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## PRESS RELEASE

**MEDEL – MAGISTRATS EUROPÉENS POUR LA DÉMOCRATIE ET LES LIBERTÉS, has nominated two Turkish Judges (Metin Özçelik and Mustafa Başer) and four Turkish Prosecutors (Süleyman Bağrıyanık, Ahmet Karaca, Aziz Takçı and Özcan Şişman) to receive the VÁCLAV HAVEL HUMAN RIGHTS PRIZE 2016 of the Council of Europe.**

On April 30<sup>th</sup>, 2015, 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 (26<sup>th</sup> 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.

On May 6<sup>th</sup>, 2015, the arrest of chief public prosecutor of Adana Süleyman Bağrıyanık was ordered alongside three of his deputies Ahmet Karaca, Aziz Takçı and Özcan Şişman (as also former head of gendarmerie of the Adana Province, Özkan Çokay) on charges of attempted state coup and espionage, as they intercepted two convoys of trucks near the Syrian border (Hatay and Adana) on 1st and 19th January 2014, which it turned out were allegedly being accompanied by Turkish intelligence officers, with arms smuggled to Syria. The four prosecutors were arrested 1 year and 4 months later after the event and they are still under detention. The trials are closed to press and public and a secret trial is ongoing.

The Václav Havel Award for Human Rights is an international award established in 2013 by the *Parliamentary Assembly of the Council of Europe, Václav Havel Library and Charta 77 Foundation*, annually honouring outstanding civil society action in defending human rights in Europe and beyond. Candidates should have made a real difference to the human rights situation of a given group, been instrumental in uncovering systemic violations on a large scale, or have successfully mobilised public opinion or the international community for a given cause.

On MEDEL's view, the nominees appointed have given a clear and outstanding testimony – with the sacrifice of their own freedom - of active defence of the basic human right to have an independent justice system.

Judges Metin Özçelik and Mustafa Başer, as part of their job, gave judicial decisions in pursuant of the provisions of the related laws by giving reference of the relevant case law of the European Court of Human Rights, even though they were aware of the pressure of the Executive over the High Council of the Judiciary, thus protecting the “right to liberty and security”.

Prosecutors Süleyman Bağrıyanık, Ahmet Karaca, Aziz Takçı and Özcan Şişman have fulfilled their duty of independently investigating criminal offences, regardless of the political interests or the influence of the Executive.

*MEDEL - Magistrats européens pour la démocratie et les libertés* is an association founded in 1985, regrouping 18 national judges and prosecutors associations from different European countries, representing more than 15000 magistrates. Its activities are centred on the defence of the independence of the judiciary and international judicial co-operation, in connection with the protection of human rights.

All the documents of the nomination and the signatures of the sponsors can be accessed in [www.medelnet.eu](http://www.medelnet.eu).