For many years now, Turkish authorities have made numerous, regular calls to bring back the death penalty, the reinstatement of which would constitute a violation of international law and a serious setback in human rights in the country. To this end, the World Coalition Against the Death Penalty, in partnership with the Paris Bar, commissioned a preliminary study in order to identify allied stakeholders, analyze the risks faced by human rights groups, and determine the capacity building needs of local actors.

**2007**
Calls to reinstate the death penalty begin among nationalist and right-wing groups in government. Many of these continuous declarations are publicly made by Devlet Bahçeli, former deputy prime minister and leader of the Nationalist Movement Party. In 2016, Turkey’s President Recep Tayyip Erdoğan raises the possibility of bringing the death penalty back following the attempted coup d’état in the same year.

**August 2016**
Mustafa Destici, the leader of the extreme right-wing Great Union Party and a deputy in the National Assembly, announces that a legislative amendment proposal to reinstate the death penalty would be put before the Turkish Parliament in October. This proposal was never issued.

**November 2016**
The European Parliament declares that the “reintroduction of capital punishment by the Turkish Government should lead to a formal suspension of the membership process.”

**March 2017**
Erdoğan reaffirms his support for capital punishment during the referendum campaign regarding a constitutional change from a parliamentary democracy to a presidential republic, which would result in an increase in the powers of the President. While the amendments did not authorize the President to reinstate the death penalty, they are a step back for democracy and fundamental rights.

**March 2018**
Erdoğan tells crowds at a rally, “We acted badly in abolishing the death penalty. It offends me to have to feed those who are in prison, the people who killed 251 of our citizens, police officers and soldiers on the night of 15 July 2016 because they are serving life sentences.” In August, he once again reiterates his desire to reinstate the death penalty following a femicide that shocked Turkey.

**July 2018**
During a meeting, Erdoğan and Bahçeli agree to reinstate capital punishment for terrorists and murderers of women and children.
KEY FINDINGS

Political obstacles

Top government leaders, such as President Erdoğan and former deputy prime minister Devlet Bahçeli, have demonstrated strong political will to reinstate the death penalty. The fulfillment of these plans, however, face several legal, political, and diplomatic obstacles. Although the current National Assembly in Turkey is mostly composed of members from conservative and right-wing parties that support the death penalty, it is not enough to easily pass a constitutional amendment. A national referendum would need to take place and obtain the support of the majority of the population in order to successfully amend law and reinstate the death penalty.

"We acted badly in abolishing the death penalty. It offends me to have to feed those who are in prison [...]"

Erdoğan
March 2019

Diplomatic obstacles

On an international level, the reinstatement of the death penalty in Turkey would signify a true break from European values and end all its prospects of joining the European Union.

Legal obstacles

It would also mean that Turkey reneges on its commitment to various international human rights bodies, such as the European Court of Human Rights and the Second Optional Protocol to the ICCPR. This is likely to spark strong condemnation from the international community.

Although this is preventing the reinstatement of the death penalty in Turkey, the concentration of power within the hands of the executive and the absence of a strong political opposition constitute a considerable risk. Erdoğan’s politics are unpredictable and are part of a general populist trend that is supported by the general public. Furthermore, such threats are being carried out against a backdrop of generalized violation of freedoms and human rights, the erosion of judiciary independence, and increased targeting of civil society actors. Journalists and lawyers that are active on the issue of the abolition of the death penalty face numerous human rights violations, are at permanent risk of arrest and prosecution, and experience degrading treatment in custody and in prison. The shrinking space for human rights defenders to operate in has meant that very few civil society organizations are focusing on and channeling limited resources into the fight against the potential reinstatement of the death penalty in Turkey.

Terrorism

If the death penalty were to be reintroduced in Turkey, it may be applied to a category of crimes that includes terrorism-related offences, the definition of which remains vague. In 2012, Parliament amended Article 220 of the Criminal Code, which expanded the crime of terrorism to include certain types of speech that allegedly seek to advocate terrorism. This could risk having a large number of people being falsely accused and sentenced to death, including journalists, lawyers, and human rights defenders. There are also concerns about how anti-terrorism legislation, and consequently the administration of the death penalty, could be disproportionately applied to Turkey’s Kurdish population and other ethnic minorities, who continue to face heightened discrimination.

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