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*Plenary sitting*

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**B9-0088/2019**

17.9.2019

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on the situation in Turkey, notably the removal of elected mayors  
(2019/2821(RSP))

**Michael Gahler, Michaela Šojdrová, Antonio López-Istúriz White, David McAllister, Loránt Vincze, Željana Zovko, Lefteris Christoforou, Loucas Foulas, Romana Tomc, Karoline Edtstadler, Tomáš Zdechovský, Ivan Štefanec, Arba Kokalari, Vangelis Meimarakis, Manolis Kefalogiannis, Milan Zver, David Lega, Isabel Wiseler-Lima, Tomasz Frankowski, Esther de Lange, Paulo Rangel, Sandra Kalniete, Inese Vaidere, Leopoldo López Gil, Stanislav Polčák, Stelios Kypourouopoulos**  
on behalf of the PPE Group

**B9-0088/2019**

**European Parliament resolution on the situation in Turkey, notably the removal of elected mayors  
(2019/2821(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Turkey, in particular those of 24 November 2016 on EU-Turkey relations, of 27 October 2016 on the situation of journalists in Turkey, of 8 February 2018 on the current human rights situation in Turkey and European Parliament resolution of 13 March 2019 on the 2018 Commission Report on Turkey,
- having regard to the Commission communication of 29 May 2019 to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on EU Enlargement Policy (COM(2019) 260), to the Turkey 2019 Report (SWD(2019) 220),
- having regard to the Council conclusions of 18 June 2018, and to the previous relevant Council and European Council conclusions,
- having regard to the preliminary conclusions of election observation mission of Congress of Local and Regional Authorities of the Council of Europe,
- having regard to the recommendations of the Venice Commission and Turkey's commitment to the European Charter of Local Self-Government,
- having regard to the statements by the European External Action Service, Spokesperson of 19 August 2019 on the suspensions of elected mayors and detainment of hundreds of people in south-east Turkey,
- having regard to European Court of Human Rights judgement on Case of Selahattin Demirtaş vs Turkey,
- having regard to Resolution 2156 (2017) of the Parliamentary Assembly of the Council of Europe on the functioning of democratic institutions in Turkey,
- having regard to the fact that the EU's founding values are based on the rule of law respect for human rights and values which also apply to all EU candidate countries,
- having regard to the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights (ICCPR), to which Turkey is a state party,
- having regard to the Universal Declaration of Human Rights,
- having regard to Rule 144 of its Rules of Procedure,

- A. whereas Turkey is an important partner of the EU and is expected, as a candidate country, to uphold the highest standards of democracy, including respect for human rights, the rule of law, credible elections, fundamental freedoms and the universal right to a fair trial;
- B. whereas local elections were held in Turkey on 31 March 2019 and “were conducted in an orderly way”, according to the preliminary conclusions of the election observation delegation from the Congress of Local and Regional Authorities of the Council of Europe; whereas the local elections witnessed an impressive voter turnout;
- C. whereas in a police operation on 19 August 2019, the Turkish authorities temporarily suspended the democratically elected mayors of Diyarbakir, Van and Mardin in south-east Turkey, while hundreds of people have been detained;
- D. whereas, as of December 2018, the total number of detainees in prison without an indictment or pending trial is around 57,000; whereas over 20% of imprisoned population is in jail for terrorism-related charges, including journalists, political activists, lawyers and human rights defenders;
- E. whereas the decisions by the Supreme Election Council to re-run the metropolitan mayoral election in Istanbul, as well as to grant the mayoralty of individual municipalities in the south-east to second-placed candidates is a source of serious concern regarding respect for the legality and integrity of the electoral process, as well as with regards to the institution’s independence from political interference;
- F. whereas on 6 September 2019, a Turkish court sentenced Canan Kaftancıoğlu, Istanbul provincial head of the main opposition, Republican People’s Party (CHP), to nine years, eight months and twenty days in prison for charges stemming from social media posts between 2012 and 2017 containing alleged terrorist propaganda and insults towards President Recep Tayyip Erdogan;
- G. whereas the democratically elected mayors of Diyarbakir, Van and Mardin in south-east Turkey were replaced by government-appointed provincial governors/trustees on the grounds that they are currently under criminal investigation for alleged links with terrorism; whereas all mayors are from an opposition party, the Peoples’ Democratic Party (HDP), and were elected with a majority on 31 March 2019;
- H. whereas the Law on Municipalities was changed in September 2016 under a state of emergency decree to facilitate the removal of mayors accused of terrorism links and their replacement with provincial governors; whereas the Venice Commission called on the Turkish authorities to repeal the provisions introduced by Decree Law N° 674 of 1 September 2016, which are not strictly required by the state of emergency, in particular concerning the rules enabling the filling of vacancies for the positions of mayor, vice-mayor, local council member, by the way of appointments;
- I. whereas the replacement of Adnan Selçuk Mızraklı, Ahmet Türk, and Bedi Özgökçe Ertan by state governors is of serious concern as it puts the respect of the democratic outcomes of the 31 March 2019 elections into question;

1. Regrets the removal of the elected mayors of Diyarbakir, Van and Mardin and their replacement by government trustees, as it disrespects the democratic outcome of the 31 March 2019 elections;
2. Reiterates the importance of good relations with Turkey based on shared values, respect for human rights, the rule of law, free and democratic elections, including the upholding of electoral results, fundamental freedoms and the universal right to a fair trial;
3. Expresses concerns over reported continuous prosecutions and investigations for overly broad and vague terrorism offences which are seen as used to silence and arbitrarily detain critics of authorities, journalists, human rights defenders and opposition politicians;
4. Underlines that terrorism continues to pose a direct threat to citizens in Turkey; reiterates, however, that broadly defined Turkish anti-terrorism legislation should not be used to punish citizens and media for exercising their right of freedom of expression, or to arbitrarily remove elected representatives and replace them with government trustees;
5. Calls on the Turkish authorities to respect international principles, best practices and guarantee an enabling environment for those elected through the free and fair expression of the will of the Turkish people;
6. Reiterates its concerns over the excessive use of legal proceedings against local elected representatives in Turkey, and their replacement by appointed officials, a practice that seriously undermines the proper functioning of local democracy;
7. Calls on the Turkish authorities to immediately and unconditionally reinstate into office elected representatives of the people, abusively removed from their positions, more specifically, the mayors of Diyarbakır, Van and Mardin, respectively Adnan Selçuk Mızraklı, Ahmet Türk, and Bedia Özgökçe Ertan allowing them to once again fulfil their mandate;
8. Urges the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Commission and Member States to continue to raise the situation of human rights defenders, political activists, lawyers, journalists and academics in detention with their Turkish interlocutors, and to provide diplomatic and political support for them, including trial observation and case monitoring;
9. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, and the President, Government and Parliament of Turkey.