

Council of Europe's Congress adopts report on the situation of mayors in Turkey

Strasbourg, 29 March 2017 – On 29 March 2017, the Congress of Local and Regional Authorities of the Council of Europe adopted a recommendation and resolution on the situation of mayors and councillors in Turkey, and, in particular, on the detention of elected mayors and their replacement by mayors appointed by the central authorities. The co-rapporteurs Anders Knape (Sweden, EPP/CCE) and Leen Verbeek (Netherlands, SOC) presented the report prepared following two fact-finding missions to the country in 2016.

In the adopted texts, the Congress asks the Committee of Ministers of the Council of Europe to invite the Turkish authorities to rescind the legislative measures on “mayors appointed by the central authorities” and restore the capacity of municipal councils to choose a replacement mayor. It also points out that the arrest of a local elected representative must be a decision duly substantiated in domestic law, taken in conformity with the standards of the Council of Europe and, in particular, with the European Convention on Human Rights. The Congress also calls for Turkish legislation to be revised, in order to align its definition of terrorism with European standards, notably the case law of the European Court of Human Rights.

In addition, the Congress calls for a revision of the ministerial instructions of 11 November 2016 with a view to decriminalising the appointment of co-mayors. In this connection, it has agreed to put the review of the situation of Nurhayat Altun, member of the Turkish delegation of the Congress, on the agenda of its Bureau meetings until the end of legal proceedings. “Co-mayor” of Tunceli, Ms Altun was arrested on 17 November 2016 and is being held in Kocaeli F-type prison.

Aware of the threats that Turkey is facing, including an increase in terror attacks, the Congress stands ready to work with the Turkish authorities to strengthen local democracy and to combat terrorism and violent extremism. As part of its co-operation with its institutional partners within the Council of Europe, it proposes that the Human Rights Commissioner, in the framework of his visits to Turkey, pay particular attention to the situation of elected mayors and suggests that the Venice Commission prepare an opinion on the constitutionality of the measures in Decree Law No. 674 which concern the exercise of local democracy in Turkey.