

VÁCLAV HAVEL HUMAN RIGHTS PRIZE 2017

NOMINATION FORM

Deadline: 30 April 2017

Please read the regulations and instructions
before completing this form

Instructions

Nominations must be submitted on the **forms** which can be downloaded from the website: http://website-pace.net/en_GB/web/apce/vaclav-havel-human-rights-prize.

Please fill in 1A if the nominee is an individual and 1B if the nominee is an institution or an organisation. All the other rubrics of the form should also be duly completed.

The nomination form (Word format) and the list of signatures of sponsors (PDF format), together with the supporting documents that you may wish to add, must be submitted in **English or French** and reach the Secretariat at the latest by **30 April 2017**.

They should be sent by e-mail, to the following address: hrprize.pace@coe.int.

We will confirm receipt of your submission.

1 A. Individual nominee:

Please indicate the name and contact details of the person nominated

Title: [Mr, Mrs, Ms, other...]

Mr.

Family name:

Arslan

First name:

Murat

Date of birth:

26.5.1974

Nationality:

Turkish

Country of current residence:

Turkey

Address:

currently unlawfully detained in prison

City : Ankara

Position

Jail: Sincan T Type Jail - Ward: C12

Rapporteur Judge at the Constitutional Court, President of YARSAV,

Address:

Yargıçlar ve Savcılar Birliği :YARSAV
Ataturk Bulvari, Plaza 143, no: 143/26,
06640 Çankaya - Ankara

TURKEY

Telephone:

00903124193999

Fax:

00903124193997

E-mail:

ysb@yarsav.org.tr

Website:

www.yarsav.org.tr

2. Sponsors:

Please indicate the name and contact details of at **least 5 persons / institutions / organisations** putting forward the nomination. In order to validate their nomination, the sponsors are asked to sign on the separate list of signatures of sponsors.

Main sponsor:

Title: [Mr, Mrs, Ms, other...]	International Association of Judges (IAJ)
Family name (President)	REGNARD
First name:	Christophe
Profession/occupation:	Judge
Capacity in which you know the nominee:	President of the IAJ
Nationality:	French
Address:	Conseil supérieur de la magistrature,
Conseil supérieur de la magistrature	
Telephone:	+ 33(0)608544572
Fax:	
E-mail:	Christophe.regnard@justice.fr
Website/social media (if appropriate):	Twitter @ChRegnard www.iaj-uim.org

Other sponsor:

Title:	National Association of Judges (Austria): Vereinigung der Österreichischen Richterinnen und Richter
Family name: (President)	Zinkl
First name:	Werner
Profession/occupation:	Judge,
Capacity in which you know the nominee:	President of the Association
Nationality:	Austrian
Address:	Justizpalast, Schmerlingplatz 11, A – 1011
Wien, AUSTRIA	
Telephone:	+ 43 1 52152 3644
Fax:	+ 43 1 52152 3643
E-mail:	werner.zinkl@richtervereinigung.at
Website/social media (if appropriate):	http://www.richtervereinigung.at

Other sponsor:

Title:	National Association of Judges (Croatia): Udruga hrvatskih sudaca
Family name: (President)	Mr Sessa
First name:	Duro
Profession/occupation:	Judge
Capacity in which you know the nominee:	President of the Association
Nationality:	Croatian
Address:	Ulica grada Vukovara 84
10000 Zagreb, CROATIA	
Telephone:	+385 1 4862 270
Fax:	+385 1 480 1138
E-mail:	dsessa@hotmail.com, duro.sessa@vsrh.hr
Website/social media (if appropriate):	www.uhs.hr

Other sponsor:

Title:	National Association of Judges (Finland): Finnish Association of Judges
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Family name: (President) Mr Vanne
First name: Kimmo
Profession/occupation: Judge
Capacity in which you know the nominee: President of the Association
Nationality: Finnish
Address: Court of Appeal of Turku
Hämeenkatu 13 ,FIN-20500 Turku
Telephone: + 358 2956 41381
Fax: + 358 2956 41101
E-mail: kimmo.vanne@oikeus.fi
Website/social media (if appropriate): www.tuomariliitto.fi

Other sponsor:

Title: **National Association of Judges (France):
Union Syndicale des Magistrats**
Family name: (President) Ms Duval
First name: Virginie
Profession/occupation: Judge
Capacity in which you know the nominee: President of the Association
Nationality: French
Address: 18, rue de la grange batelière
75009 PARIS :Union Syndicale des Magistrats
Telephone: +33 1 43542126
Fax: + 33 1 4329 9620
E-mail: Contact@union-syndicale-magistrats.org
Website/social media (if appropriate): www.union-syndicale-magistrats.org

Other sponsor:

Title: **National Association of Judges
(Germany):
Deutscher Richterbund**
Family name: (President) Mr Gnisa
First name: Jens
Profession/occupation: Judge
Capacity in which you know the nominee: President of the Association
Nationality: German
Address: Kronenstr. 73 D-10117 Berlin - GERMANY
Telephone: +49 30 206125-0
Fax: +49 30 206125-25
E-mail: info@drb.de
Website/social media (if appropriate): http://www.drb.de

