send the full contact details of the people you meet;
- Provide a confidential report on diplomatic meetings or meetings that cannot be made public;
- Obtain the agreement of the persons mentioned in the public report;
- Write follow-up letters to the people met during the mission, with a copy to the OIAD.

#### **5. Mission risks and mitigation strategies**

Delegates must check the validity of their passport: please note that many countries require the passport to expire at least 6 months after the date of travel.

We advise you to contact your country's consular authorities in Turkey to inform them of your arrival.

Follow the recommendations of local colleagues in Turkey, particularly the mission organisers.

Recommendations concerning the safety of electronic equipment carried:

- Never connect to the airport wifi.
- Never leave a computer or mobile phone in the hotel.
- Prudent and advisable measure: do carry the computers/laptops you normally use.
- Install a VPN app to hide your location.

## 6. **Expert's skills**

Relevant experience in the situation covered by the assignment would be an asset, in particular:

- **Knowledge of the legal procedures to be observed and the legal framework** (national, regional and international)
- **Experience in the field of human rights and/or the situation in the country of the assignment** (e.g. academic and non-academic research, journalism, advocacy, communication/campaigning, etc.).
- **Relevant experience in other contexts** (e.g. participation in other international delegations, judicial observation missions, experience in advocacy or with diplomats).

Language requirements: a high level of written and spoken English will be required to take part in the assignment. Fluency in other languages such as Turkish, French, Italian or Spanish would be an asset.

## 7. **Local contacts**

*To be determined.*

## 8. **Estimated budget for the mission**

The budget for this mission includes mission expenses, i.e. flights (economy class) and a per diem of 170 euros per night to cover accommodation, internal transport and meals. The OIAD will also cover the cost of a translator to assist the delegates during the mission.

*Interpretation costs are estimated at €500 - this estimate will be reviewed with the mission coordination team.*

Flight: (more details)

As the estimated budget for air transport varies greatly depending on the place of departure and arrival of the observers, it will be determined on a case-by-case basis before each mission.

Only economy class tickets will be refunded. If the observer orders tickets in a higher class, only the price of the economy class ticket for the same flight will be reimbursed by the OIAD.

Per diem: (details)

This joint provisional budget can only include the per diems provided for in each country by the French Ministry of the Economy: [Mission expenses | economie.gouv.fr](#)

As far as accommodation is concerned, we recommend booking a hotel in Istanbul close to the headquarters of the Istanbul Bar Association.

**Estimated budget for 1 observer :**

Expenses	Unit	Quantity	Unit cost	Total
Transport				
Flight (XXX)	Ticket			To be added by the applicant
Insurance	Person			
Per diem ( <i>including accommodation</i> )				
170 €/person/night	night	4	170	680

Estimated total in euros	680 + flight price
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