

Reform bill is new blow for Turkey's judicial system, say lawyers

Bar association overhaul attacked as divide-and-rule tactic that will weaken independence



Laura Pitel in Ankara JULY 13 2020



Lawyers and human rights campaigners have criticised a radical overhaul of Turkey's bar associations, describing it as a further blow to the country's already [beleaguered judicial system](#).

Parliament at the weekend passed a bill that paves the way for sweeping changes to the bodies, which represent the country's legal professionals.

The vote was met with dismay by critics. "Lawyers are the most independent part of the judiciary and their independence is being diluted," said Mehmet Gun, a lawyer and chairman of the Better Justice Association, an Istanbul-based think-tank. "These changes are going to further weaken the independence and efficiency of the Turkish judiciary."

Human Rights Watch (HRW) and the International Commission of Jurists (ICJ) had previously warned the changes were a "divide-and-rule tactic" to weaken the organisations' authority and undermine their role as important human rights watchdogs.

The reforms were strongly opposed by Turkey's 80 bar associations themselves, 78 of which signed a joint statement opposing the plan. Thousands of lawyers took part in protests opposing the move in the weeks leading up to the discussion of the bill in parliament.

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Human Rights Watch and the International Commission of Jurists report

also play a role as human right watchdogs, producing reports on conditions in police detention and prison, refugees and women's rights.

The changes allow for the creation of multiple bar associations in each province. The AKP argued that this would lead to a more democratic and pluralistic system and that a large increase in the number of registered lawyers meant existing arrangements no longer functioned properly.

The bill's opponents fear they will weaken the associations and lead to a splintering of the legal profession along political lines, with the creation of pro- and anti-government bodies.

“Seen in this light the motive for reform is not so benign and suggests the government is seeking to, and may well succeed in, undermining the legal profession's role to date in upholding human rights and the rule of law,” warned HRW and ICJ in a [joint report](#).

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The legislation was put forward by President Recep Tayyip Erdoğan's ruling Justice and Development party (AKP) and passed in the early hours of Saturday.

The reforms will change the way the bodies operate. At present, all lawyers are required to register with the bar association in the province in which they work. The organisations are responsible for providing legal aid services and upholding professional standards. Some

The Republican People's party (CHP), the country's main opposition party, has condemned the changes as an effort to weaken and politicise the legal profession, has vowed to bring a challenge before the constitutional court.

Turkey's judiciary has undergone a series of upheavals, including several sets of reforms that gave the government greater control over the appointment of judges

and prosecutors, since Mr Erdoğan swept to power 18 years ago. Concerns about the politicisation of the legal system multiplied as the Turkish president [consolidated](#) his grip.

Critics say the problems were compounded after a violent attempted coup in July 2016 that led to the dismissal of more than [4,000 judges](#) who were accused of having links to the plot.

Tens of thousands of people were rounded up following the putsch, including high-profile politicians and human rights campaigners.

Turkish courts have ignored or sidestepped rulings by Europe's top human rights court ordering the release of the Kurdish political leader [Selahattin Demirtas](#) and the philanthropist and businessman [Osman Kavala](#), both of whom remain behind bars.