



EuroMed Rights  
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الأورو-متوسطية لحقوق

Ankara, 3 November 2018

Dear Human Rights Association members,

First of all, I'd like to thank you all for your kind invitation to participate to the 19<sup>th</sup> Ordinary General Assembly as the President of EuroMed Rights.

On behalf of EuroMed Rights and of the whole network, I'd like to congratulate with you all for the amazing work that your conducting on a daily-basis here in Turkey since 1986. The enduring struggle for human rights, in which we are all engaged, needs actors deeply rooted in the civil society movement and well-aware of the national environment. Today more than ever.

The partnership between our associations is a long-term one, based on the sharing of the very same values and democratic principles. The Human Rights Association represents for EuroMed Rights not only a high-standing member but also a friend with whom EuroMed Rights is proud to work, aiming to improve the respect of human rights in Turkey and to raise our common concerns at national, regional and European level.

Prior to continue with my speech, as today is Saturday, allow me to take the opportunity of this meeting to offer mine and EuroMed Rights solidarity to the Saturday's Mothers movement. Enforced disappearances of persons under custody constitute a shame for all the countries. In Turkey, this shame has been aggravated by police forces' attack against the families of the forcibly disappeared before their 700<sup>th</sup> sit-in.

The Turkish government attitude, who is preventing Saturday's Mothers to continue their vigils and to express their legitimate demand for justice, is even worst. Turkish authorities must officially apologize with them and remove the ban established on their peaceful meetings at Galatasaray square. Their freedom of assembly and their peaceful quest for justice must be respected.

As I was saying, sharing common values, the promotion of active citizenship and the fight for the respect everybody's basic human rights are the pillars on which our relationship, our friendship is based.

Today the dialogue between the two shores of the Mediterranean is more crucial than ever. We are ready to do our part in building and strengthening dialogue and cooperation between the North and the South of the Mediterranean Sea, and to propose answers to the burning questions of the region that are firmly rooted in human rights and democratic principles.



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The mobilisation of civil societies in the countries of the region already proved of key importance to respond to the shrinking spaces for their action.

EuroMed Rights is proud to act as the facilitator of collaborations within the Euro-Mediterranean region and, in these crucial times, our aim is to promote cooperation between citizens in the region to counter a growing feeling of insecurity that the intolerance towards others may entail.

Turkey is key geographical country in the dialogue between the two shores of the Mediterranean Sea and the Human Rights Association is a pivotal actor for the enhancement of the of this dialogue but also for the reinforcement and protection of human rights for all its citizens.

In recent years, we witnessed that Turkey's repression toolkit has significantly expanded and the space for independent civil society and other human rights defenders' work and the expression of dissenting opinions has dramatically shrunk.

While formally a democracy, Turkey is increasingly marked by an authoritarian form of majority rule that disregards the safeguards, checks and balances that are required to protect minorities and independent and dissenting voices under the rule of law. In particular, the judiciary seems to be subjected to increasing political interference and to serve as a tool to suppress these voices.

The space for independent media and civil society is shrinking in an atmosphere in which opposition to the government is conflated with betrayal and terrorism.

We consider that international pressure is needed to push the Turkish government towards greater respect for human rights and the rule of law and towards the respect of citizens' basic human rights and democratic liberties.

However, countries that used to have leverage over Turkey have so far failed to use that leverage to demand greater respect for human rights. Several countries, in prioritizing the fight against terrorism over human rights in their bilateral and multilateral relations, have provided legitimacy to the Turkish government's anti-terrorism narrative, which serves as an excuse to justify a crackdown on independent and dissenting voices.

As for the European Union (EU), the main obstacle is the presence on Turkish territory of a large number of asylum-seekers and refugees (mostly from Syria), a number of whom may be willing to pursue their journey to Western Europe. The Turkish government has used the refugee issue as a bargaining chip in negotiations with the EU, but this should not lead the latter to turn a blind eye to Turkey's deteriorating human rights record.

On 15 July 2016, during the attempted coup d'état, hundreds of civilians, soldiers and police officers lost their lives. While nothing can justify a military coup and while the perpetrators must be brought to justice, the failed coup should not have been a pretext for the Turkish authorities to shut down thousands of civil



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society organisations and to muzzle independent media while keeping social media under tight government surveillance. 2016 was reported as the worst year for human rights in Turkey since it became a candidate country to the European Union (EU) in 1999.

Since 2016, purges of civil servants and university teachers have affected several human rights defenders who also face arrests, judicial harassment and in many cases are banned from travelling abroad. Continuous violations of the right to a fair trial as well as of freedom of expression, association and peaceful assembly are having devastating effects on the civil society space at large.

