

**INFORMATION NOTE CONCERNING THE INQUIRY COMMISSION
ON THE STATE OF EMERGENCY MEASURES
ESTABLISHED BY THE DECREE LAW NO. 685 DATED 23 JANUARY 2017 AND
AMENDED BY THE DECREE LAW NO. 690 DATED 29 APRIL 2017**

The dialogue between Turkey and the Council of Europe both at political and expert levels was intensified after the coup attempt on 15 July 2016. Within the framework of the expert dialogue initiated on measures taken under the state of emergency decree laws, a set of recommendations was developed.

The Inquiry Commission on the State of Emergency Measures was established by the Decree Law No. 685 on 23 January 2017. It is a tangible example of Turkey's commitment to the Council of Europe standards.

The Inquiry Commission was established with the aim to creating an effective domestic remedy for those who were affected by the measures under the decree laws. The Commission will consider applications which are listed in Article 2 of the Decree Law No. 685, namely; dismissal or discharge from the public service, profession or organisation in which the persons held office, discharge from studentship, closure of associations, foundations, trade unions, federations, confederations, private medical institutions, private schools, foundation higher education institutions, private radio and television institutions, newspapers and periodicals, news agencies, publishing houses and distribution channels, annulment of ranks of retired personnel.

The working methods of the Commission were reviewed by the Decree Law No. 690 dated 29 April 2017.

The members of the Commission were appointed on 16 May 2017. During their work in the Commission, they will be presumed as on leave from their official positions. The Commission is composed of seven members, including judges from the Court of Cassation and the Council of State as well as senior government officials.

The Commission commenced functioning on 22 May 2017. It will start receiving applications in due course following the completion of infrastructural preparation for the initiation of its work. Moreover, the Commission may hire civil servants as experts to provide secretarial support. The Commission will exercise its functions for a period of two years and the Council of Ministers may extend this period for a period of one year per each extension, if deemed necessary.

The Commission has the competence to request documents and information from all institutions.

The decisions of the Commission in favor of the applicants are to be executed by the administration within 15 days. On the other hand, decisions are subject to judicial review. Applications against these decisions may be lodged with Ankara administrative courts which are to be identified by the Council of Judges and Prosecutors. Those from the judicial profession may file an action before the Council of State as the first instance court.

In order to ensure their independence, the members of the Commission may not be held to account for the performance of their duties in judicial, administrative, criminal and financial terms.