



Doc. 14282 – Compendium of written amendments
25/04/2017

(Revised version)

The functioning of democratic institutions in Turkey

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A. Draft Resolution

1. On 15 July 2016, Turkey suffered a failed coup d'état initiated by a group within the Turkish armed forces, which resulted in 248 people being killed and 2 000 wounded. The Parliamentary Assembly has firmly condemned this attempt to overthrow the country's democratically elected institutions, in particular the Turkish Grand National Assembly, which was bombarded that night, and fully acknowledges that these events were traumatic for Turkish society. The Assembly expressed its support and praised the Turkish people for uniting to reject this attempted military coup, thus demonstrating its democratic maturity. The Turkish authorities declared that members of the Gülen movement were behind the attempted coup, which prompted the authorities to launch a vast purge in the State institutions that had been infiltrated by the movement – a view which seems to be widely accepted by Turkish society.
2. That night, Turkey faced a dangerous armed conspiracy, which gave the President of the Republic a legitimate reason to declare a state of emergency and give extraordinary powers to the government. In line with Article 15 of the European Convention on Human Rights (ETS No. 5), Turkey derogated from certain human rights. The three-month state of emergency has been prolonged twice since then, in October 2016 and January 2017, with the parliament's agreement.
3. While recalling that state of emergency regimes aim at re-establishing public order, the Assembly stresses that this situation should remain within the limits set by the Constitution and the domestic and international obligations of the State. The state of emergency should thus be strictly limited in time and effect, and be lifted as soon as possible.

Amendment 19

Tabled by Mr Markar ESEYAN, Mr Şaban DİŞLİ, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 1, replace the last sentence with the following sentence: "The Turkish authorities declared that the members of the Fetullah Gülen Terrorist Organisation/Parallel State Structure (FETÖ/PDY) were behind the coup attempt which prompted the authorities to launch measures in the State institutions that had been infiltrated by the terrorist organisation - a view which seems to be widely accepted by Turkish society."

Amendment 3

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKÇÜ

In the draft resolution, paragraph 2, replace the last sentence with the following sentence: "The three-month state of emergency has been prolonged three times since then, in October 2016, January 2017 and April 2017, with the parliament's agreement."

Amendment 4

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKÇÜ

In the draft resolution, paragraph 3, replace the words "as soon as possible" with the following word: "immediately".

Amendment 21

Tabled by Mr Markar ESEYAN, Mr Şaban DİŞLİ, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, after paragraph 3, insert the following paragraph:

"The Assembly is fully aware that as a sovereign country and as a democratic State based on the rule of law, Turkey has the duty and obligation to take necessary measures to protect its citizens against terrorism and to establish public order on

its territory in line with its constitutional order and international norms."

4. The Assembly is fully aware that Turkey is facing multiple threats and challenges due to its adverse geopolitical situation: with the ongoing conflict in Syria, 3 million refugees fled to Turkey, whose efforts to accommodate and take care of many refugees should again be commended.
5. Turkey has faced massive and repeated terrorist attacks perpetrated by the so-called "Islamic State of Iraq and the Levant" (ISIL/Daesh), the "Kurdistan Workers' Party" (PKK) and the PKK-affiliated "Kurdistan Freedom Hawks" (TAK). These attacks caused hundreds of casualties in Ankara, Suruç, Istanbul, Bursa, Diyarbakır, Kayseri and other cities in Turkey. In addition, the border city of Kilis was targeted by shelling from Syrian territory. The Assembly unequivocally condemns these attacks and all terrorist action and violence perpetrated by the PKK, Daesh or any other organisation, which can by no means be tolerated.
6. The Assembly stresses Turkey's right and duty to fight terrorism and address security issues in order to protect its citizens and its democratic institutions. It recalls, however, that the fight against terrorism nationwide, as well as the security operations conducted in south-east Turkey must adhere to the principles of the rule of law and human rights standards, which require any interference with basic human rights to be defined in law, necessary in a democratic society and strictly proportionate to the aim pursued, in accordance with its international obligations.

Amendment 6

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKCÜ, Mr Nikolaj VILLUMSEN

In the draft resolution, at the end of paragraph 6, insert the following words: ", including the revision of the legislation and practices on terrorism in line with European standards".

Amendment 22

Tabled by Mr Markar ESEYAN, Mr Şaban DİŞLİ, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, after paragraph 6, insert the following paragraph:

"The Assembly further underlines that the PKK is a vicious terrorist organisation which is in the lists of terrorist entities of the EU as well as the USA and many other countries. The terrorist organisation PKK poses a grave threat not only to Turkey, but also to Europe. Lately the PKK has visibly increased its fundraising, propaganda and recruitment within Europe. The Assembly stresses the importance of eliminating all illegal activities affiliated with the PKK all around Europe."

Amendment 23

Tabled by Mr Markar ESEYAN, Mr Şaban DİŞLİ, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap

7. Unfortunately, eight months after the attempted coup, the situation has deteriorated and measures have gone far beyond what is necessary and proportionate. The authorities have been ruling through decree laws going far beyond what emergency situations require and overstepping the parliament's legislative competence. The Assembly is also concerned that most of the decree laws have so far not been approved (as required by the Constitution), or their implementation monitored by the parliament, which the Assembly considers to be a serious democratic deficiency.

