



EUROPEAN UNION

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**OSCE Permanent Council N° 1173
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**EU statement on the implementation of the decision of the
Constitutional Court of Turkey**

The EU would like to express its grave concern that the decision of the Constitutional Court of Turkey ordering the release of detained journalists Mehmet Altan and Şahin Alpay has still not been implemented.

According to the Court ruling of 11 January, called a landmark decision by the OSCE Representative on Freedom of the Media, the ongoing detention of Altan and Alpay is disproportionate and seriously infringes upon their rights to liberty, freedom of expression and freedom of the media. Lower courts have, however, thus far rejected applications for the release of Altan and Alpay, and the Constitutional Court has been publically criticized by a government representative for overstepping its authority.

The non-implementation of the Constitutional Court's ruling and subsequent continued imprisonment of the two journalists further increases the EU's serious concerns relating to the rule of law, independence of the judiciary, freedom of expression and freedom of the media in Turkey. The standards of the European Convention on Human Rights and the case-law of the European Court of Human Rights must be respected, including with regard to pre-trial detention as well as the principle of presumption of innocence. We also recall that all OSCE participating States agreed in Helsinki 2008 on "the role of constitutional courts or comparable institutions of the participating States as an instrument to ensure that the principles of the rule of law, democracy and human rights are observed in all state institutions".

The EU reiterates its call on Turkey to respect the freedom of the media, and ensure a safe and enabling environment for media actors to carry out their work

independently and without fear of reprisals. We join the OSCE Representative on Freedom of the Media in calling on Turkey to ensure that the Constitutional Court decision of 11 January 2018 in the cases of Altan and Alpay is implemented and that they are released without any further delay.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO*, SERBIA* and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND and NORWAY, members of the European Economic Area, as well as ARMENIA and CANADA align themselves with this statement.

* The Former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.