



Human Rights Watch Statement

UPR outcome report on Turkey

September 2010

Human Rights Watch welcomes the UPR report on Turkey, which includes important recommendations concerning Turkey's full adoption of international human rights law, combating impunity of public officials and members of the security forces, protecting freedom of expression, and upholding women's rights and minority rights.

We welcome Turkey's adoption of constitutional amendments by referendum on September 12, 2010. The amendments extend fundamental rights and the rule of law in Turkey.

We urge the government to pursue its pledge following the referendum to proceed with the long-promised full revision of the 1982 constitution to remove restrictions on freedom of expression and on the rights of minority groups and others that limit fundamental rights and the rule of law.

We welcome the Turkey's acceptance of the recommendation to ratify the Rome Statute of the International Criminal Court. We urge Turkey to sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance, and to lift the geographical limitation to the 1951 Refugee Convention.

In the context of efforts to combat impunity for torture and ill-treatment, we welcome Turkey's commitment to ratify the Optional Protocol to the UN CAT, which provides for the setting up of an independent national preventative mechanism for monitoring places of detention. However, we have concerns that the draft law on the establishment of a national human rights institution does not conform with the Paris Principles because the law fails to ensure that the body will be sufficiently independent, empowered and accountable to the public. We therefore urge the Turkish government to revise the draft in adherence with the Paris Principles and with the active participation of relevant civil society organizations.

Combating a culture of impunity must remain a priority for Turkey throughout the implementation of UPR commitments. The government must ensure independent, effective and prompt investigations into state officials alleged to have committed human rights abuses or to have failed in their positive obligation to protect the lives of individuals known to be at risk.

In this context, in September the European Court of Human Rights ruled that the Turkish authorities had failed to protect the life of Armenian-Turkish journalist and editor Hrant Dink or to uphold his right to free expression. We call on the Turkish authorities to reopen the investigation into state officials' negligence, misconduct and possible collusion in the killing. To implement the ruling, Turkey must also repeal all restrictions on freedom of expression currently remaining in its laws. There are still hundreds of prosecutions of individuals for statements that are non-violent and do not incite violence. Many result in convictions.

To comply with another European Court ruling from 2009 that the Turkish authorities failed to protect the right to life of victims of domestic violence, we urge Turkey to implement the Law on the Protection of the Family.

Human Rights Watch is disappointed that the Turkish government has rejected recommendations to bring its definition of minorities into line with international standards, to withdraw its reservation to article 27 of the ICCPR on minority rights and to ratify the Council of Europe Framework Convention for the Protection of National Minorities, notwithstanding its readiness to consider recommendations to adopt an anti-discrimination law. In parallel with the government's pledge to revise the 1982 constitution in its entirety, we urge the Turkish government to reconsider decisions to reject such recommendations and to ensure that they are fully enforced.