8. The Assembly recalls its Resolution 2121 (2016) on the functioning of democratic institutions in Turkey, adopted in June 2016, namely prior to the failed coup, according to which the developments pertaining to freedom of the media and of expression, erosion of the rule of law and the alleged human rights violations in relation to the anti-terrorism security operations in south-east Turkey constituted a threat to the functioning of democratic institutions and the country's commitment to its obligations towards the Council of Europe. The Assembly regrets that none of the issues identified have been addressed. The

YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, after paragraph 6, insert the following paragraph:

"The Assembly is fully aware that Turkey, while simultaneously countering many fierce terrorist organisations such as the PKK, DHKPC, DAESH and FETÖ, maintains its support for strengthening the role of the Council of Europe in achieving a greater European unity."

Amendment 24

Tabled by Mr Markar ESEYAN, Mr Şaban DİŞLİ, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, replace paragraph 7 with the following paragraph:

"Eight months after the attempted coup, the situation has been stabilised to a certain extent. The decree-laws, which have been necessarily issued to take measures in proportion to the present crisis, have been playing an important role in stabilising the situation and in fighting terrorist organisations. However, the Assembly notes that most of the decree-laws have so far not been approved by Parliament (as required by the Constitution)."

Amendment 56

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, after paragraph 7, insert the following paragraph:

"In this context, the Assembly recalls that the reintroduction of the death penalty would be incompatible with membership of the Council of Europe and urges the Turkish Grand National Assembly to refrain from any move that could lead to the reintroduction of capital punishment and thus jeopardise Turkey's membership of the Council of Europe".

Amendment 25

(If adopted, amendment 7 falls)

Tabled by Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 8, replace the last two sentences with the following sentences: "The Assembly notes with satisfaction the steady

Assembly has, on the contrary, noted that the harmful developments observed in June 2016 have accelerated and worsened since the failed coup.

normalization of the daily life of civilians and the functioning of democratic institutions in the region since June 2016. In this context, the Assembly also welcomes the announced investment and development program by the Turkish Government and supports the efforts to eliminate the safety problems associated with PKK terrorist activity in the region."

Amendment 7

(Falls if amendment 25 is adopted)

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECIOĞLU DEMİR, Mr Ertuğrul KÜRKCÜ, Mr Nikolaj VILLUMSEN

In the draft resolution, at the end of paragraph 8, insert the following words: "as graphically evidenced by the February 2017 report of the Office of the United Nations High Commissioner for Human Rights and three successive reports by the Council of Europe Commissioner for Human Rights in October and December 2016 and February 2017".

9. The Assembly is in particular concerned about the stripping of the immunity of 154 MPs in May 2016, which the European Commission for Democracy through Law (Venice Commission) described in October 2016 as an ad hoc, "one-shot" and ad hominem measure, as well as a misuse of the constitutional amendment procedure, thus not in line with Council of Europe standards. It further condemns the ongoing detention of 12 parliamentarians since November 2016, and is dismayed by the Prosecutor's Office requests calling for respectively 142 years' and 83 years' imprisonment for the People's Democratic Party (HDP) Co-Chairs, Selahattin Demirtaş and Figen Yuksekdağ.

Amendment 26

Tabled by Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 9, delete the words: ", as well as a misuse of the constitutional amendment procedure, thus not in line with Council of Europe standards".

10. The Assembly concludes, with great concern, that such lifting of immunity has seriously undermined the democratic functioning and position of the parliament. In addition, this decision has disproportionately affected the opposition parties and in particular the HDP, with 55 out of 59 (i.e. 93%) of its members stripped of their immunity. This has had a deterrent effect and has led to serious restrictions to democratic debate in the run-up to the constitutional referendum of 16 April 2017 to establish a presidential system. It also paved the way for the arrest and the current detention of 12 HDP members of parliament, including the two co-chairs of the party, and also the arrest of hundreds of HDP officials, which has rendered the party inoperative. The Assembly deeply regrets that its delegations were repeatedly denied access to these detained parliamentarians.

11. At the same time, the Assembly is concerned about the situation of local administrations in south-east Turkey: it notes with concern that trustees appointed by the government have taken over the administration of two thirds of the municipalities which were governed by pro-

Amendment 27

(If adopted, amendment 9 falls)

Tabled by Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap

Kurdish political parties. Dozens of their mayors are currently in prison.

YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 11, replace the words: "have taken over the administration of two thirds of the municipalities which were governed by pro-kurdish political parties. Dozens of their mayors are currently in prison." with the following words: "had to take over the administration of a certain number of the municipalities. Dozens of their mayors, who are accused of promoting terrorism and supporting terrorist acts, are currently in prison. The Assembly reiterates that democratically elected public officials should exercise their duty in a legitimate manner and in compliance with the law. In this context, the Assembly condemns the misuse of public power which impairs the functioning of democratic institutions in Turkey."

