



Appeal:

Lawyers warn of the formation of a fascist dictatorship in Turkey

The complete elimination of political opposition in a society, in particular of the democratic forces of civil society, is a typical indicator of the potential formation of a fascist dictatorship.

For many years severe human rights violations and disrespect for fundamental democratic rules have been observed in Turkey. This has not only been reported by human rights organisations like Amnesty International and Human Rights Watch; in its annual progress reports on Turkey the European Commission has come to the same conclusion, even if these reports have often been sugar coated. However, the European Commission report of November 2016 has pointed out severe violations of fundamental democratic rules in Turkey.

In particular, the Kurdish population, and their elected representatives in the national parliament, and in the towns and villages in South-East Turkey, have been targeted by extreme state oppression. The (disputed) law regarding the removal of immunity from prosecution for members of parliament has been exclusively deployed against the Peoples' Democratic Party (HDP) in order to initiate approximately 350 law suits against 50 of its elected members of parliament.

Indeed, the lifting of immunity is just one element in the programme of the Turkish government to put an end to the multiparty system and to eliminate its political opposition. It was preceded by the banning of several Kurdish parties, and also by the repeat parliamentary election in November 2015 after the ruling Justice and Development (AKP) party had lost its majority in the parliament and the pro-Kurdish HDP had become the 4th largest political party in the Grand National Assembly of Turkey. For about a month 2 HDP MPs were even nominated as ministers in the interim government. Significantly, following the elections in November 2015, HDP also became the third largest political party in the Turkish parliament.

After these developments the attacks on the Kurdish population and their democratically elected representatives escalated. In South-East Anatolia many towns and villages were destroyed by Turkish government forces and mayors were removed by the government. Many of the mayors were arrested, including the two co-mayors of Diyarbakir, Gültan Kışanak und Fırat Anlı. Another 700 members of HDP have been arrested since then. New arrests of Kurdish mayors and politicians have occurred almost daily.

On 4 November 2016 ten HDP MPs were arrested and detained, including the two co-presidents of HDP, Selahattin Demirtaş und Figen Yüksekdağ, and the deputies, Selma Irmak, Leyla Birlik, Nursel Aydoğan, Ferhat Encü, Gülser Yıldırım, Abdullah Zeydan, Nihat Akdoğan, İdris Baluken, for alleged membership or support of a terrorist organisation. They were detained as a result of their political work and their speeches.

By its attacks on the HDP the Turkish government has attempted to eliminate the most significant democratic opposition in the Turkish parliament. The remaining HDP MPs have therefore decided to suspend their cooperation with the political processes in the Turkish parliament. The second largest political party in the Turkish parliament, the Kemalist Republican People's Party, or Halk Party (CHP), which actually voted in favour of the law

removing immunity from prosecution, condemned the arrest of HDP deputies as a violation of the Turkish constitution. As a reaction the Turkish president has threatened that CHP will also have to pay a price for this condemnation. The AKP, as well as the Turkish Government, have filed a legal complaint against the CHP's statement.

The attacks by the Turkish government on HDP and other political opposition groups in Turkey cannot be justified. They violate the Turkish constitution as well as international and European treaties ratified by Turkey, such as the European Convention on Human Rights and the International Covenant on Civil and Political Rights.

ELDH and MAF-DAD, as well as the other signatories of this appeal, call upon European Union member states and European civil society to take a clear stance against these violations of fundamental democratic rules by the Turkish government. Sanctions against Turkey must not be excluded. There cannot be any excuse for the current "appeasement policy" of the European Union and its member states towards Turkey.

ELDH and MAF-DAD, as well as the other signatories of this appeal, demand that the EU and its member states take the necessary measures to ensure that the Turkish government secures

- The immediate end of the state of emergency in Turkey, the military assaults on the Kurdish population and the violation of human rights and democratic principles
- The freedom of HDP to exercise its political and democratic rights
- The respect of democratic principles, the rule of law, human rights and, in particular, the freedom of press and expression, as well as re-opening the mass media which have been closed
- The termination of politically motivated trials in Turkey, as well as withdrawal of requests for such trials against militant Turkish and Kurdish organisations in European countries
- The release of thousands of political prisoners in Turkey, including the HDP deputies and mayors.
- The deletion of Turkish political opposition organisations from the terrorist list of the EU
- The re-establishment of judicial independence, the free exercise of the professional duties of lawyers and prosecutors, and the reinstatement of judges, prosecutors and other civil servants who have been removed for political reasons.
- An immediate stop to the deportation and extradition of suspects to Turkey. Turkey is not a safe country of origin and is not a safe third country.

Supporter:

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