

## LETTERS FROM THE TURKISH JUDICIARY

### 23<sup>RD</sup> OF MAY – ALERT DAY FOR THE INDEPENDENCE OF JUSTICE IN EUROPE

Marking the date of Giovanni Falcone's assassination by the Mafia in 1992, MEDEL pronounced the 23<sup>rd</sup> of May as the alert day for the independence of justice in Europe. On this date, we are invited to reflect on the need for an independent and effective justice all over Europe and its importance for the safeguard of European citizens' fundamental rights and freedoms.

Very dark signs have arisen all over Europe in recent years, inside and outside the European Union. However, in no place as in Turkey did we witness such an orchestrated and premeditated campaign to completely destroy the independence of the Judiciary and the Rule of Law. Since the attempted *Coup d'État* of July 15<sup>th</sup>, 2016, all Judges, Prosecutors and Lawyers who had constantly struggled for an independent justice have been persecuted, arrested, dismissed and have seen their property seized without any previous due process and with absolutely no guarantees of defence.

YARSAV, the free Turkish association of Judges and Prosecutors – member of MEDEL – has been administratively disbanded (a decision which MEDEL does not recognize) and its President, Murat Arslan (winner of the 2017 Vaclav Havel Human Rights Prize) was dismissed and arrested, having been convicted in January 2019 to 10 years of imprisonment, after a process where all basic international standards of a due criminal process have been infringed.

During these years, MEDEL received many messages from colleagues, relatives and other sources, reporting what was happening to judges and prosecutors in Turkey. With the collaboration of its member associations, MEDEL is today publishing an *ebook* with a selection of those letters, translated in 12 different languages. These messages, gathered together without comments and modifications (apart from anonymizing them) provide for an impressive witnessing of the incredible acceleration of the falling of Rule of Law in Turkey.

As long as one single Turkish Judge or Prosecutor is imprisoned for his fight for an independent Judiciary, no Judge or Prosecutor elsewhere in Europe may feel completely free and independent.

As Murat Arslan said in his acceptance speech of the Vaclav Havel Human Rights Prize: *"I am speaking to you from a jail in a country where the rule of law is suspended, that moves far away from democratic values, where dissidents are silenced, human rights defenders, journalists, people asking for peace, people who shout out that children should not die are labelled as terrorists and jailed. (...) The price that we are paying just raises our faith in the coming days where the rule of law and democracy will be internalized"*.

**May 23<sup>rd</sup>, 2019**

**The bureau of MEDEL**