Other sponsor:

Title: **National Association of Judges (Ireland):
Association of Judges of Ireland**
Family name: (President) Mr. Birmingham
First name: George
Profession/occupation: Judge
Capacity in which you know the nominee: President of the Association
Nationality: Irish
address: The Four Courts,Dublin 7, IRELAND
Telephone:
Fax:
E-mail: enquiry@aji.ie
Website/social media (if appropriate): www.aji.ie

Other sponsor:

Title:

Family name: (President)

First name:

Profession/occupation:

Capacity in which you know the nominee:

Nationality:

address:

Jerusalem ,

Telephone:

Fax:

E-mail:

Website/social media (if appropriate):

National Association of Judges (Israel):**The Israeli Judges Association**

Mrs Wirth Livne

Varda

Judge

President of the Association

Israeli

National Labour Court, Keren Hayesod 20

+972-50-6256322

+972-26497769

VARDAV@court.gov.il

Other sponsor:

Title:

Family name: (President)

First name:

Profession/occupation:

Capacity in which you know the nominee:

Nationality:

address:

Cité Judiciaire, L-2080 Luxembourg

Telephone:

Fax:

E-mail:

Website/social media (if appropriate):

National Association of Judges**(Luxembourg):****Groupements des Magistrats du****Luxembourg**

Mr Everling

Georges

Judge

President of the Association

Luxembourgeois

Tribunal d'arrondissement,

+ 352 475 981 607

georges.everling@justice.etat.lu

<http://www.gml.lu/>**Other sponsor:**

Title:

Family name: (Secretary General)

First name:

Profession/occupation:

Capacity in which you know the nominee:

Nationality:

address:

Telephone:

Fax:

E-mail:

Website/social media (if appropriate):

National Association of Judges**(Mauritania):****Club des Magistrats Mauritaniens (CMM)**

Mr.Cheikh Baba

Ahmed

Judge

President of the Association

Mauritanian

Palais de Justice-Nouakchott-RIM

+0022236225568

Cmmrim2014@gmail.com

Other sponsor:

Title:

Family name: (President)

First name:

Profession/occupation:

Capacity in which you know the nominee:

National Association of Judges**(Norway):****Den norske Dommerforening**

Ms Thune

Ingjerd

Judge

President of the Association

Nationality: Norway
address: Kristian Augustsgate 9, 0164 Oslo
Norway
Telephone: +4790601170
Fax: +4761020201
E-mail: ingjerd.thune@domstol.no
Website/social media (if appropriate): www.juristforbundet.no/dommerforeningen

Other sponsor:

Title: **National Association of Judges (Portugal):
Associação Sindical dos Magistrados Judiciais Portugueses**
Family name: (President) Ms Pauperio
First name: Maria Manuela
Profession/occupation: Judge
Capacity in which you know the nominee: President of the Association
Nationality: Portuguese
address: Edifício Arcis, Rua Ivone Silva Lote 4, nº 6
19 Dto., 1050-124 LISBOA, PORTUGAL
Telephone: +(351)217816180
Fax: +(351)217935035
E-mail: correio@asjp.pt
Website/social media (if appropriate): http://www.asjp.pt

Other sponsor:

Title: **National Association of Judges (Spain):
Asociación Profesional de la Magistratura**
Family name: (President) Mr Almenar Belenguer
First name: Manuel
Profession/occupation: Judge
Capacity in which you know the nominee: President of the Association
Nationality: Spanish
address: PLAZA DE LAS SALESAS nº 3, bajo izda (28004) Madrid.
Telephone: +34 91 319 49 62 /+ 34 913192912
Fax: +34 91 319 9745
E-mail: apm@apmnacional.e.telefonica.net
Website/social media (if appropriate): www.magistratura.es
www.apmnacional.com

Other sponsor:

Title: **National Association of Judges (Switzerland):
Association Suisse des Magistrats de l'Ordre Judiciaire**
Family name: (President) Mr. Garré
First name: Roy
Profession/occupation: Judge
Capacity in which you know the nominee: President of the Association
Nationality: Suisse
address: Tribunale penale federale svizzero
Viale Stefano Franscini 7, Postfach 2720, CH-6501 Bellinzona
Telephone: +41 58 480 68 68

Fax: +41 58 480 68 42
E-mail: info@svr-asm.ch
Website/social media (if appropriate): http://www.svr-asm.ch

Other sponsor:

Title: **National Association of Judges (Denmark):**
Den Danske Dommerforening
Family name: (President) Mr. Sjoberg
First name: Mikael
Profession/occupation: Judge
Capacity in which you know the nominee: President of the Association
Nationality: Danish
address: c/o Ostre Landsret, Bredgade 59
Kobenhavn K
Telephone: +45 21 66 1849
Fax:
E-mail: dommerforeningen@gmail.com
Website/social media (if appropriate): http://dommerforeningen.dk/

