



Unfulfilled Promises & Unchecked Violations
The Human Rights Situation in Turkey
during the First Half of 2021

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An Executive Summary

The Turkish authorities continue to commit several and grave human rights violations that marked the first half of 2021, despite the announcement made by Turkish President Recep Tayyip Erdoğan on March 2, 2021, of a plan to improve the human rights situation in Turkey. The Turkish government has categorically failed to take any adequate measures for the promotion of rights and civil liberties. The Turkish police have forcibly banned peaceful assemblies and gatherings including labor protests, the protests of women's rights advocates and the continuing demonstrations in Boğaziçi University, in non-compliance to the UN principles on the use of force and firearms by law enforcement officials.

On the other hand, the Turkish provincial governors, particularly in the east and the Kurdish-majority southeast, continued their repressive practices against civilians, which represented in the issuance of a complete and prolonged ban on all assemblies, based on unclear reasons that have to do with the Turkish national security or the measures of the Covid-19 pandemic. Meanwhile, the Turkish government launched a wave of arbitrary arrests against prominent human rights activists, owing to their human rights activities exposing the repressive violations of the Turkish government without any real evidence that they have committed any legal offences. For example, in February 2021, MP Ömer Faruk Gergerlioğlu, a human rights activist and a member of the Parliament, was arbitrarily arrested and threatened by officials in the Turkish security service, topped by the Interior Minister Süleyman Soylu, on terrorism-related charges without any legal basis or evidence of such charges. However, the real reasons behind accusing the latter seem to be because of his human rights activity in exposing

the violations of the Turkish police in detention centres and prisons, in particular the incident of the unlawful practices and the strip searches of detainees in August 2020.

The peaceful activists' political opposition has become the main characteristic of human rights violations in Turkey in the first half of 2021. Members of the opposition are subjected to persistent arbitrary arrests over common charges such as affiliation to Gülen Movement, use of the BioLock Messaging App or participation in the alleged coup attempt of July 2016. The police have also arrested those participating in public protests and demonstrations, particularly the demonstrations of Boğaziçi University students.

The crackdown and prosecution of pro-Kurdish opposition remained in full force because of their peaceful activism against the orientation and policies of the ruling Justice and Development Party (AKP) in Turkey. Furthermore, the prosecution spared no one behind even opposition figures living abroad, especially those of the Gülen Movement, as the Turkish government is attempting to target them in many ways. On the other hand, the government continued its restriction of the right to freedom of the press, as dozens of journalists were subjected to criminal investigations and prosecutions. At least 74 journalists and media workers are in custody either in pre-trial detention or serving criminal penalties. Many of these journalists and media workers also receive repeated death threats by anonymous people, in addition to the subjection of some journalists to physical assault that often amounted to murder by unknown perpetrators. Human rights estimates affirm the lack of effective investigations on such assaults and the release of the assailants after receiving reduced sentences. Such policy encourages the commission of more violations against

journalists opposing the orientation of the government. At the same time, Turkey ranks 153rd out of 180 countries in the World Press Freedom Index issued by the “Reporters Without Borders” Organization.

In a related context, the Turkish government has targeted digital rights and freedom of expression on the internet. Citizens were arrested for practising their lawful right to freedom of expression on the internet. Moreover, some citizens are being detained for insulting Turkish President Recep Tayyip Erdoğan on the internet based on Article 299 of the Turkish Penal Code. This comes in conjunction with the Turkish government almost complete control over the academic community, as it dismissed several college professors for unknown reasons, in addition to appointing people affiliated with the ruling Turkish party, regardless of their academic competencies.

Despite the prevalence of gender-based violence in Turkey, which took the lives of several innocent women over the last years, the Turkish government issued a decree on March 20, 2021, declaring its withdrawal from the Istanbul Convention, which is the first-ever legally binding international treaty against domestic violence. This also comes in conjunction with the rise in the killings of women due to domestic violence during the first half of 2021, with approximately 111 women from the period of January to May 2021 according to the estimates of the Turkish civil society institutions.

