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#### Turkish human rights violations are inevitable. Previous pressure campaigns have failed and US support in other areas thumps.

Kosta-Foti 21 – history student at Kings College London. [Alexandra. “Turkey’s War on Kurds: Kurdish Refugees Threatened At Makhmour Refugee Camp.” Human Rights Pulse. Sept 13, 2021.

On 1 June 2021, Turkish President Recep Tayyip Erdogan threatened to launch an operation to “cleanse” the Makhmour refugee camp, home to over 13,000 Kurdish refugees. The self-defence forces of the democratically elected assembly that have been fighting off ISIS now find themselves threatened by another of Turkey’s attempts at ethnic cleansing. Amidst worldwide silence and a failure to stop Turkish aggression, a human rights crisis that has been going on for over a century needs to be finally recognised and spoken about.

IMPERIAL AMBITIONS, SYSTEMATIC OPPRESSION, AND A REFUGEE CRISIS

After decades of not being able to speak Kurdish in Turkey, Kurds still face oppression and are threatened within and outside of the Turkish borders. Since 1984, the Turkish Government and Army have destroyed over 4,000 Kurdish villages, killed over 30,000 Kurdish civilians, imprisoned around 500,000 Kurdish activists and political leaders, and forcefully relocated over three million Kurds. Kurds living in the southeast region of Turkey have been subject to systematic oppression, extreme torture, sexual abuse and rape from the Turkish police and army, enforced disappearances, extrajudicial killings, and arbitrary detentions.

The three million displaced Kurds fled to Iraq from Turkey in the 1990s and established the Atrush Camp from which they had to flee once again due to Turkish military aggression. The origins of the Makhmour Camp date back to 1998. Ankara has long viewed the Makhmour camp as a place where militants and their sympathisers reside. Turkish president Erdogan referred to it as a “terror-nest” and stated that “If the UN does not clean (it) up, we will as a UN member”. This is not the first time the refugees would face Turkish aggression as the camp was previously bombed in June 2020.

Reuters reports that protests took place in Sulaimaniya following the Turkish bombardments. Dozens marched with Kurdish flags denouncing the Turkish invasion and chanting “our voices are voices of freedom against occupation”. Protester Omid Saleh provided an account of the events, stating that “they are killing women and children…Turkey wants to occupy Kurdistan”.

VIOLATION OF INTERNATIONAL LAW; A HUMANITARIAN CATASTROPHE

Despite the clear human rights violations and evident military aggression, the United Nations and the United States support Turkish plans to dissolve the camp and send its inhabitants back to Turkey. However, the Kurds of Makhmour Camp cannot safely return there. A Turkish attack like the previous attacks against Afrin and Ras al-Ain would lead once again to mass displacement, grave war crimes, and the loss of innocent lives. Erdogan’s threats of “cleansing” the camp amidst the current Turkish military action in Iraqi territory against Kurdish forces, launched on 23 April 2021, would signify a violation of international law, a humanitarian catastrophe, and an open violation of the non-refoulement principle.

US Ambassador to the United Nations, Linda Thomas-Greenfiled, expressed a deep concern about “violence near the camp” and called on all sides to respect the rights of refugees. She stated that she had made clear to Turkish officials during her visit to Turkey that “any attack targeting civilians at Makhmour refugee camp would be a violation of international and humanitarian law”.

CONTINUOUS VIOLENCE AND MILITARY AGGRESSION AT MAKHMOUR REFUGEE CAMP

According to a report from the news agency Rudaw, a recent Turkish airstrike targeting the refugee camp left at least three people dead. All this amidst Turkey weaponising water in northern Syria by intentionally cutting off access to water for millions of innocent civilians. The accelerating military aggression against civilian targets in border villages raises alarming questions relating to the continuous genocidal policy of Turkey against Kurds and Turkey’s imperial ambitions of building military bases in Kurdish majority areas in Iraq and the annexation of areas of Iraq and Syria, as Operation Olive Branch in 2018 demonstrates. The recent attack was one of Turkey’s deepest into Iraqi territory since it launched operations Claw-Lighting and Claw-Thunderbolt on 23 April.

It is clear that Turkey’s claim of fighting against armed groups is simply a pretext to continue the genocidal campaign against Kurds. The questions that need to be posed here are many. Why is the United Nations silent? Why is there no international uproar? Most importantly, when will this Turkish aggression stop?

#### Internal variables make meaningful reform impossible. Lack of independent judiciary, expansion of executive authority, crack down on human rights advocates, and restrictions on protest thump.

