



THE CANADIAN
BAR ASSOCIATION
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Office of the President
Cabinet de la présidente

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Via email: stephane.dion@parl.gc.ca

The Honourable Stéphane Dion, P.C., M.P.
Minister of Foreign Affairs
Global Affairs Canada
125 Sussex Avenue
Ottawa, ON K1A 0G2

Dear Minister Dion:

Re: Removal of Judges and Prosecutors Following Attempted Coup in Turkey

The Canadian Bar Association (CBA) has followed recent events in Turkey – the attempted violent military coup and subsequent detentions and massive dismissal of judges and prosecutors – with concern. I am writing to urge your government to call on Turkish authorities to respect democratic principles, including independence of the judiciary, separation of powers, and due process guarantees.

The CBA is a national association of over 36,000 lawyers, judges, law students, notaries and law professors. Among our primary objectives are improvement in the law and the administration of justice, and promoting the rule of law and fair justice systems in Canada and internationally.

The rule of law is a fundamental characteristic of a democratic society. It involves not only consistent application of rules. As defined by the Secretary General of the United Nations, it requires legal processes, institutions and substantive norms to be consistent with human rights, including the core principles of equality under the law, accountability before the law, and fairness in the protection of rights.

In recent days, government authorities in Turkey confirmed to international media that following the unlawful coup attempt on July 15, 2016 over 6,000 individuals have been detained and approximately 3,000 judges and prosecutors dismissed. The dismissal of approximately 2,500 judges represents an arbitrary and unjustified attack on the independence of the judiciary. Without independence and security of tenure of judges, public confidence in the fairness of the justice system is at risk.

The judges and prosecutors were dismissed without benefit of an objective, transparent disciplinary process based on evidence of misconduct related to the attempted military coup. The right to due process, including the right to a defence, is a fundamental tenet of the rule of law. Judges should not be removed in the absence of a fair hearing.

I commend to you the statements of the [International Commission of Jurists](#) and the [International Bar Association's Human Rights Institute](#), both condemning the mass dismissals.

At this time of crisis Turkey requires a strong and independent justice system free of arbitrary interference.

Yours truly

(original signed by Janet M. Fuhrer)

Janet M. Fuhrer

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