



Judicial Conference of Australia

**STATEMENT BY
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VICE PRESIDENT, JUDICIAL CONFERENCE OF AUSTRALIA
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CONCERN IN AUSTRALIA FOR DETAINED TURKISH JUDGES

The Judicial Conference of Australia (JCA), the association of Australian judges and magistrates, has expressed grave concern about the detention of two judges in Turkey after they ordered the release from pre-trial detention of police officers and journalists, and calls for their release.

The judges, Metin Ozcelik and Mustafa Baser, were apparently arrested on the purported ground that they had ordered the release of a suspect.

The JCA recently became aware of the strong condemnation of the arrest by the European Association of Judges. In its condemnation the Association said that “any attempt to undermine the freedom of a judge to establish facts and apply the law in a particular case constitutes a clear breach of principle of judicial independence”. The JCA strongly supports this statement and calls for the independence of the judiciary as guaranteed in the European Convention on Human Rights.

The JCA understands that on April 25, 2015 the two judges ordered the release of the police officers and journalists, who had spent six months in provisional detention. The state prosecutor in charge refused to sign the release order, referring to an instruction he had received from the Deputy Attorney General. During a press conference, the Turkish President Erdogan blamed the Turkish High Council of Judges and Prosecutors

(HCPJ) for not having intervened. The President of the competent commission of the HCPJ apologised for the belated intervention and suspended the two judges. A court, apparently not competent in this matter, declared the orders of release invalid. A state prosecutor opened an investigation against the two judges and they were arrested on the basis of belonging to the same terrorist organisation as the persons for whom they had ordered the release.

The Judicial Conference of Australia is the professional association of judges and magistrates in Australia.

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