



# National Association for Court Management

Supported Resolution # \_\_\_\_\_1\_\_\_\_\_ Year \_\_\_\_\_2016\_\_\_\_\_

## **- In Support of Due Process and Judicial Independence in the Aftermath of the Military Coup Attempt in Turkey –**

### **- Conference of Chief Justices Conference of State Court Administrators -**

WHEREAS, the Conference of Chief Justices and Conference of State Court Administrators recognize the critical importance in a constitutional democracy of an independent judiciary, free from intimidation and coercion; and

WHEREAS, pursuant to "Basic Principles on the Independence of the Judiciary," endorsed in 1985 by the United Nations General Assembly, judges shall be suspended or removed only after "a fair hearing," and "only for reasons of incapacity or behaviour that renders them unfit to discharge their duties"; and

WHEREAS, it has been reported that a substantial number of judges in Turkey were taken into custody and detained, including judges on the Supreme Court of Turkey, the Council of State (the Supreme Administrative Court of Turkey), and the Constitutional Court; and

WHEREAS, it is further reported that under emergency laws now in effect, constitutional protections for these judges have been suspended;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and Conference of State Court Administrators urge the country of Turkey to adhere to its long history of promoting democracy, the rule of law and the independence of the judiciary to ensure due process for the detained judges, and the protection of judicial integrity and independence.

On \_\_\_\_\_10/29/16\_\_\_\_\_ the NACM Board voted to support this resolution.