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*Plenary sitting*

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**B8-0084/2018**

5.2.2018

## MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 123(2) of the Rules of Procedure

on the recent human rights situation in Turkey  
(2018/2527(RSP))

**Bodil Valero, Rebecca Harms, Jordi Solé, Barbara Lochbihler, Ska Keller,  
Igor Šoltes, Josep-Maria Terricabras**  
on behalf of the Verts/ALE Group

**European Parliament resolution on the recent human rights situation in Turkey  
(2018/2527(RSP))**

*The European Parliament,*

- having regard to its previous resolutions, in particular those of 24 November 2016 on EU-Turkey relations<sup>1</sup>, 27 October 2016 on the situation of journalists in Turkey<sup>2</sup> and 14 April 2016 on the 2015 report on Turkey<sup>3</sup>,
- having regard to the joint statements by Vice-President / High Representative Federica Mogherini and Commissioner Johannes Hahn, notably those of 2 February 2018 on the reversal of the court decision to release Amnesty International Turkey Chair Taner Kılıç and the detention of the members of the Executive Committee of the Turkish Medical Association, 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 seventh annual report on Turkey, published by the Commission on 6 September 2017,
- having regard to the report by the Office of the UN High Commissioner for Human Rights of 10 March 2017 on the human rights situation in South-East Turkey,
- having regard to the EU Negotiating Framework for Turkey, of 3 October 2005,
- having regard to the Council conclusions of 18 July 2016 on Turkey,
- having regard to Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II)<sup>4</sup>,
- having regard to the right to freedom of expression enshrined in 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 memorandums by the Council of Europe's Commissioner for Human Rights,
- having regard to the statement of 26 July 2016 by the Council of Europe's Commissioner for Human Rights on measures taken under the state of emergency in Turkey,
- having regard to Rule 123(2) of its Rules of Procedure,

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<sup>1</sup> Texts adopted, P8\_TA(2016)0450.

<sup>2</sup> Texts adopted, P8\_TA(2016)0423.

<sup>3</sup> Texts adopted, P8\_TA(2016)0133.

<sup>4</sup> OJ L 77, 15.3.2014, p. 11.

- A. whereas since the failed coup in July 2016 and the declaration of the state of emergency banning public gatherings and enabling the President to rule through decrees, democracy and the rule of law in Turkey have been deteriorating dramatically;
- B. whereas police and judicial harassment, arbitrary detention, travel bans and many other restrictive measures continue to be targeted at anyone suspected of belonging to the so-called Hizmet/Gülen movement (civil servants and military staff, academics and teachers, business people and ordinary citizens) or of supporting Kurdish movements, and voices and activists from civil society organisations critical of the current government (journalists, lawyers, academics, writers, artists and NGO representatives);
- C. whereas since 2016 more than 6 million citizens have been subject to judicial or police investigation on the basis of suspicion alone, often as a result of commenting or sharing posts on social media; whereas over 107 000 people have been dismissed from their jobs without due process and whereas one year after the creation of a seven-person commission to handle appeals, fewer than 100 cases have been reviewed, almost all of which have been rejected;
- D. whereas on 12 January 2018 the Istanbul penal courts decided to keep in detention two jailed journalists, Mehmet Altan and Şahin Alpay, just a few hours after the Constitutional Court ruled that their rights had been violated while in custody and ordered their release, proving that the independence of the judiciary in Turkey is compromised;
- E. whereas Turkey has ordered websites perceived as critical to be blocked or taken down; whereas dozens of media outlets have been closed, thousands of journalists and media workers have lost their jobs and scores more have had their assets seized and/or have been forbidden from leaving the country; whereas, according to Reporters without Borders, over 300 journalists and media workers are behind bars ‘turning Turkey into the world’s biggest prison for media personnel’; whereas foreign journalists have not been spared, as demonstrated by the case of Deniz Yücel, a German journalist for Die Welt, who has spent almost a year in prison without indictment; whereas independent reporting and media in Turkey have almost ceased to exist;
- F. whereas on 11 January 2018 Kurdish Sakharov Prize laureate Leyla Zana was stripped of her status as an MP by a vote in the Turkish Parliament; whereas five other Peoples’ Democratic Party (HDP) MPs had previously been stripped of their mandates; whereas in May 2016 the parliamentary immunity of 55 out of 59 HDP MPs was lifted to allow for their prosecution, together with that of other opposition MPs – almost one third of the Grand National Assembly of Turkey (GNAT);
- G. whereas on 8 December 2017 HDP co-leader Selahattin Demirtaş, who had already been in detention for more than a year together with his counterpart Figen Yüksekdağ, was not allowed to appear in court for security reasons and whereas the judge ruled that he should be kept in detention until the next hearing on 14 February 2018;
- H. whereas since July 2016 hundreds of Kurdish politicians in south-east Turkey, including mayors and provincial party leaders, have been arrested and/or removed from office and replaced by appointees of the Ministry of the Interior;

