



RECHTERS VOOR RECHTERS

Constitutional Court of the Republic of Turkey
Attn: The President, Prof. Dr. Zühtü Arslan
06805 Çankaya, Ankara

The Hague, August 26, 2015

Dear Mr. President,

The Dutch Foundation Judges for Judges – which aims to support fellow judges abroad who have experienced or may experience problems related to their profession (www.judgesforjudges.nl) – kindly draws your attention to the case of our Turkish colleague Murat Arslan.

Murat Arslan, chairman of Judges and Prosecutors Association (YARSAV) was recently removed from his duty as reporter in the Constitutional Court. He was informed earlier this month by the Court's Secretary-General that he had been relieved of his post which he had held for the past 10 years. No reasons therefore were given.

When Murat Arslan had queried on the reason for his removal, the Secretary-General told Arslan that it was the decision of the Court President and that Arslan would have to return to his former post in the Court of Accounts.

This decision to remove Arslan to another judicial office comes against the backdrop of increasing tensions between the judiciary and the Government. The Government is seen to take firm control of the judiciary not only through institutional and legal changes but also through removing and transferring against their will a substantial number of judges and even escalating to the suspension, arrest and ongoing detention of judges Özçelik and Başer because of their (intended) decision-making.

Murat Arslan was appointed as a reporter in the Constitutional Court in 2005 and was elected in 2011 as the chairman of YARSAV. YARSAV is a professional association that aims to realise an independent and impartial judiciary in Turkey. We are worried that Murat Arslan is a victim of the struggle of YARSAV in trying to defend these principles.

During a press conference concerning his removal Arslan was quoted that he never heard of a reporter who had been relieved in this manner and that as the Constitutional Court acts as the top court for individual applications, especially for issues related to human rights and freedoms, *'we expected it to be more liberal about opposing voices within the court'*.

We condemn the unreasoned removal of Murat Arslan against his will to his former judicial post, we therefore ask you as the President of the Constitutional Court for reinstatement of Murat Arslan to his duty as reporter in your Court.

Respectfully yours,

Tamara Trotman
Chairperson of Judges for Judges