



Plenary sitting

B9-0407/2021

6.7.2021

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 132(2) of the Rules of Procedure

on the repression of the opposition in Turkey, specifically the Peoples' Democratic Party (HDP)
(2021/2788(RSP))

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on behalf of The Left Group

European Parliament resolution on the repression of the opposition in Turkey, specifically the Peoples' Democratic Party (HDP) (2021/2788(RSP))

The European Parliament,

- having regard to the European Council conclusions of 24 June 2021, and to other relevant Council and European Council conclusions on Turkey,
- having regard to its previous resolutions on Turkey, in particular those of 5 May 2021 on the 2019-2020 Commission Report on Turkey¹, of 20 January 2021 on the human rights situation in Turkey, notably the case of Selahattin Demirtaş and other prisoners of conscience² and of 19 September 2019 on the situation in Turkey, notably the removal of elected mayors³,
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 22 March 2021 on the state of play of EU-Turkey political, economic and trade relations (JOIN(2021)0008),
- having regard to the statement made by the European External Action Service Spokesperson for Foreign Affairs and Security Policy on 19 August 2019 on the suspensions of elected mayors and detainment of hundreds of people in south-east Turkey,
- having regard to the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the Commissioner for European Neighbourhood Policy and Enlargement Negotiations of 4 November 2016 on the detention of several HDP Members, including the party's co-chairs,
- having regard to the EU-Turkey negotiating framework of 3 October 2005, and the fact that, as is the case for all EU candidate countries, Turkey's accession to the EU depends on full compliance with the Copenhagen criteria,
- having regard to Article 46 of the European Convention on Human Rights, which states that the High Contracting Parties undertake to abide by the final judgments of the European Court of Human Rights (ECtHR) in any case to which they are parties, meaning that Turkey is obliged to implement all judgments of the European courts, including the ECtHR,
- having regard to the judgment of the ECtHR of 20 November 2018 in the case of Selahattin Demirtaş v Turkey, and to the judgment of the ECtHR Grand Chamber of 22

¹ Texts adopted, P9_TA(2021)0243.

² Texts adopted, P9_TA(2021)0028.

³ OJ C 171, 6.5.2021, p. 8.

December 2020 in the case of *Selahattin Demirtaş v Turkey* (14305/17),

- having regard to resolution 2260 of the Parliamentary Assembly of the Council of Europe of 24 January 2019 entitled ‘The worsening situation of opposition politicians in Turkey: what can be done to protect their fundamental rights in a Council of Europe member State?’,
- having regard to the opinions of the Council of Europe’s Venice Commission, in particular those of 10-11 March 2017 on the amendments to the constitution adopted by the Grand National Assembly on 21 January 2017 and to be submitted to a national referendum on 16 April 2017, on the measures provided in the recent emergency decree laws with respect to freedom of the media, and on the duties, competences and functioning of the criminal peace judgeships, of 6-7 October 2017 on the provisions of the emergency decree law No 674 of 1 September 2016 which concern the exercise of local democracy in Turkey, of 9-10 December 2016 on emergency decree laws Nos 667-676 adopted following the failed coup of 15 July 2016, and of 14-15 October 2016 on the suspension of the second paragraph of Article 83 of the Constitution (parliamentary inviolability),
- having regard to Rule 132(2) of its Rules of Procedure,
 - A. whereas respect for the principles of the rule of law and international law, including in particular the separation of powers and the fight against corruption and organised crime, freedom of association and peaceful protest, freedom of expression, and the rights of ethnic minorities and other minorities and communities, is an essential component of good relations between the EU and Turkey;
 - B. whereas the deterioration of fundamental freedoms in Turkey predates the period of the state of emergency declared after the coup attempt of 2016, which has been condemned; whereas a huge number of the legal provisions and restrictive elements of emergency rule have been integrated into law and whereas, therefore, the impact of the state of emergency on democracy and fundamental rights continues to be strongly felt in Turkish society;
 - C. whereas in recent years the Turkish authorities have constantly been committing attacks against and exerting pressure on opposition parties, and more specifically the People’s Democratic Party (HDP), including by sentencing its members;
 - D. whereas on 17 March 2021, the Chief Public Prosecutor of Turkey’s Court of Cassation first submitted an indictment to the Constitutional Court demanding the dissolution of the HDP;
 - E. whereas on 31 March 2021, the General Assembly of the Constitutional Court conducted the first examination of the indictment, finding procedural deficiencies, and decided to ask the Chief Public Prosecutor’s Office to rectify these deficiencies;
 - F. whereas on 7 June 2021 the Chief Public Prosecutor submitted a revised indictment to the Constitutional Court requesting the closure of the HDP, a political ban on nearly 600 HDP politicians and the freezing of the party’s bank accounts;

