



Plenary sitting

B8-0092/2018

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 current human rights situation in Turkey
(2018/2527(RSP))

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on behalf of the ALDE Group

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

The European Parliament,

- having regard to its previous resolutions, in particular those of 27 October 2016 on the situation of journalists in Turkey¹, 24 November 2016 on EU_Turkey relations², and 6 July 2017 on the 2016 Commission Report on Turkey³,
 - having regard to the EU Negotiation Framework for Turkey of 3 October 2005, in particular paragraphs 4 and 5 thereof,
 - having regard to Turkey's membership of the Council of Europe, since 9 August 1949, which binds Turkey to and is bound by the European Convention on Human Rights and the rulings of the European Court of Human Rights,
 - having regard to Turkey's membership of the United Nations and adherence to the UN Charter, of which the promotion and protection of human rights is a key purpose,
 - having regard to the Commission recommendation of 21 December 2016 for a Council decision authorising the opening of negotiations with Turkey on an Agreement on the extension of the scope of the bilateral preferential trade relationship and on the modernisation of the Customs Union;
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the Turkish Government continues to implement broad and large-scale repressive measures, impacting all people in Turkey, in particular opposition parties and members of the Turkish Grand National Assembly, media workers and journalists, officials in the Turkish military, police and security forces, and officials working in the judiciary and in the state administration;
- B. whereas many of the measures taken are disproportionate, violate Turkish domestic legislation and are in breach of the commitments of a member of the Council of Europe and against the International Covenant on Civil and Political Rights;
- C. whereas Turkey has used the failed coup attempt of July 2016 as a pretext to implement these measures; whereas the EU condemned the failed military take-over in July 2016 and recognised the need for criminal prosecution of those responsible and involved in the attempted coup; whereas this must be done while respecting the right to a fair trial and due process;
- D. whereas President Erdoğan and representatives of the Turkish Government have made repeated statements on the re-introduction of the death penalty; whereas there are

¹ Texts adopted, P8_TA(2016)0423.

² Texts adopted, P8_TA(2016)0450.

³ Texts adopted, P8_TA(2017)0306.

serious concerns about the conditions for those detained and arrested following the coup, the wide-scale dismissal of state officials, and the severe restrictions on freedom of expression and on the press and media in Turkey; whereas a number of EU citizens have also been arrested on dubious grounds;

- E. whereas the Council of Europe's Venice Commission assessed that the constitutional changes approved in the April 2017 referendum 'would introduce a presidential regime which lacks the necessary checks and balances required to safeguard against becoming an authoritarian one'; whereas Turkey's emergency-decree laws include measures that go beyond what is permitted by international standards and the Turkish constitution;
 - F. whereas there are indications of systemic failures in the Turkish judicial system and the executive branch and to adequately withstand political pressure from the executive, as exemplified in some cases by the refusal of lower courts to follow the judgment of the Constitutional Court;
 - G. whereas paragraph 5 of the negotiating framework for the accession negotiations with Turkey stipulates that the Commission, in the case of a serious and persistent breach of the principles of liberty, democracy, respect for human rights, fundamental freedoms and the rule of law, can recommend the suspension of negotiations; whereas the Council decides by qualified majority on such a recommendation;
1. Strongly condemns the disproportionate repressive measures taken by President Erdoğan and the Turkish Government following the failed military coup in July 2016 and expresses its serious concern at the constitutional changes which were narrowly approved in the referendum of April 2017; reiterates that the proposed changes to the constitution do not respect the fundamental principles of the separation of powers, do not provide for sufficient checks and balances and are not in line with the Copenhagen political criteria as regards democracy, the rule of law, human rights and respect for and protection of minorities; reiterates its position from November 2016 to freeze the accession process with Turkey and its position from July 2017 to suspend the accession process with Turkey if the constitutional reforms are implemented unchanged;
 2. Reiterates its profound concern at the ongoing deterioration of fundamental freedoms and the rule of law in Turkey, and condemns the use of arbitrary detention, judicial and administrative harassment, travel bans and other means to persecute thousands of human rights defenders, members of independent civil society organisations, academics and ordinary citizens;
 3. Expresses serious concern at the arrests and continued detention of human rights defenders, politicians and civil society activists;
 4. Notes with concern the deterioration of Turkey's long-held secularist principles and values, including the increased persecution of religious and non-religious minorities; calls on the Turkish authorities to promote and guarantee religious pluralism and freedom of belief;
 5. Notes that countless Turkish citizens, along with EU citizens, are facing or have faced these disproportionate repressive measures, including many civil service employees and teachers who have been dismissed from their work;

