

# POSTHUMOUS HUMAN RIGHTS AWARD 2020

## Background document

Ebru Timtik

In addition to its 2020 Human Rights Award, the CCBE exceptionally decided to grant a posthumous Human Rights Award to Turkish lawyer Ebru Timtik who died this year of hunger strike fighting and defending the right to a fair trial in Turkey.



### Ebru Timtik

In March 2019, Ebru Timtik was among the 18 lawyers from the Contemporary Lawyers' Association (ÇHD) and the People's Law Office (HHB) to be sentenced to prison terms ranging from just over 3 years to just under 19 years for alleged terrorist-related offences. Ebru Timtik has been sentenced to 13 years and 6 months for membership of a terrorist organisation under Article 314(2) of the Turkish Penal Code.

From the outset of their trial, many incidents occurred that raised concerns about the impartiality and independence of the proceedings. These incidents were observed and analysed during a fact-finding mission from 13 to 15 October 2019. This fact-finding mission consisted of a group of 15 lawyers from 7 European countries who met in Istanbul to clarify the legal circumstances that led to the conviction of these Turkish lawyers by the 37th Istanbul High Criminal Court in March 2019.

For instance, the judges who had initially ordered the release of lawyers in pre-trial detention were removed from the case and the released lawyers were re-arrested; the identity of some witnesses was kept anonymous and they testified remotely by video link system (SEGBIS), not in person, which prevented verification of their identity or free will. This also prevented the defence from being able to effectively question the witnesses. In addition, the accused lawyers were frequently interrupted or escorted out of the courtroom during hearings. After challenging the Chief Justice of the Supreme Court for lack of impartiality, requests for disqualification were repeatedly rejected by the court, and their unfair treatment continued.

In her fight for a fair trial and a better administration of Justice in Turkey, lawyer Ebru Timtik with her colleague Aytaç Ünsal respectively started a hunger strike in January and February 2020.

On 27 August 2020, Ebru Timtik died as a result of the hunger strike, she had started in January 2020 fighting for a fair trial for her and her colleagues.

Her colleague Aytaç Ünsal, was released shortly after due to his critical health condition. He should however be sent back to prison when his health condition comes back to normal as the Supreme Court of Appeals of Turkey confirmed the verdict of 14 of the 17 lawyers who were sentenced with Ebru Timtik including the verdict against Aytaç Ünsal.

- CCBE Human Rights letters/ Lettres droits humains du CCBE:
  - [Sentencing of 18 human rights lawyers \(26/03/2019\)](#)
  - [The upholding of the 159 years prison term given to 18 lawyers \(07/11/2019\)](#)
  - [Hunger strike of 8 imprisoned lawyers \(14/02/2020\)](#)
  - [CCBE Letter EU Delegation to Turkey \(07/05/2020\)](#)
  - [Alarming situation of lawyers Ebru Timtik and Aytaç Ünsal \(07/05/2020\)](#)
  - [Death of lawyer Ebru Timtik and continuing hunger strike of Aytaç Ünsal \(28/08/2020\)](#)
  
- Other initiatives/ Autres initiatives:
  - [Turkey: Fact-finding mission on CHD's trials](#)
  - [Joint statement in support of Turkish lawyers Ebru Timtik and Aytaç Ünsal](#)
  - [CCBE President statement in support of Turkish lawyers Ebru Timtik and Aytaç Ünsal](#)
  - [Letter to UN rapporteurs in support of Turkish lawyers Ebru Timtik and Aytaç Ünsal](#)
  - [Décès de Ebru Timtik et situation des avocats en Turquie \(02/09/2020\)](#)
  - CCBE Press release (31/08/2020): [Turkey: Following the tragic death of lawyer Ebru Timtik, the CCBE calls on the EU and Turkish authorities to take urgent measures to prevent the death of lawyer Aytaç Ünsal](#)