Amnesty International 21 – global organization focusing on identifying human rights abuses and campaigning to end humanitarian violations . [Turkey 2021. Amnesty International. 2021/2022 updates. https://www.amnesty.org/en/location/europe-and-central-asia/turkey/report-turkey/.]

TURKEY 2021

Deep flaws in the judicial system were not addressed. Opposition politicians, journalists, human rights defenders and others faced baseless investigations, prosecutions and convictions. Turkey withdrew from the Istanbul Convention. Government officials targeted LGBTI people with homophobic rhetoric. Freedom of peaceful assembly was severely curtailed. A new law unduly restricted freedom of association for civil society organizations. Serious and credible allegations of torture and other ill-treatment were made. Turkey hosted 5.2 million migrants and refugees, but thousands of asylum seekers were denied entry. Physical attacks against refugees and migrants increased in the context of rising anti-refugee rhetoric.

Background

The new Human Rights Action Plan and two Judicial Reform Packages prepared by the Ministry of Justice failed to address deep flaws in the judiciary.

In October, parliament extended the mandate for military operations in Syria and Iraq for another two years. A threat by the president to expel 10 Western ambassadors after they called for the immediate release of civil society leader Osman Kavala was withdrawn after several days.

State overreach

Judiciary and lawyers

In January, the Ministry of Justice granted permission to open an investigation against 12 executives of the Ankara Bar Association. They were accused of “insulting a public officer” for criticizing homophobic and discriminatory remarks made by the president of the Directorate for Religious Affairs during a Friday sermon in 2020. In April, the Ankara court accepted the indictment. In July, the same permission was granted for the investigation against members of the Istanbul and Izmir bar associations for “insulting religious values”. The investigations and prosecutions were ongoing at the end of the year.

In July, parliament approved an omnibus bill extending emergency powers for another year and allowing the dismissal of public servants, including judges and prosecutors, for having alleged links to “terrorist” organizations without the possibility of judicial review.

Repression of dissent

In January, the Ankara court accepted a 3,530-page indictment for the prosecution of 108 people, including former and present members of the People’s Democratic Party (HDP) and its former co-leader Selahattin Demirtaş. The indictment contained 29 separate charges including “intentional killing” and “disrupting the unity and territorial integrity of the state.” They were accused of mobilizing masses to commit violence during protests on 6-8 October 2014 under the instructions of the Kurdistan Workers Party (PKK). Dubbed the “Kobani trial”, proceedings were ongoing at the end of the year.

In March, human rights defender and opposition parliamentarian Ömer Faruk Gergerlioğlu was stripped of his immunity and imprisoned after the Court of Cassation upheld his two-and-a-half-year prison sentence for sharing a tweet in 2016. He was released after almost three months in custody following a ruling in July by the Constitutional Court that his rights to liberty and to participate in political life had been violated.

In April, in another case against Selahattin Demirtaş, the Court of Cassation upheld his four years and eight months’ prison sentence for “making propaganda for a terrorist organization”. In September and December, the Council of Europe’s Committee of Ministers monitoring the implementation of the December 2020 Demirtaş v Turkey decision by the European Court of Human Rights (ECtHR), reiterated its call for his immediate release.

In September, the Eruh Criminal Court of First Instance sentenced Zana Aksu, a conscientious objector and former director of the Human Rights Association’s (IHD) Siirt branch, to 18 months’ imprisonment and a fine of 10,000 TL (€700) for “desertion”. The case was pending before the Diyarbakır Regional Appeals Court at the end of the year. Zana Aksu had previously been convicted on the same charge in 2018 and acquitted in a separate case in 2020 on the grounds of double jeopardy.

Freedom of expression

In April, the ECtHR ruled that the rights to freedom of expression and to liberty and security of journalist Ahmet Altan had been violated. The following day, the Court of Cassation overturned the verdict but ordered his immediate release based on the excessive length of his imprisonment. The verdict for his co-defendant, Nazlı Ilıcak, was also overturned. Their case was returned to the lower court for retrial. In December, the ECtHR similarly found that Nazlı Ilıcak’s rights to liberty and security and freedom of expression had been violated.

In September, a Diyarbakır court sentenced human rights lawyer Nurcan Kaya to a suspended sentence of one year and three months’ imprisonment for “making propaganda for a terrorist organization” concerning a tweet about the Islamic State siege of Kobani in 2015.

In October, the Malatya court sentenced Kurdish writer and Kurdish Pen member Meral Şimşek to one year and three months’ imprisonment for “making propaganda for a terrorist organization”, relating to her writings, the awards she received and the content of wiretapped conversations. In July, Meral Şimşek had been tortured and violently pushed back by Greek border forces.

