

**United Nations Human Rights Council**

**35th Session of the UPR Working Group**

**Geneva, 28 January 2020**

**Recommendations and advance questions to**

**Turkey**

Mrs. President,

Germany welcomes the first steps taken by Turkey to pass its Judicial Reform Strategy.

Germany recommends:

1. Repeal all provisions that restrict judicial and prosecutorial independence, including those that allow the executive to appoint a large number of members to the Council of Judges and Prosecutors as well as to the Constitutional Court.
2. Amend Article 7(2) of the Anti-Terrorism Law to ensure that only incitement to violence is prohibited. Align counter-terrorism laws with international human rights standards. End excessive prosecution of human rights defenders, journalists and civil society representatives under the pretext of fighting terrorism
3. Prevent impermissible use of provisions concerning “public order”, “public health” and “public moral” to ensure freedom of assembly and association for all citizens, including LGBTI persons.

Thank you, Mrs. President.

**GERMAN ADVANCE QUESTIONS TO TURKEY:**

1. Germany welcomes the recent lifting of the ban on Wikipedia in accordance with the ruling of the Constitutional Court. With regard to the implementation of the new media license law, the ongoing ban on social media accounts, as well as the arrests of bloggers, journalists and twitter users during the Turkish military operation in Syria, how does Turkey guarantee the freedom of speech in the digital field?
2. Following the reform of the military service in 2019, is the government of Turkey establishing a legal basis for the introduction of conscientious objection as demanded by the relevant decisions of the European Court of Human Rights?
3. How does the government plan to reform the National Human Rights and Equality Institution to provide for its independence from the executive, in particular concerning the appointment procedure for its members, as prescribed by the Paris Principles?
4. Which steps does Turkey intend to take in order to eliminate the discrimination of religious and ethnic minorities with regard to admissions and promotions in the public service?
5. Could you please elaborate on the steps the government has taken or intends to take to address the issue of femicides in Turkey?
6. How is Turkey addressing reports about torture and ill-treatment in prisons and police detention which have exponentially increased since 2016?