- G. whereas on 21 June 2021, the revised indictment was accepted unanimously by the General Assembly of the Constitutional Court
- H. whereas the Chief Public Prosecutor bases most of his accusations against the HDP on the Kobane demonstrations of October 2014, which were violently repressed and in which several people were killed by Turkish security forces, and for which there is an ongoing legal case launched against HDP politicians, including former co-chairs Selahattin Demirtaş and Figen Yüksekdağ;
- I. whereas these accusations were mainly based on a tweet posted by the HDP's Center Executive Board (dated 6 October 2014), which invited people to protest in solidarity with the people of Kobane against ISIS and against Turkey's embargo on Kobane;
- J. whereas there are 108 defendants from the HDP in the so-called Kobane trial; whereas 28 of them have been arrested pending trial; whereas there are judicial restrictions on six people and arrest warrants against 75 people;
- K. whereas just after the June 2015 general election, and then again in 2016, hundreds of HDP party offices, including the headquarters in Ankara, were attacked and many were burnt down; whereas on 17 June 2021, an assailant with a shotgun attacked the HDP party office in İzmir; whereas Deniz Poyraz, the daughter of a party employee, was in the office at the time and lost her life as a result of the assailant's gunfire;
- L. whereas the HDP building in İzmir had been targeted for months before the attack; whereas HDP party officials in İzmir had talked with the police and the governorship regarding the possibility of an attack against them, but the police had taken no precautions; whereas those attacking HDP offices had been encouraged by the government's rhetoric against the HDP;
- M. whereas on 30 June 2021, the Justice Ministry's prosecutors submitted to the Turkish Grand National Assembly's Joint Parliamentary Constitution and Justice Committee summaries of proceedings seeking to lift the legislative immunity of 20 opposition lawmakers from six different opposition parties;
- N. whereas these proceedings target 15 MPs from the HDP, the Republican People's Party (CHP) leader Kemal Kılıçdaroğlu and one lawmaker from each other opposition party, namely the Democratic Regions Party (DBP), the İYİ (Good) Party, the Workers' Party of Turkey (TİP) and the Democrat Party (DP);
- O. whereas Mr Demirtaş, a former member of the Turkish Parliament from 2007 to 2018, a former co-chair of the HDP and a presidential candidate during the elections of 2014 and 2018 (receiving 9.76 % and 8.32 % of the votes respectively), has been detained for more than four years on unsubstantiated charges and in spite of two ECtHR rulings in favour of his release;
- P. whereas since the local elections held on 31 March 2019, 59 of the 65 democratically elected HDP mayors in the south-east of Turkey have been replaced by government-appointed provincial governors or trustees on the grounds that they were under criminal investigation for alleged links to terrorism; whereas of the 36 arrested, 32 were released during the judicial process, but whereas six elected co-mayors still remain in prison;

1. Is deeply concerned by the serious backsliding on fundamental freedoms, the human rights situation and the continued erosion of democracy and the rule of law in Turkey, in violation of the Copenhagen criteria;
2. Underlines the stark contrast between the ‘Positive Agenda’ for EU-Turkey relations and the negative agenda in Turkey and the extraordinarily stifling effect it is having on the civil life of broad sectors of society; regrets in this context the latest negative development, namely Turkey’s withdrawal by decree from the Istanbul Convention, which took effect on 1 July 2021;
3. Expresses its deep concern about the way in which the Turkish authorities are treating and attacking the opposition, and more specifically the HDP; condemns this repression against the HDP and any other Turkish opposition parties in the strongest terms; calls on the Turkish authorities to put an immediate end to the suppression of opposition voices, and notably to end its systematic repression and hate campaign against the HDP and the Kurds;
4. Denounces the deadly attack on the offices of the HDP in Izmir, which resulted in the killing of Deniz Poyraz; expresses its condolences to her relatives and friends; urges the authorities to investigate this case thoroughly and bring those responsible to justice; believes that this assassination is not unrelated to the wider persecution of the HDP and the repression of all opposition voices by President Erdogan’s regime;
5. Is deeply concerned by the indictment re-filed at the Constitutional Court by the Chief Prosecutor of Turkey’s Court of Cassation seeking the dissolution of the HDP and apolitical ban on more than 600 HDP members; strongly believes that the decision to close down the HDP is simply the culmination of a general effort that has been ongoing for several years to disband it as an opposition voice, which has seen thousands of party members, MPs and mayors tried mainly on terrorist charges;
6. Strongly condemns the continued detention since November 2016 of former HDP co-chairs Figen Yüksekdağ and Selahattin Demirtaş, opposition leader and former presidential candidate; recalls the ECtHR’s ruling of 20 November 2018 in Selahattin Demirtaş v Turkey, confirmed by the ruling of its Grand Chamber on 22 December 2020, which calls on the Turkish authorities to immediately release Mr Demirtaş;
7. Condemns the decision to strip HDP MPs Leyla Güven, Ömer Faruk Gergerlioğlu and Musa Farisoğulları of their parliamentary seats and immunity, and their subsequent arrests; calls on the Turkish authorities immediately release them immediately and to drop all charges against them;
8. Is deeply concerned about the increasing pressure on all opposition parties and the latest decision of the Justice Ministry’s prosecutors to submit to the Turkish Grand National Assembly’s Joint Parliamentary Constitution and Justice Committee summaries of proceedings seeking to lift the legislative immunity of 20 opposition lawmakers from six different opposition parties
9. Calls for the immediate and unconditional release of Selahattin Demirtaş as well as all other political prisoners serving or awaiting prison sentences due to their affiliation with

the democratic opposition in Turkey; calls, in this respect, for an end to the ‘Kobane trial’ and the prosecution of the HDP;

10. Rejects the prospect of implementing the packaged Positive Agenda which was presented by the Council in the absence of a clear conditionality related to Turkey’s full respect for democracy, the rule of law and fundamental rights based on the Copenhagen criteria and international law vis-à-vis all EU Member States; firmly believes that a Positive Agenda for a country’s external relations can only endure if it is supported by a domestic policy that respects the democratic rights and fundamental freedoms of its own people and excludes arbitrary and undemocratic state repression;
11. Instructs its President to forward this resolution to the President of the European Council, the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the Government and Parliament of the Republic of Turkey.