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AS (2019) CR 08  
Addendum 1

## 2019 ORDINARY SESSION

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(First part)

### **REPORT**

Eighth sitting

Thursday 24 January 2019 at 3.30 p.m.

### **The worsening situation of opposition politicians in Turkey: what can be done to protect their fundamental rights in a Council of Europe member state?**

The following texts were submitted for inclusion in the official report by members who were present in the Chamber but were prevented by lack of time from delivering them.

Mr ALTUNYALDIZ (*Turkey*) – It is my belief that there is no “situation” to talk about regarding opposition politicians in Turkey, nor is there anything worsening or urgent about it. The subject of this resolution is people who are being tried and sentenced for serious crimes. It is a judicial matter and is being dealt with by independent courts. It is pointless trying to turn it into a political matter.

As it says in the resolution, the fundamental prerequisites for democracy are strong in Turkey, and during the latest elections Turkish citizens had a genuine choice between presidential candidates and parties expressing different views and having different political affiliations, so there is no real issue for opposition politicians in Turkey. Please do not give in to the manipulation of those who openly glorify terrorism, cannot distance themselves from terrorists and make it sound like there is an actual problem for opposition politicians in our country.

We are, however, faced with very urgent situations in many member States today which merit being debated right now. The mass protests and demonstrations in several member States, violent attacks on mosques and Muslims in Europe, the rise of racist ideologies and anti-migrant sentiment are real and current issues to which we should be devoting our time.

What is happening here is ignoring grave threats to democracy and human rights in Europe, and instead turning this important platform into a vessel to unfairly pick on Turkey, which is not going to get us anywhere.

Mr SIRAKAYA (*Turkey*) – Turkey firmly adheres to the principle of the rule of law, human rights and especially all rights of the opposition politicians, yet the immunity of parliamentarians cannot be used as a shield against criminal investigations. Arrest, detention and court procedures are being conducted in accordance with national legislation that is in line with international human rights standards.

Legal proceedings have been initiated against Selahattin Demirtaş with serious charges, including being a member of a terrorist organisation, namely the PKK, disseminating propaganda in favour of the PKK, public incitement to hatred and hostility, and the list goes on. He was sentenced to four years and eight months' imprisonment by the Istanbul 26<sup>th</sup> Assize Court for disseminating propaganda in favour of the terrorist organization, the PKK.

I would like to inform you about the current situation of Selahattin Demirtaş in prison. He had 277 visits from his relatives, of which 150 were open visits and others were closed; and 612 different attorneys visited him 1 095 times. He met with 32 MPs 45 times. He has been in the infirmary 53 times and has been hospitalised once since he has been in Edirne Closed Prison. Finally, he does not have a disease that requires continuous follow-up.

It was further approved in a judgment of the European Court of Human Rights in November 2018 that he was arrested and detained on reasonable suspicion of having committed a criminal offence. The said judgment of the Court is not final. The judgment will be referred to the Grand Chamber within three months. In this regard, I call on esteemed members to trust the independent Turkish judiciary and its judgments. It is not acceptable that Parliamentary Assembly of the Council of Europe is being hijacked by a number of anti-Turkey representatives whose agenda consists solely of criticising Turkey without any basis.

This report could possibly result in an adverse effect on the relationship between Turkey and the Council of Europe and will significantly decrease the credibility of the Parliamentary Assembly of the Council of Europe in the eyes of Turkish public and Turkish politicians.