Amendment 9

(Falls if amendment 27 is adopted)

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHANSSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKCÜ, Mr Nikolaj VILLUMSEN

In the draft resolution, paragraph 11, replace the words "pro-Kurdish political parties" with the following words: "the Democratic Regions Party (DBP)".

Amendment 57

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, at the end of paragraph 11, insert the following sentences: "The Assembly deplores that these detentions have suspended the practical exercise of local democracy in that region, led to a disproportionate supervision of local administrations through the appointment of trustees and reduced local public services, in contravention of the European Charter of Local Self-Government. The Assembly urges the Turkish authorities to release, where appropriate, the mayors currently in pre-trial detention and fully restore local democracy in southeast Turkey, in line with Resolution 416 (2017) and Recommendation 397 (2017) of the Congress of Local and Regional Authorities."

12. The Assembly considers that these developments amount to a serious deterioration of the functioning of democratic institutions in the country, particularly by weakening the role of the elected representatives and undermining the legislative and supervisory functions of the parliament. Recalling its Resolution 2127 (2016) on parliamentary

immunity and the 2016 Venice Commission opinion, the Assembly therefore calls on the Turkish authorities to:

- 12.1. release the arrested parliamentarians, unless they are convicted after due process and a fair trial;

Amendment 28

(If adopted, amendments 10, 11 falls)

Tabled by Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, delete paragraph 12.1.

Amendment 10

(Falls if amendment 28 is adopted)

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKÇÜ, Mr Nikolaj VILLUMSEN

In the draft resolution, paragraph 12.1, delete the following words: ", unless they are convicted after due process and a fair trial".

Amendment 11

(Falls if amendment 28 is adopted)

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKÇÜ, Mr Nikolaj VILLUMSEN

In the draft resolution, paragraph 12, switch paragraphs 12.1 and 12.3.

- 12.2. restore the inviolability of the MPs stripped of their immunity, based on the conclusions of the Venice Commission;

Amendment 29

Tabled by Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, delete paragraph 12.2.

- 12.3. authorise Parliamentary Assembly and international parliamentary delegations to visit the detained parliamentarians.

13. The Assembly expresses its deep concern about the scale and extent of the purges conducted in the public administration and the judiciary, and many other public institutions, targeting alleged members of the Gülen movement. The Assembly recalls its Resolution 2121 (2016) and notes that the Gülen movement, a former ally of the ruling party operating legally until 2014, was later labelled "Fethullahist Terrorist Organisation"/"Parallel State Structure" and considered a terrorist organisation. According to the Venice Commission, while civil servants have an obligation to be loyal vis-à-vis the State and not to take instructions from external sources, it is the duty of the State to clarify to all public servants when a hitherto

Amendment 30

Tabled by Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 13, first sentence, replace the words: "purges conducted" with the following words: "dismissal of public servants".

well-established organisation is subsequently considered as a “threat to the national security” – and becomes thus incompatible with public service – to avoid lack of information and clarity which could lead to “unjust dismissals which may be seen as retroactive punishment”.

14. These measures have had a serious impact on the functioning of the State institutions: a quarter of judges and prosecutors, a tenth of the police force and 30% of the staff in the Ministry of Foreign Affairs have been dismissed, not to mention the nearly 5 000 academics dismissed since July 2016, which is impeding the running of the universities.
15. The Assembly is extremely worried about the high number of individuals arrested and kept in custody waiting indictment, without access to their files. The Assembly expects the Turkish authorities to resort to pretrial detention only as a last resort and on valid grounds.
16. The Assembly is also dismayed by the social consequences of the measures applied in the framework of the state of emergency: those dismissed have had their passports cancelled. They are banned from ever working again in public administration, or in institutions which have links to the public administration. They have no access to a social security scheme and their assets have been seized – which raises question about the protection of property rights. Their families have also been affected by these measures. The Assembly fears that these measures amount to a “civilian death” for those concerned. This situation will have a dramatic and detrimental long-term effect on Turkish society, which will need to find the means and mechanisms to overcome this trauma.
17. The Assembly welcomes the decision taken on 23 January 2017 to establish a national administrative commission (“Inquiry Commission on State of Emergency Measures”) to ensure an effective national judicial remedy for individuals or moral entities (associations, foundations, private institutions, media, etc.) to challenge measures taken under the decree laws. The Assembly deems it important that the decisions of this commission are subject to judicial review by the competent administrative

Amendment 31

Tabled by Ms Serap YAŞAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 13, first and second sentences, replace the words “Gülen movement” with the following words: “FETÖ/PDY”.

Amendment 32

Tabled by Ms Serap YAŞAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 13, second sentence, delete the words “, a former ally of the ruling party operating legally until 2014,”.

Amendment 33

Tabled by Ms Serap YAŞAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 16, delete the third sentence.