In the meantime, practices of torture and ill-treatment against prisoners and those detained and arrested have escalated, particularly the sexual violence which has become the main feature in the Turkish detention centres. The silence of the international community encourages the Turkish government to continue its intervention in conflict areas, which contributed to aggravating the various human

rights crises. The methods of such intervention ranged from the air bombardment of direct targets to the violation of water rights of its neighbouring countries and thereby increasing the suffering of civilians living in such countries. For instance, in February 2021, the Turkish government implemented a military operation named Operation Claw-Eagle 2 inside the Iraqi territories, in violation to all the international conventions and treaties establishing the principle of non-intervention in the internal affairs of states, such as paragraph 7 of Article 2 of the United Nations Charter. Accordingly, this report discusses the human rights situation in Turkey during the first half of 2021 and concludes with a set of recommendations aiming at improving the human rights situation in Turkey.

After reviewing the human rights violations in Turkey during the first half of 2021, the report found that the main feature of all of these violations is targeting all those who oppose the decisions of the Turkish government. Whoever criticizes the Turkish government, including journalists and human rights defenders, are systemically subjected to prosecution, arrests, break up of peaceful sit-ins and assemblies, intimidation of muzzling their voices and threats of false accusations. Basically, anyone who breaks his/her silence to condemn the policies of the Turkish government faces charges of disturbing national security and insulting the President of the Republic, particularly on social media.

The systematic use of torture and ill-treatment against the opposition was prominent in detention centres or prisons. It aims at entrenching the culture of fear inside them and reshaping their attitudes otherwise they will be severely punished by the Turkish security services. As a result, they are forced to keep silent in an attempt by

the Turkish government to consolidate the dictatorship and marginalize the opposition in all its forms in an atmosphere of impunity.

The most prominent of such violations that occurred during the first half of 2021 is the provincial governors' prohibition of peaceful protests of several activists and opposition figures as well as the security services' targeting of peaceful demonstrations. The most notable example of such is the attack of the Turkish government on students of Boğaziçi University. On the other hand, arbitrary arrests, torture, and legal proceedings were used to control the political opposition and means of expression, in conjunction with a passive response to crimes against journalists, which contributed to the spread of impunity. Meanwhile, the Turkish government has imposed almost complete control over digital freedoms and several citizens were punished for their opinions against the Turkish government on social media.

Within this framework of systematic violations, the Turkish government imposed control over the academic community. In addition, domestic violence against women continued to surge after the Turkish government' withdrew from the Istanbul Convention, which means that the Turkish women are left alone against the main defensive wall of the human rights violations against them. On the other hand, Maat refers to the aggressive approach of the Turkish government in dealing with its neighbouring countries. The silence of the international community and turning a blind eye on the Turkish violations in the nearby conflict states has contributed to the deaths of many civilians as well as the bombardment of residential facilities, particularly in Syria. Moreover, the Turkish government continues to violate the water

rights of its neighbouring countries depriving them of their water shares, causing direct problems for civilians.

The report concludes with the following recommendations by Maat to the Turkish authorities:

- ☞ The need to respect the right of citizens to peaceful assembly and that the Turkish police needs to comply with the UN principles regarding the use of force and firearms by law enforcement officials when making decisions to break up the demonstrations.
- ☞ The need to investigate the Turkish security services on the human rights violations committed during the breakup of the Boğaziçi University's demonstrations rejecting the decision of Turkish President Recep Tayyip Erdoğan to appoint a university Rector from outside the faculty.
- ☞ The need to stop all the human rights violations committed by the Turkish government to intimidate human rights defenders, in addition to ensuring a fair trial for such defenders, as Maat noticed the lack of fair trial procedures in all the cases against human rights activists.
- ☞ The need to allow the Turkish political opposition to exercise their right to a peaceful protest against the government without the subjection of their members to arbitrary arrests and various judicial harassments.
- ☞ The need to impose mechanisms to prevent torture in police detention centres and prisons, in addition to punishing those involved in different crimes of torture and preventing their impunity.

- ☞ The need to review the Turkish government's decision regarding the withdrawal from the Istanbul Convention, which will lead to more violations against women.
- ☞ The need to refrain from intervening in the internal affairs of states and to take into consideration the water rights of states neighbouring Turkey- Iraq and Syria- as water shortage directly affects the civilians in both states.
- ☞ The need to provide adequate protection for journalists and media professionals as well as the prosecution of the perpetrators of violations against them. In the same context, the Turkish government must stop its arbitrary arrests of journalists and its strict control over the freedom of expression on the internet, not to mention the need to provide academic freedoms.