

INFORMATION NOTE REGARDING THE DECREE-LAW NO. 691
OF 22 JUNE 2017
ON CERTAIN AMENDMENTS TO BE MADE UNDER THE STATE OF
EMERGENCY

This Decree-Law concerns a number of legal amendments to be made under the state of emergency.

In Article 20/A of the Anti-terror Law, cancellation of the one year interim injunction period with respect to vehicles and immovable assets owned by suspects or defendants with a view to compensating the losses sustained due to terror offenses has been extended to two years beginning from the date of the measure.

Moreover, by additional paragraphs to the same article, it has been laid down that in actions for compensation for such losses, in case the defendant's address cannot be found in the address registry or is unsuitable for notification, the court shall announce the summary of the motion through a newspaper which is circulated nationwide with at least fifty-thousand copies. In the announcement made, the defendant shall be warned that if the defendant fails to submit within one month a postal/electronic notification address, or to represent him/herself during the trial by a lawyer, the trial will continue and a judgment shall be given in absentia, and no notifications shall be made abroad.

In addition, those affiliated or connected to terrorist organizations shall not be appointed as court experts, mediators or public notaries.

Assessment and Conclusion

As it can be understood from the measures explained shortly above, those who have an affiliation, connection or contact with terrorist organizations are barred from taking office in public duties such as notaries and court experts.

As another regulation, with a view to eliminating grievances caused by terrorism and having regard the complexity of investigations, arrangements have been realized to enable lodging compensation proceedings against actual perpetrators.

The Government continues to take measures to the extent required by the state of emergency for ensuring the establishment of public order at the level of human rights.