

TÜRKİYE

- **TUR-COLL-02:** 66 parliamentarians
- **TUR-COLL-04:** 41 parliamentarians
- **TUR-55:** Mehmet Sincar



Inter-Parliamentary Union
For democracy. For everyone.

Türkiye

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



A demonstrator holds up a picture of Figen Yüksekdağ during the trial of the co-leader of the pro-Kurdish party People's Democratic Party (HDP) in front of the court in Ankara on 13 April 2017. © ADEM ALTAN/AFP

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|---------------------------------------|-----------------------------------|
| TUR-69 – Gülser Yıldırım (Ms.) | TUR-107 – Ferhat Encü |
| TUR-70 – Selma Irmak (Ms.) | TUR-108 – Hişyar Özsoy |
| TUR-71 – Faysal Sariyıldız | TUR-109 – Idris Baluken |
| TUR-73 – Kemal Aktas | TUR-110 – Imam Taşçier |
| TUR-75 – Bedia Özgökçe Ertan (Ms.) | TUR-112 – Lezgin Botan |
| TUR-76 – Besime Konca (Ms.) | TUR-113 – Mehmet Ali Aslan |
| TUR-77 – Burcu Çelik Özkan (Ms.) | TUR-114 – Mehmet Emin Adiyaman |
| TUR-78 – Çağlar Demirel (Ms.) | TUR-115 – Nadir Yıldırım |
| TUR-79 – Dilek Öcalan (Ms.) | TUR-116 – Nihat Akdoğan |
| TUR-80 – Dilan Dirayet Taşdemir (Ms.) | TUR-118 – Osman Baydemir |
| TUR-81 – Feleknas Uca (Ms.) | TUR-119 – Selahattin Demirtaş |
| TUR-82 – Figen Yüksekdağ (Ms.) | TUR-120 – Sirri Süreyya Önder |
| TUR-83 – Filiz Kerestecioğlu (Ms.) | TUR-121 – Ziya Pir |
| TUR-84 – Hüda Kaya (Ms.) | TUR-122 – Mithat Sancar |
| TUR-85 – Leyla Birlik (Ms.) | TUR-123 – Mahmut Toğrul |
| TUR-86 – Leyla Zana (Ms.) | TUR-124 – Aycan Irmez (Ms.) |
| TUR-87 – Meral Daniş Beştaş (Ms.) | TUR-125 – Ayşe Acar Başaran (Ms.) |
| TUR-88 – Mizgin Irgat (Ms.) | TUR-126 – Garo Paylan |
| TUR-89 – Nursel Aydoğan (Ms.) | TUR-128 – Aysel Tuğluk (Ms.) |
| TUR-90 – Pervin Buldan (Ms.) | TUR-129 – Sebahat Tuncel (Ms.) |
| TUR-91 – Saadet Becerikli (Ms.) | TUR-130 – Leyla Güven (Ms.) |
| TUR-92 – Sibel Yiğitalp (Ms.) | TUR-131 – Ayşe Sürücü (Ms.) |
| TUR-93 – Tuğba Hezer Öztürk (Ms.) | TUR-132 – Musa Farisogullari |
| TUR-94 – Abdullah Zeydan | TUR-133 – Emine Ayna (Ms.) |
| TUR-95 – Adem Geveri | TUR-134 – Nazmi Gür |

TUR-96 – Ahmet Yıldırım
TUR-97 – Ali Atalan
TUR-98 – Alican Önlü
TUR-99 – Altan Tan
TUR-100 – Ayhan Bilgen
TUR-101 – Behçet Yıldırım
TUR-102 – Berdan Öztürk
TUR-106 – Ertuğrul Kürkcü

TUR-135 – Ayla Akat Ata (Ms.)
TUR-136 – Beyza Ustün (Ms.)
TUR-137 – Remziye Tosun (Ms.)
TUR-138 – Kemal Bulbul
TUR-140 – Gültan Kışanak (Ms.)
TUR-141 – Semra Güzel (Ms.)
TUR-142 – Salihe Aydeniz (Ms.)
TUR-143 – Can Atalay