In October, in the landmark decision Vedat Şorli v Turkey, the ECtHR found that Article 299 of the Criminal Code, which criminalizes insulting the president, was incompatible with the right to freedom of expression, and urged the government to align the legislation with Article 10 of the European Convention on Human Rights.

Human rights defenders

In January, the Istanbul Regional Appeals Court overturned the February 2020 acquittals of Osman Kavala and eight other civil society figures in the Gezi Park trial. In February, judicial authorities merged Osman Kavala’s prosecution for “attempting to overthrow the constitutional order” and “espionage” with the Gezi Park prosecution for “attempting to overthrow the government”. In August, it was further decided to merge these combined prosecutions with the retrial in the unrelated Çarşı case, in which 35 football supporters were prosecuted for their alleged participation in the 2013 Gezi Park protests. Although all 35 had been acquitted in December 2015, in March the Court of Cassation overturned the acquittals, recommending the merger of the case with the Gezi Park trial. In December, the Council of Europe’s Committee of Ministers formally notified Turkey of its intention to initiate infringement proceedings for its failure to comply with the ECtHR judgment to release Osman Kavala.

In February, human rights lawyer and defender Eren Keskin was sentenced to six years and three months’ imprisonment for “membership of a terrorist organization” in the Özgür Gündem newspaper trial, for participating in a solidarity campaign. The case was pending appeal at the end of the year.

The retrial of Şebnem Korur Fincancı and Erol Önderoğlu for their one-day editorial support of Özgür Gündem restarted in February after their 2019 acquittals were overturned on appeal.

In March, Öztürk Türkdoğan, co-chair of the IHD, was arrested during a police raid in his home on suspicion of “membership of a terrorist organization”. He was released the same day with judicial control measures.

In March, the prosecutor at the Court of Cassation issued his opinion asking for the conviction of Taner Kılıç, the former Chair of Amnesty International Turkey, to be upheld without justification, while requesting that the convictions of Özlem Dalkıran, Idil Eser and Günal Kurşun be overturned. The case was pending before the Court of Cassation at the end of the year.

In September, Raci Bilici, former chair of the IHD’s Diyarbakır branch, was retried after the Regional Appeals Court overturned his conviction in December 2020. The Diyarbakır court again sentenced Raci Bilici to six years and three months’ imprisonment for membership of a terrorist organization. The case was pending on appeal at the end of the year.

In October, human rights defender Mehmet Selim Ölçer was sentenced to two years and one month’s imprisonment for “supporting a terrorist organization” based on his membership of the Diyarbakır-based Sarmaşık Association, a civil society organization fighting against poverty which was closed down by executive decree in 2016.

The trial of three police officers and an alleged member of the armed PKK accused of killing human rights lawyer Tahir Elçi continued in Diyarbakır. The officers faced charges of gross negligence manslaughter.

Women’s and girls’ rights

On 20 March, by presidential decision, Turkey withdrew from the Council of Europe Convention on combating and preventing violence against women and domestic violence (Istanbul Convention), depriving women and girls of a vital instrument of protection from all forms of violence, without discrimination. The announcement coincided with a surge in domestic violence cases during the Covid-19 pandemic, and sparked countrywide protests. The withdrawal entered into force on 1 July. According to independent women’s rights organizations, 280 women were killed during the year as a result of gender-based violence and 217 women were found suspiciously dead.

LGBTI people’s rights

In a tweet in January, the minister of interior referred to four Boğazici University students as “LGBT perverts”. He was commenting on the students’ arrest in relation to a campus art exhibition depicting a religious site with symbols of the LGBTI community.

In March, the government attempted to justify the withdrawal from the Istanbul Convention by claiming that the Convention was instrumentalized to “normalize homosexuality” and that this was “incompatible with Turkey’s social and family values”.

Freedom of assembly

Police used unnecessary and excessive force while detaining hundreds of students during peaceful assemblies protesting at the presidential appointment of Professor Melih Bulu as rector of Boğaziçi University. At least 11 students were remanded in pretrial detention and 31 others put under house arrest, along with hundreds subjected to judicial controls and prosecutions for violating the Law on Meetings and Demonstrations. Seven students faced prosecution on charges of “inciting the public to enmity and hatred”, and prison sentences of up to three years in relation to the Boğazici campus exhibition. By the year’s end, two students had been remanded in pretrial detention for protesting against the new rector who replaced Melih Bulu in August.

