Ms Ursula von der Leyen

President of the European Commission European Commission Rue de la Loi / Wetstraat 200 1049 Brussels

Mr António Costa

President of the European Council European Council Rue de la Loi / Wetstraat 175 1048 Brussels

CC:

Ms Kaja Kallas, EU High Representative for Foreign Affairs and Security Policy / Vice-President European Commission

Ms Marta Kos, European Commissioner for Enlargement

RE: Open letter to President of the European Commission Ursula von der Leyen and European Council President António Costa regarding the assault on the right to political participation, the rule of law and human rights in Türkiye

15 May 2025

Dear President von der Leyen,

Dear President Costa,

We write as 58 human rights organizations, media freedom groups, journalists' organisations and representatives of the international legal community to raise profound concern over the extraordinary assault by the government of President Recep Tayyip Erdoğan on the right to political participation, the rule of law and human rights in Türkiye and to call for an effective and robust response by the EU, its member states and its institutions.

We wish to stress that the attack by President Erdoğan's government on Türkiye's main political opposition seriously undercuts the right to political participation which is an essential component of the country's rule of law and human rights framework. It is the government's boldest step to date towards a full consolidation of power and the eradication of political opposition.

In an apparent politically motivated move, the removal of the Istanbul mayor Ekrem Imamoğlu who was elected to represent 16 million residents in 2024 was set in motion by the cancellation of his university diploma. This was immediately followed by <u>police arrest</u> and a <u>court order</u> to detain him along with dozens of other municipal officials and two district mayors from his party. This came on the day he was selected as the Republican People's Party's candidate to run in the next election against President Erdoğan. The Turkish government's attack on the main political opposition in Türkiye is a major escalation in the actions taken by the authorities for years to

silence dissenting voices, among them Kurdish politicians, journalists, civil society activists, human rights defenders, lawyers and other real or perceived critics and opponents.

We have for years been documenting and tracking the authorities' <u>crackdown on human rights</u>, through expanding executive control and political influence over the judiciary, including the widespread misuse of criminal law, courts' systematic acceptance of bogus indictments and willingness to issue detention decisions devoid of credible reasoning to justify the measure. The government has also actively instrumentalised Türkiye's overly broad anti-terrorism legislation for these aims.

The European Court of Human Rights has already determined in landmark judgments in the cases of politicians, Selahattin Demirtas and Figen Yüksekdağ Şenoğlu and human rights defender, Osman Kavala, that Turkish authorities have used detention as a measure to stifle the political opposition and the right to political participation and to silence a human rights defender. The authorities have flagrantly defied the Court's judgments and countless Committee of Ministers' decisions and resolutions in these cases, refusing to implement the rulings despite the exceptional measure of infringement proceedings in the case of Osman Kavala.

Reflecting public outrage over the government's stifling of lawful political activities and escalating crackdown on dissent, the detention of Ekrem İmamoğlu has sparked the largest protests Türkiye has seen in over a decade. Hundreds of thousands of people across the country have taken to the streets in overwhelmingly peaceful protests. Police have used <u>unlawful and unwarranted force</u> against largely peaceful protesters in some cases possibly amounting to torture or other cruel, inhuman or degrading treatment or punishment.

The detention of – and <u>rushed mass trials</u> against – many young people, students and journalists for allegedly participating in the protests, seeks to send a clear warning to anyone wishing to exercise their right to freedom of peaceful assembly and expression. EU journalists have not been spared with <u>Joakim Medin</u>, a Swedish journalist who travelled to Istanbul to cover the protests, detained on arrival where he remains. On April 30, Medin was convicted on the charge of "insulting the president," and received an 11-month suspended sentence, in the first of two prosecutions against him in which the main evidence relates entirely to his legitimate journalistic activities over many years.

Meanwhile Turkish news channels and social media platforms were pressured to suppress information about unfolding events, with several facing fines, suspensions and orders to block access to the social media accounts of journalists, civil society organizations, human rights defenders and women's collectives. After the initial arrest of Ekrem İmamoğlu, social media users in Istanbul faced bandwidth reduction (internet throttling) for nearly two days, limiting access to platforms. Lawyers have in some cases been arrested while attempting to provide legal assistance or have faced serious obstacles to guaranteeing their clients' defence and fair trial rights. In an alarming affront to the independence of the legal profession and the rule of law, on 21 March, an Istanbul court ruled to remove the entire executive board of the Istanbul Bar Association. This decision and the ongoing criminal proceedings against the Bar's leadership, stem from a statement the Bar issued, calling for an investigation into the killing of two Kurdish journalists from Türkiye in northern Syria in December 2024.

Taken together, this wide-ranging crackdown has led to a pervasive chilling effect on human rights and civil society and further eroded the right to political participation.

We consider that the EU's response to these developments has been overly mild and manifestly fails to match the scale and gravity of the clampdown unfolding in the country. Particularly, EU efforts to pursue the deepening of economic ties during the EU-Türkiye High-Level Economic Dialogue without insisting on human rights improvements upfront, has reinforced perceptions that business as usual with the EU continues amid the ongoing repression. Rather than offering a lifeline to those in Türkiye who continue to defend human rights, this approach risks emboldening the Turkish authorities while further isolating Türkiye's already embattled civil society. Any steps to re-engage the authorities need therefore to be accompanied by robust denunciations of Türkiye's human rights crackdown and concrete asks to reverse the government's repressive policies.

