

URGENT ACTION

TURKEY PERMANENTLY CLOSES HUNDREDS OF NGOS

375 registered associations and NGOs were permanently closed and their assets seized following an executive decree No. 677 issued on 22 November. NGOs whose activities had been suspended on 11 November are among those who appear on the list of closed organizations. Even under the state of emergency, this closure cannot be justified.

On 22 November, **375 registered associations and NGOs** were permanently closed following an executive decree No. 677. Article 3 of the executive decree states that: 'Associations listed linked to terrorist organizations or that the National Security Council has established they belong to, cohere with or are linked to structures, formations or groups that are acting against national security, are closed. All assets of the associations are considered to have been transferred to the Treasury free of charge, including the deeds for any premises, without any restrictions.' The decree includes the full list of NGOs permanently closed, including dozens of national and local human rights organizations, women's rights organizations, local cultural associations, associations providing support to people living in poverty, students and business associations and even sports clubs.

Among the NGOs affected by the executive decree are many whose activities were previously suspended by the Ministry of Interior on 11 November, including Progressive Lawyers' Association (ÇHD), Association of Lawyers for Freedom (ÖHD), whose members have represented victims of torture and other ill-treatment, Mesopotamia Lawyers Association (MHD) representing communities affected by curfews in south eastern Turkey, Van Women's Association (VAKAD), which provides services to women fleeing domestic violence and Turkey's leading children's rights organization Agenda: Child Association (Gündem Çocuk). Sarmaşık Association, which provides food aid and education services to 32,000 people in Diyarbakır, in southeast Turkey, including people forcibly displaced by the state, has also been closed. The suspensions and now the closures have occurred without individualized reasoning or the possibility of appeal or judicial remedy.

These sweeping suspensions and closures of NGOs are disproportionate and cannot be justified even under the state of emergency, and are in violation of the rights to freedom of expression and association, guaranteed under the International Covenant on Civil and Political Rights, to which Turkey is a party.

Please write immediately in Turkish or your own language:

- Calling on the authorities to revoke executive decree No. 677 and immediately reverse the decision to close and seize the assets of the 375 registered associations and NGOs;
- Urging them to halt any further suspension or closure of associations and NGOs, and ensure effective remedies are provided to challenge the legality of derogating measures under the state of emergency;
- Urging them to stop the crackdown on the right to freedom of expression and association.

PLEASE SEND APPEALS BEFORE 4 JANUARY 2017 TO:

Minister of Interior

Mr Süleyman Soylu
İçişleri Bakanlığı
Bakanlıklar
Ankara, Turkey
Fax: +90 312 418 17 95
Fax: +90 312 425 85 09
Salutation: Dear Minister

Prime Minister

Mr Binali Yıldırım
Vekaletler Caddesi
Başbakanlık Merkez Bina
P.K. 06573
Kızılay / Ankara, Turkey
Fax: +90 312 403 62 82
Salutation: Dear Prime Minister

And copies to:

Parliamentary Commission on Human Rights

Mr Mustafa Yeneroğlu
Commission Chairperson
TBMM İnsan Hakları İnceleme
Komisyonu
Bakanlıklar, 06543 Ankara, Turkey
Fax: +90 312 420 24 92
Email: insanhaklarikom@tbmm.gov.tr

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR ABDURRAHMAN BİLGİÇ, Embassy of the Republic of Turkey, 43 Belgrave Square SW1X 8PA, 020 7393 0202, embassy.london@mfa.gov.tr

Please check with your section office if sending appeals after the above date. This is the first update of UA 258/16. Further information: <https://www.amnesty.org/en/documents/eur44/5141/2016/en/>

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ADDITIONAL INFORMATION

Executive decree No. 677, published in the Official Gazette on 22 November, includes the full list of closed NGOs and associations, located in 62 provinces and towns across the country. The decree also reopens 175 of 1,125 associations and NGOs which were closed by the executive decree No. 667, the first decree under the state of emergency.

Turkey is obliged under Article 19 of the International Covenant on Civil and Political Rights (ICCPR) and Article 10 of the European Convention on Human Rights (ECHR) to guarantee the right to freedom of expression, which includes the right to seek, receive and impart information and ideas of all kinds; and to uphold the right to freedom of association under Article 22 of the ICCPR and Article 11 of the ECHR. The only permissible restrictions they may impose on the exercise of these rights are those which are demonstrably necessary for the protection of national security and public order and public health or morals and the protection of the rights of others and are proportionate to the stated purpose; they must also prohibit propaganda for war and advocacy of hatred constituting incitement against people.

While the rights to freedom of expression and association might be derogated in exceptional and temporary circumstances, the Human Rights Committee has stated that all derogation measures under a state of emergency must be limited to the extent strictly required by the exigencies of the situation. The obligation under international law to limit any derogations to those strictly required by the exigencies of the situation reflects the principle of proportionality, which is common to derogation and limitation powers. Specific measures taken pursuant to the derogation must also be shown to be required by the exigencies of the situation.

Further information on UA: 258/16 Index: EUR 44/5208/2016 Issue Date: 23 November 2016