In March, the trial began of 46 individuals, including human rights defenders, political activists, journalists, and relatives of victims of enforced disappearances dubbed the “Saturday Mothers/People.” The defendants faced charges under the Law on Meetings and Demonstrations for refusing to disperse during their 700th weekly vigil on 25 August 2018. The case remained pending.

Seventeen women participating in the Night March marking International Women’s Day on 8 March were detained and later released under judicial control measures for “insulting the president” and violating the Law on Meetings and Demonstrations. In August, an Istanbul court accepted the indictment requesting that each receive up to eight years’ imprisonment.

In April, the gendarmerie responded with tear gas to a protest by villagers in İkizdere, in the province of Rize, against the decision to open a stone mine in the village which they argued would destroy the environment and pollute drinking water. Some villagers were detained and later released. Protests continued despite banning orders by the Rize Governorship.

In June, the annual Istanbul Pride march was banned for the sixth consecutive year. Police used unnecessary and excessive force to disperse protesters and detained at least 47 people, including the journalist Bülent Kılıç. All were released later that day. The first hearing in the prosecution of eight protesters under the Law on Meetings and Demonstrations was held in November.

After two years on trial for taking part in a Pride march on campus, 18 students and one academic at the Middle East Technical University in Ankara were acquitted in October. The prosecutor appealed against the decision. The case was pending appeal at the end of the year.

Freedom of association

The new Law on the Prevention of the Financing of the Proliferation of Weapons of Mass Destruction negatively affected the work of civil society organizations. In October, the Financial Action Task Force added Turkey to its “grey list” for increased monitoring. It cited Turkey’s failure to address serious deficiencies in its efforts to combat money laundering and financing terrorism, including its failure to apply a risk-based approach to supervision of the not-for-profit sector.

In June, the Constitutional Court accepted the indictment by the Chief Prosecutor of the Court of Cassation requesting the closure of the HDP and a five-year political ban for its 451 executives and members. The HDP was accused of becoming the focus point of actions contrary to the state’s integrity, based on criminal prosecutions and convictions against 520 individuals under overly broad anti-terrorism laws.

#### Extradition and arms sales concessions from NATO over Sweden and Finland undermine the counterplan.

Sharma 7/2 – chief sub-Editor at News18, covers foreign affairs and geopolitics. [Shubhangi. “As NATO Capitulates Before Turkey, Western Hypocrisy on Human Rights Enters New Low.” News 18. July 2, 2022. https://www.news18.com/news/opinion/as-nato-capitulates-before-turkey-western-hypocrisy-on-human-rights-enters-new-low-5477755.html.]

Amid the Russia-Ukraine war, Sweden and Finland are all set to join the Nato alliance overcoming a major hurdle. Sweden and Finland’s Nato bid was nearly torpedoed by Turkey, a Nato member itself, which used its veto powers to block their entry. Now, however, Turkey has lifted the veto but only after imposing humiliating conditions on the two Nordic nations.

Nato members are in a celebratory mood ever since this “breakthrough” but tough questions are catching up because in reality, the Nato meeting in Madrid and the three-way deal signed by the Nordic nations and Ankara, simply reaffirmed the fact that the West is ready to kneel before the rogue Nato member that has no love lost for its peers in the alliance. Wildly inappropriate concessions have been made to win over the Erdogan-led regime in Ankara by self-appointed guardians of human rights and democracy. Kurdish dissidents have been thrown under the bus to fulfil Nato’s expansionist agenda. To simplify, the bellicose regime of President Recep Tayyip Erdogan has been handed over a major diplomatic and strategic victory on a platter. To add to that, Sweden will be lifting its arms export embargo on Turkey, and the United States has expressed a newfound willingness to cater to Turkey’s demands for the F16 aircraft, after nearly four years of what was seen as a silent, unannounced embargo.

President Erdogan’s office stated that Turkey “got what it wanted” from Sweden and Finland. And indeed, it did. A look at the signed document— a loosely worded submission, with a clear bent in Turkey’s favour, shows how Sweden and Turkey folded with the blessings of the United States and other Nato members.

“As prospective NATO Allies, Finland and Sweden extend their full support to Turkey against threats to its national security,” the trilateral agreement said. “To that effect, Finland and Sweden will not provide support to the YPG/PYD, and the organization described as FETÖ in Turkey,” it went on.   Most notably, Sweden and Finland have agreed to “address Turkey’s pending deportation or extradition requests of terror suspects expeditiously and thoroughly.” This is where the two prospective NATO allies have made a highly unpopular promise to Ankara, given that Sweden has over 100,000 Kurdish people and nearly 16,000 Kurds reside in Finland. Among them are refugees fleeing persecution, dissidents and important political figures who have escaped hostile regimes of Iraq, Syria and Turkey.

