



Strasbourg

Justice March

"Justice for All in Türkiye"

Mr. Alain Berset

Secretary General of the Council of Europe

Copied to:

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President of the Parliamentary Assembly of the
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Ms. Isabelle BERRO-AMADEÏ

President of the Committee of Ministers

Mr. Michael O'Flaherty

Commissioner for Human Rights

Mr. Mattias Guyomar

President of the European Court of Human
Rights

Strasbourg, 24 June 2026

Mr. Secretary General,

We write to you on behalf of the participants of the Justice March who have gathered in Strasbourg for the fifth time under the call "Justice for All in Türkiye", in front of the institutions entrusted with safeguarding the European Convention system and the values upon which the Council of Europe was founded: human rights, democracy and the rule of law.

For many years, citizens, lawyers, academics, journalists, human rights defenders and victims of political persecution in Türkiye have looked to the Council of Europe as the ultimate guardian of the rights guaranteed by the European Convention on Human Rights. Yet today, they struggle to see a sufficiently visible, coordinated and sustained institutional response commensurate with the gravity, duration and scale of the crisis unfolding in a founding member State of the Organization.

Nearly a decade after the mass repression that followed the events of July 2016, hundreds of thousands of people continue to face criminal investigations, prosecutions, dismissals, travel restrictions, arbitrary detention and social exclusion based on overly broad and unforeseeable interpretations of anti-terrorism legislation which the Venice Commission, UN human rights mechanisms and European institutions repeatedly criticized. Lawful activities protected by the Convention, including freedom of association, freedom of expression, participation in civil society, educational activities, charitable engagement and the use of legal communication tools, were transformed into evidence of terrorism-related offences in post-2016 era.

The plight of individuals accused of links to the Gülen movement illustrates the scale and depth of the problem. In several communications addressed to the Turkish authorities, UN Special Rapporteurs raised concerns that the designation of the Gülen movement as a terrorist organization did not comply with the criteria set out in the model definition of terrorism advanced by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (A/HRC/16/51, para. 28). They further noted that this designation was made without adequate judicial safeguards, a sufficiently established evidentiary basis and due process guarantees consistent with international human rights standards (AL TUR 5/2024; AL TUR 9/2025). The European Court of Human Rights also confirmed in its case-law that thousands of individuals with links to the Gülen movement have been prosecuted, detained and convicted on the basis of their past lawful activities, social associations and ordinary civic conduct, without sufficient proof of individual culpability, material contribution to terrorism, or the required mental element of the offence. Likewise, the UN Working Group on Arbitrary Detention has repeatedly documented patterns of guilt by association, arbitrary detention, and discriminatory prosecution and, in a number of its opinions (see in particular, WGAD Opinion No. 51/2020, No. 29/2023, No. 3/2023), has cautioned that the widespread and systematic character of these practices raises concerns under international law, including with regard to the prohibition of crimes against humanity.

The Grand Chamber's ruling in *Yalçınkaya v. Türkiye* (2023) should have marked a turning point. The Court identified a systemic problem affecting thousands of cases and found violations of the Convention arising from precisely the practices mentioned above. Yet meaningful change has not followed despite the judgment. Türkiye has instead sought to interpret *Yalçınkaya* restrictively, while avoiding the systemic changes advised by the Court. Most recently, the Grand Chamber, in its judgment of 5 May 2026 in *Yasak v Türkiye*, further clarified the principles already established in *Yalçınkaya*. The Court made clear that terrorism convictions cannot rest on guilt by association, presumed affiliation, or lawful conduct in the

absence of individualized evidence, criminal intent and material contribution to terrorism. Since *Yalçinkaya*, the Court has continued to confirm the scale of the problem. It has already found violations of Articles 6 and 7 in cases concerning more than 2,400 applicants, as well as violations of Article 5 in cases involving more than 4,000 individuals detained after July 2016 under substantially similar accusations. Thousands of further applications remain pending before the Court. These are not mere statistics. Behind each case is a human life: families separated, children growing up without their parents, individuals deprived of their liberty and livelihoods, and futures left in uncertainty.

