

European Judicial Training Network

Decision of the Steering Committee to temporarily suspend the Observer status of the Academy of Justice of Turkey

Considering the serious attack on the democratic institutions of Turkey of 15 July 2016 and the European Union's statement strongly condemning this coup while reiterating its full support to the legitimate institutions of the country;

Underlining that those whose involvement in this attempted coup d'état has been properly proved should be held accountable;

Recalling, however, that the rule of law and the safeguard of Human Rights, as enshrined in the European Convention of Human Rights to which Turkey is a party, are the inalienable basis of democracy;

Insisting that any emergency law and any suspension of the European Convention of Human Rights, according to its Article 15, must be kept within strict limits, and in particular that any restrictions on citizens' rights and liberties must be only such as are absolutely necessary to address the extraordinary situation;

Emphasising that the respect for democracy, Human Rights and the rule of law, in particular the right to a fair trial and to due process, are fundamental requirements in the European area of Justice;

Stressing in particular, even in extraordinary circumstances, the indispensable duty of the State to respect and enforce the fundamental safeguards in criminal proceedings such as the requirement for concrete grounds of suspicion, the right to a fair trial and the absolute prohibition of torture;

Taking note of the Memorandum of the Council of Europe Commissioner for Human Rights on the human rights implications of the measures taken under the state of emergency in Turkey;

Noting with growing concern the persisting reports on the arresting, suspension or removal from office of judges, and their deprivation of property, without any adequate procedure and in disrespect of the independence of the judiciary;

Recalling **EJTN's Articles of Association**, which in Article 7 (*Membership*) al. 5. state that: "*The Steering Committee may propose the expulsion of a member for any grave and weighty cause including, but not limited to, a serious breach of conduct whereby the reputation of the Network is, or is capable, of being brought into disrepute or in the event of a breach of the standards of behaviour reasonably to be expected to be exercised by a member of an international organization representing the training needs of members of the judiciary*",

The Steering Committee, at its meeting in Brussels on 16 November 2016, has decided to **temporarily and provisionally suspend the status of Observer of the Academy of Justice of Turkey** and to submit to EJTN's next General Assembly, which will gather in Malta on 22 – 23 June 2017, a recommendation towards a formal resolution on the suspension of the status as Observer of the Academy of Justice of Turkey.