



## **23<sup>RD</sup> OF MAY - ALERT DAY FOR THE INDEPENDENCE OF JUSTICE**

Once again, MEDEL honours the memory of Giovanni Falcone, the Italian judge assassinated by the mafia on May 23<sup>rd</sup>, 1992, by marking this date as the **Alert Day for the Independence of Justice**.

All over Europe, the COVID-19 pandemic showed the fragile situation of judicial systems to cope with exceptional times, when they are most needed to ensure respect for the fundamental rights and freedoms of citizens.

Moreover, the attacks against the independence of the Judiciary have increased in number and intensity in recent years, outside and within the European Union.

In Turkey, Murat Arslan, the President of YARSAV (MEDEL's member association) is still imprisoned, serving a 10 years conviction after a judgement that has not met any criteria of a due process of law. According to some figures, 800 to 1200 Turkish magistrates are imprisoned alongside him, many in desperate conditions. Ongoing attacks against basic fundamental rights of judges, prosecutors and lawyers are a sad reality and Turkish authorities do not show any respect for the independence of the judiciary and the separation of powers.

In Hungary, the government is ruling by decree and using emergency laws to silence opposition voices, without any possibility of effective judicial control.

In Bulgaria, pro-governmental media have promoted public attacks against judges, undermining public trust in the judiciary and putting judges and prosecutors under unacceptable pressure while performing their duties.

In Romania, the government keeps introducing changes to the judiciary through emergency ordinances, with reduced or no previous public debate.

In Poland, the orchestrated attack against the independence of the judiciary has reached unprecedented levels: hate campaigns in social media ran by government officials; judges being threatened or actually subject to disciplinary proceedings just because they comply with their duty of controlling the constitutionality of laws or their compatibility with EU Law; decisions of the European Court of Justice regarding the Polish Judiciary disrespected by the Polish government; attempts from the Executive to control the Supreme Court, like previously happened with the Constitutional Tribunal.

These are dark times for the judiciary all over the world, and especially in Europe. It is precisely in moments like these that we need to raise our voices and stand up for the fundamental values on which Europe must be built: respect for fundamental rights and freedoms; separation of powers and independence of the Judiciary.

This is what we owe to the memory of Giovanni Falcone and all those who sacrificed themselves in the name of Justice.

**May 23<sup>rd</sup>, 2020**