KEY FINDINGS

Fair Trial Rights and Judicial Independence in the 17 and 25 December Proceedings

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Evidence-based findings

1. The underlying investigations involved prosecutorial directions, judicially authorised interception and surveillance, searches, and documentary and digital material. The legality of each measure nevertheless requires individual examination. [Main report, sections I–II; Annexes 68–71]

2. Following the December 2013 investigations, police and prosecutorial personnel were replaced and the underlying corruption files were closed. The report questions whether the available evidence was substantively tested before the non-prosecution decision. [Section III; Annexes 1–5]

3. Officers who gathered evidence later faced serious criminal charges. The report identifies a need for demonstrable individual conduct, intent and a reasoned response to defence evidence, rather than responsibility inferred from institutional role. [Sections IV and VII; Annexes 1, 42–47]

4. In April 2015, judicial release orders concerning detainees were not implemented; judges associated with the decisions were subsequently prosecuted. The ECtHR found an Article 5 violation concerning the judges' detention in Başer and Özçelik v. Turkey. [Section VI; Annexes 28–34, 72]

5. Questions over changes in the trial bench, access to forensic copies and challenges to digital evidence raise concerns under the guarantees of an independent and impartial tribunal and equality of arms. [Sections V and VII; Annexes 42–47]

Source: SRL Swiss, 17–25 December report (September 2026); references above. srlswiss.com