

Press Release

Communication Unit of the Congress of Local and Regional Authorities

Ref:816a07

Tel: : +33 3 90 21 49 36

Fax : +33 3 88 41 27 51

congress.com@coe.int

www.coe.int/congress



Congress calls for reform of Turkish legislation on municipalities

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Strasbourg, 20.11.2007 – As part of the Congress' Autumn Session (Strasbourg, France, 19-21 November), the Congress' Chamber of Local Authorities held a debate on local democracy in Turkey, in particular in the light of the situation of mayors and municipal councils in South-East Anatolia.

Former Mayor of Sur Abdullah Demirbas and Mayor of Diyarbakir Osman Baydemir took part in the meeting. They described political pressure and judicial persecution to which mayors and municipal councils of the region were subjected by the authorities, mostly due to the use of the Kurdish language in public affairs. Representatives of the Turkish government and the AK party from Diyarbakir, who were also invited, failed to attend.

Discussions focused on the report by Anders Knappe (Sweden, L, EPP/CD), Hans-Ulrich Stöckling (Switzerland, R, ILDG) and Irina Pereverzeva (Russian Federation, L, SOC), adopted by the Congress Bureau on 17 September, following their fact-finding mission to Diyarbakir and Ankara (8-10 August 2007).

In the rapporteurs' view, the current law, in both its substantive and its procedural aspects, is so flawed as to be unsustainable. There is the asserted but fraught distinction between 'international' and 'ethnic' languages; there is the confusion over what exactly constitutes a 'political' abuse of power by public authorities; there is uncertainty about the distinction between those things done under the authority of an official resolution and those done as a matter of administrative practice; there is uncertainty, evidenced by the procedures in the Sur case itself, about the procedural protections available to the mayor and councilors when legal measures are taken against them; and, perhaps above all, the apparently arbitrary way in which the law may be invoked and enforced against different instances of alleged breach of the law.

In its recommendation to the Committee of Ministers, the Chamber of Local Authorities asked that the Turkish authorities:

- permit municipal councils to use languages other than Turkish in the provision of public services;
- reform the Municipality Law to allow mayors and municipal councils to take "political" decisions without fear of proceedings being taken against them;
- and sign and ratify the Council of Europe's Framework Convention for the Protection of National Minorities, as well as the European Charter for Regional or Minority Languages.

The Congress has two chambers, the Chamber of Local Authorities and the Chamber of Regions. It brings together 318 full and 318 substitute members representing more than 200 000 European territorial communities. President of the Congress Halvdan Skard (Norway, SOC), President of the Chamber of Regions: Yavuz Meldon (EPP/CD, Turkey), President of the Chamber of Local Authorities : Ian Micallef (Malta, EPP/CD). Political Groups : Socialist Group (SOC), Group of the European People's Party – Christian Democrats (EPP/CD), Independent and Liberal Democrat Group (ILDG).