The Court has played an indispensable role in documenting these violations and providing redress to victims, within the limits of its judicial mandate and the principles of subsidiarity. Yet, the consequences of the post-2016 crackdown extend far beyond the issues already addressed in the Court's case-law, and the Court alone cannot resolve a crisis of this magnitude. Large categories of victims still await judicial scrutiny in Strasbourg, including those affected by mass dismissals under emergency decrees, passport cancellations and travel bans, collective restrictions on employment and social rights, large-scale property and company confiscations, the criminalization of ordinary social, professional and economic relations, and the transnational dimension of repression, including cross-border surveillance, unlawful renditions and forced returns. Nearly a decade after the events of July 2016, these unresolved issues continue to affect hundreds of thousands of individuals and their family members. Judicial remedies remain essential, but they are not sufficient on their own; the scale, duration and systemic nature of these violations require a coordinated institutional response from the Council of Europe as a whole.

The problem extends far beyond those targeted for their actual or perceived affiliation with the Gülen movement. Numerous judgments of the European Court of Human Rights, including those concerning *Selahattin Demirtaş*, *Osman Kavala*, *Figen Yüksekdağ* and many others, continue to remain unimplemented. According to the Council of Europe Department for the Execution of Judgments, Türkiye ranks among the member States with the highest number of leading judgments awaiting execution, and it has for years held first place in the number of cases pending implementation for five years or more. Türkiye also accounts for the single largest share of applications pending before the Court, representing more than one-third of its entire docket. These figures are not merely indicative of implementation delays. They reveal a persistent pattern of resistance to the authority of the Court and to the binding nature of judgments under Article 46 of the Convention. The persistence of this situation despite years of enhanced supervision by the Committee of Ministers underscores the urgent need for renewed institutional engagement across the Council of Europe.

Civil society organizations, international legal experts and human rights bodies have documented recurring practices aimed at circumventing the implementation of judgments of both the European Court of Human Rights and domestic courts. These practices include the requalification of substantially identical facts into new criminal accusations, the initiation of parallel proceedings, the issuance of new detention orders immediately following release decisions, and the presentation of cosmetic reforms in place of genuine structural change.

Equally troubling is the increasingly open challenge to the authority of the Convention system. Senior figures in Türkiye have repeatedly questioned the legitimacy of judgments delivered by the European Court of Human Rights. Domestic authorities continue to deny the existence of systemic problems despite repeated findings by the Court, the Committee of Ministers, the Commissioner for Human Rights and numerous United Nations mechanisms.

These persistent violations are deeply rooted in a structural erosion of judicial independence. In its December 2024 opinion, the Venice Commission expressed grave concern regarding the composition and election process of the Council of Judges and Prosecutors, noting that the current framework grants the executive branch "undue influence" over the judiciary. This lack of structural safeguards has created an environment where judiciary is increasingly perceived as an instrument of political control rather than an independent guarantor of rights. This is most visibly manifest in the systematic removal of democratically elected mayors and their replacement by government-appointed trustees—a practice that has recently expanded to target the main opposition party, effectively disenfranchising millions of voters.

Civic space in Türkiye continues to shrink. Peaceful assemblies are frequently met with restrictive measures, lawyers face increasing pressure, and independent media and digital platforms are subjected to extensive censorship and judicial interference. These developments further weaken the safeguards necessary for the effective protection of Convention rights.

Mr. Secretary General,

At this critical moment, we respectfully submit that the Council of Europe's monitoring mechanisms must be accompanied by visible and determined leadership.

Article 52 of the European Convention on Human Rights confers on the Secretary General a unique and important responsibility. It empowers you to request explanations from any High Contracting Party regarding the manner in which its domestic law ensures the effective implementation of the Convention.

We respectfully urge you to exercise this authority in relation to Türkiye.

Despite years of concerns expressed by UN Treaty Bodies and Special Procedures, the Venice Commission, the Commissioner for Human Rights, the Parliamentary Assembly and the Court itself, the powers available under Article 52 have not yet been deployed in response to these systemic concerns.