Amendment 12

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHANSSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKÇÜ

In the draft resolution, paragraph 17, after the first sentence, insert the following sentence: “The Assembly is concerned that the members

courts, whose decisions may be further challenged before the Constitutional Court and, as a last resort, before the European Court of Human Rights, which will then decide whether a remedy is effective or not. The Assembly will closely follow the work of this commission and the effective access, within a reasonable time, to legal remedies of those affected by the decree laws.

18. The Assembly also notes that the Constitutional Court has not yet reached a decision on whether or not it should examine the 50 000 individual applications pending in relation to the publication of the emergency decree laws. The Assembly recalls in this respect that the right to individual petition introduced in 2010 has proved to be an effective means for the Constitutional Court to redress human rights violations in recent years. It therefore invites the Constitutional Court to confirm this practice.

19. The Assembly remains worried about respect for fundamental rights under the state of emergency. Considering the scale of the operations undertaken, the Assembly is concerned that the state of emergency has been used not only to remove those involved in the coup from the State institutions, but also to silence any critical voices and create a climate of fear among ordinary citizens, independent non-governmental organisations (NGOs) and the media, jeopardising the foundations of a democratic society.

20. In this respect, the Assembly welcomes the willingness expressed by the Turkish authorities to continue the dialogue with the Council of Europe, and values the efforts of the joint working group established by the Turkish Minister of Justice and the Secretary General of the Council of Europe. The adoption of three decree laws on 23 January 2017, restoring access to lawyers from the first day of custody and limiting police custody to seven days (renewable once at the request of the Public Prosecutor in certain cases), is a positive result of this co-operation. The Assembly now expects these first steps to be followed by others in order to address the remaining procedural shortcomings resulting from the decree laws and upgrade the human rights situation and domestic redress mechanisms. The failure to do so will certainly result in the European Court of Human Rights facing tens of thousands of applications from Turkish citizens in the coming years.

of this commission are yet to be appointed and the commission is not operating."

Amendment 34

(If adopted, amendment 13 falls)

Tabled by Ms Serap YAŞAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, replace paragraph 19 with the following paragraph:

"The Assembly will continue to follow closely the situation of fundamental rights under the state of emergency."

Amendment 13

(Falls if amendment 34 is adopted)

Tabled by Mr Hişyar ÖZSOY, Mr Andrej HUNKO, Ms Lotta JOHNSSON FORNARVE, Ms Filiz KERESTECİOĞLU DEMİR, Mr Nikolaj VILLUMSEN

In the draft resolution, paragraph 19, after the words "ordinary citizens," insert the following word: "academics,"

21. In the light of the serious concerns and established violations of human rights under the state of emergency, as highlighted by the Venice Commission and the Council of Europe Commissioner for Human Rights, the Assembly also urges the Turkish authorities to:

21.1. lift the state of emergency as soon as possible;

Amendment 35

(If adopted, amendment 14 falls)

Tabled by Ms Serap YAŞAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, delete paragraph 21.1.

Amendment 14

(Falls if amendment 35 is adopted)

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKÇÜ

In the draft resolution, paragraph 21.1, replace the words "as soon as possible" with the word "immediately".

21.2. put an end to the collective dismissal of civil servants through decree laws, which negate procedures based on individual cases respectful of the presumption of innocence;

Amendment 36

Tabled by Ms Serap YAŞAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, delete paragraph 21.2.

21.3. take all necessary steps to ensure that the newly created Inquiry Commission on State of Emergency Measures starts its work rapidly and with adequate human and financial resources; ensure that its decisions are taken quickly, independently and transparently in order to start a judicial review procedure, so as to ensure that any wrongdoing is properly redressed with due diligence;

Amendment 37

Tabled by Mr Suat ÖNAL, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 21.4, delete the following words: ", in particular with respect to the duration of detention and effective access to lawyers".

21.4. redress the procedural shortcomings under the state of emergency, in particular with respect to the duration of detention and effective access to lawyers;

21.5. abolish the provision providing for the stripping of citizenship in cases of trials in absentia, which is contrary

to international legal instruments and may result in statelessness;

- 21.6. amend the decree laws to ensure that all transfers of property to the State are temporary, subject to final adjudication at the end of the state of emergency, and in full compliance with Article 6.1 of the European Convention on Human Rights;
- 21.7. ensure that the right to education, as set out in Article 2 of the Protocol to the European Convention on Human Rights (ETS No. 9), is fully protected.
22. The Assembly reiterates its deep concern about the situation in south-east Turkey, which has been subjected to security operations since August 2015. It shares the concerns expressed by the Commissioner for Human Rights about violations of fundamental rights in the region, including property rights, access to education and lack of effective investigations into alleged human rights violations. The Assembly is also shocked by the investigations launched against human rights organisations which reported on alleged human rights violations – deemed credible – in Cizre.
23. In this context, the Assembly is appalled by the adoption of the 2016 Law on the legal protection of security forces involved in the fight against terrorist organisations, which could encourage impunity. It nevertheless notes that the authorities seek to pursue a zero-tolerance policy with respect to torture and ill-treatment. It thus urges the Turkish authorities to:
- 23.1. repeal the 2016 Law on the legal protection of security forces involved in the fight against terrorist organisations; ensure that effective investigations into allegations of unlawful acts are carried out in order to guarantee that those responsible are held accountable for unlawful acts, including for ill-treatment, excessive use of force or any other abuse of power;
- 23.2. establish an effective and independent complaints mechanism to combat impunity, as suggested by the Commissioner for Human Rights;
- 23.3. authorise, without any undue delay, the publication of the last reports prepared by the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and implement the CPT's recommendations.
24. With respect to freedom of the media and of expression, the Assembly is alarmed by the repeated violations of freedom of the media, the large number of journalists currently detained and the pressure exerted on critical journalists, which is unacceptable in a democratic society. Council of Europe member States have a positive obligation to ensure freedom of expression, protection of journalists and access to information and to create the

