Erdogan’s meddling with judges

During the period between January and March 2013 554 judges and public prosecutors in Turkey were relocated, without their consent, to different positions. After that, more than a hundred people, without any judicial experience, previously employed in the ruling party, were appointed judges in courts of high instances to which otherwise only judges with at least fifteen years of experience can be appointed.

According to media reports, the Turkish president has, for the first 227 days since his election (10th August 2014), filed lawsuits for libel against 236 people; eight of them are in custody and against 105 of them the criminal proceeding is ongoing.

On 12th May 2015 the High Judicial Council dismissed, with no right to a legal remedy, judge Süleyman Karaçöl and four public prosecutors (Zekeriya Öz, Celal Kara, Mehmet Yüzgeç and Muammer Akkaş) who investigated the case of Turkish president’s involvement in corruption.

On 6th May 2015 the arrest of chief public prosecutor of Adana Süleyman Bağrıyanık was ordered alongside three of his deputies Ahmet Karaca, Aziz Takçı, Özcan Şişman and former head of gendarmerie of the Adana Province (Özkan Çokay) on charges of attempted government overthrow as they intercepted two convoys of trucks near the Syrian border (Hatay and Adana) on 1st and 19th January 2014, which were accompanied, as it turned out, by Turkish intelligence officers, with arms smuggled to Syria.

On 30th April 2015, two judges, Metin Özçelik and Mustafa Başer, were arrested on charges of being terrorists as they had reached a decision of termination of custody (according to which, contrary to the law, no action was taken); the reached decision on termination of custody referred to policemen and a journalist (also under suspicion of terrorism) who had, until that point, spent a year and a half in remand prison, all of them had earlier worked on the matters of exposing of state corruption. Judges still remain in custody, while on the same day of the first hearing (26th January 2016), it was made public that both of them were dismissed of judicial tenure. This is the first case in Turkey that judges are arrested on the basis of a decision they reached in performing their professional function.

In the beginning of February, the High Judicial Council has initiated disciplinary proceedings against several dozen of judges (in 78 courts) based on the complaint of the Ministry of internal affairs that they had been adjudicating against the Ministry.

Turkish president has recently organised a meeting with local governors and told them: “If necessary, leave the laws aside, do the work in your own way”, as well as: “We are successful because we adapted the laws. We have succeeded because we refused to abide them.”

At the same time, the European Union has reached a decision to award Turkey, owing to its progress, by accelerating its European integrations. The real defenders of European values in Turkey will therefore probably join the EU, but while remaining in Turkish prisons.

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