The scale and persistence of the current situation fully justify such action. Such a request would not constitute an extraordinary intervention. Rather, it would represent a necessary and proportionate response to a longstanding and systemic challenge to the effectiveness of the Convention system.

We respectfully call upon the recipient institutions to act within their respective mandates:

Secretary General of the Council of Europe,

- To consider exercising the authority conferred by Article 52 of the Convention and to request detailed explanations from Türkiye regarding the lack of independence and impartiality of the judiciary, the compatibility of its anti-terrorism legislation, judicial practice, execution of Court judgments with the Convention, post-2016 purge measures, property and company confiscations, passport cancellations, travel bans, and transnational repression practices with the Convention.

The Committee of Ministers and its Chairmanship,

- To intensify supervision of the execution of judgments concerning Türkiye, particularly those revealing systemic problems under Articles 5, 6, 7, 10 and 11 of the Convention, as well as the high-profile cases in which the Court has found a violation of Article 18; to require concrete, measurable and time-bound general measures; and to respond firmly to cosmetic reforms or practices aimed at circumventing implementation.

President of the Parliamentary Assembly

- To maintain close scrutiny of democratic backsliding, judicial independence, the removal of elected officials, restrictions on civic space and the continued non-implementation of Court judgments; and to ensure that these concerns remain central to its monitoring of Türkiye's obligations and commitments;
- To pursue the implementation of the measures foreseen under the Recommendation 2261 (2023), Resolution 2509(2023), and Resolution 2018(2023); and

- To ensure regular parliamentary scrutiny of Türkiye's compliance with its obligations as a member State of the Council of Europe.

Commissioner for Human Rights

- To continue documenting and publicly addressing, without distinction between victim groups or categories of harm, the human rights consequences of the misuse of anti-terrorism legislation, arbitrary detention, restrictions on freedom of expression and assembly, pressure on lawyers and bar associations, and the persecution of individuals and groups perceived by the ruling authorities as dissenting voices, political opponents, or enemies to be neutralised through judicial and administrative measures;
- To provide timely and principled guidance to the Turkish authorities; and
- To undertake a comprehensive examination of the human rights impact of the post-2016 purge measures. In this respect, we were deeply concerned that, during the recent Spring Session of the Parliamentary Assembly, the scale and consequences of the dismissals by emergency decrees appeared to be acknowledged only after a direct question from a member of the Assembly concerning the victims of emergency decree dismissals. Nearly a decade after these measures affected more than 150,000 dismissed public servants and hundreds of thousands of family members, it is difficult to understand why this issue has not yet received the level of attention, visibility and scrutiny that its scale and human consequences clearly require.

President of the Court

- While fully respecting the Court's judicial independence, and mindful of the significant pressure that mass applications place on the Court's resources, to ensure continued, timely and effective judicial scrutiny of systemic violations affecting thousands of applicants;
- To give appropriate priority to post-2016 patterns of mass victimisation that have not yet been communicated to the Government or adequately examined by the Court, including dismissals under emergency decrees, passport cancellations, property and company confiscations, restrictions on employment and social rights, and transnational repression.
- To preserve the Court's central role in identifying structural Convention violations and to ensure that large categories of post-2016 applications raising similar Convention concerns receive timely and effective judicial consideration.

Mr Secretary General,

Distinguished Recipients,

The issue at stake today is not only the protection of individual victims in Türkiye. It concerns the credibility of the European human rights system itself. When judgments of the Court remain unimplemented, when violations identified by the Court continue to recur, and when legal mechanisms designed to protect fundamental rights are transformed into instruments of repression, the authority of the Convention is weakened for all Europeans.

We therefore call upon the institutions represented by the recipients of this letter to use the full extent of their respective mandates and authority to ensure that the principles embodied in the Convention are upheld in practice and not merely affirmed in principle. The continuing failure to secure compliance with the Convention in Türkiye is no longer merely a Turkish problem. It has become a test of whether the European human rights system can effectively defend its own principles when confronted with persistent and open resistance to its authority.

Five years of peaceful appeals by thousands of people in Strasbourg reflect their enduring faith in the institutions of the Council of Europe.

Respectfully,

Peaceful Actions Platform
Strasbourg