



TEXTS ADOPTED

Provisional edition

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Current human rights situation in Turkey

European Parliament resolution of 8 February 2018 on the current human rights situation in Turkey (2018/2527(RSP))

The European Parliament,

- having regard to its previous resolutions on Turkey, in particular that of 27 October 2016 on the situation of journalists in Turkey¹,
- having regard to its resolution of 6 July 2017 on the 2016 Commission Report on Turkey²,
- having regard to the statements by the Vice-President of the Commission / High Representative, Federica Mogherini and the Commissioner for European Neighbourhood Policy and Enlargement Negotiations, Johannes Hahn, of 2 February 2018 on the latest developments in Turkey, of 14 July 2017 a year after the coup attempt in Turkey, and of 13 March 2017 on the Venice Commission's opinion on the amendments to the Constitution of Turkey and recent events,
- having regard to the statements by the European External Action Service (EEAS) Spokesperson of 8 June 2017 on the reported detention of the head of Amnesty International in Turkey, Taner Kiliç, of 8 July 2017 on the detention of human rights defenders on the island of Büyükada in Turkey, and of 26 October 2017 on ongoing human rights cases in Turkey,
- having regard to the EU-Turkey High Level Political Dialogue of 25 July 2017,
- having regard to the written observations by the Council of Europe Commissioner for Human Rights submitted to the European Court of Human Rights of 2 November 2017 concerning a group of twelve applications relating to the freedom of expression and right to liberty and security of parliamentarians in Turkey and of 10 October 2017 concerning a group of ten applications relating to the freedom of expression and right to liberty of journalists in Turkey,

¹ Texts adopted, P8_TA(2016)0423.

² Texts adopted, P8_TA(2017)0306.

- having regard to Resolution 2156 (2017) of the Parliamentary Assembly of the Council of Europe on the functioning of democratic institutions in Turkey,
 - having regard to the fact that the EU’s founding values include the rule of law and respect for human rights, values which also apply to all EU candidate countries,
 - having regard to the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights (ICCPR), to which Turkey is a state party,
 - having regard to the Charter of Fundamental Rights of the European Union,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas Parliament strongly condemned the attempted coup of 15 July 2016; whereas on 18 January 2018 the Turkish Parliament extended the state of emergency in Turkey for another three months; whereas the state of emergency is currently being used to silence dissent and goes far beyond any legitimate measures to combat threats to national security; whereas under international law, emergency measures must be necessary and proportionate in scope and duration;
 - B. whereas Turkey is an important partner of the EU and is expected as a candidate country to uphold the highest standards of democracy, including respect for human rights, the rule of law, fundamental freedoms and the universal right to a fair trial;
 - C. whereas 148 signatories of the ‘Academics for Peace’ petition are facing indictments for disseminating ‘terrorist propaganda’ and await court hearings in May 2018;
 - D. whereas, according to the European Federation of Journalists, following the attempted coup, 148 journalists remain in prison; whereas the crackdown on political dissent through social media continues; whereas 449 people were detained for posting comments on social media that were critical of the Turkish Government’s military intervention in the Syrian enclave of Afrin; whereas, according to Amnesty International, the Turkish authorities have shut down hundreds of civil society organisations and closed down the offices of more than 160 broadcasters, newspapers, magazines, publishers and distribution companies;
 - E. whereas the Turkish authorities have dismissed 107 000 people from their professions since July 2016; whereas the ‘Commission of Inquiry for State of Emergency Practices’ set up upon the recommendation of the Council of Europe has received 104 789 applications as of 18 January 2018 and has so far issued decisions only in 3 110 cases, which have not been made public;
 - F. whereas recent years have seen the extension of executive control over the judiciary and prosecution, the widespread arrest, dismissal and arbitrary transfer of judges and prosecutors, and persistent attacks against lawyers;
 - G. whereas according to data provided by the Human Rights Association (HRA), in the first 11 months of 2017 a total of 2 278 people encountered torture and ill-treatment;
 - H. whereas the situation in the south-east of the country remains extremely worrying; whereas an estimated 2 500 people have been reportedly killed in the context of security

operations and an estimated half a million people have become displaced since July 2015; whereas 68 Kurdish mayors remain imprisoned;