This, however, does not mean that Turkey will not demand more concessions in the weeks to come.   Soon after the agreement was signed, Turkey announced that it would now push for the extradition of 33 “terror suspects”. And while this concessions-laden agreement is not legally binding, Turkey is expected to test the commitments of the two Nordic states and can still scuttle their Nato entry until they are formally inducted. Erdogan has already announced that he could still torpedo their entry if they fail to implement the deal. “If they fulfil their duties, we will send it (their application) to the parliament. If they are not fulfilled, it is out of the question," said the Turkish President. Naturally so, the worries of the Kurdish diaspora in Sweden and Finland are not misplaced.

Just as Sweden and Finland decided to shun neutrality and join Nato, much to Russia’s chagrin and to the satisfaction of the West, Turkey played spoilsport and vowed to scuttle their prospects citing their support to Kurdish groups in Northern Syria which are currently fighting off occupational Turkish forces. Turkey faces a Kurdish insurgency largely near its southern border led by the PKK which is seen as a terrorist organisation by Turkey. In Kurdish lands beyond, especially in northern Syria, groups like the US-backed YPG and their political affiliates have enjoyed the support of the political establishments in Sweden and Finland. It is to be noted that Kurdish militias in Syria bravely kept ISIS on its toes and were crucial in ensuring the terror machine’s defeat. They also developed alliances with the US and other Western powers in this pursuit. Divided among Turkey, Syria, Iraq and Iran, and facing persecution as minorities, the Kurds have long demanded their own state, giving birth to political and armed movements across Kurdish lands.

Seen as a rogue outlier in Nato, Turkey found and acted upon the opportunity to get the West to support its military operation in northern Syria. Turkish forces and alleged mercenaries occupy parts of this region. A vast array of human rights abuses was reported during the peak of its military intervention and Ankara faced condemnation from the Western world. All major NATO members including Germany, France, UK and Canada have refused arms sales to Erdogan’s Turkey. Tensions further escalated when Turkey stepped up its belligerence towards fellow Nato member Greece in the eastern Mediterranean and the West largely backed Athens through this tussle. The list of Turkey’s excesses can go on, but the West has decided to overlook all that now. US President Biden’s own stance on Turkey used to be one of admonishment. Today, that seems to change with Ankara’s new leverage in the game.

The West also shares the grouse that Turkey has not joined in on the sanctions spree on Russia and is instead helping Russia evade sanctions by allowing troubled Russian oligarchs to park their money in Turkey’s economy. But this has also taken a backseat for now.

What’s worse is, the persecution of the Kurds in Turkey, who comprise almost 20% of its population, has also been conveniently overlooked this time around. Turkey rejects the cultural and political rights of the Kurds and has spent most of the last century denying the existence of Kurds, even labelling them “mountain Turks” in 1980 and banning words like ‘Kurds’ and ‘Kurdistan’. In fact, Turkey has been repressing Kurdish rebellions for over two centuries. Akin to the genocide of Armenians, Kurds have been massacred and expelled from their villages throughout recent history.

Just this year, the European Court of Human Rights ruled that Turkey violated the freedom of expression of lawmakers from the pro-Kurdish political party by stripping them of their parliamentary immunity from prosecution. All these concerns seem to have evaporated into thin air as the US-led Nato endorses Sweden and Finland’s concessions to Turkey. The Western world and brazen hypocrisy are no strangers, but this new low really takes the cake.

#### Turkey is horrible for human rights – lack of judicial independence and authoritarian rule greenlight violence is Syria, Kurds

HRW 21 – Human Rights Watch, International NGO that exposes and studies human rights violations and petitions for governmental action [HRW. “World Report 2021: Turkey.” Human Rights Watch. 2021. <https://www.hrw.org/world-report/2021/country-chapters/turkey>]

The assault on human rights and the rule of law presided over by Turkey’s President Recep Tayyip Erdoğan continued during the Covid-19 pandemic. The president’s Justice and Development Party (AKP) and an allied far-right party enjoy a parliamentary majority enabling them to consolidate authoritarian rule by passing rushed legislation that contravenes international human rights obligations. Opposition parties remain sidelined under Turkey’s presidential system and the government has reshaped public and state institutions to remove checks on power and to ensure benefits for its own supporters. The political opposition nevertheless controls the municipalities of Istanbul and Ankara.

