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2023 Country Report on Human Rights Practices: Turkey (Türkiye)

EXECUTIVE SUMMARY

Restrictions on freedoms of assembly, association, and expression prior to the May presidential and parliamentary elections were a significant development during the year that negatively affected the state of human rights in Turkey. Organization for Security and Cooperation in Europe observers reported citizens were able to express their right to vote freely among genuine political alternatives but expressed concerns regarding media bias and restrictions on freedoms of assembly, association, and expression, which created an uneven playing field and contributed to an unfair advantage for the incumbent.

Significant human rights issues included credible reports of: enforced disappearance; torture or cruel, inhuman, or degrading treatment or punishment by the government or on behalf of the government; arbitrary arrest or detention; serious problems with the independence of the judiciary; political prisoners or detainees; transnational repression against individuals in another country; serious restrictions on freedom of expression and media freedom, including violence and threats of violence against journalists, unjustified arrests or prosecution of journalists, censorship, or enforcement or of threat to enforce criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; restrictions on freedom of movement and residence within the territory of a state and on the right to leave the country; refoulement of refugees to a country where they would face torture or persecution, including serious harms such as a threat to life or freedom or other mistreatment that would constitute a separate human rights abuse; serious government restrictions on or harassment of domestic and international human rights organizations; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, workplace violence, child, early, and forced marriage, female genital mutilation/cutting, femicide, and other forms of such violence; crimes involving violence or threats of violence targeting members of national/racial/ethnic groups such as refugees and Kurdish minorities; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons.

The government took limited steps to identify and punish some officials who may have committed human rights abuses.

Clashes between security forces and the Kurdistan Workers' Party terrorist organization and its affiliates continued and resulted in the injury or death of security forces, terrorists, and civilians. The government did not release information on efforts to investigate or prosecute personnel for wrongful or inadvertent deaths of civilians linked to counterterrorism operations.

Section 1.

Respect for the Integrity of the Person

A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS

There were credible reports the government or its agents committed arbitrary or unlawful killings during the year. Deaths at the hands of security forces, police, and prison guards were reported. Civilian deaths occurred in connection with the government's fight against the terrorist Kurdistan Workers' Party (PKK) organization in the southeast. Kurdish individuals were disproportionately impacted. The PKK continued to target civilians in its attacks; the government continued to work to block such attacks.

Human Rights Watch reported Ahmet Guresci, age 27, died in custody after he and his brother were detained and beaten by police in Antakya for allegedly being involved in looting and "other crimes" following earthquakes in February.

B. DISAPPEARANCE

There were unconfirmed reports of disappearances by or on behalf of government authorities.

C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, AND OTHER RELATED ABUSES

The constitution and law prohibited torture and other cruel, inhuman, or degrading treatment, but domestic and international rights groups reported some police officers, prison authorities, and military and intelligence units employed these practices. Domestic human rights organizations, bar associations, political opposition figures, international human rights groups, and others reported government agents engaged in threats and mistreatment of persons while in custody. Individuals with alleged affiliation with the PKK or the Gulen movement were more likely to be subjected to mistreatment or abuse.

Anecdotal reports from human rights groups indicated police abused detainees outside police station premises, and mistreatment and alleged police abuse and mistreatment were more prevalent in some police facilities in parts of the southeast.

On March 22, five Turkish police officers allegedly abducted a boy, age 14, from the Kurdish-majority district of Lice and later dumped him in a remote area with his hands and feet bound. The Diyarbakir Prosecutor General's Office announced it had opened an investigation and charged the police officers with "illegally detaining" the victim and of "damage to property" to his cell phone, but the Bar Association of Diyarbakir demanded the officers be prosecuted under stronger charges.

On April 11, the Constitutional Court ruled Dilan Alp's rights were violated when he was severely injured by a tear-gas canister fired by police and that the police intervention during 2013 demonstrations in Istanbul was unlawful. At the time then-Istanbul Governor Hüseyin Avni Mutlu referred to Alp, then age 17, as "marginal, a member of a terrorist organization."

Prison and Detention Center Conditions

Prison and detention centers were overcrowded. Prisoners often suffered from the consequences of overcrowded facilities, poor sanitary conditions, and a lack of adequate medical care.