- I. whereas among those journalists detained are, for example, the German-Turkish journalist Deniz Yücel, the academic and columnist Mehmet Altan, the journalist Şahin Alpay; as well as numerous journalists and staffers from the daily *Cumhuriyet*, including Ahmet Şık;
- J. whereas, in the aftermath of the lifting of the parliamentary immunities of a large number of MPs, many opposition MPs have faced judicial proceedings and detention; whereas 10 MPs remain detained, including HDP co-chairs Figen Yüksekdağ and Selahattin Demirtaş, who was not allowed to appear in court for security reasons, and CHP MP Enis Berberoğlu, and six MPs have been stripped of their parliamentary mandate, including the Sakharov Prize laureate Leyla Zana, following a vote in the Turkish Parliament;
- K. whereas in July 2017 the Turkish authorities arrested 10 human rights activists (the ‘Istanbul Ten’), who were later released on bail; whereas the Istanbul court overturned its own decision to release Taner Kılıç, the president of Amnesty International Turkey, on 1 February 2018, keeping him detained for the duration of his trial;
- L. whereas one of Turkey’s leading civil society leaders, Osman Kavala, was arrested on 18 October 2017, and has been held in prison ever since on the accusation that he ‘attempted to overthrow the government’ by supporting the Gezi Park protests in December 2013;
- M. whereas on 19 November 2017 the Ankara Governor’s Office decided to impose an indefinite ban on any event organised by LGBTI organisations;
- N. whereas despite the fact that the Turkish Constitution provides for the freedom of belief, worship, and the private dissemination of religious ideas, and prohibits discrimination on religious grounds, religious minorities still face verbal and physical attacks, stigmatisation and social pressure at school and in public life, discrimination and problems regarding the ability to legally establish a place of worship;
- O. whereas, in view of the situation in Turkey as regards democracy, the rule of law, human rights and press freedom, Turkey’s pre-accession funds have been cut by EUR 105 million compared to the Commission’s initial proposal for the 2018 EU budget, with a further EUR 70 million held in reserve until the country makes ‘measurable sufficient improvements’ in these fields;
- P. whereas Parliament called, in November 2016, for the accession process with Turkey to be frozen and, in July 2017, for it to be suspended if the constitutional changes were implemented unchanged;
- 1. Reiterates its strong condemnation of the coup attempt of 16 July 2016, and expresses its solidarity with Turkey’s citizens; recognises the right and responsibility of the Turkish Government to take action in bringing the perpetrators to justice while guaranteeing respect for the rule of law and the right to a fair trial; stresses, however, that the failed military takeover is currently being used to further stifle legitimate and peaceful opposition and to prevent the media and civil society in the peaceful exercise of freedom of expression through disproportionate and illegal actions and measures;
- 2. Expresses its deep concern at the ongoing deterioration in fundamental rights and freedoms and the rule of law in Turkey, and the lack of judicial independence; condemns

the use of arbitrary detention and judicial and administrative harassment to persecute tens of thousands of people; urges the Turkish authorities to immediately and unconditionally release all those who have been detained only for carrying out their legitimate work, exercising freedom of expression and association and are being held without compelling evidence of criminal activity; calls for the lifting of the state of emergency in the country and the repeal of the emergency decrees;

3. Calls on the Turkish authorities to respect the European Convention on Human Rights, which includes a clear rejection of capital punishment, and the case-law of the European Court of Human Rights, including the principle of presumption of innocence;
4. Calls on the Turkish Government to offer all persons subjected to restrictive measures appropriate and effective remedies and judicial review in line with the rule of law; stresses that the presumption of innocence is a fundamental principle in any constitutional state; calls on Turkey to revise, as a matter of urgency, the ‘Commission of Inquiry for State of Emergency Practices’ in such a way that it becomes a robust and independent commission capable of giving individual treatment to all cases, of effectively processing the enormous number of applications it receives, and of ensuring that the judicial review is not unduly delayed; urges the Commission of Inquiry to make its decisions public; calls on the Turkish authorities to allow trade unions to exercise legitimate union activity;
5. Underlines that terrorism continues to pose a direct threat to citizens in Turkey; reiterates, however, that the broadly defined Turkish anti-terrorism legislation should not be used to punish citizens and media for exercising their right of freedom of expression; condemns, in that respect, the detention and trial of at least 148 academics from public and private universities who signed the ‘Academics for Peace’ petition, and equally condemns the most recent arrests of journalists, activists, doctors and ordinary citizens for expressing their opposition to the Turkish military intervention in Afrin; is seriously concerned about the humanitarian consequences of the military intervention in this Kurdish-majority region of Syria and warns against the continuation of disproportionate actions;
6. Is deeply concerned about reports of the ill-treatment and torture of prisoners, and calls on the Turkish authorities to carry out a thorough investigation into those allegations; reiterates its call to make public the report of the Council of Europe’s Committee for the Prevention of Torture (CPT report);
7. Strongly condemns the decision of the Turkish Parliament to unconstitutionally waive the immunity of a large number of MPs, paving the way for the recent arrests of 10 opposition MPs, including the co-chairs of the People’s Democratic Party (HDP), Figen Yüksekdağ and Selahattin Demirtaş, and revoking the mandate of six opposition MPs, including most recently that of Sakharov Prize laureate Leyla Zana; condemns the imprisonment of 68 Kurdish mayors; condemns the arbitrary replacement of local elected representatives, which is undermining further the democratic structure of Turkey;
8. Is seriously concerned over the closure of more than 160 media outlets by executive decree under the state of emergency; condemns the political pressure on journalists; expresses serious concern at the monitoring of social media platforms and the shutdown of social media accounts by Turkey’s authorities; urges the immediate and unconditional release of all those detained without proof, including EU citizens such as the German journalist Deniz Yücel, who has been held in jail for a year, including nine months in solitary confinement, while no formal charges have yet been brought against him; urges

