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11 October 2022

The honouring of obligations and commitments by Türkiye

Amendment¹ No. 3

tabled by the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

In the draft resolution, paragraph 10.7, replace the last two sentences with the following text:

"The Assembly is concerned by the draft amendment of Article 217/A to the Turkish Criminal Code that would criminalise the dissemination of "false or misleading information" and lead to prison sentences. For the Venice Commission, such amendment would amount to an interference with the freedom of expression which "would be neither 'necessary in a democratic society' nor proportionate to the legitimate aims of prevention of disorder and protection of national security, of health and of rights of others". Beside its potential detrimental impact, namely, the chilling effect and increased self-censorship, this amendment could cause irreparable harm to the exercise of freedom of speech before elections. The Assembly is therefore very concerned about the possible consequences of this legislation in view of the presidential and parliamentary elections planned in 2023 and urges the Turkish authorities, in light of the Venice Commission's urgent opinion of October 2022, not to enact this draft amendment to the Criminal Code."

1. 2022 - Fourth part-session