Abusive Physical Conditions: Gross prison overcrowding was a significant problem. According to the Ministry of Justice, the country's penal system had 405 institutions and as of October was over capacity by an estimated 44,000 prisoners. The Civil Society in the Penal System Association reported the government released many prisoners via amnesty to combat overcrowding throughout the year.

Human rights organizations and the Committee for the Prevention of Torture (CPT) reported prisoners sometimes lacked adequate access to potable water, proper heating, ventilation, lighting,

food, and health services. Human rights organizations also noted prison overcrowding and poor sanitary conditions exacerbated health risks.

Human rights associations expressed serious concern regarding the inadequate provision of health care to prisoners, particularly the insufficient number of prison doctors. Nongovernmental organizations (NGOs) reported prison wardens rather than health-care officials often decided whether to allow a prisoner's transfer to a hospital. Reports by human rights organizations suggested some doctors refused to issue medical reports alleging abuse due to fear of reprisal. As a result, victims were often unable to get medical documentation of their abuse.

NGOs and opposition politicians reported prison administrators used strip searches punitively against prisoners and visitors, particularly in cases involving prisoners convicted on terrorism charges. Some human rights activists and lawyers reported prisoners and detainees were sometimes arbitrarily denied access to family members and lawyers.

Administration: Authorities at times investigated credible allegations of abuse and mistreatment but generally did not document the results of such investigations in a publicly accessible manner or disclose publicly whether actions were taken to hold perpetrators accountable.

Independent Monitoring: The government allowed prison monitoring by some independent observers, including parliamentarians. By law prisons were monitored by domestic government entities including the Human Rights and Equality Institution of Turkey and the Parliamentary Commission for Investigating Human Rights. The CPT, the Council of Europe's Commissioner for Human Rights, and the UN Working Group on Arbitrary Detention were also granted access to monitor prisons.

The government did not allow independent NGOs to monitor prisons. NGOs such as the Human Rights Association (HRA) and Civil Society in the Penal System published periodic reports on prison conditions based on information provided by parliamentarians, correspondence with inmates, lawyers, inmates' family members, and press reports.

D. ARBITRARY ARREST OR DETENTION

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of arrest or detention in court, but numerous credible reports indicated the government did not always observe these requirements.

Arrest Procedures and Treatment of Detainees

Persons were not detained without judicial authorization. The law required prosecutors to issue warrants for arrests unless the suspect was detained while committing a crime. The law also required suspects be brought promptly before a judicial officer and charged with a crime. The period for arraignment could be extended for up to four days. These rights were generally respected. Formal arrest, separate from detention, provided for a suspect to be held in jail until court-ordered release. For crimes that carried potential prison sentences of less than three years' imprisonment, a judge could release the accused after arraignment upon receipt of an appropriate assurance, such as bail. For more serious crimes, the judge could either release the defendant on their own recognizance or hold the defendant in custody (arrest) prior to trial if there were specific facts indicating the suspect might flee, attempt to destroy evidence, or attempt to pressure or tamper with witnesses or victims.

While the law generally provided detainees the right to immediate access to an attorney of their choice, it allowed judges to deny such access for up to 24 hours. In criminal cases the law also required the government to provide indigent detainees with a public attorney if they requested one. In cases involving a potential prison sentence for conviction of more than five years' imprisonment or in which the defendant was a child or a person with disabilities, a defense attorney was

appointed, even absent a request from the defendant. Human rights observers noted that in most cases authorities provided an attorney if a defendant could not afford one.

The government could detain without charge (or appearance before a judge) a suspect under suspicion of terror-related crimes for 48 hours for “individual” offenses and 96 hours for “collective” offenses. These periods could be extended twice with the approval of a judge, amounting to six days for “individual” and 12 days for “collective” offenses.

The law gave prosecutors the right to suspend lawyer-client privilege and to observe and record conversations between accused persons and their legal counsel. Some lawyers defending persons accused of terrorism faced criminal charges themselves. On May 21, then Minister of Interior Soylu stated, “whenever PKK’s lawyers are locked up, then there will be no PKK in Turkey. They are the target ... PKK is poisoning Turkey via lawyers.”

