



European Network of Councils
for the Judiciary (ENCJ)

Réseau européen des Conseils
de la Justice (RECJ)

******* PRESS STATEMENT ON THE POSITION OF THE HSYK IN THE ENCJ*******

The ENCJ reiterates its unreserved condemnation of the recent attempted coup in Turkey. The loss of life incurred in this attack on a democratically elected government is inexcusable. Those responsible should be made accountable through an open, fair and impartial judicial process conforming with international standards.

The ENCJ has expressed its concern, both before and after the attempted coup, that the approach of the High Council for Judges and Prosecutors to the transfer, suspension, removal and prosecution of judges has not been consistent with the principles of judicial independence. The ENCJ has received persuasive information that these procedures have taken place without respecting the principles referred to above.

The board of the ENCJ has repeatedly requested the Turkish High Council for Judges and Prosecutors for details of the procedures followed relating to the extraordinary mass dismissal of thousands of judges and prosecutors and to demonstrate that minimum international standards in relation to disciplinary proceedings against judges and prosecutors have been followed. To date no satisfactory response has been received to these vital inquiries.

As a result of the information that the ENCJ has received and the failure of the Turkish High Council to provide any satisfactory response to it, the board is forced to conclude that the Turkish High Council for Judges and Prosecutors no longer meets the requirements of the ENCJ that it is independent of the executive and legislature so as to ensure the independence of the Turkish Judiciary. The board of the ENCJ has accordingly resolved unanimously to propose to its General Assembly the suspension of the status of Observer to the ENCJ of the HSYK. To this end it has called an extraordinary general meeting which will take place in December 2016.

Brussels, 28th September 2016

European Network of Councils for the Judiciary
office@encj.eu