Executive interference in the judiciary and in prosecutorial decisions are entrenched problems, reflected in the authorities’ systematic practice of detaining, prosecuting, and convicting on bogus and overbroad terrorism and other charges, individuals the Erdoğan government regards as critics or political opponents. Among those targeted are journalists, opposition politicians, and activists—in particular members of the pro-Kurdish Peoples’ Democratic Party (HDP). The largest targeted group consists of those alleged to have links with the movement headed by US-based Sunni cleric Fethullah Gülen which Turkey deems a terrorist organization and calls FETÖ and holds responsible for the July 2016 coup attempt.

Turkey’s move to begin gas exploration in the East Mediterranean in the context of maritime boundaries contested with Greece and Cyprus almost spiraled into a naval clash with Greece in August. The European Union has made efforts to broker dialogue over conflicting claims in a dispute originally ignited by the discovery of gas reserves off Cyprus with its contested status.

Turkey provides military support to the United Nations-recognized Government of National Accord in Libya against a breakaway government in the east of the country. Turkey has expressed strong support for Azerbaijan in its conflict with Armenia over Nagorno-Karabakh. Turkey continues to exert effective control via Syrian non-state actors over areas of northern and northeast Syria where it has intervened militarily in the past four years, and where significant human rights abuses continue unabated. Turkey cites its aim as removing Kurdish forces formerly controlling the area closely linked to the armed Kurdistan Workers’ Party (PKK) with which Turkey has been engaged in a decades’-long conflict (see Syria chapter). Turkey played a key role in securing a March ceasefire in Syria’s northwestern Idlib governorate, which has largely held.

#### Turkey cracks down on freedom of speech – undermines democracy

HRW 21 – Human Rights Watch, International NGO that exposes and studies human rights violations and petitions for governmental action [HRW. “World Report 2021: Turkey.” Human Rights Watch. 2021. <https://www.hrw.org/world-report/2021/country-chapters/turkey>]

Freedom of Expression, Association, and Assembly

Most TV and print media in Turkey are owned by companies close to the Erdoğan presidency or avoid reporting critical of the government. Critical online news and commentary websites persist, nevertheless. At the time of writing, an estimated 87 journalists and media workers were in pretrial detention or serving sentences for terrorism offenses because of their journalistic work.

Plans for strict regulation of social media companies in Turkey were made law in July after President Erdoğan used the example of insults against his family on social media to justify a need for stricter regulation. Under the new law, social media companies with over one million users a day will be required to have offices in Turkey and comply with government demands to block and remove content or else face very heavy fines. Companies that do not open an office will be fined and eventually have their bandwidth restricted, rendering the platform unusable. At time of writing, Facebook had indicated it would not comply with the law.

While Turkey in January lifted a blocking order on Wikipedia in place since April 2017, authorities continue to block thousands of websites, including critical news websites, and order the removal of online content.

Thousands of people face arrest and prosecution for their social media posts, typically charged with defamation, insulting the president, or spreading terrorist propaganda. In the context of Covid-19, the Interior Ministry announced that hundreds of people were under criminal investigation or detained by police for social media postings deemed to “create fear and panic” about the pandemic. Some of these postings included criticism of the government’s response to the pandemic.

Turkey’s official media regulation authority, the Radio and Television Supreme Board (RTÜK), ordered arbitrary fines and temporary suspensions of broadcasting of media outlets such as Halk TV, Tele 1 TV, and Fox TV, which include content critical of the government. Netflix complied with RTÜK’s April demand that it remove an episode of TV drama series Designated Survivor on the grounds that it offered a negative portrayal of President Erdoğan, as well as in July canceling filming in Turkey of a new Turkish drama after RTÜK requested the removal of a gay character from the script.

Selectively using Covid-19 as a pretext, provincial governors banned peaceful protests of women’s rights activists, healthcare workers, lawyers, and political opposition parties.

Terrorism charges continue to be widely misused to restrict the rights to free expression and association in the fourth year after the coup attempt. As of July 2020, Ministry of Justice and Interior figures stated that 58,409 were on trial and 132,954 still under criminal investigation on terrorism in cases linked to the Gülen movement. Of those 25,912 were held in prison on remand.

There are no published official numbers of prisoners held on remand or convicted for alleged links with the PKK, although on the basis of the previous years’ figures the number is at least 8,500 and includes elected politicians and journalists. An April law on early prisoner release to reduce crowding in the context of the Covid-19 pandemic excluded remand prisoners and all prisoners detained or convicted of terrorism offenses. Covid-19 cases have been reported in prisons throughout Turkey, although authorities do not provide numbers of confirmed cases.