Media and human rights organizations reported Turkish National Police on April 25 raided several Diyarbakir-based bar associations, NGOs, news agencies, and homes in what was characterized as a counter-PKK operation. Police detained more than 110 individuals in Diyarbakir and other southeastern cities on suspicion of providing financial aid and legal assistance to the PKK, recruiting for the PKK, spreading PKK propaganda, and “organizing more than 60 demonstrations.” Diyarbakir Bar Association Vice President Mehdi Ozdemir told press that nearly 150 individuals, including 25 attorneys, as well as journalists, and rights advocates had been detained. The People’s Democratic Party (HDP) party executives and media outlet Mezopotamya Agency’s editor Abdurrahman Gok were reportedly among the detainees.

Arbitrary Arrest: Although the law prohibited holding a suspect arbitrarily or secretly, there were numerous reports the government did not observe these prohibitions. Human rights groups alleged that in areas under curfew or in “special security zones,” security forces detained citizens without official record, leaving detainees at greater risk of arbitrary abuse.

Pretrial Detention: Prolonged pretrial detention was a problem, particularly in politically motivated cases. The maximum time an arrestee could be held pending trial for certain crimes after an indictment was seven years, including for offenses against the security of the state, national defense, constitutional order, state secrets and espionage, organized crime, and terrorism-related offenses. Pretrial detention during the investigation phase of a case (before an indictment) was limited to six months for cases that did not fall under the purview of the heavy criminal court, referred to by the International Criminal Police Organization (INTERPOL) as the central criminal court, and one year for cases that fell under the heavy criminal court. The length of pretrial detention sometimes exceeded the maximum sentence for the alleged crimes. For other major criminal offenses tried by high criminal courts, the maximum detention period after indictment remained two years with the possibility of three one-year extensions, for a total of five years. For terrorism-related cases, the maximum period of pretrial detention during the investigation phase was 18 months, with the possibility of a six-month extension.

Rule of law advocates asserted broad use of pretrial detention had become a form of summary punishment, particularly in cases that involved politically motivated terrorism charges. Chief prosecutors had discretion, particularly under the wide-ranging counterterrorism law, to keep individuals they deemed dangerous to public security in pretrial detention.

According to statistics from the Ministry of Justice, as of October 39,772 persons were held in pretrial detention, accounting for approximately 15 percent of the overall prison population.

E. DENIAL OF FAIR PUBLIC TRIAL

The law provided for an independent judiciary, but the judiciary remained subject to influence, particularly from the executive branch.

The executive branch exerted strong influence over the Board of Judges and Prosecutors, the judicial body that assigned and reassigned judges and prosecutors to the country’s courts

nationwide and was responsible for their discipline. Out of 13 total judges on the board, the president directly appointed six: the executive branch and parliament appointed 11 members (seven by parliament and four by the president) every four years; the other two members were the presidentially appointed justice minister and deputy justice minister. Although the constitution provided tenure for judges, the Board of Judges and Prosecutors controlled the careers of judges and prosecutors through appointments, transfers, promotions, expulsions, and reprimands. Broad leeway granted to prosecutors and judges undermined the requirement to remain impartial, and judges' inclination to give precedence to the state's interests contributed to inconsistent application of laws. Bar associations, lawyers, and scholars expressed concern regarding application procedures for prosecutors and judges described as highly subjective, which they warned opened the door to political litmus tests in the hiring process. They expressed doubt a newly introduced training system, which required hires be trained under more senior figures for three years, would prevent politicization.

The judiciary faced several problems that limited judicial independence, including intimidation and reassignment of judges and allegations of interference by the executive branch. More than a third of the country's prosecutors and judges had less than six years of legal experience.

Observers raised concerns the outcome of some trials appeared predetermined or pointed to judicial interference. Human rights groups and trial monitoring organizations reported that in politically sensitive cases, judges sometimes barred journalists and observers from the courtroom, interrupted defendants' statements, did not allow them to speak, rejected defense requests without explanation, and handed down decisions without listening to the defendant's statement, among other procedural irregularities.

