



Europe, 6th October 2016

PRESS RELEASE

Already since some years, the situation of justice and also of democracy in Turkey continued to deteriorate : there are undue influence on the last election of the High Council of Judges and Prosecutors, massive violations of the irremovability of judges and prosecutors, criminal proceedings regarding judges because of their decision making.

Since 2013, our associations have multiplied their calls to the European institutions to urge the Turkish government to respect the international standards of an independent and impartial justice, which are established in the same way by the Council of Europe, of which Turkey is member and by the European Union, which Turkey wants to access to.

The coup d'état in July 2016, which our associations have strongly condemned, allowed president ERDOGAN and his government to impose the state of emergency. We have every reason to assume that in this legal framework basic democratic values are violated on a daily basis in Turkey.

The detentions of judges, but also of advocats, of university staff, of journalists, of police officers have multiplied.

3390 judges and prosecutors have been recently dismissed by the HCJP. 2900 are currently detained. Their property was seized. They have not been granted any rights of defence. No individual trial was held. Finally, YARSAV, the main association of judges and prosecutors in Turkey (and the only one, which is completely independent from the Turkish government and various pressure groups), was disbanded.

Despite of the international criticism, the Turkish government uses its right to suspend the application of the European Convention of Human Rights (ECHR) (Article 15) and insists that the persons affected by the purge are prosecuted under procedures laid down in the law and executed by judges.

However, apart from the fact that the suspension of the application of the ECHR in the light of the European Court's case Law is not a general one and not without conditions, the question arises of how judges will be able to freely and serenely decide in the current context, when their colleagues were jailed and dismissed, to also because of their decisions and that the defence lawyers, who defended these judges, were also accused of terrorism.

In the face of these intolerable violations of the rule of law, in August 2016 our organizations have decided to create a « Platform for an Independent Judiciary in Turkey ». The platform supported an international petition, which quickly gathered thousands of signatures, it

addressed various activities to all European as well as to the Turkish authorities to provide broad support to the dismissed and detained judges.

A meeting with the members of the Parliamentary Assembly of the Council of Europe on the sidelines of the visit to Strasbourg by the Turkish Minister of Foreign Affairs, will be organized on the 10th October 2016.

In order to present the result of its first activities and discuss the next activities, a press conference on the topic :

**The situation of the Turkish judicial system before and after the coup d'état.
How to restore the rule of law in Turkey ?**

will take place :

**on the 11th October 2016, 14h00
at the Palace of Justice of Brussels
Place Poelaert
1000 Brussels – Belgium
Locker room of lawyers**

Edith Zeller, President of the Association of European Administrative Judges (AEAJ)

Christophe Régnard, Prsident of the European Association of Judges (AEJ)

Tamara Trotman, President of Judges for Judges

Gualtiero Michelini, President of Magistrats Européens pour la Démocratie et les Libertés (MEDEL)

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