Amendment 17

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKÇÜ

In the draft resolution, paragraph 22, replace the words "Commissioner for Human Rights" with the following words: "Council of Europe Commissioner for Human rights and the United Nations High Commissioner for Human Rights".

Amendment 38

Tabled by Mr Suat ÖNAL, Mr Şaban DIŞLİ, Mr Markar ESEYAN, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 23.1, delete the following words: "repeal the 2016 law on the legal protection of security forces involved in the fight against terrorist organisations;"

Amendment 39

Tabled by Mr Suat ÖNAL, Mr Şaban DIŞLİ, Mr Markar ESEYAN, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap

conditions to enable the media to act as public or social watchdogs and inform the public on matters of general and public interest.

25. The Assembly recalls in particular its Resolution 2121 (2016) on the functioning of democratic institutions in Turkey, and Resolution 2141 (2017) on attacks against journalists and media freedom in Europe. It remains concerned about the situation of the media in Turkey, the extensive interpretation of the Anti-Terror Law, which contradicts Council of Europe standards, seriously undermines the democratic foundations of the country and leads to the criminalisation and prosecution of human rights defenders and lawyers. It reiterates its call on the Turkish authorities to repeal, revise or ensure a strict interpretation of Article 216 (criminalising public incitement to hatred or hostility and degrading sections of the public), Article 299 (insulting the President of Republic), Article 301 (degrading the Turkish nation, the State of the Turkish Republic, the organs and institutions of the State) and Article 314 (membership of an armed organisation) of the Penal Code, as well as internet law No. 5651, in accordance with the opinions of the Venice Commission of 2015.
26. The Assembly thus calls on the Turkish authorities to:
- 26.1. release the detained journalists (more than 150) and human rights defenders, unless they have been indicted for actively participating in terrorist acts;

YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 24, replace the first sentence with the following sentence: "With respect to freedom of the media and of expression, the Assembly is alarmed by the repeated violations of freedom of the media and the large number of journalists currently detained."

Amendment 40

Tabled by Mr Suat ÖNAL, Mr Şaban Dişli, Mr Markar ESEYAN, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, delete paragraph 25.

Amendment 1

(If adopted, amendments 41, 15 falls)

Tabled by Mr Philippe MAHOUX, Ms Ute FINCKH-KRÄMER, Mr Yves CRUCHTEN, Mr Christoph STRÄSSER, Ms Elvira DROBINSKI-WEISS, Ms Marianne MIKKO

In the draft resolution, replace paragraph 26.1 with the following paragraph:

"release all detained journalists (more than 150) and human rights defenders;"

Amendment 41

(Falls if amendment 1 is adopted)

(If adopted, amendment 15 falls)

Tabled by Mr Suat ÖNAL, Mr Şaban Dişli, Mr Markar ESEYAN, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 26.1, replace the words "release the detained journalists (more than 150) and human rights defenders" with the following words: "assess the situation of the detained people who possess a valid press

card or accreditation to the Directorate General of Press and Information".

Amendment 15

(Falls if amendments 41, 1 are adopted)

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKÇÜ

In the draft resolution, paragraph 26.1, replace the word "indicted" with the following words: "convicted after due process and a fair trial".

26.2. put an end to the unacceptable policy of the criminalisation of dissenting voices, and protect media freedom, in line with the European Convention on Human Rights and the case law of the European Court of Human Rights; review the attitudes and practices of the justice system, in particular prosecutors and peace judges, so as to discard the "consistent pattern of judicial harassment with a clear chilling effect that stifles criticism" (as described by the Commissioner for Human Rights) and to achieve a more Convention-compliant interpretation of Turkish legislation;

Amendment 42

Tabled by Mr Suat ÖNAL, Mr Şaban DIŞLİ, Mr Markar ESEYAN, Mr Mehmet Kasım GÜLPINAR, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, delete paragraph 26.2.

26.3. amend the anti-terror law so as to ensure that its implementation and interpretation comply with the European Convention on Human Rights;

Amendment 43

Tabled by Ms Emine Nur GÜNAY, Mr Şaban DIŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 26.3, after the word "interpretation", insert the word "further".

26.4. refrain from applying sweeping measures, including against the media and NGOs, on the basis of vague criteria of alleged "connection" to a terrorist organisation without evidentiary grounds and in the absence of judicial decisions and;

Amendment 16

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKÇÜ

In the draft resolution, paragraph 26.4, after the words "against the media", insert the word "academics".

