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21st Session of the UPR Working Group – Review of Turkey

Statement by Austria

27 January 2015

Austria welcomes H.E. ... and the delegation of Turkey to the UPR.

We welcome positive developments to strengthen the protection of human rights such as the establishment of the Ombudsman Institution and the granting of the right to file an individual complaint with the Constitutional Court for human rights violations.

However, Austria is worried about the reported climate of intimidation of journalists and political interference in the work of the media, including recent police raids and arrests of media representatives, as well as attempts to block access to social media. We have also noted with concern the excessive use of force, arbitrary arrests and the number of charges brought in reaction to largely peaceful protests in 2013.

Regarding the functioning of the judiciary as well as existing challenges in the administration of justice we would like to ask Turkey to pay specific attention to the recommendations made by Special Procedures and Treaty Bodies concerning an independent judiciary, the right to a fair trial, enhanced access to legal aid in the juvenile justice system, and reducing the widespread use of pre-trial detention.

While we have taken note of some efforts to limit existing restrictions, Austria remains concerned about the ongoing discrimination against minorities, in particular religious minorities. The exercise of the right to freedom of religion or belief implies that children have access to their own religious education rather than compulsory religious education for a confessional group they do not belong to. Regarding minorities' access to education in their mother tongue, we note that a number of UN treaty bodies have expressed their concern about the restrictions in place.

We would like to recommend the following:

1. To guarantee the right to freedom of expression, online and offline, to fully ensure that journalists can pursue their profession without harassment and fear of reprisals, and to this end to review its legislation – including the Criminal Code and anti-terror legislation – to bring it in line with international human rights standards.
2. To respect the human right to freedom of assembly as well as to carry out investigations into excessive use of force by security forces against peaceful protesters.
3. To guarantee an independent and impartial judiciary, including by refraining from undue interference by the executive, and to provide adequate checks and balances.
4. To accelerate efforts to increase the number of women in political and public life, to eliminate and prevent violence against women, including domestic violence and honor killings, and to combat discriminatory attitudes and harmful practices.
5. To ensure the rights of religious minorities, to enhance access to education in the native language of minorities, to withdraw the reservation to article 27 of ICCPR regarding minorities and to ratify the Council of Europe Framework Convention for the Protection of National Minorities.

Thank you.