Alleged human rights violations

- ✓ Failure to respect parliamentary immunity
- ✓ Lack of due process at the investigation stage
- ✓ Lack of fair trial proceedings and excessive delays
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Arbitrary arrest and detention
- ✓ Ill-treatment
- ✓ Abusive revocation or suspension of the parliamentary mandate

A. Summary of the case

Over 600 criminal and terrorism charges have been brought against the Members of Parliament of the People's Democratic Party (HDP) since 20 May 2016, when the Constitution was amended to authorize the wholesale lifting of parliamentary immunity. They are being tried on terrorism-related charges and for offences such as defamation of the President, Government or State of Türkiye. Some of the individuals concerned also face earlier charges linked to proceedings in connection with the Kurdistan Communities Union (*Koma Civakên Kurdistan* – KCK) while others face more recent charges. In these cases, their parliamentary immunity was allegedly not lifted.

Since November 2016, scores of parliamentarians have been detained, and others have gone into exile. Over 30 parliamentarians have been sentenced to prison terms in recent years, and several have lost their parliamentary mandates, largely as a result of their criminal convictions. Seven current and former parliamentarians are in prison, namely the former HDP co-chairs, Mr. Selahattin Demirtaş and Ms. Figen Yüksekdağ, as well as Ms. Leyla Güven, Ms. Semra Güzel, Mr. Nazmi Gür, Ms. Emine Ayna and Mr. Can Atalay.

Some of the aforesaid individuals had been arrested in September 2020, although the accusations against them relate to events in the distant past that unfolded soon after the siege of Kobane in Syria in 2014. It is in this context that 108 HDP members were charged with various offences, including attempts to “destroy the unity and integrity of the State”, in connection with protests that erupted over the perceived inaction of the Turkish Government during the Islamic State's siege of the Syrian town of Kobane. In May 2024, several of the former HDP parliamentarians, including Mr. Demirtaş, were convicted in this context and sentenced to lengthy prison terms, while others were acquitted or released pending appeal. In parallel, Mr. Can Atalay (TUR-143), elected to Parliament in 2023, remains in prison despite an August 2024 Constitutional Court ruling declaring the revocation of his mandate null and void. Authorities have not implemented that ruling. Moreover, in October 2025, Member of Parliament Mr. Berdan Öztürk was sentenced to six years and four months in prison on charges of aiding a terrorist organization and engaging in terrorist propaganda.

Case TUR-COLL-02

Türkiye: Parliament affiliated to the IPU

Victims: 66 opposition Members of Parliament (32 men and 34 women)

Qualified complainant(s): Section I.1(c) of the Committee Procedure (Annex I)

Submission of complaint: June 2016

Recent IPU decision: October 2025

IPU mission(s): June 2019; December 2025

Recent Committee hearings: Hearings with the Turkish delegation and the complainant at the 151st and 152nd IPU Assemblies (October 2025 and April 2026)

Recent follow-up:

- Communication from the authorities: Letter from the President of the Turkish IPU Group (November 2025)
- Communication from the complainant: March 2026
- Communication to the authorities: Letter to the President of the Turkish IPU Group (February 2026)
- Communication to the complainant: March 2026

According to the complainant, the charges against HDP parliamentarians are groundless and stem primarily from peaceful political speech and activities, including public statements, participation in demonstrations and other actions carried out in the exercise of their parliamentary functions, which fall within the scope of the rights to freedom of expression, assembly and association.

The European Court of Human Rights has, in several judgments, found violations of the rights of HDP parliamentarians, notably of the rights to freedom of expression, liberty and security and free elections, and has called for the immediate release of Mr. Demirtaş. The Court has also found violations relating to the lifting of parliamentary immunity and the pre-trial detention of several parliamentarians, and has emphasized that such measures must not pursue the ulterior purpose of stifling political pluralism. In this regard, on 8 July 2025, the European Court of Human Rights delivered its judgment in *Selahattin Demirtaş v. Türkiye (No. 4)*, finding that Mr. Demirtaş's renewed detention since 2019 violated Article 5, paragraphs 1, 3 and 4, and Article 18 in conjunction with Article 5, paragraph 1 of the European Convention on Human Rights. The Court concluded that the Turkish authorities had deliberately circumvented its previous Grand Chamber judgment of 2020, which had ordered Mr. Demirtaş's release, by filing new but substantially identical charges with the aim of prolonging his detention. It ordered Türkiye to secure Mr. Demirtaş's immediate release, to pay him 55,745 euros in compensation, and to take general measures to prevent similar politically motivated detentions in the future.

