Date: 17 September 2025 Ref.: 1105

Security Studies and Rule of Law Association (SRL Swiss)
15 rue des Savoises
1205 Genève, Switzerland

Presidency of the Grand National Assembly of Türkiye
Presidency of the National Solidarity, Brotherhood and Democracy Commission

Subject: Rule-of-Law and Human-Rights Considerations Relevant to the Work of the Commission

Mr President,
Distinguished Members of the Commission,

SRL Swiss - Security Studies and Rule of Law Association follows with close attention the work of the National Solidarity, Brotherhood and Democracy Commission established within the Grand National Assembly of Türkiye in the context of the parliamentary process publicly described as "Türkiye without terrorism." We consider that the durability of any process of social reconciliation depends on compliance with international human-rights standards, the European Convention on Human Rights and the case-law of the European Court of Human Rights.

1. Rule of Law

Durable peace and democratic stability require consistent respect for the rule of law. The right to a fair trial, the presumption of innocence and the principle of proportionality are protected by both domestic and international law and should guide any legislative or administrative measures adopted in this field.

2. Persons Affected by Emergency Decree-Laws (KHKs)

A matter requiring particular attention is the position of persons affected by emergency decree-laws adopted during the state of emergency, including:

- persons removed from their professions without any allegation or finding of participation in violent conduct;
- persons subjected to prolonged detention; and
- persons compelled to live abroad as a consequence of the legal and administrative measures taken against them.

Such situations may generate not only individual hardship but also lasting distrust in public institutions and obstacles to social reconciliation.

3. Compliance with European Court of Human Rights Judgments

Judgments of the European Court of Human Rights have identified incompatibilities between certain post-emergency practices and Convention standards. Full and effective implementation of binding judgments is important both for compliance with Türkiye's international obligations and for strengthening domestic legal certainty.

4. Recommendations

In this context, SRL Swiss respectfully recommends that the Commission consider the following priorities:

1. Review of administrative and judicial measures adopted during the state of emergency that are incompatible with rule-of-law guarantees;
2. Restoration and effective protection of fair-trial rights and the presumption of innocence;
3. Mechanisms for restoring professional status and reputation where measures are found to have been unjustified;
4. Review of cases involving arbitrary or unjustified detention and release where detention no longer has a lawful basis;
5. Full implementation of relevant judgments of the European Court of Human Rights and the Constitutional Court; and
6. Effective safeguards for judicial independence and impartiality.

5. A Legislative and Social Opportunity

The Commission's work provides an opportunity not only to address security-related questions but also to examine unresolved legal grievances and strengthen social trust. A process grounded in justice, human rights and democratic safeguards can make a meaningful contribution to sustainable social peace.

SRL Swiss remains available to provide documentation, legal analysis or technical input relevant to the Commission's work.

Respectfully submitted,

Board of Directors
Security Studies and Rule of Law Association

This English version is a legally edited translation of the Association's French-language submission dated 17 September 2025. It preserves the substance of the original while standardizing terminology and institutional names.

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