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Oppressions through antiterror legislation in Türkiye should stop

Motion for a resolution

tabled by Mr Stefan SCHENNACH and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The rule of law in Türkiye, misuse of the anti-terrorism law, systemic prevention of victims' access to the European Court of Human Rights along with severe deprivation of liberty in Türkiye which, in the United Nations' opinion, may constitute crimes against humanity still remain a matter of great concern. Between 2016 and 2020, more than 265 000 people were convicted with the charge of belonging to a terrorist organisation. The total number of court cases filed under this provision against government's critics during the same period exceeds 2 million.

The Parliamentary Assembly adopted written declaration No. 709, calling on the Venice Commission to review the effectiveness of local remedies in Türkiye and for opinion regarding the situation of hundreds of thousands public servants in Türkiye who have failed to reverse the arbitrary dismissals and apply to the European Court of Human Rights, as the local Inquiry Commission stemmed their way to Strasbourg.

Recent judgments of the European Court of Human Rights (Osman Kavala's case) including the Grand Chamber (Selahtin Demirtas), concluded that the antiterror legislation and its interpretation by national courts are not predictable and do not provide adequate protection against arbitrary interference by national authorities. Conclusions reached by the European Court of Human Rights could not be more accurate, as in Turkey people are convicted under antiterrorism laws for what they are, rather than for what they might have done. Simple details about their personal lives are enough to lead to terrorism charges and even convictions. A tweet someone posted, a book or newspaper they subscribed to, a phone call they received from an unknown number can be considered evidence of terrorist activity.

We fully support the Assembly's call for the Venice Commission to examine and prepare an opinion on Article 314 of the TPC, as well as the opinion on formulation, interpretation and application of Council of Europe standards.

Signed (see overleaf)



*Signed*¹:

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EC/DA: European Conservatives Group and Democratic Alliance
EPP/CD: Group of the European People's Party
SOC: Socialists, Democrats and Greens Group
UEL: Group of the Unified European Left
NR: Representatives not belonging to a Political Group