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TURKEY: END POST ELECTION CRACKDOWN ON PEACEFUL DISSENT

Peaceful protests against the government's arbitrary decision to remove from office mayors elected in March in three provinces in eastern Turkey have been met with excessive and abusive force by police in several cities and towns across the country.

On 19 August, the Ministry of Interior used its powers under Article 47 of the Law on Municipalities (Law No. 5393), which allows for municipal representatives to be removed from office in the event of criminal investigations or prosecutions related to their office. The elected mayors of Diyarbakır, Mardin and Van provinces, the three biggest provinces controlled by the opposition Peoples Democratic Party (HDP), were replaced by state appointed trustees on grounds that they each face a number of criminal investigations and prosecutions under anti-terror laws, all of which are ongoing. On the same day, the Ministry of Interior announced that 418 people had been detained in Diyarbakır, Mardin, Van and another 26 provinces, including HDP members, officials and elected councilors.

Police used water cannons, tear gas and plastic bullets to disperse peaceful protestors. Instances of excessive use of force by police that have been captured on video and shared on social media show officers beating or otherwise abusing protestors during arrest. Dozens of individuals are reported to have been arbitrarily detained during the protests. In many provinces, public assemblies have been banned for between 10 to 30 days.

Amnesty International has long documented and called for an end to the widespread abusive use of anti-terrorism laws and laws on public demonstrations to suppress legitimate political dissent. The organization calls on the authorities in Turkey to end this politically motivated crackdown and bring the country's laws and their use in line with international human rights law and standards.

Amnesty International further calls for the immediate and unconditional release of the peaceful protestors detained solely for expressing their opposition to the arbitrary removal of elected mayors in Diyarbakır, Mardin and Van and to immediately lift the ban on demonstrations.

The allegations of use of unnecessary and excessive force and ill-treatment must be promptly, independently and impartially investigated and police officers found to be responsible must be brought to justice in fair trials.

BACKGROUND

Provisions facilitating the removal of elected mayors and their replacement by government appointed trustees were brought in with changes to the Law on Municipalities, following the 2016 attempted coup under the state of emergency. Following these amendments, 99 municipality mayors were replaced with trustees, 94 of whom were representing the Democratic Regions Party (DBP), the sister party of the HDP. Many of them were also detained and held in extended pre-trial detention. The trustees ruled in place of elected officials until the municipality elections in March 2019.

Mayors Adnan Selçuk Mızraklı (Diyarbakır), Ahmet Türk (Mardin) and Bedia Özgökçe Ertan (Van), all representatives for the Kurdish-rooted leftwing HDP are the first to be removed since the March 2019 elections.

Ten HDP former members of parliament and 46 co-mayors are currently in prison, as a result of prosecutions under anti-terrorism laws. In November 2018, the European Court of Human Rights found the detention of former HDP co-chair Selahattin Demirtaş, the first of such cases to reach the court, to be politically motivated and an attack on the right to freedom of expression. The court ruled that his detention "pursued the predominant ulterior purpose of stifling pluralism and limiting freedom of political debate." Despite the ruling, Selahattin Demirtaş remains in prison.