It is incumbent upon the EU – including in view of its legal obligations under Article 21 of the Treaty of the European Union to protect and promote human rights in its foreign policy – to take a strong position to denounce this major setback for the future of the rule of law, human rights and the right to political association and participation in Türkiye.

We therefore urge you to:

- Issue an unequivocal public statement denouncing the hollowing out of the right to political association, participation and representation in Türkiye as well as the associated crackdown on lawyers, independent media, civil society and the right to freedom of peaceful assembly in Türkiye. Such statements should clearly signal that the deteriorating human rights situation will hamper relations based on shared values and mutual interests.
- Use forthcoming high-level engagements, such as the EU-Türkiye High-Level Dialogue on Trade to stress, both publicly and directly with the authorities, that the EU expects a reversal of negative rule of law and human rights trends, including the release of detained elected officials, members of civil society and media.
- Reiterate that human rights are a non-negotiable and integral part of the EU's relations with Türkiye and that therefore tangible human rights improvements are essential to deepening bilateral trade and investment, including the modernisation of the EU-Türkiye Customs Union.
- At these high-level opportunities, publicly insist on Türkiye's full **implementation of ECtHR judgments**, particularly in the cases of <u>Selahattin Demirtaş</u>, <u>Figen Yüksekdağ Şenoğlu</u> and <u>Osman Kavala</u>, and on their **immediate and unconditional release and full restoration of their rights**, as well as that of other arbitrarily detained civic activists, lawyers, journalists, and human rights defenders, including dropping pending charges as well as vacating any convictions against them and fully restoring their civil and political rights.
- Call for independent, effective and prompt investigations into allegations of torture, and other ill-treatment, violations of fair trial rights and unlawful use of force by police during the protests and rehabilitation for victims.
- Ensure the EU delegation and member state missions in Türkiye step up their monitoring of trials of the protesters, journalists and civil society actors facing prosecution for peacefully exercising their right to freedom of expression and peaceful assembly.
- **Increase support to civil society in Türkiye**, including through more flexible and sustainable funding and more robust political support to human rights defenders and other actors facing unjust prosecution, restrictive legislation and closure proceedings.

We remain at your disposal should you require any further information and thank you in advance for your continued action on human rights.

Yours sincerely,

- 1. AED-EDL European Democratic Lawyers
- 2. AEJ Belgium The International Association of European Journalists in Belgium
- 3. Albanian Human Rights Group (AHRG)
- 4. Amnesty International
- 5. Araminta
- 6. ARTICLE 19
- 7. Articolo 21
- 8. Asociación Pro Derechos Humanos de España
- 9. Civil Rights Defenders
- 10. Committee on the Administration of Justice (CAJ)
- 11. Committee to Protect Journalists (CPJ)
- 12. Community Media Forum Europe
- 13. Danish PEN
- 14. Demokratische Jurist*innen Schweiz
- 15. English PEN
- 16. EuroMed Rights
- 17. European Association of Lawyers for Democracy and World Human Rights (ELDH)
- 18. European Centre for Press and Media Freedom (ECPMF)
- 19. European Democratic Lawyers
- 20. European Federation of Journalists (EFJ)
- 21. Fackförbundet ST
- 22. Federacion de Asociaciones de Defensa y Promoción de los Derechos Humanos de España
- 23. Foundation Day of the Endangered Lawyer
- 24. Human Rights Watch (HRW)
- 25. IFEX
- 26. ILGA-Europe
- 27. İnsan Haklari Derneği
- 28. International Bar Association's Human Rights Institute
- 29. International Commission of Jurists (ICJ)
- 30. International Federation for Human Rights (FIDH)
- 31. International Federation of Journalists (IFJ)
- 32. International Press Institute (IPI)
- 33. International Rehabilitation Council for Torture Victims
- 34. Lawyers for Lawyers
- 35. Lawyers' Rights Watch Canada
- 36. LDH (Ligue des droits de l'Homme)
- 37. Liga voor de Rechten van de Mens
- 38. Liga voor Mensenrechten vzw
- 39. Mensenrechten Zonder Grenzen Nederland
- 40. National association Democratic Jurists Italy
- 41. Netherlands Helsinki Committee
- 42. Norwegian Helsinki Committee
- 43. Omega Research Foundation
- 44. Osservatorio Balcani Caucaso Transeuropa [OBCT]
- 45. Ossigeno.info
- 46. Österreichische Liga für Menschenrechte

- 47. PEN International
- 48. PEN Norway
- 49. PEN Sweden
- 50. Protection International
- 51. REDRESS
- 52. Reporters sans frontières (RSF)
- 53. Society of Journalists (Warsaw)
- 54. South East Europe Media Organisation (SEEMO)
- 55. Stockholm Center for Freedom
- 56. Sveriges Författarförbund
- 57. Turkey Human Rights Litigation Support Project
- 58. World Organisation Against Torture (OMCT)