An IPU trial observer concluded in 2018 that the prospects for Ms. Yüksekdağ and Mr. Demirtaş receiving fair trials were remote and that the political nature of both prosecutions was evident. It should be noted that, on 17 July 2022, the Constitutional Court ruled in one of the cases against Ms. Yüksekdağ that her rights to freedom of thought and expression, as well as to be elected, were violated when she was stripped of her parliamentary immunity in 2016. A 2018 IPU review of 12 court decisions issued against HDP members reached similar conclusions.

The Turkish authorities have provided extensive information on the legal status of the criminal proceedings against the HDP parliamentarians, without, however, providing information on the precise facts to support the charges or convictions. The Turkish authorities have repeatedly justified the legality of the measures taken against the HDP parliamentarians and invoked the independence of the judiciary, the need to respond to security and terrorism threats and legislation adopted under the state of emergency. The authorities have provided detailed information on Parliament's May 2016 "provisional constitutional amendment" on parliamentary immunity, which has been used to prosecute parliamentarians from all parties. They have asserted that there is no "HDP witch hunt" in Türkiye; that women parliamentarians are not being specifically targeted; that there is no Kurdish issue in Türkiye and no current conflict in south-eastern Türkiye; that Türkiye is facing a terrorism issue on many levels involving the PKK and its "extensions"; that the HDP has never publicly denounced the violent activities of the PKK; that HDP members, including Members of Parliament, have made many statements in support of the PKK and their "extensions"; that HDP members have attended funerals of PKK suicide bombers and called for people to take to the streets, which has resulted in violent incidents with civilian casualties; that this does not fall within the acceptable limits of freedom of expression; that the Constitutional Court has reached such conclusions in several cases and, in other cases, domestic remedies have not yet been exhausted; that the independence of the judiciary and the rule of law in Türkiye must be respected; and that the average implementation rate of European Court of Human Rights judgments for Türkiye sat at 90%, well above the average for all Council of Europe Member States.

On 17 March 2021, the chief prosecutor of the Turkish Court of Cassation referred a request for the dissolution of the HDP to the Constitutional Court, accusing the HDP of terrorist activities. It appears that the prosecution drew heavily on the trial against several HDP politicians in the 2014 Kobane case referred to earlier. Facing dissolution, the HDP leadership refrained from formally dissolving the party; its members decided to run in all 2023 elections under the Green Left Party (YSP) banner, a legally distinct but politically aligned structure. In October 2023, the YSP renamed itself the DEM Party (Peoples' Equality and Democratic Party), hence becoming the *de facto* successor to the HDP.

Recent political developments have included renewed references to a possible peace process and initiatives aimed at addressing the underlying causes of violent conflict in Türkiye. In this context, the Grand National Assembly of Türkiye established a National Solidarity, Sisterhood/Brotherhood and Democracy Committee, whose report was adopted in February 2026 following consultations with a broad range of stakeholders. This report is intended to contribute to efforts aimed at strengthening

democratic governance, social cohesion and the rule of law. At the hearing with the Committee held during the 152nd IPU Assembly (April 2026), a member of the Turkish delegation from the AK Party stated that it was very likely that the Grand National Assembly was going to adopt the necessary legislation to this effect.

