

## **Statement from the Rule of Law and Lawyer Independence Committee on recent events in Turkey**

Attempted insurrections of democratically elected governments must be treated seriously, and the affected state may be expected to impose interim emergency measures to maintain the proper functioning of government – including the justice system – during times of threat. This does not mean that the Rule of Law can be abandoned or sacrificed in such circumstances.

The aftermath of the recent failed coup in Turkey has resulted in the detention of a great many people in that country. Others have been suspended from their professions. More than 3,000 judges and prosecutors have been included in the purge of those detained and suspended.

Judges and lawyers, including prosecutors, are the “Foundational Players” in a democracy governed through the Rule of Law. Like everyone else, they are subject to the law and if any particular individuals participated in the attempt to overthrow the elected government in Turkey, they must be subject to the legal sanctions provided under Turkish law. However, the sheer number of those detained or suspended from their profession or employment raises red flags, particularly given the reports from Turkey over the last few years demonstrating tension between the state and the legal profession. It needs to be shown that the detentions and dismissals of so many of those involved in the justice system are not simply an attempt to thwart the rule of law in that country by purging those who do not agree with the Turkish government.

The detention and suspensions of so many in the wake of the attempted coup in and of itself makes upholding the rule of law so important. Those detained must have their detention reviewed by decision-makers, independent of government, based on legal principles. Those suspended from their professions must have the ability to know the basis on which the suspension was made and must be able to challenge it. Legal process must be available. These guarantees are difficult to provide when so many of those responsible for discharging those functions have themselves been detained.

The Law Society encourages the Canadian government to monitor the ongoing situation in Turkey and to use its diplomatic efforts to ensure Turkey adheres to the rule of law in the aftermath of the attempted coup.