



ASSOCIATION OF DEFENCE COUNSEL PRACTISING BEFORE THE ICTY

- AND REPRESENTING COUNSEL BEFORE THE MICT -

Churchillplein 1 • 2517 JW • The Hague • Netherlands • www.adc-icty.org • Tel. +31 70 512 5418 • Fax +31 70 512 5718

The Hague, 26 May 2017

Open Letter to the Members of the UN Security Council Calling for Action on the Detention of Judge Aydin Sefa Akay by the Republic of Turkey

Your Excellencies,

The Association of Defence Counsel practising before the ICTY and representing Counsel before the MICT (ADC-ICTY) is concerned about the continued detention of Judge Aydin Sefa Akay by the Republic of Turkey which has effectively halted legal proceedings in the case of Augustin Ngirabatware before the MICT. This delay is infringing on the fair trial rights of the appellant to a finality of proceedings within a reasonable time. The ADC-ICTY believes strongly that judicial independence is paramount to protect the rule of law and we express our concern that the continued detention will unfairly delay judicial proceedings before the Mechanism.

The ADC-ICTY invites the members of the Security Council to take strong action on the MICT President's report that the Republic of Turkey has failed to comply with the order to immediately release Judge Akay from detention and cease all domestic legal proceedings against him. The Republic of Turkey's failure to comply with the order is a breach of their obligations and undermines the administration of justice before the Mechanism.

The ADC-ICTY is an independent professional association which represents all defence counsel practising before the ICTY and the MICT. The ADC-ICTY works to promote and protect the interests of defence counsel and their clients and ensure the proper function of defence is respected in proceedings before international courts and tribunals.

Respectfully submitted on behalf of the ADC-ICTY,

Branko Lukić
President of the ADC-ICTY