In September the Court of Cassation upheld the conviction of Osman Kavala, a prominent philanthropist and businessman, and his codefendants for their alleged role in the 2016 coup attempt and the 2013 Gezi Park protests, disregarding two judgments of the European Court of Human Rights (ECtHR) that ordered Kavala's release. The ECtHR concluded he had not received a fair public trial and that the charges against him were politically motivated. In April 2022 Kavala was sentenced to life imprisonment after being convicted on charges of "attempting to overthrow the government." At year's end Kavala remained in prison.

On August 25, the Council of Judges and Prosecutors, the country's top judicial body, removed the chair and another member of the three-judge appeals panel responsible for hearing the appeal of Istanbul Mayor Ekrem Imamoglu's criminal conviction for allegedly "insulting the members of the Supreme Election Council." In December 2022 Imamoglu was sentenced to two years and seven months in prison and banned from participating in politics. At year's end Imamoglu remained in office pending the appeals process.

The system for educating and assigning judges and prosecutors fostered close connections between the two groups that some legal experts claimed encouraged impropriety and unfairness in criminal cases.

Lower courts at times ignored or significantly delayed implementation of decisions reached by the Constitutional Court. The Council of Europe's Committee of Ministers reported most ECtHR decisions regarding freedom of thought, expression, and press freedom were not implemented.

Trial Procedures

The constitution provided for the right to a fair public trial, although bar associations and rights groups asserted executive interference with the judiciary and actions taken by the government jeopardized this right.

The law provided defendants a presumption of innocence and the right to be present at their trials. In several high-profile cases, defendants appeared via video link from prison, rather than in person. Judges could restrict defense lawyers' access to their clients' court files for specific categories of

crimes (including crimes against state security, organized crime, and sexual assault against children) until the client was indicted.

A single judge or a panel of judges decided all cases. Courtroom proceedings were generally public except for cases involving children as defendants. The state increasingly used a clause allowing closed courtrooms for hearings and trials related to security matters, such as those related to “crimes against the state.” Court files, which contained indictments, case summaries, judgments, and other court pleadings, were closed except to the parties to a case, making it difficult for the public, including journalists and watchdog groups, to obtain information on the progress or results of a case. In some politically sensitive cases, judges restricted access to Turkish lawyers only, limiting the ability of domestic or international groups to observe some trials.

Defendants had the right to be present at trial and to consult an attorney of their choice in a timely manner, although legal advocates asserted the government coerced defendants to choose government-appointed lawyers. Observers and human rights groups noted that in some high-profile cases, these rights were not afforded to defendants. Individuals from the southeast of the country were increasingly held in prisons or detention centers far from the location of the alleged crime and often appeared at their hearing via video link systems. Some human rights organizations reported hearings would at times continue in the defendant’s absence or while the defendant’s voice was inaudible when connectivity failed.

Defendants or their attorneys could question witnesses for the prosecution, although questions were usually presented to the judges, who were expected to ask the questions on behalf of counsel. The law provided for court-provided language interpretation when needed, although human rights groups alleged interpretation was not always provided free of charge, leaving some non-Turkish-speaking defendants with limited economic resources disadvantaged by the need to pay for interpretation.

The trial system did not provide for a speedy trial, and trial hearings were often several months apart, despite provisions in the code of criminal procedure for continuous trial. Trials sometimes began years after indictment, and appeals could take years more to reach conclusion.

Observers noted prosecutors and courts often failed to establish sufficient evidence to sustain indictments and convictions in cases related to supporting terrorism, and highlighted concerns regarding respect for due process and adherence to credible evidentiary thresholds. In numerous cases authorities used secret evidence or witnesses that defense attorneys and the accused had no access or ability to cross-examine and challenge in court, particularly in cases related to national security. The government occasionally refused to acknowledge the use of evidence from, release testimony of, or allow defendants or their attorneys to hear the testimony of secret witnesses during court proceedings.

Political Prisoners and Detainees

The exact number of political prisoners was a subject of debate in the country. The Ministry of Justice announced 15,539 detainees remained in prisons on grounds of their alleged affiliation with the Gulen movement in July. NGOs estimated approximately 8,500 individuals were held in pretrial detention or were imprisoned following conviction specifically for alleged links with the PKK. Observers asserted a significant number of the individuals detained for journalistic work, human rights advocacy, or on terrorism or other charges, were political prisoners. The government disputed these allegations.