Following continued engagement with the Turkish authorities, a delegation of the IPU Committee on the Human Rights of Parliamentarians carried out an on-site mission to Türkiye from 10 to 12 December 2025 in order to obtain updated first-hand information on the issues arising in these cases, as well as on the broader legal and political context. The delegation met with representatives of the executive, judiciary and parliamentary authorities, as well as with lawyers and affected parliamentarians. Following the on-site mission, the Committee mandated the IPU Secretary General to continue discussions with the Turkish parliamentary authorities to see how progress in the cases at hand could be made. These discussions took place in Ankara on 1 April 2026.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Turkish authorities for facilitating the on-site mission of the IPU Committee on the Human Rights of Parliamentarians (10–12 December 2025) and for the engagement demonstrated throughout its preparation and conduct, including by enabling the delegation to meet a broad range of interlocutors and to visit Mr. Selahattin Demirtaş in detention; *considers* that, at a time when respect for human rights is under strain in many parts of the world, such cooperation reflects a real openness and willingness to maintain dialogue with the Committee and to engage with the concerns raised; and *encourages* the authorities to pursue and deepen this engagement with a view to achieving tangible progress in the cases under examination;
2. *Also thanks* the Turkish authorities for the information and observations they have provided following the mission, as well as the complainant for its comments; and *takes note* of the positions expressed by both parties;
3. *Further thanks* the Committee delegation for carrying out the mission and for its report, which constitutes an important basis for the Committee's ongoing examination of these cases; and *endorses* its findings and recommendations;
4. *Expresses the hope* that ongoing consultations with the Turkish authorities will help address lingering questions and concerns, notably with regard to: (i) the practical impact of legal developments on cases involving political expression; (ii) the use and cumulative effect of criminal proceedings in such cases; (iii) the situation of detained current and former parliamentarians and the implementation of relevant judicial decisions; and (iv) the effectiveness of judicial remedies and the timely execution of binding national and international rulings; and *trusts* that continued dialogue with the Turkish authorities will lead to tangible progress in line with international human rights standards, which is all the more important given the high number of individuals affected in this case;
5. *Welcomes* the report adopted in February 2026 by the Grand National Assembly of Türkiye's National Solidarity, Sisterhood/Brotherhood and Democracy Committee; *expresses confidence* that its recommendations will contribute to strengthening democratic governance and the rule of law, in particular by reinforcing the protection of political expression, the application of counter-terrorism legislation in line with human rights standards and the effective exercise of parliamentary mandates; *acknowledges* that it will take time to put in place the corresponding legal framework; *trusts*, nevertheless, that the authorities will proceed with the urgency that the situation warrants; and *wishes* to be kept informed in this regard;
6. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
7. *Requests* the Committee to continue examining this case and to report back to it in due course.



Inter-Parliamentary Union
For democracy. For everyone.

Türkiye

Decision adopted unanimously by the IPU Governing Council at its 217th session (Istanbul, 19 April 2026)



Peoples' Equality and Democracy Party (DEM) on 15 October 2023 in Ankara.
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| TUR-144 – Ayten Kordu (Ms.) | TUR-168 – Pero Dundar (Ms.) |
| TUR-145 – Beritan Güneş Altın (Ms.) | TUR-169 – Sabahat Erdoğan Sarıtaş (Ms.) |
| TUR-146 – Burcugül Çubuk (Ms.) | TUR-170 – Sait Dede |
| TUR-147 – Ceylan Akça Cupolo (Ms.) | TUR-171 – Serhat Eren |
| TUR-148 – Dilan Kunt Ayan (Ms.) | TUR-172 – Serpil Kemalbay (Ms.) |
| TUR-149 – Fatma Kurtulan (Ms.) | TUR-173 – Sezai Temelli |
| TUR-150 – Gülcan Kaçmaz Sayyigit (Ms.) | TUR-174 – Sümeyye Boz (Ms.) |
| TUR-151 – Gülderen Varlı (Ms.) | TUR-175 – Tülay Hatimoğulları Oruç (Ms.) |
| TUR-152 – Gülistan Kılıç Koçyiğit (Ms.) | TUR-176 – Yılmaz Hun |
| TUR-153 – Hakkı Saruhan Oluç | TUR-177 – Zeynep Oduncu (Ms.) |
| TUR-154 – Hasan Özgüneş | TUR-178 – Zülküf Uçar |
| TUR-155 – Hüseyin Kaçmaz | TUR-179 – Çiğdem Kılıçgün Uçar (Ms.) |
| TUR-156 – Hüseyin Olan | TUR-180 – Ömer Öcalan |
| TUR-157 – Kamuran Tanhan | TUR-181 – Öznur Bartın (Ms.) |
| TUR-158 – Kemal Peköz | TUR-182 – Ömer Faruk Gergerlioğlu |
| TUR-159 – Keskin Bayındır | TUR-184 – Çiçek Otlı (Ms.) |
| TUR-160 – Keziban Konukcu Kök (Ms.) | TUR-185 – George Aslan |
| TUR-161 – Mehmet Rüştü Tiryaki | TUR-186 – Heval Bozdağ |
| TUR-162 – Mehmet Zeki Irmez | TUR-187 – Sinan Çiftiyürek |
| TUR-163 – Murat Çepni | |
| TUR-164 – Nejla Demir (Ms.) | |
| TUR-165 – Nevroz Uysal Aslan (Ms.) | |
| TUR-166 – Nuran İmir (Ms.) | |
| TUR-167 – Oya Ersoy (Ms.) | |

