



THE FAILED *COUP D'ÉTAT* OF 15TH JULY 2016 AND THE STATE OF EMERGENCY RECENTLY PROCLAIMED IN TURKEY: AMONG LAWFUL REPRESSION, REPEAL OF INDIVIDUAL RIGHTS AND THE RISK OF AN AUTHORITARIAN DRIFT FOR A WEAK DEMOCRACY

The essay deals with the state of emergency recently proclaimed in Turkey, as a consequence of the failed *coup* of the 15th July 2016 and with its consistency with the mechanism of suspension of guarantees established by article 15 of the European Convention on human rights and by article 4 of the international Covenant on civil and political rights.

After a brief description of the facts which have led to the failure of the aforementioned *coup*, the essay analyses the emergency measures enacted by the Turkish government in order to face and overcome the Fethullah Gülen terrorist organisation (the so-called “FETÖ”), which the government holds liable for the *coup* itself. The essay, then, after examining the conventional, constitutional and legal provisions regulating the state of emergency in Turkey, develops some considerations about the justifications of the emergency measures adopted by the government and the geographical and chronological dimension of the exceptional regime. Afterwards, it analyses the most relevant restrictions imposed on fundamental human rights by the emergency decrees – with special reference to the judicial guarantees – in order to find out whether they could be considered consistent with the aforementioned international regulation of the state of emergency.

Finally, some conclusions will be developed about the effect of the reaction of the government to the *coup* on Turkish democracy, rule of law and protection of fundamental human rights.