Political prisoners were generally provided the same protections as other detainees but were sometimes subjected to significantly different prison conditions than the general population. Human rights organizations reported political prisoners were more often subjected to solitary confinement and excluded from government initiatives to lower the prison population through amnesties and early releases. The Civil Society in the Penal System Association reported oversight boards in prison administrations were more likely to deny the release of prisoners on their parole date on the

grounds of “lack of good conduct” although their court-imposed conditional release dates had passed. The government did not permit access to political prisoners by human rights or humanitarian organizations such as the International Committee of the Red Cross.

According to defense lawyers and opposition groups, there was a trend of prosecutors using what appeared to be legally questionable evidence to file criminal charges against and prosecute a broad range of individuals, including media workers, human rights activists, opposition politicians (primarily of the HDP), and others critical of the government. NGOs and human rights activists asserted the country’s antiterrorism law allowed an overly broad interpretation of the term “terrorism,” leading to the selective prosecution of journalists, activists, and others.

There were credible reports authorities subjected political prisoners to abuses, including long solitary confinement, unnecessary strip and cavity searches, severe limitations on outdoor exercise and out-of-cell activity, denial of access to prison library and media, slow medical attention, and in some cases the denial of medical treatment. Reports also alleged authorities subjected visitors of political prisoners to abuse, including limiting access to family and degrading treatment by prison guards, including strip searches.

On May 14, Can Atalay was elected as a member of parliament from the small leftist Workers’ Party of Turkey (TIP) while in prison. In April 2022 Atalay was among seven defendants who were sentenced to 18 years in prison in relation to Gezi Park protests on conviction of “assisting the attempted abolishment of the government.” His supporters argued his election should have automatically granted him immunity from prosecution and resulted in his release. On July 13, however, the Third Criminal Chamber of the Court of Cassation, the country’s highest appellate court, unanimously ruled Atalay was not eligible for parliamentary immunity, assessing parliamentary immunity did not cover the type of crime for which he was convicted. In response to the ruling, TIP posted on social media, “We will not bow to the [presidential] palace and the judiciary working with its instruction.” On October 25, Turkey’s Constitutional Court ruled Atalay’s “right to vote and be elected” and the “right to personal liberty and security” had been violated, and he should be released from prison. Atalay continued to be held in prison as year’s end.

F. TRANSNATIONAL REPRESSION

The government engaged in a worldwide effort to apprehend suspected members of the Gulen movement. There were credible reports the government exerted bilateral pressure on other countries to take adverse action against specific individuals, at times without due process.

Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or Threats of Violence: There were credible allegations Turkish intelligence forces kidnapped alleged members of the Gulen movement in foreign countries and returned them to Turkey to stand trial. There were unconfirmed allegations Turkish authorities deported some Iranian political activists, including those with international protection status, at the request of Iran.

On October 24, Turkish police arrested Iranian international protection seeker Shilan Mirzaee. Her lawyer told media police took her to a deportation center in Bandirma and did not provide documents explaining the reason for the arrest. Mirzaee said Turkish authorities stated her presence in the country was a national security risk and requested she leave. She further stated Turkish police told her the Iranian government had demanded her return and it was going to hand her over to them.

Threats, Harassment, Surveillance, and Coercion: Relatives of individuals who fled from the country due to fear of politically motivated abuse reported security forces used threats and intimidation to pressure them to reveal the individual’s location or encourage those who had fled to return to the country.

Misuse of International Law Enforcement Tools: There were credible reports the government attempted to use INTERPOL red notices to target specific individuals located outside the country, alleging ties to terrorism based on little evidence. Freedom House reported that following the 2016

coup attempt, the country uploaded tens of thousands of requests in INTERPOL for persons the government designated as affiliated with the Gulen movement. There were also reports individuals faced complications related to erroneous lost or stolen passport reports the government filed against suspected Gulen movement supporters in the years directly following the coup attempt. Targeted individuals often had no clearly identified role in the attempted coup but were associated with the Gulen movement or had spoken in favor of it. The reports to INTERPOL led to individuals' detention or prevented them from traveling.

