



EUROPEAN COMMISSION
NEIGHBOURHOOD AND ENLARGEMENT NEGOTIATIONS

A - Strategy and Turkey
A.5 - Turkey

Brussels,

Dear Sir/Madam,

Thank you for your email of 2 April to President von der Leyen on human rights, democratic norms and the rule of law situation in Turkey, ahead of her visit to Ankara on 6 April. I was asked to reply.

Let me first stress that the Commission shares your concerns and it is closely monitoring every development in Turkey's political context.

During her visit to Turkey, President Von der Leyen expressed to President Erdogan the Commission's concerns about the continued backsliding of Turkey on the rule of law and fundamental rights – against the international commitments it had taken. In relation to this, she particularly focused on Turkey's decision to withdraw from the Istanbul Convention, as well as the situation of human rights defenders. She explicitly underlined that progress on the rule of law is an integral part of the EU-Turkey relationship¹.

The European Union, through a joint statement of High Representative/Vice-President Josep Borrell and Neighbourhood and Enlargement Commissioner Olivér Várhelyi, expressed its deep concern about the decision to strip Peoples' Democratic Party (HDP) Member of the Turkish Grand National Assembly Ömer Faruk Gergerlioğlu of his parliamentary seat and parliamentary immunity. This development admittedly adds to the EU's concerns regarding the backsliding in fundamental rights in Turkey and undermines the credibility of the Turkish authorities' stated commitment to reforms.

In its Annual Reports on Turkey, the Commission has repeatedly conveyed its serious concerns regarding Turkey's backsliding in the field of fundamental rights². Anti-terror legislation is not in line with the case law of the European Court of Human Rights and its selective and arbitrary application has a negative impact on fundamental rights. The Commission has also repeatedly called on Turkey to ensure that it exercises its legitimate right to fight against terrorism in accordance with the rule of law, human rights and fundamental freedoms. We have called on Turkey to cease to use the broad interpretation

¹ <https://www.avrupa.info.tr/en/pr/statement-president-von-der-leyen-joint-press-conference-president-michel-following-their>

² https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/turkey_report_2020.pdf

of its anti-terror law to arrest and detain journalists, writers, lawyers, politicians, academics, human rights defenders and critical voices. The proportionality principle must be observed in practice.

Rest assured that the Commission will continue to closely monitor the overall situation in Turkey with regard to the rule of law and fundamental freedoms and will assess the aforementioned developments in its next annual report on Turkey in autumn of 2021. It will also continue to raise its concerns in its bilateral contacts with the Turkish authorities.

Yours faithfully,

(e-signed)
Bernard BRUNET
Head of Unit

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