6. Warns against the abuse of anti-terror measures to legitimise the repression of human rights;
7. Notes that the core of Turkish democracy is under threat, with many MPs having their parliamentary mandates revoked, their immunity lifted and/or being detained or arrested; notes that the opposition parties HDP and CHP are hardest hit; expresses its solidarity with legitimately elected parliamentarians who are being subjected to detention and intimidation and calls on the Turkish authorities to respect democratic mandates, release those detained and guarantee their rights to proper defence in fair and independent court proceedings; notes that local officials face similar pressure;
8. Underlines that the Turkish Grand National Assembly should be the central institution in Turkish democracy and represent all citizens on equal terms; regrets the high electoral threshold of the Assembly;
9. Expresses serious concern at the deteriorating scope for freedom of expression and freedom of the press and media in Turkey, with numerous media outlets, including online ones, closed, censored or taken over by the authorities, and journalists and media workers being detained, arrested or fired from their posts; recalls the paramount importance of a free and independent press to a democratic society; calls on the Turkish authorities to release the detained journalists and take urgent and fundamental measures to strengthen and restore freedom of the press and freedom of expression in the country; notes that the Turkish Government in many cases still fails to clarify on what legal grounds journalists have been arrested for sedition and disseminating propaganda affiliated with terror groups;
10. Expresses serious concern at the monitoring of social media platforms and the shutdown of social media accounts by Turkey's authorities; sees in this a further restriction to the freedom of expression and a tool to repress civil society;
11. Is concerned about the increasing imposition of restrictions on the activities of Turkey's LGBTIQ rights movement; reiterates that such developments are clear violations of personal freedoms; expresses profound concern at reports of human rights violations against LGBTIQ individuals; calls on the Turkish authorities to thoroughly investigate, in compliance with the European Convention on Human Rights, reports of maltreatment of LGBTIQ prison inmates;
12. Equally expresses serious concerns about the numerous judges, lawyers and human rights and civil society activists who have been arrested or detained, lost their work, or are facing pressure from the authorities, and points out that it is the legal obligation of the Turkish authorities to abide by the constitutional legal order in Turkey and uphold Turkey's obligations as a member of the Council of Europe;
13. Is of the view that the widespread violations of human rights and the rule of law and Turkey's planned constitutional reform, if implemented, are not in line with the Copenhagen political criteria; calls on the Commission therefore to make an assessment, based on paragraphs 4 and 5 of the EU Negotiation Framework, on the country's compliance with these political criteria and to present its formal opinion on the status of the accession negotiations, along with a comprehensive reflection on the future EU-Turkey relationship; insist that this should form the central part of the next

annual progress report on Turkey that the Commission will publish in April 2018;

14. 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;
15. Calls on the EU Delegation in Ankara to provide increased support and, where necessary and possible, public backing to human rights defenders, notably by monitoring and observing trials, requesting permission for prison visits and issuing statements addressing the Turkish authorities at all levels;
16. Notes that the established contacts between the European Parliament and the Turkish Grand National Assembly have been suspended; expresses its conviction that the EU-Turkey Joint Parliamentary Committee can resume its work in a constructive, open and trustworthy manner; recalls that in the absence of these regular meetings, the European Parliament could consider sending ad hoc delegations to Turkey, notably to observe and monitor trials and court proceedings, or related events, as was previously done in 2011-2013;
17. Notes that over three million Syrian refugees in Turkey have been generally well received, but that there are signs of increasing resentment towards the refugees; calls on Turkey to transparently monitor refugee camp conditions in compliance with human rights standards; urges the Turkish authorities to guarantee children's rights in particular as regards access to education and health care;
18. Encourages the Commission, the Council of Europe and the Venice Commission to offer additional judicial assistance to the Turkish authorities, in order to safeguard sound legal proceedings and adequate and safe detention conditions for those arrested for involvement in the military take-over attempts of 15 July 2016; calls on the Turkish authorities to closely cooperate with the Venice Commission;
19. Calls for a sustainable solution to the Kurdish question in Turkey based on a peaceful, inclusive and democratic process, is convinced that only a fair political settlement can bring stability and prosperity;
20. Reiterates its concern at the detention of dozens of individuals that have publicly criticised the Turkish military intervention in Syria, and in particular the recent attacks against Syrian-Kurdish positions; underlines the vital importance of an inclusive peace process that includes all relevant parties and pro-active EU involvement;
21. Underlines that while Turkey remains a vital and strategic partner, EU-Turkey relations should be built on conditionality provisions on respect for democracy, the rule of law and fundamental rights, in particular as regards the upgrading of the Customs Union, but also aim at increasing people-to-people contacts, such as student exchanges, and scientific and university cooperation through gradual visa facilitation; insists that visa liberalisation is based on fulfilment of all 72 benchmarks of the visa liberalisation

roadmap;

22. Stresses that Turkey must respect its obligations as a member of the Council of Europe; underlines that this includes a clear rejection of capital punishment; recalls that the reinstatement of the death penalty would lead to the automatic suspension of accession negotiations; stresses that the European Court of Human Rights is Turkey's anchor to Europe; urges the Turkish Government to therefore respect and implement its rulings;
23. Calls for this resolution to be translated into Turkish;
24. Asks its President to forward this resolution to the Government and Parliament of Turkey, to the Member States, to the Commission and to the External Action Service.