Alleged human rights violations

- ✓ Ill-treatment
- ✓ Threats, acts of intimidation
- ✓ Lack of due process in proceedings against parliamentarians
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association

A. Summary of the case

This case concerns 43 incumbent and former opposition parliamentarians from the Peoples' Equality and Democracy Party (DEM Party), the Democratic Regions Party (DBP), and the Peoples' Democratic Party (HDP) in Türkiye. The alleged violations concerning them span from 2018 to 2025 and reflect an intensifying pattern of harassment, intimidation, criminal prosecution and violence targeting Kurdish and other opposition parliamentarians.

According to the complainant, the violations occurred in multiple locations across Türkiye, particularly in provinces with significant Kurdish populations, including Diyarbakır, Van, Hakkari, Şırnak, Siirt, Mardin and İstanbul, as well as in Ankara, where legal proceedings are centralized at the investigative bureau of parliamentary crimes. Several incidents took place during demonstrations, party-organized events, parliamentary debates and peaceful marches such as the "Great Freedom March" (February 2024) and protests against electoral interventions in Van and Bitlis (April 2024). Many incidents also date back to earlier events, including the 2014 Kobane protests and Newroz celebrations between 2019 and 2023.

The complainant points out that most of the parliamentarians are under investigation for charges such as "terrorist propaganda", "membership of a terrorist organization", "incitement", or "participating in unlawful assemblies". The alleged offences often involve peaceful activities such as giving speeches, attending funerals, joining public marches, making social media posts, or expressing solidarity with hunger strikes. Several former and current members have also been subjected to travel bans, police raids and confiscation of passports, preventing them from carrying out their parliamentary duties or participating in international forums. At least four members – Ms. Fatma Kurtulan, Ms. Ayşe Acar Başaran, Ms. Besime Konca and Ms. Pero Dundar – have sought asylum abroad, citing fear of persecution and threats to their safety.

Several Members of Parliament, including female members, reported physical assaults, intimidation, and surveillance by law enforcement, particularly during protests in Hakkari, Van, Silopi, İzmir, Şanlıurfa and Diyarbakır. Complaints against police violence are reportedly frequently dismissed or remain unresolved, contributing to a climate of impunity. Smear campaigns and death threats, often amplified by senior government officials, have allegedly further undermined the safety of Members of Parliament and their ability to represent their constituents.

Most of the legal proceedings are handled by public prosecutor's offices in Ankara, reflecting the centralization of judicial control over political cases. Parliamentary immunity has often been disregarded or lifted in summary proceedings, and vague anti-terror and disinformation laws are systematically applied to criminalize political speech and dissent. Although none of the 39 parliamentarians has been convicted at final instance, the constant pressure of overlapping prosecutions, threats, bans and violence severely impairs their ability to perform their mandate. In addition, former Members of Parliament fail to pursue political careers after their term, often due to ongoing criminal proceedings based on their actions as Members of Parliament.

The complainant argues that these developments are part of a broader deterioration of the democratic space in Türkiye and the use of the judiciary and State institutions against legitimate opposition voices.

Case TUR-COLL-04

Türkiye: Parliament affiliated to the IPU

Victims: 43 opposition Members of Parliament (20 men and 23 women)

Qualified complainant(s): Section I.1(a), (b) and (c) of the Committee Procedure (Annex I)

Submission of complaint: March 2025

Recent IPU decision: October 2025

IPU mission(s): December 2025

Recent Committee hearings: Hearings with the Turkish delegation and the complainant at the 151st and 152nd IPU Assemblies (October 2025 and April 2026)

Recent follow-up:

- Communication from the authorities: Letter from the President of the Turkish IPU Group (November 2025)
- Communication from the complainant: March 2026
- Communication to the authorities: Letter to the President of the Turkish IPU Group (February 2026)
- Communication to the complainant: March 2026

