Translation in English of the text of the president of unity in the judiciary (YBD) published in November 2016 on the website of the Association

"The [reason] of this declaration is the discourse of the International Association of Judges [TN: in the pamphlet, referred as 'Union'] which creates a wrong perception in the international public opinion and particularly targets our Association [the Unity]. This can be summarized as follows:

1- The claim that we kept silent following the arrests and dismissals of some judges and prosecutors in the Turkish Judiciary, following the July, 15,

2- [How sad is that], that our Association has been deemed partial and the shutdown YARSAV has been deemed as the only independent Association in Turkey,

3-The claim that the members of the YBD [the Unity Assoc.] in the HSYK were elected by the endorsement of the government and they violated the independence in the Judiciary

Now we will answer these accusations in front of the public opinion:

For; we, the judges and prosecutors, do not speak up on the basis of gossip, discourses, [and] political pressure. On the contrary, our speech is only possible on the basis of information, document and evidence. And hereby we will explain to the public opinion these issues as regards our partiality, our silence, that YARSAV is the only independent Association, and that we won the elections endorsed by the government, particularly on the basis of the confessions by the parties:

First of all, it must be noted at the outset with all sincere feelings: Not only the respectfulness and reliability of the colleagues who are members to our association but also those of all colleagues is above anything for us.

For this reason, as you may want to concede, it is not easy all together to accept what some colleagues have been going through recently. We would have wholeheartedly wish that that they had acted on the basis of the principle of independence and impartiality so that they did not have to cause us to go through these times.

May the International Association of Judges know the following truth and accept it:

YARSAV could not preserve and defend the values such as the rule of law, impartiality, independence by the time it has been founded and unfortunately, and step by step came to a situation to lose its supremacy over its administration through signing up of many judges and prosecutors, who have not internalized mentioned values, in the association. It has been a new way-out for hope for the Turkish Judiciary that the founders possessing common sense and wisdom resigned from the [YARSAV] association and became founders among the founding members of the Association for the Unity in the Judiciary and that the latter has been established.
It chilled us when the Vice President of the HSYK [The High Council of Judges and Prosecutors] personally mentioned of a judge, a member in the Management Board of YARSAV, who took the advantage of active penitence and of the confession he made.

We will forward the excerpts that the Vice President of the HSYK took from that confession:

It has been stated that 'Murat Arslan met with the Yargıtay-İmam [TN: imam of the Fetö at the Court of Cassation] İlyas Şahin, who was Yargıtay member, in an office in the year 2010 and that they determined the YARSAV Board consisting of 13 members then, and that following the year 2010, YARSAV admitted and registered 700-800 persons who do not comply with the principles of YARSAV as declared in its Foundation aims, by means of which YARSAV took the election.'

On the other hand, the [here corrected] President of YARSAV was a dedicated Bylock user, and that 738 persons among the 1600 members of YARSAV who became members of YARSAV after 2010 have been dismissed from their posts. We leave to your evaluation that Mr. President of the International Association of Judges, Mr. Regnard, and other members in his administration still states that YARSAV is the only independent association in Turkey.

Again, in an article written by the President of the International Association of Judges it is stated that 4 HSYK members who was not included in the list of the Association for Unity in the Judiciary have immediately been dismissed.

In the confession statement which the two among the dismissed HSYK members gave, it is stated that, all along the time they acted as HSYK members, they, on disciplinary files, voted in accordance with the instructions the organization gave to them, statements that the Vice President of HSYK, Mehmet Yılmaz shared with the public. We leave to the public opinion to evaluate the statements made by Mr. Regnard concerning these members of the HSYK who acted not on the basis of their free will but upon instructions given by the organization.

However, we, as an independent judicial association consisted of colleagues belonging to every [political] opinion and came together on the basis of their free will, share with you the following as well:

May the International Association of Judges have just known of these information. May we have not sufficiently make ourselves clear and it is our deficit. However, with which principle of impartiality does it comply to reject our request for appointment over and over again impertinently? [arrogantly] With which principle of objectivity does it comply when Mr. Regnard only refers to what he has listened to from YARSAV concerning what has been lived through in the Turkish Judiciary?

Again, we are sad to see that the European Association of Judges (which is a regional branch of the International Association of Judges) has launched a campaign for aid in the name of human rights for members of an association for whom, by its very members themselves, has been stated that they were members of a terrorist organization. We have to say that it is blatantly a crime. Nonetheless, in which category of human rights does it fall to help those out who usurp human rights knowingly and willingly?
As the campaign for aid has been declared by the President of the International Association of Judges, we will say that the presiding persons of this Association shall be responsible both before law and history.

It is more dreadful that this support has been conducted in the name of law by our colleagues.

We invite this Association which shall fall out of professional principles to cooperate with us immediately. If, in view of these statements, our invitation is rejected again we shall have to explain at every level how the [International Association of Judges] supports terror, and that we submit this to the attention of public.

Sincerely,

Association of Unity in the Judiciary. """"
BASIN AÇIKLAMASI

Bu bildirimin amacı: Uluslararası Yarışçılardan 15 Temmuzda yaşanan olayları yerinde ortaya koyan kararlı ve derinleyerek anladıkları çerçevede, Türk Yarışçılardan yaşanan şiddet ve olaylar hakkında uluslararası kamuoyunda uygunsuz olarak yorumlanan ve özellikle de meşruiyet hedef alan söylemler.

Bu söylemler şöyle özetlenebilir:
1. 15 Temmuz sonrası Türk Yarışçılardan bazı hakemi ve savcılar gözaltında; ve izraf sürecinde sarsım ciddiğine itidias, 2. Nihai halleri 6500 üyesi olan Derneği'nin tarafsızlaştırılması ve potansiyel olarak YARSAD'ın Türkiye'de tek başınışçısı olmak için Kıbrıs'taki hakem ve savcılarla ilgili konumlayıcı yıldız olacaktır.

Bu durum, Türk Yarışçılardan yaşanan şiddet ve olaylar için uluslararası kamuoyuya yineceğimiz işlem olarak değerlendirilir. 

Öncelikle, yarışların genel çerçevesinde yaşanan olayların, halka ve kamuoyu tarafından anlaşılmaması ve hatta potansiyel olarak bu durumun, halka ve kamuoyu tarafından yorumlanabilmesi için gerekli önlemler alınması gerektiğini belirtmek isteriz.

Uluslararası Yarışçılardan biri, Bu bildirimin amacı: Uluslararası Yarışçılardan, 15 Temmuz'a kadar yaşanan olayların, halka ve kamuoyu tarafından yorumlanabilmesi için gerekli önlemler alınması gerektiğini belirtir.

YARSAD'ın kuruluşunun amacı, Türk Yarışçılardan yaşanan şiddet ve olaylar için uluslararası kamuoyuya yineceğimiz işlem olarak değerlendirilir.

YARSAD'ın kuruluşunun amacı, Türk Yarışçılardan yaşanan şiddet ve olaylar için uluslararası kamuoyuya yineceğimiz işlem olarak değerlendirilir.

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