Amendment 58

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, after paragraph 26.4, insert the following paragraph:

"ensure that the "Inquiry Commission on State of Emergency Measures" will be fully operational without further delay and with the power to restore the status quo ante and/or, where appropriate, provide adequate compensation, grant priority treatment to the most urgent applications, including those introduced by the

- 26.5. create an environment conducive to media freedom and pluralism, notably by strengthening the editorial independence of the Turkish Radio and Television Broadcasting Company, and implementing an effective monitoring mechanism to ensure that the media abides with regulations, in line with Council of Europe standards.
27. In the light of the backsliding with respect to freedom of expression and of the media observed in recent years – and which has worsened under the state of emergency –, the Assembly considers that Turkey is failing to comply with this obligation and urges the authorities to take urgent measures to restore freedom of expression and of the media, based on the February 2017 conclusions of the Commissioner for Human Rights and on the relevant opinions issued by the Venice Commission in 2016 and 2017.
28. The Assembly takes note of the adoption of a package of constitutional amendments on 21 January 2017 and the organisation of a constitutional referendum on 16 April 2017. If approved by the people through referendum, this constitutional revision would result in a profound change and a shift from a parliamentary to a presidential system, granting the President of the Republic extensive powers while drastically reducing the supervisory role of the parliament. The Assembly emphasises that it is the sole right of the Turkish citizens to decide on the democratic political system they wish to have, provided that sufficient information is given to the voters and that enough time is allowed for public debate.

media outlets, and issue reasoned individualised decisions in line with the recent opinions of the Venice Commission;"

Amendment 44

(If adopted, amendments 59, 2 falls)

Tabled by Ms Emine Nur GÜNAY, Mr Şaban DIŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, replace paragraph 28 with the following paragraph:

"Approved by the people through referendum, this constitutional revision would result in a profound change and a shift from a parliamentary to a presidential system."

Amendment 59

(Falls if amendment 44 is adopted)

(If adopted, amendment 2 falls)

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, replace paragraph 28 with the following paragraph:

"The Assembly takes note of the adoption of a package of 18 constitutional amendments by the parliament on 21 January 2017 and by 51.4% of the voters during the constitutional referendum on 16 April 2017, which will result in a profound change and a shift from a parliamentary to a presidential system, granting the President of the Republic extensive powers while drastically reducing the supervisory role of the parliament. The Assembly emphasises that it is the sole right of the Turkish citizens to decide on the democratic political system they wish to have, provided that sufficient information is given to the

voters and that enough time is left for public debate."

Amendment 2

(Falls if amendments 44, 59 are adopted)

Tabled by Mr Philippe MAHOUX, Ms Ute FINCKH-KRÄMER, Mr Yves CRUCHTEN, Mr Christoph STRÄSSER, Ms Elvira DROBINSKI-WEISS

In the draft resolution, paragraph 28, replace the last sentence with the following sentences: "The Assembly emphasises that, in principle, it is the sole right of the Turkish citizens to decide on the democratic political system they wish to have. However, the principles of the separation of powers and of the rule of law must be respected and the necessary checks and balances must remain as an essential part of any new system. The Assembly regrets that voters were not provided with sufficient information about the content of the constitutional reforms and that insufficient time was allowed for public debate."

29. In this context, the Assembly notes with concern that the constitutional amendments were adopted in parliament after a rapid procedure (six weeks in all) and marked by tense debates, infringement of the secrecy of votes, absence of continuous broadcasting of all the parliamentary debates on television and no public consultation on the proposed changes. It is also concerned about the envisaged system of checks and balances, the separation of powers and the independence of the judiciary. The advisability of holding of a referendum under a state of emergency, with 500 000 persons displaced in the wake of the curfews and security operations in south-east Turkey since August 2015, also raise serious questions.

Amendment 45

Tabled by Ms Emine Nur GÜNAY, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, paragraph 29, replace the first sentence with the following sentence: "In this context, the Assembly notes with concern that the constitutional amendments were adopted in parliament after a rapid procedure (six weeks in all) and marked by tense debates and the infringement of the secrecy of votes."

30. The Assembly is also worried about recent changes in the election legislation made through decree laws that strip the Supreme Election Board of its possibility to sanction any media which makes biased political propaganda, and allow unlimited political advertising on private radio and television channels. This is a step backwards and will not be conducive to fair access to the media and balanced media coverage during elections or referendums. The Assembly recalls that citizens have the right to be duly informed about the issues at stake and to be provided with comprehensive information on all views, including dissenting voices, in good time. It thus urges the Turkish authorities to amend accordingly its election legislation and address the remaining electoral shortcomings identified by the Assembly in previous election observation reports.