At the hearing with the Committee on the Human Rights of Parliamentarians held during the 151st IPU Assembly (October 2025), the Turkish delegation – further to a letter from the Head of the Delegation dated 19 October 2025 – requested that the Committee discontinue its examination of the following cases, affirming that the individuals concerned were no longer facing any legal proceedings: Ms. Ayten Kordu, Ms. Beritan Günes Altin, Mr. Kamuran Tanhan, Ms. Dilan Kunt Ayan, Ms. Gülcan Kagmaz Sayyigit, Ms. Keziban Konukçu Kök, Ms. Nejla Demir, Ms. Sabahat Erdogan Saritas, Ms. Sümeyye Boz Çaki and Mr. Yılmaz Hun.

The complainant contests this assertion and has provided specific information in this regard, including copies of *fezleke*, which are prosecutorial case summaries transmitted to the Grand National Assembly of Türkiye requesting the lifting of a parliamentarian's immunity so that criminal proceedings may be pursued. At a subsequent hearing with the Committee held during the 152nd IPU Assembly (April 2026), a member of the Turkish delegation from the AK Party stated, however, that *fezleke* are rarely acted upon and, unless they concern serious matters, are generally left for consideration by the Parliament until the end of the parliamentarian's mandate, referring in this respect to the authorities' observations on the mission report. These observations indicated that in the nearly ten years since 2016, only ten immunity files concerning five members have been approved by the relevant parliamentary committee and judicial proceedings have been authorized in only three cases concerning two parliamentarians, while the remaining files have not been placed on the parliamentary agenda.

Recent political developments have included renewed references to a possible peace process and initiatives aimed at addressing the underlying causes of violent conflict in Türkiye. In this context, the Grand National Assembly of Türkiye established a National Solidarity, Sisterhood/Brotherhood and Democracy Committee, whose report was adopted in February 2026 following consultations with a broad range of stakeholders. This report is intended to contribute to efforts aimed at strengthening democratic governance, social cohesion and the rule of law. At the hearing with the Committee held during the 152nd IPU Assembly (April 2026), a member of the Turkish delegation from the AK Party stated that it was very likely that the Grand National Assembly was going to adopt the necessary legislation to this effect.

Following continued engagement with the Turkish authorities, a delegation of the IPU Committee on the Human Rights of Parliamentarians carried out an on-site mission to Türkiye from 10 to 12 December 2025 in order to obtain updated first-hand information on the issues arising in these cases, as well as on the broader legal and political context. The delegation met with representatives of the executive, judiciary and parliamentary authorities, as well as with lawyers and affected parliamentarians. Following the on-site mission, the Committee mandated the IPU Secretary General to continue discussions with the Turkish parliamentary authorities to see how progress in the cases at hand could be made. These discussions took place in Ankara on 1 April 2026.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the Turkish authorities for facilitating the on-site mission of the IPU Committee on the Human Rights of Parliamentarians (10–12 December 2025) and for the engagement demonstrated throughout its preparation and conduct, including by enabling the delegation to meet a broad range of interlocutors; *considers* that, at a time when respect for human rights is under strain in many parts of the world, such cooperation reflects a real openness and willingness to maintain dialogue with the Committee and to engage with the concerns raised; and *encourages* the authorities to pursue and deepen this engagement with a view to achieving tangible progress in the cases under examination;
2. *Also thanks* the Turkish authorities for the information and observations they have provided following the mission, as well as the complainant for its comments; and *takes note* of the positions expressed by both parties;
3. *Further thanks* the Committee delegation for carrying out the mission and for its report, which constitutes an important basis for the Committee's ongoing examination of these cases; and *endorses* its findings and recommendations;

