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Turkey's UPR engagement brings into question its commitment to real human rights change

Human Rights Council adopts Universal Periodic Review outcome on Turkey

Amnesty International notes that Turkey has accepted a number of general recommendations concerning human rights issues in the country.¹ However, the more specific recommendations addressing these challenges have been rejected or considered "already implemented". This position brings into question Turkey's real commitment to act on the recommendations it has accepted.

This was also the case with Turkey's first UPR in 2010 where it accepted a number of recommendations pertaining to human rights concerns which have since deteriorated.²

Amnesty International is very disappointed that Turkey has rejected, or considers already implemented, key recommendations to amend or abolish laws which are used to unfairly limit the right to freedom of expression. These more specific recommendations hold the key to realising the goal of protecting free expression that Turkey has committed to.³

Abusive prosecutions against journalists, activists and ordinary members of the public for making statements critical of the government are launched every year by the authorities and widespread blocking of internet sites continues. Amnesty International calls on Turkey to uphold its UPR commitments by bringing its laws in line with international standards on the right to freedom of expression without further delay.

¹ A/HRC/29/15, Report of the Working Group on the Universal Periodic Review, 13 April 2015, paragraph 148.117 (United States), 148.118 (Austria), 148.119 (France), 148.120 (Switzerland), 148.121 (United Kingdom), 148.122 (Sweden), 148.123 (Costa Rica), 148.124 (Botswana), 148.125 (Finland).

² A/HRC/15/13, Report of the Working Group on the Universal Periodic Review, 17 June 2010, paragraph 100.66 (Australia), 100.71 (Chile), paragraph 100.73 (Japan)

³ A/HRC/29/15, Report of the Working Group on the Universal Periodic Review, 13 April 2015, paragraph 150.13 (Czech Republic), 150.14 (Canada), 150.15 (Spain), 150.17 (Spain) 150.18 (Ireland), 150.19 (Lithuania), 150.20 (Iceland), 150.21 (Czech Republic) 150.22 (France), 150.23 (Ireland).

Amnesty International is surprised that Turkey considers a recommendation to redraft the Law on Meetings and Demonstrations to have been already implemented.⁴ This stance directly contradicts the findings of the European Court of Human Rights⁵ as well as Turkey's commitments to amend the law made in December 2014 to the Committee of Ministers regarding the *Oya Ataman Group of Cases*.⁶ Amnesty International urges Turkey to recognise the right to peaceful spontaneous assembly, to remove excessive temporal and geographic restrictions on the holding of public assemblies, to simplify notification requirements for planned demonstrations, and to remove provisions that criminalise participation in peaceful assemblies.

Amnesty International also regrets Turkey's practice of repeatedly prosecuting and imprisoning conscientious objectors and its rejection of recommendations to recognise the right to conscientious objection to military service.⁷

The organization urges Turkey to reconsider its position on the recommendations and to commit to using the UPR as a tool to improve the human rights situation on the ground, as originally intended.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Turkey on 26 June 2015 during its 29th session. Prior to the adoption of the review outcome, Amnesty International delivered the oral statement above.

Amnesty International had earlier submitted information on the situation of human rights in Turkey: <https://www.amnesty.org/download/Documents/208000/eur440152014en.pdf>

⁴ A/HRC/29/15, Report of the Working Group on the Universal Periodic Review, 13 April 2015, paragraph 150.23 (Ireland)

⁵ See the case of *Oya Ataman vs, Turkey*, application no. 74552/01, 5 December 2006

⁶ Most recently, the Committee of Ministers called on Turkey to amend the Law on Meetings and Demonstrations in line with its previous commitments to do so. Decision of the Committee of Ministers, March 2015. Available at [https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Del/Dec\(2015\)1222/20&Language=lanFrench&Ver=original&Site=CM&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864](https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Del/Dec(2015)1222/20&Language=lanFrench&Ver=original&Site=CM&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)

⁷ A/HRC/29/15, Report of the Working Group on the Universal Periodic Review, 13 April 2015, paragraph 151.12 (Croatia), paragraph 151.14 (Slovenia)