- I. whereas more than 300 Turkish citizens have been detained for social media posts criticising the Turkish military incursion against the Kurds in Syria; whereas Turkey's attack on Afrin and the Syrian Government offensive in Idlib are causing hundreds of thousands of internally displaced Syrian citizens to flee towards the Turkish border, traumatising them further;
- J. whereas more than 300 NGOs and civil society organisations have been shut down in Turkey, including the leading children's rights NGO Gündem Çocuk, women's rights NGOs and NGOs assisting internally displaced persons (IDPs) and refugees, and numerous members are being arrested, such as the peace activist Osman Kavala, who founded the International Peace and Reconciliation Initiative, and the lawyers Selçuk Kozağaçlı and Engin Gököğlu of the People's Law Office, a recognised organisation that represents the victims of police violence and other human rights violations carried out by state officials; whereas Engin Gököğlu is also the legal representative of the two well-known teachers Nuriye Gülmen and Semih Özakça, who have been on hunger strike for almost a year to protest against their dismissal and whose health has suffered irreversible damage; whereas on 22 November 2017 an Istanbul court also decided to extend the pre-trial detention of Taner Kılıç, Chair of Amnesty International Turkey, together with a number of fellow human rights defenders;
- K. whereas in August 2016 the Council of Europe's European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment visited detention facilities in Turkey and reported its findings to the Turkish authorities in November 2016; whereas to date, however, the Turkish Government has not published this report or any information regarding the number of complaints or investigations into allegations of torture or ill-treatment;
- L. whereas to this day numerous questions remain as to the exact course of events on 15 July 2016 and whereas in the many thousands of cases of Turkish citizens under investigation, no evidence has been presented for any link to the failed coup attempt;
- M. whereas imposing a state of emergency for a limited time after an attempted coup d'état can be justified to safeguard the democratic institutions, re-establish stability and security in the country and bring the perpetrators of the coup to justice; whereas, however, the imposed restrictions in Turkey go far beyond those permissible under international human rights law and represent a flagrant misuse of the emergency laws;
1. Expresses profound concern at the ongoing deterioration in fundamental freedoms and the rule of law in Turkey; condemns the use of arbitrary detention and judicial and administrative harassment to persecute tens of thousands of Turkish citizens perceived as critical of the Erdoğan Government and accused of having links with the Hizmet/Gülen movement, which the Turkish Government holds responsible for the coup attempt, or with Kurdish political groups, summarily classified as carrying out 'terrorist activities';
  2. Sees increasing evidence that the separation of powers in Turkey has ceased to exist;
  3. Deeply regrets that on 18 January 2018 the Turkish Parliament prolonged the state of emergency for the sixth time, and calls for it to be lifted;