Throughout the entire period the SoE was in place, fundamental freedoms were heavily curtailed, and dissenting voices systematically silenced. More than 150,000 civil servants and university teachers were dismissed from their functions. On December 2016, the Council of Europe's Venice Commission stated that *"the Government interpreted its extraordinary powers too extensively and took measures that went beyond what is permitted by the Constitution [of the Republic of Turkey] and by international law."*

Both the 2017 Constitutional referendum and the 2018 Presidential and Parliamentary elections took place in a climate of intimidation and fear. Civil society and independent media were censored and prevented from participating to the debates before the referendum, hundreds were closed down and thousands of people holding dissenting views were detained or subjected to judicial harassment.

The adoption of the constitutional reform by referendum on 16 April 2017 put an end to the independence of the judiciary and diminished the role of the Parliament, while increasing President's executive power.

As stated by the OSCE-ODIHR International Observation Mission: *"Under the state of emergency (...), fundamental freedoms essential to a genuinely democratic process were curtailed (...). One side's dominance in the coverage and restrictions on the media reduced voters' access to a plurality of views."* OSCE observers concluded that the consultations took place on *"an unlevel playing field"* and urged Turkish authorities to shed light on allegations of fraud.

As for the Presidential and parliamentary elections of June 2018, authorities used emergency powers to silence independent media in the country. These snap elections were held during the last renewal of the state of emergency (SoE), for the seventh time in a row.

As remarked by U.N. High Commissioner for Human Rights, Zeid Ra'ad Al Hussein: *"Elections held in an environment where democratic freedoms and the rule of law are compromised would raise questions about their legitimacy and result in more uncertainty and instability."*

Despite the fact that the state of emergency has been officially lifted on 18 July 2018, our organisations share common concerns on the law no. 7145 and strongly condemn the passage from a state of emergency legislation to an ordinary emergency one. EuroMed Rights and IHD jointly reaffirm that human rights and the rule of law cannot be sacrificed in the name of the fight against terrorism.



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The political environment in Turkey has deteriorated over the last years: since the Gezi Park's events the Turkish government has labelled dissenting voices as terrorists (*capulcular*) and charged them with membership or support to illegal organizations (Anti-Terror Law no. 3713), sedition, attempt to change the constitutional order. Also, the provisions set for by the law on demonstrations no. 2911, notably articles 23 and 28, have been used and are still used as a ground for judicial harassment.

The de facto permanent State of Emergency put in place thanks to the adoption of law no. 7145 is contributing to the deterioration of civil liberties and to the ongoing repression of civil society in Turkey and the restriction of the basic rights and freedoms of Turkey's citizens.

Furthermore, few days after the inauguration of Istanbul third airport, I'd like to highlight my deep concern in connection with the situation of the airport construction workers. I call the authorities to improve working conditions and investigate deaths and injuries rather than using the police and courts to stifle workers' demands.

An additional concern on Turkey is given by the latest GREVIO report on women's rights: despite having been the first country to ratify the Istanbul convention, nowadays the situation of women in the country is not safer than before. The anti-terror measures, the security operations in South-East Turkey, and the draining of resources in the civil service sector that came with the mass dismissal of civil servants following the failed coup attempt are not propitious to the fulfilment of women's right to live a life free from violence. As remarked by GREVIO: *"the increasingly restrictive conditions experienced by civil society organisations, in particular independent women's organisations who have advocated the Istanbul Convention and its principles. This situation points to the urgent need to provide an enabling and conducive environment allowing women's organisations representing all groups of women to thrive and to co-operate with the authorities in the development and evaluation of policies."*

Lastly, EuroMed Rights shares the Human Rights Association's concerns on the new law on Association. We consider that the new amendments may prevent citizens to engage in civil society and to enjoy their constitutionally granted freedom of assembly and association.

EuroMed Rights will continue to offer its support to the Human Rights Association during these hard times and will back up its activities, offering its capability as well ahead and during the next March local elections.



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For all the reasons mentioned above, as the President of EuroMed Rights, I call the Turkish authorities:

- To be open to cooperation with national and international human rights organs as well as organisations.
- To stop all kinds of harassment against opposing or dissenting voices
- To refrain from using violent or polarizing discourses and incitements;
- Deter from using criminal proceedings and other forms of judicial harassment against those who peacefully exercise their fundamental rights or carry out their professional duties.
- Avoid any criminalization of freedom of peaceful assembly and of association.
- Guarantee the right to freedom of assembly, as well as freedom of expression to everyone without discrimination of any kind
- Stop applying provisions of the Anti-Terror Law to peaceful dissenting voices
- Turkey must return to the conditions of peace period 2013-2015
  - The whole International Community should encourage Turkey in this respect

I also call on the European Union:

- To completely support civil society
- To encourage Turkey to uphold human rights principles
- prioritize a human rights-based approach in its relations with Turkey, including in negotiations on economic cooperation, trade and investment
- As for the Council of Europe, after the lift of the State of Emergency, it must urge the Turkish authorities to comply with their universal human rights obligations.