CANADIAN DEMANDS JUSTICE FOR SLAIN KURD LAWYER

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Category: Opinions

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December 2, 2015

To Members of the Legal Community &

To All Concerned with Human Rights and Human Dignity

Dear Sir/Madam:

Re: Assassination of Pro-Kurdish lawyer Tahir Elci, President of the Diyarbakir Bar Association in Kurdistan of Turkey

I write as a concerned member of the Law Society of Alberta with respect to the assassination on November 28, 2015 of Tahir Elci, President of Diyarbakir Bar Association.

Mr. Elci was a Kurdish human rights lawyer and was serving his second term as President of the Diyarbakir Bar Association in Turkey when his life was cruelly cut short by an assassin's bullet. Mr. Elci was 49 years old. Both as a lawyer and as a human rights advocate, Mr. Elci was a tireless and fearless fighter for countless victims of repression.

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Mr. Elci was a Kurdish human rights lawyer and was serving his second term as President of the Diyarbakir Bar Association in Turkey when his life was cruelly cut short by an assassin's bullet. Mr. Elci was 49 years old. Both as a lawyer and as a human rights advocate, Mr. Elci was a tireless and fearless fighter for countless victims of repression.

He was a lead attorney in many cases dealing with Kurdish issues, including the deaths of 35 civilians in a 2011 airstrike in Uludere and the many other suspicious deaths of Kurds in Turkey. Mr. Elci also took many cases before the European Court of Human Rights. He was a strong believer in the rule of law, the value of human life and the need for peaceful ways of resolving fundamental differences relating to the Kurds in Turkey. At the time of his assassination, he had been delivering a speech in which he had called for the end of violence between the Turkish state and the Kurdish rebel/independence group, PKK.

Mr. Elci had been a victim of constant persecution by Turkish authorities. In October 2015, Mr. Elci was detained and ordered to appear in an Istanbul court to answer for his comments to CNN Turk where he declared that PKK is a political movement and not a terrorist organization. The Court decided to release Mr. Elci, but banned him from travelling abroad. Amnesty International called on the Turkish regime "to end judicial harassment of" Mr. Elci. He had also received many death threats.

Mr. Elci's death has led to widespread outcry and condemnation. All 81 heads of bar associations across Turkey and thousands of lawyers took part in his funeral. Metin Feyzioglu, head of the Turkish Bar Association said about the killing:

> *This bullet has been fired at not only our brother but at Turkey as a whole. We need to show that our unity will not be undermined, and this heinous attack will not succeed.*

Emma Sinclair-Webb, Senior researcher at US-based Human Rights Watch, said:

> *This is a very dark day for Turkey. The murder of Tahir Elci is a devastating blow not only to human rights activists but to all who want to see justice and rule of law prevail in Turkey.*

The US Embassy in Turkey tweeted:

> *We are shocked by the tragic death of Tahir Elci- a courageous defender of human rights.*

Richard Moore, British Ambassador to Turkey tweeted:

> *Shocked and depressed by the murder of my friend Tahir Elci. A good and brave man cut down. A human rights defender over many decades.*

The reaction from close relatives and supporters of Mr. Elci does not bode well for the peace he preached. Many observers place the blame squarely on the Turkish regime and the ruling AK Party.

"In the place left by Tahir Elci, thousands more Tahir Elci's will carry on the work in the struggle for law and justice", the Party statement read. The Diyarbakir Bar Association he led called the shooting an assassination. The pro-Kurdish People's Democratic Party called the killing a "planned assassination". Marchers in central Istanbul chanted "Shoulder to shoulder against fascism". Ahmet Elci, Mr. Elci's brother, issued this statement:

> *I invite not only Kurds but also all Armenians, Assyrians, Arabs and Turks to stand with us at the funeral. I invite all citizens who define themselves as 'democrats and humans' to Tahir's funeral… Tahir did not die and will not die. He was an independent human. The state may cuff our hands but not our minds.*

The widow of Mr. Elci put it even more poignantly at the funeral: "he would now say, 'my travel ban has been lifted. I am now free to go anywhere I want to'."

It would be a sad commentary on our times that the murder of courageous people like Mr. Elci should just fade into oblivion without the legal communities across the globe voicing their outrage and disapproval.

Human rights lawyers and activists working in hostile and oppressive regimes around the globe should not for a moment view their work as lonely struggles, lacking the support of the general legal community. Both as lawyers and as members of the civil society, we must show by deeds that we abhor the kind of behavior that led to Mr. Elci's murder.

We urge the members of the legal community to exert their influence, wherever this is possible, so as to send a strong message to all involved that the murder of people like Mr. Elci is viewed by legal communities across the globe as barbaric and unacceptable. This murder should not bring any comfort to those who intend or hope to benefit by it. It should only bring scorn and condemnation.

We are privileged here in Canada to live in a society where we can speak freely, criticize or even condemn what is wrong with those who govern us without fear of being gunned down. These privileges entail a moral obligation on us to speak out in support of brave individuals like Mr. Elci, who seek similar freedoms and privileges in very trying circumstances. The murder of Mr. Elci presents us with a unique opportunity to exercise our freedom in support of the ideal that privileges and freedoms as we enjoy in Canada are supposed to be universal values. We must not remain silent when these values are so egregiously violated as in the murder of Mr. Elci.

Yours truly,

Shirzad S. Ahmed, AOE
Barrister & Solicitor

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