



July 26, 2016

## JOINT STATEMENT

### **International Organizations Issue Statement of Concern Regarding Turkey's Post-coup Crackdown**

The undersigned are profoundly concerned by the complete and utter disregard for the rule of law, democracy, human rights and fundamental freedoms in Turkey, in the aftermath of the failed coup and the state of emergency which was recently declared.

The ongoing attack on institutions and professions that are guardians of the rule of law in Turkey, including the judiciary, the legal profession, the media and academia have reached dramatic proportions.

Specifically, we are extremely alarmed by the ongoing purge within the judiciary that led to the suspension and revocation of thousands of judges, the arrest of hundreds, as well as the arrest of at least 11 lawyers, allegedly involved in the coup.

The use by the authorities of the state of emergency as an alibi for detention and making arbitrary and unlawful arrests is contrary to international law.

The Turkish authorities have informed the Secretary General of the Council of Europe that Turkey will notify of its derogation from the European Convention on Human Rights under the Convention's Article 15. However, we recall that there can be no derogation from the following articles: Article 2 (Right to life), Article 3 (Prohibition of torture and inhumane or degrading treatment or punishment), Article 4 para. 1 (Prohibition of slavery), Article 7 (No punishment without law). We note with great concern that several observers of the situation in Turkey have reported grave and pervasive breaches of those rights and protections, among them, acts of torture and inhumane treatment.

We also recall that there can be no derogation from Article 1 of Protocol No. 6 (abolishing the death penalty in peacetime) to the Convention and Article 1 of Protocol No. 13 (abolishing the death penalty in all circumstances) to the Convention. Therefore, any statement by President Erdoğan that he would allow for a reinstatement of the death penalty is contrary to Turkey's obligations under international law and its membership in the Council of Europe.

We call on the European Court of Human Rights to strictly monitor the respect of Article 15 and the criteria set out in the Convention, notably the criteria of proportionality of measures taken and the requirement that any derogations may not be inconsistent with the State's other obligations under international law.

We therefore call on the Council of Europe to be extremely rigorous on the respect by Turkey of its obligations under the European Conventions and Treaties to which Turkey is a state party.

Finally, we call on the European Union and all member states to concur on a common position as regards the consequences of the crackdown on Turkey's relationship with the European Union.

***Council of Bars and Law Societies of Europe (CCBE) - [ccbe@ccbe.eu](mailto:ccbe@ccbe.eu)***

***European Bars Federation/Fédération des Barreaux d'Europe (FBE) - [fbe@icab.cat](mailto:fbe@icab.cat)***

***Union Internationale des Avocats (UIA-International Association of Lawyers) - [uiacentre@uianet.org](mailto:uiacentre@uianet.org)***