

UN human rights experts urge Turkey not to extend state of emergency

GENEVA (17 January 2018) - United Nations human rights experts* urged the Turkish Government not to extend the exceptional legal measures it has taken under its declared state of emergency, due to expire on 19 January.

Since the attempted coup in July 2016, Turkey declared and then prolonged the state of emergency five times and introduced 18 constitutional amendments that extended the President's powers into both the legislative branch and the judiciary. Furthermore, a total of 22 Presidential Decrees were adopted since July 2016 (the last one adopted on 24 December 2017) granting Turkish authorities wide-ranging powers. On 8 January 2018, the Government stated its intention to extend the state of emergency for another three months.

"The routine extensions of the state of emergency pose significant challenges to the effective protection of human rights, as emergency powers are used to suspend the operation of obligations of the Turkish Government," the UN experts said.

"We remain concerned, as we have since the attempted coup, that the Government is taking steps at odds with its obligations under human rights law," the experts said. "We are deeply worried about severe crackdowns on civil society, including journalists, the media, human rights defenders, jurists, academics, and civil servants, as well as the use of various powers in ways that are inconsistent with its obligations under the International Covenant on Civil and Political Rights and the European Convention on Human Rights."

They added, "In any event, emergency powers must be fine tailored to an immediate and urgent crisis and not be used as a means to limit legitimate dissent, protest, belief and opinion, expression and the work of civil society, which in turn risks violating, inter alia, fair trial and due process guarantees, the prohibition of torture and of arbitrary detention and even the right to life."

Their calls reiterate a [statement](#) issued by independent experts in 2016 urging Turkey to adhere to its human rights obligations even in time of declared emergency.

The experts welcomed the decision of the Constitutional Court on 11 January to release two jailed journalists and expressed concern that the criminal courts were not implementing the decision. They hope that the ruling will serve as a precedent for the dozens of other journalists who remain in detention for exercising their right to freedom of expression.

They expressed their continued willingness to discuss their concerns with the Turkish authorities with a view to ensuring that emergency measures do not become permanent.

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** Names of experts: Mr. David Kaye, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Ms. Fionnuala D. Ní Aoláin, Special Rapporteur on the promotion and protection of human rights while countering terrorism; Ms. Urmila Bhoola, Special Rapporteur on contemporary forms of slavery, including its causes and consequences; Ms. Agnes Callamard, Special Rapporteur on extrajudicial, summary or arbitrary executions; Mr. Michel Forst, Special Rapporteur on the situation of human rights defenders; Mr. Diego García-Sayán, Special Rapporteur on the independence of judges and lawyers; Mr. José Antonio Guevara Bermúdez, Chair-Rapporteur of the Working Group on Arbitrary Detention; Mr. Léo Heller, Special Rapporteur on the human rights to safe drinking water and sanitation; Mr. Nils Melzer, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Mr. Ahmed Shaheed, Special Rapporteur on freedom of religion or belief; and Mr. Alfred de Zayas, Independent Expert on the promotion of a democratic and equitable international order.*

The Special Rapporteurs are part of what is known as the [Special Procedures](#) of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world. Special Procedures' experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent from any government or organization and serve in their individual capacity. For inquiries and media requests, please contact Marina Narvaez (+41 22 917 9615/mnarvaez@ohchr.org).

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