

Question for written answer E-005494/2021

to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

Rule 138

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Subject: The detention of Osman Kavala

On 26 November 2021, an Istanbul court ruled that Turkish activist Osman Kavala¹ must remain in prison² and set the date of his next hearing for 17 January 2022³.

The Kavala case led President Erdoğan to threaten to expel the ambassadors of six EU Member States after they urged that he be released⁴.

The last ruling could pose an issue over Turkey's membership of the Council of Europe, which called for Mr Kavala to be released in line with a ruling of the European Court of Human Rights (ECHR)⁵, and ruled that it would notify Turkey of its intention to begin infringement proceedings over the country's refusal to release him⁶.

The Vice-President / High Representative (VP/HR) previously stated that 'Concrete and lasting improvements in the area of fundamental freedoms and the rule of law, independent judiciary, including the respect of the principle of presumption of innocence and due legal process remain essential for the development of EU-Turkey bilateral relations'⁷.

1. Will the VP/HR propose that the Council adopt sanctions, if necessary, in order to secure the release of Mr Kavala and ensure compliance with the 2019 ECHR ruling?
2. Are the European External Action Service and the EU Delegation to Turkey observing the judicial proceedings against Mr Kavala, and will they provide legal support where necessary in accordance with the EU Guidelines on Human Rights Defenders?

¹ <https://www.osmankavala.org/en/>

² <https://www.france24.com/fr/moyen-orient/20211126-en-turquie-le-milliardaire-rouge-osman-kavala-reste-derr%C3%A8re-les-barreaux>

³ <https://www.lefigaro.fr/flash-actu/turquie-le-philanthrope-osman-kavala-maintenu-en-prison-par-ses-juges-au-moins-jusqu-au-17-janvier-20211126>

⁴ <https://www.dw.com/en/turkeys-osman-kavala-case-a-break-with-europe/a-59596299>

⁵ <https://www.coe.int/en/web/commissioner/-/turkey-decision-to-prolong-the-detention-of-osman-kavala-displays-contempt-for-human-rights-and-the-rule-of-law>

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https://search.coe.int/directorate_of_communications/Pages/result_details.aspx?ObjectId=0900001680a4c19d

⁷ https://www.europarl.europa.eu/doceo/document/E-9-2019-002739-ASW_EN.html