4. *Expresses the hope* that ongoing consultations with the Turkish authorities will help address lingering questions and concerns, notably with regard to: (i) the practical application of existing legislation and its impact on the exercise of political rights; (ii) the situation of opposition parliamentarians who may continue to face legal or other forms of pressure in connection with their legitimate political activities; (iii) the situation of 8 out of the 10 parliamentarians for whom closure of their cases has been requested, who appear to remain subject to pending *fezleke*, and the implications of such proceedings for legal certainty and the effective exercise of parliamentary mandates; and *trusts* that continued dialogue with the Turkish authorities will contribute to tangible progress on these matters in line with international human rights standards, which is all the more important given the high number of individuals affected in this case;
5. *Notes*, however, that with regard to Ms. Beritan Günes Altin and Ms. Gülcan Kagmaz Sayyigit, who do not appear to be subject to *fezleke*, but who have allegedly been subject to intimidation and pepper spray, sufficient evidence is lacking to conclude that the alleged events took place and amount to a human rights violation; and *decides* to close these two cases pursuant to section IX, paragraph 25, of its Procedure for the examination and treatment of complaints, while reserving the right to re-open them should concrete and convincing evidence be made available;
6. *Welcomes* the report adopted in February 2026 by the Grand National Assembly of Türkiye's National Solidarity, Sisterhood/Brotherhood and Democracy Committee; *expresses confidence* that its recommendations will contribute to strengthening democratic governance and the rule of law, in particular by reinforcing the protection of political expression, the application of counter-terrorism legislation in line with human rights standards and the effective exercise of parliamentary mandates; *acknowledges* that it will take time to put in place the corresponding legal framework; *trusts*, nevertheless, that the authorities will proceed with the urgency that the situation warrants; and *wishes* to be kept informed in this regard;
7. Requests the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
8. Requests the Committee to continue examining this case and to report back to it in due course.



Inter-Parliamentary Union

For democracy. For everyone.

Turkey

TK/41 - Hatip Dicle
TK/67 - Mustafa Balbay
TK/68 - Mehmet Haberal
TK/69 - Gülser Yildirim (Ms.)
TK/70 - Selma Irmak (Ms.)
TK/71 - Faysal Sariyildiz
TK/72 - Ibrahim Ayhan
TK/73 - Kemal Aktas
TK/74 - Engin Alan
TK/55 - Mehmet Sinçar

Decision adopted unanimously by the IPU Governing Council at its 195th session (Geneva, 16 October 2014)

The Governing Council of the Inter-Parliamentary Union,

Referring to the cases of the above-mentioned parliamentarians and to the resolution adopted at its 194th session (March 2014),

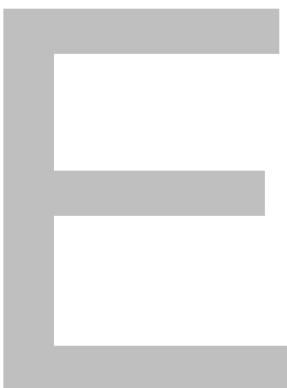
Referring to the full report on the mission conducted to Turkey by two members of the IPU Committee on the Human Rights Parliamentarians, Vice-President of the Committee, Ms. Ann Clwyd and Ms. Margaret Kiener Nellen, from 24 to 27 February 2014 (CL/195/11(b)-R.1),

Recalling that the nine parliamentarians above were all elected in June 2011 while in prison and are being prosecuted for destabilizing or overthrowing the constitutional order, including by being members of terrorist organizations, in three complex cases known as the “Sledgehammer/Balyoz case”, the “Ergenekon case” and the “KCK case”,

Considering that the nine parliamentarians have now been released pending the completion of ongoing proceedings following groundbreaking decisions of the Constitutional Court of Turkey on the excessive length of pretrial detention, the right of elected parliamentarians to sit in Parliament and the need to respect international fair-trial guarantees; Mr. Alan and Mr. Dicle were granted provisional release on 19 and 28 June 2014, respectively,

Considering that they are now able to exercise their parliamentary mandate with the exception of Mr. Dicle, who lost his parliamentary status at the time of his invalidation; Mr. Balbay’s and Mr. Haberal’s restrictions on the freedom of movement have been lifted,

Recalling that Mr. Mehmet Sinçar, a former member of the Grand National Assembly of Turkey, of Kurdish origin, was assassinated in September 1993 in Batman (south-eastern Turkey),



Considering that the appeal in Mr. Sinçar's case was concluded in January 2011; the decision does not make any specific reference to the murder of Mr. Sinçar, to the appeal lodged by his family or to any of the arguments raised by their lawyers; it does not indicate that the judicial process effectively probed the political and security context prevailing at the time of the murder and the possible responsibility of the chain of command of the Turkish intelligence and security officers, in particular existing information implicating five agents in planning and executing the crime,