Amendment 60

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, after paragraph 30, insert the following paragraph:

"In the light of the preliminary findings of the PACE/ODIHR international referendum observation mission, the Assembly thus deeply regrets that the referendum was contested on an uneven playing field, thus preventing the two sides in the campaign from having equal opportunities. Furthermore, the decision of the Supreme Board of Elections (SBE) in the course of the voting day - allowing the validation of unsealed ballot papers in contradiction with the 2010 election law - has raised serious questions about the legitimacy of the outcome of the referendum. The Assembly also expects the

31. The Assembly appeals to the Turkish authorities to take all due measures to ensure that the right to vote freely and in full security is upheld for all Turkish citizens. It reiterates its call to allow civil society organisations to be accredited as domestic election observers; this would contribute to the transparency of the election process.

SBE to thoroughly investigate all alleged election irregularities."

Amendment 46

Tabled by Ms Emine Nur GÜNAY, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, replace paragraph 31 with the following paragraph:

"The Assembly is confident that the Turkish authorities took all due measures to ensure that the right to vote freely and in full security was upheld for all Turkish citizens. It notes that all civil society organisations freely observed the elections and that this contributed to the transparency of the election process. The Assembly further recognizes that the referendum in Turkey was held under transparent and democratic conditions in which all political parties and groups were able to freely express all their views in the election and the President of the Republic visited the public propaganda quarters of "no" voters."

Amendment 47

Tabled by Ms Emine Nur GÜNAY, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, after paragraph 31, insert the following paragraph:

"The Assembly welcomes that as a requirement of democracy, the military courts, which are constantly criticized for judicial independence, have been abolished by the constitutional amendment and members with military origin in the Constitutional Court have been removed."

Amendment 48

Tabled by Ms Emine Nur GÜNAY, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Mr Mehmet Kasım GÜLPINAR, Ms Serap YAŞAR, Mr Burhanettin UYSAL, Mr Salih FIRAT

In the draft resolution, after paragraph 31, insert the following paragraph:

"The Assembly acknowledges that significant changes are also being made in the judiciary field with these constitutional changes. A strong emphasis is made on the impartiality of the judiciary by adding the expression "impartiality" to the judiciary "independence" principle. In particular, the Assembly stresses that the changes made in the structure and electoral procedure of the High Council of Judges and Prosecutors and the complete abolition of military courts are important steps for Turkish democracy to ensure independence and

impartiality of the judiciary. The Assembly further stresses that the situations requiring the martial law are taken into the scope of reasons requiring the declaration of a state of emergency. Thus, the Assembly welcomes that the martial law procedure, in which the military initiative is strong, is completely abolished."

Amendment 49

Tabled by Mr Mehmet Kasım GÜLPINAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL

In the draft resolution, after paragraph 31, insert the following paragraph:

"As judicial review was previously unavailable against actions that were signed by the President himself, the Assembly welcomes that with the law that amended the Constitution, administrative procedure will be available in respect of all actions and operations of the President, and Constitutional Court judicial review will be possible against Presidential Decrees. Thus it concludes that the President is now accountable with respect to all his actions and decisions made with the Prime Minister and Ministers. The Assembly also recognises that by the adopted constitutional changes, legislative power will belong only to the Assembly, and the President will not be authorised to propose legislation. The Assembly thus concludes that a more suitable government system is envisaged with respect to the principle of "checks and balances" since the legislative power is completely separated from the executive power."

Amendment 50

Tabled by Mr Mehmet Kasım GÜLPINAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL

In the draft resolution, after paragraph 31, insert the following paragraph:

"The Assembly welcomes the strengthening of the the Grand National Assembly of Turkey (GNAT) through the new "Presidential Government System" as the President is envisaged to be an elective authority who could execute related duties within the framework of the laws put into force by the Assembly and serve the public within the limits of the budget approved by Parliament. The Assembly stresses that in the new system, the GNAT is the sole legislative authority since the authority to legislate is the monopoly of the GNAT, and the GNAT may, if it deems necessary and appropriate, make regulations in an area or on an issue regulated by Presidential Decree. The Assembly welcomes that, in such a case, the Presidential Decree becomes null and void and

the superiority of making regulatory norms is the monopoly of the GNAT. Likewise, in the previous Turkish Parliamentary System, Parliament did not have the right to appoint members of the High Council of Judges and Prosecutors. However, the adopted constitutional changes allow the Turkish Parliament to appoint seven members. Thus the Assembly welcomes that the Turkish Parliament is vested with the power to assign seven members of the Board of Judges and Prosecutors for the first time in the republic's history."

Amendment 61
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, after paragraph 31, insert the following paragraph:

"In the light of the March 2017 recommendations of the Venice Commission on the constitutional amendments, the Assembly resolves to follow the institutional developments and to work with the Turkish authorities, possibly through the preparation of constitutional amendments, to ensure that the constitutional framework and its implementation comply with Council of Europe standards."