Other sponsor:

Title: **FLAM, Federacion Latino Americana de magistrados**
Family name (President): Mr. Ordonez
First name: Oswaldo
Profession/occupation: judge
Capacity in which you know the nominee: President of the Association
Nationality:
Address: Lavalle 1334 - 1o Piso, C1048AAH -
Buenos Aires, Argentina
Telephone: +54-11 43716856
Fax:
E-mail: oswaldo_oa@yahoo.es,
elida.cukla@asocmagistra.org.ar y presidente@asocmagistra.org.ar
Website/social media (if appropriate): http://www.flamagistrados.org/

3. Description of the nominee's actions and specific merits in the defence of human rights :

(maximum one page in Arial 10pt)

Murat Arslan was born on 26.5.1974, in Ankara. After he had graduated from Istanbul University Law Department in 1991, he finished his master degree in Kırıkkale University Law Department. He had worked as the commissioner of audits between 2001 and 2006. In 2006 he was appointed as a reporting judge to the Constitutional Court.

From the very beginning of his carrier Murat Arslan was a strong promotor of human rights and especially for the right expressed in Articles 6 and 5 of the ECHR. Consequently he fought for an independent judiciary , the rule of law and the separation of powers. He played a leading role in the creation of the independent Association of Judges and Prosecutors (Yargiclar ve Savcilar Birligi YARSAV) on 26.6.2006, which had the objective to support these goals. (See ANNEX 1). In March 2011 he was elected president of this association and he continued this duty for three election periods. In spite of the attempts of the government to block the activities and to close YARSAV in order to silence it, he courageously published articles and filed numerous lawsuits against appointments by the Ministry of Justice, secured the cancellation of several regulations and guidelines on the grounds that they facilitated partisan staffing, and ensured that job interviews were recorded on camera to provide objective assessments and tabled motions against government decrees to the Constitutional Court in order to preserve human rights and the independence of the judiciary.

Because of his speeches as the president of YARSAV, his articles in newspapers and magazines such as Cumhuriyet, Birgün, Evrensel, Hukuk Defterleri/ and especially because of his critic discourses through social media he was removed from his position at the Constitutional Court and transferred back to the Chamber of Account. (see ANNEX)

To foster his efforts to establish an independent judiciary and the prevailing of Human Rights he led YARSAV to the membership of the International Association of Judges (IAJ) and established contacts to many international judicial stakeholders like representatives of the Council of Europe, the UN Special Rapporteur, EU representatives, AGIT experts and others. He was one of the first to speak up internationally about the threats to judicial independence in Turkey.

He cooperated with Turkish Bar-Associations and NGOs such as Çağdaş Hukukçular Derneği, Hukukta Sol Tavır, Adalet İçin Hukukçular Derneği, Bursa Barosu, Ankara Barosu, İstanbul Barosu, Adana Barosu, Sakarya Barosu, Türk Hukuk Kurumu. and organised several conferences (ANNEX 4).

In 2015 together with some Bar Associations Murat Arslan organized marches under the name of "Turkey seeks Justice". He participated in civil social movements such as: "Turkey is looking for justice movement", "Resistance in Artvin Gold Mine". He always was an important part of the struggle for freedom and fundamental rights. He observed the politic trials against İlhan Cihaner, Can Dündar & Erdem Gül, Istanbul Bar Association's executive board member, Deniz Feneri, ÇHD and he had an active role to inform the international community about undue judicial practices.

Murat Arslan never paid attention to his own fate. He strongly believed and promoted that Turkey needs democracy and separation of powers under the secular perspective. At one of the meetings of his association he claimed that for a judge the struggle for the rule of law can not be defined as a choice but a responsibility. He firmly believed and several times expressed that "one day, this country will absolutely have the rule of law, we always stood up against injustice, and we will do so. The ones who defend the law will exactly win".

After the state of emergency was declared YARSAV has been dissolved by Emergency Decree and Murat Arslan together with thousands of judges and prosecutors was dismissed. He could not attend the annual meeting of IAJ on 16.10.2016 but nevertheless he sent a message (ANNEX 5), which was read out in the opening ceremony. The day after he was arrested and is still detained until now.

4. Supporting documents:

Please insert links to supporting documents (maximum 5).

If the supporting documents are not available on the internet please attach them to the form (electronic version if possible).

Examples – Declarations and Statements of Murat Arslan and YARSAV about the independence of the judiciary and the respect for human rights in general.

Annex 1: Report on the Application of YARSAV for Membership of IAJ 19.2.2009

Annex 2: Judges for Judges letter on transfer of Mr. Murat Arslan from Constitutional Court

Annex 3: Some activities of YARSAV under the presidency of Mr. Murat Arslan

Annex 4: Example of an Information by Mr. Murat Arslan to international authorities.2014

Annex 5: Message of Mr. Murat Arslan to IAJ _2016

5. Date: 24th April 2017