



Plenary sitting

B9-0410/2021

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 Renew 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 its previous resolutions on Turkey, in particular those of 19 May 2021 on the 2019-2020 Commission Report on Turkey¹, of 20 January 2021 on the human rights situation in Turkey, in particular 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 Commission communication of 6 October 2020 on EU Enlargement Policy (COM(2020)0660) and to the accompanying Turkey 2020 Report (SWD(2020)0355),
- having regard to the negotiating framework for Turkey of 3 October 2005, and the fact that, as is the case for all candidate countries, Turkey's accession to the EU depends on full compliance with the Copenhagen criteria,
- having regard to the European Council conclusions of 24 June 2021 on external relations, and to other relevant Council and European Council conclusions on Turkey,
- 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 statements made by the European External Action Service (EEAS) Spokesperson of 19 August 2019 on the suspensions of elected mayors and the detention 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 arrest of several HDP Members, including the party's co-chairs,
- having regard to Article 46 of the European Convention on Human Rights, and to the obligation of Turkey to implement all judgments of the European Court of Human Rights (ECtHR),
- having regard to the judgment of the ECtHR Grand Chamber of 22 December 2020 in the case of Selahattin Demirtaş v Turkey (14305/17), and to the judgment of the ECtHR

¹ Texts adopted, P9_TA(2021)0234.

² Texts adopted, P9_TA(2021)0028.

³ Texts adopted, P9_TA(2019)0017.

of 20 November 2018 in the same case,

- having regard to resolution 2260 of the Parliamentary Assembly of the Council of Europe (PACE) 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 Rule 132(2) of its Rules of Procedure,
- A. whereas the Peoples’ Democratic Party (HDP) and other opposition parties have been continuously targeted by the Turkish authorities as part of the democratic backsliding in the country;
- B. whereas on 17 March 2021, the Chief Public Prosecutor of Turkey’s Court of Cassation submitted an indictment to the Turkish Constitutional Court demanding the dissolution of the HDP;
- C. 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;
- D. whereas on 7 June 2021 the Chief Public Prosecutor submitted a revised indictment to the Constitutional Court for the dissolution of the HDP;
- E. whereas in addition to asking for the party to be dissolved, the revised indictment, like the original one, demands a political ban for nearly 600 HDP politicians and a freeze on the party’s bank accounts;
- F. whereas on 21 June 2021, the General Assembly of the Constitutional Court carried out its first examination of the revised indictment and accepted it unanimously;
- G. whereas the Chief Public Prosecutor based most of his accusations against the HDP on the Kobane protests, for which there is an ongoing legal case launched against HDP politicians, including former co-chairs Selahattin Demirtaş and Figen Yüksekdağ;
- H. whereas these accusations are 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;
- I. whereas there are 108 defendants from the HDP in the ‘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;
- J. whereas on 17 June 2021, Deniz Poyraz, an employee of the HDP was murdered in HDP Party Offices in İzmir; whereas she was mutilated before and after her death;
- K. whereas the HDP building in İzmir had been targeted for months before the attack; whereas HDP party officials in İzmir had informed the police and the governorship of the possibility of an attack against them, but the police had taken no precautions;
- L. whereas the groups attacking HDP offices have been encouraged by the government’s

incitement against the HDP;

- M. whereas three HDP MPs have been stripped of their parliamentary seats and parliamentary immunity and have been arrested;
 - N. whereas on 30 June 2021, the Justice Ministry's prosecutors submitted to Turkish Grand National Assembly Joint Parliamentary Constitution and Justice Committee summaries of proceedings seeking to lift the legislative immunity of 20 opposition lawmakers from six different opposition parties;
 - O. 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);
 - P. whereas as of 1 March 2021 a total of 1 267 summaries of proceedings are under the review in the Turkish Grand National Assembly Joint Parliamentary Constitution and Justice Committee, of which 955 (75 %) are against 59 HDP MPs;
 - Q. whereas Selahattin 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 4 years on unsubstantiated charges and in spite of two ECtHR rulings in favour of his release;
 - R. 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 currently under criminal investigation for alleged links to terrorism; whereas of the 36 arrested, 32 were released during the judicial process, but whereas 6 elected co-mayors still remain in prison;
- 1. Strongly condemns the repressive actions and measures taken by the Turkish authorities against the HDP and other Turkish opposition parties;
 - 2. Denounces 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 the political ban on more than 600 HDP members; notes with grave concern that the HDP dissolution case is the culmination of a long crackdown on the party that has been ongoing for several years, and which has seen thousands of party members, executives, MPs, local councillors and co-mayors tried, mainly on terrorism-related charges;
 - 3. Strongly condemns the appalling 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;
 - 4. Calls on the Turkish authorities to refrain from fuelling incitement against the HDP and to take the necessary measures to protect the party's offices and officials, including MPs and elected local councillors and co-mayors;

5. 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 to release them immediately and to drop all charges against them;
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 ruling of 20 November 2018 in the case *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. Is deeply concerned about the increasing pressure on the main opposition party (the CHP) and its leader Kemal Kılıçdaroğlu, including the confiscation of party brochures by court order, the application for a waiver of immunity against Kılıçdaroğlu on the basis of his political statements, the threats made publicly against him and the physical attacks on him; reiterates its serious concern about the continuous political and judicial harassment of Canan Kaftancıoğlu, the Istanbul provincial chair of the CHP, who was sentenced in September 2019 to almost 10 years in prison on a politically motivated case, for which a Supreme Court decision is pending;
8. Calls on the Turkish authorities to release immediately and unconditionally all other members of the opposition arrested as part of the crackdown on all voices of dissent in the country and to drop all charges against them;
9. Is deeply concerned by the misuse of the broad anti-terrorism legislation; reiterates its call on the Turkish authorities to align their anti-terrorism legislation with international standards in order to ensure the effective protection of fundamental rights and freedoms and proportionality and equality before the law;
10. Condemns the recurrent use of revocation of the parliamentary status of opposition MPs, which seriously damages the parliament's image as a democratic institution; condemns the decision made by the Turkish authorities to remove democratically elected mayors from office on the basis of questionable evidence and replace them with unelected trustees; stresses that these actions continue to undermine the ability of the political opposition to exercise their rights and fulfil their democratic roles; is deeply concerned by this serious backsliding on the freedom of the opposition parties to function, which reveals the dire human rights situation in Turkey and the continued erosion of democracy and the rule of law, in violation of the Copenhagen criteria;
11. Underlines that democratic elections and a functioning parliamentary democracy are the basis for long-term stability and prosperity, and that the measures taken against opposition parties are in flagrant breach of European values, conventions and legal order; draws the attention of the Council and the Commission to the fact that the crucial area of fundamental rights and freedoms, which is at the core of the accession process, cannot be disconnected and isolated from overall relations and that it remains the main obstacle to progress on any positive agenda that could be offered to Turkey, which should also be contingent upon the full respect for the rights and freedom to function of the opposition parties' and elected officials;

12. Reiterates its regrets, as expressed in the resolution of 19 May 2021 on the 2019-2020 Commission Report on Turkey, that, since Parliament's last resolution, the situation has far from improved, but rather has deteriorated even further with regard to domestic, institutional and foreign policies; expresses its hope that this negative trend will be urgently and permanently reversed; insists firmly, however, if this does not happen, that the Commission should recommend, in line with the negotiating framework from October 2005, that accession negotiations with Turkey be formally suspended, in order for both sides to review, in a realistic manner and through structured and comprehensive high-level dialogue, the appropriateness of the current framework and its ability to function, or, if necessary, to explore possible new models for future relations;
13. 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 President, Government and Parliament of the Republic of Turkey.