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„EVENING POST“ („VEČERNJI LIST“)

Editor

Mr. Drazen Klaric

Dear Mr. Klaric,

In your distinguish newspapers dated on August 9th 2016 on page 16 interview with His Excellency Ahmet Tuta Ambassador of Turkey to Croatia has been published.

In the interview His Excellency speaks about the issue of massive suspension, detention and dismissal of judges in Turkey and conditions of judges nowadays in Turkey. For purposes of proper information of your readers please publish this reaction.

Regardless all support what Turkey has to enjoy for preventing the coup d'etat what is unacceptable method of changing the legally elected government in the democratic society question of how state powers reacted towards those who elatedly are responsible for actions taken is not so idyllic , at least when judges are concerned, as Mr. Ambassador would like to present them.

According to the information all four European Association of Judges have, 2.745 magistrates (out of around 15.000 of them) were dismissed in the first 12 hours after the putsch and arrest warrants were issued for all of them, a majority of those judges and prosecutors is detained , some lawyers which were defenders of detained magistrates have been detained afterwards, 48 judges of the State Council are dismissed, which is more than a half of them (those who would decide on appeals against decisions of administrative courts), as well as 140 of 150 judges of the Cassation Court, five judges, members of the HSYK Turkish High Council of Judiciary were dismissed, who alongside two members chosen by the country's President, represent the most important, second chamber of the HSYK which decides on promotions and allocations of judges and prosecutors, as well as on disciplinary responsibility and dismissal of them, the assets of 3049 judges and prosecutors were seized.

The way how Turkish authorities have in recent years before the coup acted towards judges in unaccepted way (transfer without consent, criminal investigations and precaution, giving more and more authority to executive power towards judiciary) and from the data received form various independent sources which there is no reason not to believe, disturbing facts regarding the way judges and prosecutors are detained, the way how they were detained, the conditions of the detention (no necessary facilities etc.), no medical care, heart attacks of detained judges, no or reduced contact to family, no contact with lawyers, pressure on defense lawyers, no possibility for secrete conversation between defense lawyer and client, pressure on the judges, who are in charge of the procedures against their colleagues, no access to the files, only a summary accusation “to be on a list” as official reason for being detained motivated all four Associations of Judges on the European level (European Association of Judges, MEDEL, Judges for Judges and Association of European Administrative Judges) to form unique Platform and to ask Council of Europe authorities to react stating and demanding :

“the Platform sees all these elements as clear indications of and puzzle stones in a strategy of the government, which aims at taking judiciary under its control.

An independent judiciary is a cornerstone in a democracy governed by the rule of law. It is not only in the interest of the Turkish people but also in the interest of all Council of Europe member states to reestablish this principle in Turkey. It is a task of the Council of Europe and its member states to try to stop this developments to abolish an independent judiciary and by this consequently to abolish democracy as such in Turkey.”

(Full Platform statement can be seen on web site of Association of Croatian Judges www.uhs.hr)

Hoping that our public, but as well present and future establishment will remain sensitive towards this issues please publish this reaction which by virtue of the position I have to send.

Respectfully Yours,

Duro Sessa

Vice-president of IAJ

President of Association of Croatian Judges.