Considering that the mission concluded and observed the following:

- With regard to freedom of expression:
 - The protection of freedom of expression in Turkey has been a long-standing issue of concern in prior cases before the Committee on the Human Rights of Parliamentarians which, since 1992, has repeatedly called on the Turkish authorities to take action to enhance respect for this fundamental right;
 - Peaceful and legal political activities of the parliamentarians concerned have been regarded as evidence of criminal and terrorist acts by the prosecution and the courts, and that despite progress made in legislative reforms; the Turkish legal framework and judicial practice continue to largely fail to distinguish between peaceful protest and dissenting opinions on the one hand, and violent activities pursuant to the same goals on the other;
 - In the case of Mr. Dicle, his statement publicly expressing a non-violent opinion supportive of the PKK fell within the scope of freedom of speech; he was therefore convicted in violation of his right to freedom of expression and that, as a consequence, his parliamentary mandate was arbitrarily invalidated,
- With regard to fair-trial guarantees:
 - In light of the information and documentation reviewed during and after the mission, the delegation has concluded that the judicial process under which the parliamentarians concerned have been, and continue to be, tried is not in compliance with international standards of due process, that justice was neither achieved nor perceived to have been achieved, and that the large scope of the proceedings and the broader context lend weight to the allegations that the judicial proceedings may have been politically motivated,

Considering that the Constitutional Court ruling of 18 June 2014 concluded that fair-trial violations occurred in the Sledgehammer case, which will pave the way for a retrial of Mr. Alan and other defendants in the case,

Considering that, in their observations on the mission report, the parliamentary authorities have stated that:

- They did not have any general objections to the findings of the delegation;
- Further legislative reforms were completed with the amendments made by Law No. 6526 of 21 February 2014, known as the Fifth Judicial Reform Package;
- The first hearing of the retrial of the persons accused in the Sledgehammer case, including Mr. Alan is scheduled for 3 November 2014,

1. *Thanks* the Turkish authorities for their observations and *notes with interest* that they generally share the findings of the mission;
2. *Further thanks* the mission delegation for the work done and endorses its overall conclusions; and *trusts* that the Turkish authorities will implement its recommendations promptly;
3. *Notes with satisfaction* that all parliamentarians have been released pending the completion of the ongoing proceedings and, with the exception of Mr. Dicle, are now able to exercise their parliamentary mandate; *also notes with interest* that the travel

restrictions on Mr. Balbay and Mr. Haberal have been lifted; *welcomes* the legislative reforms undertaken by the authorities;

4. *Deeply regrets*, however, that the parliamentarians concerned spent over half of their parliamentary term and an average of four years in detention before a solution was found; and *urges* the Turkish authorities to adopt appropriate constitutional and legislative amendments to fully implement the rulings of the Constitutional Court as regards the pretrial detention of parliamentarians;
5. *Is deeply concerned* that the peaceful and legal activities of the parliamentarians concerned were regarded as evidence of criminal and terrorist acts by the prosecution and the courts, and *calls on* the authorities to urgently strengthen freedom of expression and association, in particular concerning anti-terrorist legislation and the offence of membership of a criminal organization; *wishes* to be kept informed about legislative reform envisaged on these issues;
6. *Expects* that the judicial proceedings will provide appropriate redress for the acknowledged violations of due process and will be completed swiftly in compliance with international standards; *wishes* to be regularly apprised of their status and outcome;
7. *Urges* the Turkish authorities to pursue further investigations in the case of Mr. Sinçar and fully take into account existing information implicating five agents of the Turkish intelligence Services in planning and executing the crimes; *further invites* the parliamentary authorities to consider establishing a parliamentary commission to investigate the murder, together with other human rights violations committed in the 1990s in south-eastern Turkey, including abuses by State perpetrators;
8. *Trusts* that the parliamentary authorities will liaise with the competent executive and judicial authorities to keep the Committee apprised of any future developments, so as to facilitate a dialogue conducive to a satisfactory settlement of the cases under examination;
9. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
10. *Requests* the Committee to continue examining this case and to report back to it in due course.