Human Rights Defenders, Lawyers

In February, an Istanbul court acquitted rights defender Osman Kavala and nine others of “attempting to overthrow the government by force and violence” in connection with the 2013 mass protests which began in Gezi Park. However, hours after his acquittal another court ordered Kavala’s detention in the scope of an investigation into his alleged role in the July 2016 attempted coup. In October, the investigation culminated in another bogus indictment accusing Kavala and US academic Henri Barkey of attempting to overthrow the constitutional order and espionage. Kavala has been detained since November 2017, with Turkey flouting a European Court of Human Rights’ judgment ordering his release on the grounds that his detention has been pursued for political aims.

In July, in a case against human rights defenders detained in 2017 while they attended a training workshop, an Istanbul court convicted Taner Kılıç, Amnesty International Turkey’s honorary chair, on charges of membership of a terrorist organization to over six years in prison. İdil Eser, Amnesty Turkey’s former director, and rights defenders Özlem Dalkıran and Günal Kurşun received sentences of 25 months on charges of aiding a terrorist organization, and 7 others, 2 of them foreign nationals, were acquitted. All are at liberty and the case is under appeal.

The government’s restrictive approach to the public activities of lesbian, gay, bisexual, and transgender (LGBT) rights groups continued with the banning of events including Pride marches for a sixth year running and homophobic speeches by senior state officials.

The government in July passed a new law to reduce the institutional strength of Turkey’s largest bar associations, which have strongly criticized Turkey’s backsliding on human rights and the rule of law. Defense lawyers representing defendants in terrorism prosecutions have faced arrest and prosecution on the same charges as their clients. In September, the Court of Cassation upheld the conviction of 14 out of 18 lawyers for links with an outlawed leftist organization. One of the lawyers, Ebru Timtik, died on August 27 after a prolonged hunger strike in demand of a fair trial.

The first hearing against three police officers and a PKK militant accused of the fatal shooting of human rights lawyer Tahir Elçi on November 28, 2015, began in October with further hearings postponed until March 2021.

From May to July, at least 45 Kurdish women’s rights activists were detained and face prosecution for links with the PKK. Femicide and domestic abuse are significant problems in Turkey. While official disaggregated data on numbers are not available, women’s rights groups have reported that hundreds of women are killed annually as a result of domestic violence. Conservative groups and some government officials suggested Turkey may withdraw from the Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence (the Istanbul Convention), which Turkey was among the first to ratify in 2014.

#### Torture, police brutality, and poor prison conditions undermine human rights

HRW 21 – Human Rights Watch, International NGO that exposes and studies human rights violations and petitions for governmental action [HRW. “World Report 2021: Turkey.” Human Rights Watch. 2021. <https://www.hrw.org/world-report/2021/country-chapters/turkey>]

Torture and Ill-Treatment in Custody, Enforced Disappearances

A rise in allegations of torture, ill-treatment, and cruel and inhuman or degrading treatment in police and military custody and prison over the past four years has set back Turkey’s earlier progress in this area. Those targeted include people accused of political and common crimes. Prosecutors do not conduct meaningful investigations into such allegations and there is a pervasive culture of impunity for members of the security forces and public officials implicated.

There have been no effective investigations into the around two dozen reported cases of enforced disappearance over the past four years. In February and June 2020, two men out of six who resurfaced in police custody in Ankara months after disappearing in February 2019, stated in court hearings that they had been abducted, tortured, and forced to sign statements confessing to links with the Gülen movement.

In June, the government passed legislation to increase the numbers and powers of night watchmen who assist the police with community policing functions, granting them authority to stop and check IDs and to use lethal force. There have been reported instances of watchmen abusing their powers and ill-treating people.

The European Committee for the Prevention of Torture (CPT) has conducted three visits to Turkey since the July 2016 coup attempt. In August, the Turkish government granted permission for publication of two of the CPT reports from 2017 and 2019 visits identifying ill-treatment in police custody and degrading conditions and overcrowding in prisons.

Kurdish Conflict and Crackdown on Opposition

While sporadic armed clashes between the military and the armed Kurdistan Workers’ Party (PKK) occur in Turkey’s eastern and southeastern regions, the focus of the conflict is in the Kurdistan Region of Iraq, where Turkey conducts regular cross-border operations and airstrikes against PKK targets, in some cases killing and injuring civilians.

