

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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TURKEY: REJECTION OF MANY UPR RECOMMENDATIONS CONCERNING

HUMAN RIGHTS COUNCIL ADOPTS UNIVERSAL PERIODIC REVIEW OUTCOME ON TURKEY

Amnesty International welcomes Turkey's participation in the UPR process but regrets its rejection of so many recommendations made by the reviewing states.

The lack of independence and impartiality of the judiciary, as evidenced in court decisions in trials of human rights defenders, journalists and others prosecuted unfairly for their peaceful dissent, continues to be one of the most serious human rights issues in Turkey. Since Turkey's review, four human rights defenders were convicted in July 2020 in the Büyükada prosecution on terrorism-related charges in the absence of any evidence of crimes being committed. In its *Kavala v Turkey* ruling, the ECtHR has found¹ that the ongoing imprisonment of Mr Osman Kavala pursued an ulterior purpose of reducing 'him to silence as an NGO activist and human-rights defender, to dissuade others from engaging in such activities and to paralyse civil society in the country'. Amnesty International is therefore disappointed that Turkey has noted the related recommendations and urges Turkey to reconsider its position and to accept and implement them.

With regards to the right to freedom of expression, abusive prosecutions continue to be brought under the laws that do not meet international human rights standards. Journalists and others continue to be detained, prosecuted and convicted for their peaceful expression in unfair trials under laws, which fall short of "promoting and expending rights and freedoms" as stated in the government's new Judicial Strategy. Amnesty International regrets Turkey's rejection² of recommendations to decriminalize peaceful expression, and we reiterate our call for Turkey to repeal or amend articles in the Turkish Penal Code and Anti-Terrorism Law that are not in line with international standards.

Despite Turkey's claims that it operates a 'zero tolerance to torture' policy, allegations of torture and other ill-treatment continue. In the absence of an effective, independent and impartial mechanism to carry out investigations into these allegations, Amnesty International fears impunity for these crimes will continue to be the norm.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Turkey on 29 September 2020 during its 45th 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/en/documents/eur44/0834/2019/en/>

¹ Case of *Kavala v Turkey* <https://hudoc.echr.coe.int/eng#f%7B%22itemid%22%7B%22001-199515%22%7D>

² http://lib.ohchr.org/HRBodies/UPR/Documents/Session35/TR/A_HRC_44_14_Add.1_AV_Turkey_E.docx Paragraphs 45.35 and 45.158