32. The Assembly has on numerous occasions recalled that Turkey is a strategic partner for the Council of Europe, and repeatedly called for a constructive dialogue with Turkey, one of its oldest members and one of the first signatories of the European Convention on Human Rights, in 1950. It thus welcomes the ongoing constructive dialogue with the Organisation, which should continue to be based on mutual trust and lead to further results.
33. The Assembly is determined to continue dialogue and co-operation with Turkey, and to offer its support in the difficult times faced by the country. In the wake of the failed coup, which revealed serious dysfunctioning within Turkey's democratic institutions, the Assembly believes that the post-coup developments, including the implementation of the state of emergency, have had large-scale, disproportionate and long-lasting effects on the protection of fundamental freedoms, the functioning of democratic institutions and on all sectors of society. It notes that the disproportionate measures taken (150 000 civil servants, military officers, judges, teachers and academics dismissed; 100 000 individuals prosecuted and 40 000 of them detained), the prevailing legal uncertainty despite recent steps taken by the authorities, and the consequences of the emergency decree laws on individuals and their families have created a climate of suspicion and fear which is detrimental to social cohesion and stability.

34. The Assembly wishes to strengthen and intensify its monitoring of the developments in Turkey and its dialogue with all the forces in the country on these developments in order to ensure that the serious concerns it has expressed about the respect for human rights, democracy and the rule of law are addressed. The Assembly therefore decides to reopen the monitoring procedure in respect of Turkey until its concerns are addressed in a satisfactory manner. In particular, it expects Turkey, as a matter of priority, to:

- 34.1. lift the state of emergency as soon as possible;
- 34.2. in the meantime, halt the publication of emergency decree laws which bypass parliamentary procedures, unless strictly needed under the state of emergency law, and put an end to the collective dismissal of civil servants through emergency decree laws;
- 34.3. release all the detained parliamentarians pending trial;
- 34.4. release all the imprisoned journalists pending trial;
- 34.5. establish and launch the work of the Inquiry Commission on State of Emergency Measures to ensure an effective national judicial remedy for those dismissed through emergency decree laws;
- 34.6. ensure fair trials with respect for due procedural guarantees;

Amendment 51

(If adopted, amendment 55 falls)

Tabled by Mr Mehmet Kasım GÜLPINAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL

In the draft resolution, paragraph 34, delete the following sentence: "The Assembly therefore decides to reopen the monitoring procedure in respect of Turkey until its concerns are addressed in a satisfactory manner."

Amendment 55

(Falls if amendment 51 is adopted)

Tabled by Mr Oleksii GONCHARENKO, Mr Talip KÜÇÜKCAN, Lord George FOULKES, Baroness Doreen E. MASSEY, Mr Şaban DİŞLİ, Mr Zsolt NÉMETH, Mr Serhii SOBOLIEV, Mr Samad SEYIDOV, Ms Sahiba GAFAROVA, Ms Sevinj FATALIYEVA, Mr Rafael HUSEYNOV, Ms Serap YAŞAR, Mr Markar ESEYAN, Mr Ian LIDDELL-GRAINGER, Mr Mark PRITCHARD

In the draft resolution, paragraph 34, replace the second sentence with the following sentence: "The Assembly decides to consider at the April 2018 part-session steps taken by Turkey in the light of the recommendations set out in this resolution with a view to reconsidering possible actions, including re-opening the monitoring procedure."

Amendment 18

Tabled by Mr Hişyar ÖZSOY, Ms Lotta JOHNSON FORNARVE, Mr Andrej HUNKO, Ms Filiz KERESTECİOĞLU DEMİR, Mr Ertuğrul KÜRKÇÜ

In the draft resolution, paragraph 34.3, after the word "parliamentarians", insert the following words: "and co-mayors".

- 34.7. take urgent measures to restore freedom of expression and of the media, in line with Assembly Resolution 2121 (2016) and Resolution 2141 (2017), and with the recommendations of the Commissioner for Human Rights and the Venice Commission;
- 34.8. organise the April 2017 constitutional referendum in line with Council of Europe standards and the Venice Commission's Code of good practice on referendums, so as to guarantee the freedom of voters to form an opinion;
- 34.9. implement as soon as possible the recommendations of the Venice Commission concerning the constitutional amendments.
35. The Assembly resolves, in the framework of the monitoring procedure for Turkey, to assess progress made in a report to be presented in the course of the Assembly's 2018 session.

Amendment 62

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, delete paragraph 34.8.

Amendment 52

Tabled by Mr Mehmet Kasım GÜLPINAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL

In the draft resolution, delete paragraph 34.8.

Amendment 53

Tabled by Mr Mehmet Kasım GÜLPINAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL

In the draft resolution, delete paragraph 35.

Amendment 54

Tabled by Mr Mehmet Kasım GÜLPINAR, Mr Şaban DİŞLİ, Mr Markar ESEYAN, Mr Suat ÖNAL, Ms Emine Nur GÜNAY, Ms Serap YAŞAR, Mr Burhanettin UYSAL

In the draft resolution, after paragraph 35, insert the following paragraph:

"In the aftermath of the failed coup attempt, the Assembly concludes that Turkey has been transparent in all its actions and in its dialogue with the Council of Europe mechanisms. The Assembly welcomes that as a result of this constructive approach from both sides to this dialogue, high level political contacts and technical co-operation between Turkey and the Council of Europe have intensified."