The Erdoğan government refuses to distinguish between the PKK and the democratically elected Peoples’ Democratic Party (HDP) which won 11.7 percent of the national vote in the 2018 parliamentary elections and 65 local municipalities in the 2019 local elections. Former party co-chairs Selahattin Demirtaş and Figen Yüksekdağ have been in detention since November 2016. Turkey has refused to comply with a 2020 European Court of Human Rights ruling that Demirtaş should be immediately released.

Since August 2019, the Interior Ministry has justified the removal of 48 elected Peoples’ Democratic Party (HDP) mayors on the basis that they face criminal investigations and prosecutions for links with the PKK. Repeating the approach taken in 2016-17, the government has replaced mayors in the southeast with Ankara-appointed provincial governors and deputy governor “trustees.”

At time of writing, 19 mayors remain in pretrial detention. In March, a Diyarbakır court sentenced Adnan Selçuk Mızraklı, the dismissed mayor of Diyarbakır Metropolitan Municipality, to over nine years in prison based on a witness statement accusing him of links with the PKK. The case is under appeal. In October, an Ankara court ruled for the pretrial detention of Kars mayor, Ayhan Bilgen, and 16 other HDP officials, in connection with an investigation into their alleged role in 2014 protests.

In June, the Turkish parliament revoked the parliamentary seats of two HDP deputies, Leyla Güven and Musa Farisoğulları, on the grounds that the Court of Cassation had upheld convictions against them for membership in a terrorist organization, and Enis Berberoğlu, a deputy from the main opposition Republican People’s Party, for revealing state secrets by sharing video footage of trucks of weapons being transferred to Syria with Cumhuriyet newspaper.

In June, an Istanbul appeal court upheld the conviction of Canan Kaftancıoğlu, Istanbul chair of People’s Republican Party (CHP), to nearly 10 years in prison for tweets she made years ago. A further appeal is underway.

Refugees and Migrants

Turkey continues to host the world’s largest number of refugees, around 3.6 million from Syria, and over 400,000 refugees and migrants from Afghanistan, Iraq, and other countries. On February 27, 2020, Turkey announced that authorities would not intercept asylum seekers wishing to leave Turkey through its borders with the European Union.

As a result, thousands of migrants and asylum seekers gathered at the Turkish-Greek border. Many of those that managed to cross the Evros River into Greece were summarily and violently pushed back by Greek security forces. The onset of the Covid-19 pandemic prompted Turkey to close the border again, but attempted crossings by migrants of land and sea borders and pushbacks from Greece continued.

At least 60 Afghans and others died after entering Turkey from Iran and crossing Lake Van in the eastern part of the country in a fishing boat. The border with Syria has been closed to new asylum seekers since 2016; Turkish border guards have killed or injured some of those attempting to cross and carried out mass summary pushbacks.

#### Strained relationship with US prevents modeling and cooperation

HRW 21 – Human Rights Watch, International NGO that exposes and studies human rights violations and petitions for governmental action [HRW. “World Report 2021: Turkey.” Human Rights Watch. 2021. <https://www.hrw.org/world-report/2021/country-chapters/turkey>]

Key International Actors

Turkey’s relationship with the European Union was strained by tensions in the East Mediterranean over contested maritime borders and access to gas reserves, as well as by Turkey’s willingness to use migration as a political bargaining tool by briefly opening its border to Greece in February-March. Turkey formally remains a candidate for EU accession without expectation on either side of progress towards its membership.

In its Turkey report in the context of the accession process, the EU Commission stressed the “continued deterioration of democracy, the rule of law, fundamental rights and the independence of the judiciary … with further backsliding in many areas.” The EU made a number of statements on negative developments, criticizing in February the re-arrest of Osman Kavala, and in July, the conviction of rights defenders including Taner Kılıç.

Turkish-US relations remain strained for multiple reasons, including the presence on US soil of Fethullah Gülen, US support for Kurdish-led forces in Syria, Turkey’s acquisition of Russian S-400 missiles, and the forthcoming New York trial of a state-owned Turkish bank for Iran sanctions-busting and money laundering.

In June and October, Istanbul courts convicted two local employees of the US consulate in Istanbul on terrorism charges, imposing prison sentences ranging from five to nearly nine years because the employees had prior professional contact, years earlier, with police officers later accused of being Gülenists.

In a February report, the Council of Europe Commissioner for Human Rights focused on measures by authorities that have had “devastating consequences” for judicial independence and “unprecedented levels of disregard for the most basic principles of law” in terrorism prosecutions. Following the review of Turkey’s human rights record by UN member-states in the context of the Universal Periodic Review, Turkey rejected core recommendations regarding its human rights record or claimed that it had already implemented them.