

Democracy in Turkey: no longer? What are we to do?

In the last years we have had clear signs of the retreat of the rule of law in Turkey. Today, with the pretext of tackling the “internal enemy”, the government has not only been restricting human rights but subjecting them to *absolute repression* with the imposition of *fear* and *violence*. This questions, inter alia, the basis upon which the EU-Turkey agreement on asylum seekers was established.

After the failed *coup d'état* of the 15th of July, the Turkish government reactivated some of the laws and decrees of General Evren's dictatorship together with a state of emergency used to its full powers. Moreover, the Turkish government suspended the European Convention on Human Rights. While such a suspension under some conditions is foreseen by the Convention, the repeated imposition of a state of emergency and the rapid and sweeping deterioration of human rights lacks grounds for substantiation. The current situation is characterized by:

- Dismissals in the public sector: thousands of people were fired or suspended without receiving compensation, thus subjected to 'social death',
- Threat against and suppression of any freedom of expression and activity in the public space, closing down of associations, institutions, radio and television stations, newspapers, magazines, private schools and universities, and confiscation or escrow of their assets, including assets of private companies,
- Arrest of journalists, lawyers of those accused, parliamentarians, judges, university professors, teachers and others. Today more than 30,000 people are in prison,
- Arrest and detention of 30 Kurdish mayors (including the mayor of Diyarbakir) and 10 members of the parliament from the HDP party (including the two co-chairs),
- Torture and imprisonment without any control on compliance with the principle of legality,
- The ability to ban access to a lawyer for up to 5 days after arrest and for up to six months after conviction; the possibility to replace the lawyer of the accused by the

public prosecutor; and the possibility to breach the principles of privacy and confidentiality in the communication between the accused and the lawyer,

- The guarantees of human rights that had been assigned to the Constitutional Court have been suspended since the Court decided that it has no competence to examine the constitutionality of the state of emergency measures,

– And a key point: imposition of collective responsibility on family members of the accused, by removing/canceling their passports, dismissing family members etc. This measure negates any notion of rule of law, harking back to practices implemented in Nazi Germany.

The Hellenic League for Human Rights expresses its deepest concern regarding the steady establishment of an atypical dictatorship in Turkey and expresses its solidarity with all human rights defenders in Turkey.

In relation to the refugee issue, the ever-worsening situation and state of affairs in Turkey should be taken into account by the asylum and extradition authorities in Greece. The concept of 'safe country', which constitutes a legal condition for the return of people to Turkey, is impossible to apply in a territory that no longer offers *any guarantee* for the protection of fundamental rights *for any of its citizens and non-citizens*. We call on the competent administrative and judicial bodies of Greece to cease returns (or extradition) to Turkey, as the fundamental rights of people are exposed to absolute endangerment. If returns and extradition to Turkey is implemented, the Greek legal order will be associated to processes of extreme lawlessness.