Turkey to drop charges against a Finnish-Turkish journalist, Ayla Albayrak, who has been convicted by a Turkish Court in absentia; welcomes the fact that some journalists and staff of the opposition paper *Cumhuriyet* were released after months in prison, and also calls for the immediate release of the four *Cumhuriyet* journalists still behind bars;

9. Is very concerned at the massive crackdown against Turkey's civil society organisations, and specifically the arrest of one of the leading NGO leaders, Osman Kavala; urges the Turkish Government to immediately release Kavala as his arrest is politicised and arbitrary;
10. Notes with concern the deterioration of Turkey's long-held secularist principles and values; is seriously concerned about the lack of respect for the freedom of religion, including the increased discrimination against Christians and other religious minorities; condemns the confiscation of 50 Aramean churches, monasteries and cemeteries in Mardin; calls on the Commission to urgently address these issues with the Turkish authorities; urges the Turkish Government to release pastor Andrew Brunson and to allow him to return home;
11. Recalls equally the principle of non-discrimination against minorities, including Roma, who have an equal right to express their culture and to have access to social welfare;
12. Condemns the statement by the Ankara Governor's Office of 19 November 2017 regarding the decision to impose an indefinite ban on any event organised by LGBTI organisations, following three consecutive bans of the Istanbul Pride march; calls on the Turkish authorities to revoke the ban; welcomes the release of the leading LGBTI activist Ali Erol and calls, in this respect, on the Turkish authorities to release arbitrarily detained LGBTI activists and to safeguard the well-being of Diren Coşkun, who is on hunger strike;
13. Reiterates its serious concern at the situation in south-east Turkey, especially in the areas where curfews are imposed, excessive force is used and collective punishment is applied; urges Turkey to come up with a plan for the effective reintegration of the half-million internally displaced people; reiterates its condemnation of the return to violence by the PKK, which has been on the EU's terror list since 2002, and urges it to lay down its arms and to use peaceful and democratic means to voice its expectations; recalls that the Turkish Government has a responsibility to protect all of its citizens; deplors the widespread practice of expropriation, including of properties belonging to the municipalities; is convinced that only a fair political settlement of the Kurdish question can bring sustainable stability and prosperity, both to the area and to Turkey as a whole, and therefore calls on both sides to return to the negotiating table;
14. Expresses its serious concern over the functioning of the legal system in Turkey after the Istanbul criminal court decision to keep two jailed journalists, Mehmet Altan and Şahin Alpay, in detention following the request of the constitutional court for their release on the grounds that they had had their rights violated in custody; notes that this constitutes a further deterioration of the rule of law; deeply regrets the recent re-arrest of the president of Amnesty International Turkey, Taner Kılıç, which is widely considered a travesty of justice, and calls for the charges against him and his co-defendants (the 'Istanbul Ten') to be dropped as no concrete evidence has yet been submitted against them;

15. Reiterates its position of November 2017 in which it called for funds destined for the Turkish authorities under the Instrument for Pre-Accession Assistance (IPAI) to be made conditional on improvements in the field of human rights, democracy and the rule of law, and, where possible, rerouted to civil society organisations; reiterates its call on the Commission to take into consideration the developments in Turkey during the review of the IPA funds, but also to present concrete proposals on how to increase support for Turkish civil society;
16. Urges the High Representative, the EEAS, the Commission and the Member States to continue to raise with their Turkish interlocutors the situation of human rights defenders, political activists, lawyers, journalists and academics in detention, and to provide diplomatic and political support for them, including observation of trials and monitoring of cases;
17. Calls for this resolution to be translated into Turkish;
18. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, and the President, Government and Parliament of Turkey.