4. Calls for the immediate and unconditional release of all those arbitrarily detained and accused of terrorist activities in the absence of any credible evidence of criminal wrongdoing; is particularly appalled by the re-arrest of Amnesty International Chair Taner Kılıç on 1 February 2018, ordered by the same court – after a second court revised the ruling – that had ordered his conditional release the day before, thus revealing the extent to which the Turkish legal system has become dysfunctional;
5. Reminds Turkey that for EU candidate countries the same basic norms as for Member States should apply, notably respect for the rule of law and human rights, including the right to a fair trial, and urges the Turkish authorities to return to the principle of the ‘presumption of innocence’; recalls equally the principle of non-discrimination against minorities, in particular Kurds and Roma, who have an equal right to express their culture and to have access to social welfare;
6. Condemns the recent decision to strip Leyla Zana of her status as an MP and previous similar decisions affecting HDP MPs, and calls for their immediate reinstatement; expresses its solidarity with legitimately elected parliamentarians subject to detention and intimidation and calls for respect for their mandate and their right to a proper defence in court, and for their release;
7. Criticises the arbitrary replacement of local elected representatives, which is further undermining the democratic structure of Turkey;
8. Expresses its grave concern about and condemnation of Turkey’s intervention in Afrin, Syria, which had been spared the violent conflict up to that point and had offered shelter to hundreds of thousands of internally displaced persons from other areas of Syria; urges Turkey to halt the offensive;
9. Expresses its sympathy for the more than 100 000 officials who have been expelled from public service, notes that the existing appeal mechanisms in Turkey do not represent an effective domestic remedy, and expects the European Court of Human Rights to adopt a position on this matter shortly;
10. Regrets the recent bans on events organised by LGBTI organisations and condemns, specifically, the blanket ban on all LGBTI events in Ankara; condemns the police and judicial harassment, prosecution and arbitrary detention of LGBTI activists; is therefore deeply worried by the hunger strike of Diren Coşkun and calls on the competent institutions to ensure her health and wellbeing; strongly condemns the very recent detention of Ali Erol, co-founder of Kaos GL, and others; highlights that this is in violation of the right to freedom of expression and freedom of assembly, as enshrined in Articles 26, 33 and 34 of the Turkish Constitution and Articles 19 and 21 of the International Covenant on Civil and Political Rights; calls on the Turkish authorities to revoke the ban immediately and restore the right to freedom of expression and freedom of assembly; insists that anyone involved in hate crimes, such as hate murders of trans women, must be held accountable for their crimes and receive the appropriate punishment in accordance with the law;
11. Calls on the Turkish Government to publish the November 2016 report by the Council of Europe’s Committee for the Prevention of Torture;

12. Calls on the EU Delegation in Ankara to take the lead together with Member State embassies to provide coordinating support and, where necessary, public backing to Turkish citizens detained under emergency legislation without evidence of any wrongdoing, especially human rights defenders, MPs, and journalists, but also persons accused of direct involvement in the coup attempt, by monitoring and observing trials, requesting permission for prison visits and issuing statements addressing the Turkish authorities at all levels;
13. Calls for the participation of the GNAT in EU parliamentary support activities to be frozen for as long as the immunity of virtually all MPs of the opposition party HDP remains lifted and their subsequent prosecution is ongoing;
14. Believes that the modernisation of the EU-Turkey Customs Union will face unsurmountable difficulties as long as the rule of law and the independence and impartiality of the judiciary in Turkey are compromised;
15. Reiterates its call on the Commission to take into consideration the developments in Turkey during the review of the IPA funds, and to assess concrete options as to how to increase support for Turkish civil society; underlines that no funds should go to projects managed by the Turkish ministries directly involved in or responsible for the dismantlement of the rule of law, such as the Ministry of Justice;
16. Recalls its call for the formal suspension of accession negotiations with Turkey if the constitutional reforms proposed by the Government and approved through a referendum are implemented unchanged, given that the new Constitution would not respect the Copenhagen criteria and would carry the understanding that Turkish lawmakers are no longer aiming at integration into the EU;
17. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, and the Government and Parliament of Turkey.