Efforts to Control Mobility: There were reports the government attempted to control mobility to exact reprisal against citizens abroad by refusing to renew the passports of some citizens with temporary residency permits in other countries, on political grounds. The government often claimed such citizens were members of the Gulen movement organizations; these individuals were frequently unable to travel outside their countries of residence.

Bilateral Pressure: There was evidence the government applied bilateral pressure on other governments to secure their assistance with renditions without full due process and couched such requests as cooperation on countering terrorism.

In July an official in Kosovo was found guilty and sentenced to prison for "abuse of official position or authority" for the deportation of six Turkish nationals in 2018 alleged by Turkish authorities to be followers of the Gulen movement. Upon their arrival in Turkey, the six individuals, including five who worked at Gulen affiliated educational institutions in Kosovo, were arrested and four were charged with "membership in a terrorist organization" and sentenced to between seven and nine years in prison, and the fifth was charged with "leading an armed terrorist organization" and sentenced to 15 years in prison.

Human rights organizations and Turkish government supported news sites reported Koray Vural, a member of the Gulen movement, was "captured" by the Turkish National Intelligence Organization (MIT) on September 16 in Tajikistan and transferred to Turkey to be tried for "membership in a terrorist organization."

G. PROPERTY SEIZURE AND RESTITUTION

There were no reports the government evicted persons from their place of residence without due process. There were reports, however, the government seized property, including computers, camera equipment, cell phones, and case files of journalists and lawyers during their arrests without due process or adequate restitution. In multiple parts of the southeast, many citizens continued efforts to appeal the government's 2016 seizures of properties to reconstruct areas damaged in government-PKK fighting.

Some affected residents filed court challenges seeking permission to remain on seized land and receive compensation; many of these cases remained pending at year's end. In certain cases, courts awarded compensation to aggrieved residents, although the latter complained awards were insufficient. As of July, 6.47 billion Turkish lira (\$229.1 million) had been paid out to applicants. In Diyarbakir's old city Sur District, the government had not completed repairs on many of the seized properties, with residents complaining stop-and-go efforts left many partially reconstructed buildings uninhabitable.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act Report to Congress*, released publicly in July 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

H. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

The constitution provided for the “secrecy of private life” and stated individuals had the right to demand protection and correction of their personal information and data. The law provided the MIT with the authority to collect information and limited the ability of the public or journalists to expose abuses. Oversight of the MIT fell within the purview of the presidency and checks on MIT authorities were limited. The MIT could collect information from any entity without a warrant or other judicial process for approval. At the same time, the law established criminal penalties for interfering with MIT activities and included data collection or obtaining or publishing information concerning the agency. The law allowed the president to grant the MIT and its employees immunity from prosecution.

Police possessed broad powers for personal search and seizure. Senior police officials could authorize search warrants, with judicial permission required to follow within 24 hours. Individuals subjected to such searches had the right to file complaints; however, judicial permission occurring after a search had already taken place failed to serve as a check against abuse. Security forces could conduct wiretaps for up to 48 hours without a judge’s approval. As a check against potential abuse of this power, the State Inspection Board could conduct annual inspections and present its reports for review to parliament’s Security and Intelligence Commission.

There were reports government authorities arbitrarily, or without appropriate legal authority, accessed, collected, or monitored private communications. The Ministry of Interior’s General Security Directorate monitored social media users’ posts. Authorities routinely blocked access to news sites, articles, websites, and social media posts. Human rights groups noted wiretapping without a court order circumvented judicial control and potentially limited citizens’ right to privacy. Some citizens asserted authorities tapped their telephones and accessed their email or social media accounts.

On the evening of February 8, during rescue efforts following the two February 6 earthquakes, the government throttled bandwidth, or purposely slowed down internet users’ data transmission, on Twitter by an estimated 90 percent due to what the government deemed to be insufficient steps to remove content related to the earthquake that allegedly violated national security law. Critics claimed the action was to limit negative public reaction to the government’s slow initial response to the earthquake. Media reported the Information and Communication Technologies Authority (BTK) restricted the social media platform for several hours. Politicians and other prominent persons across the political spectrum criticized the censorship and demanded the government lift the ban immediately, and asserted survivors and rescuers alike were using social media to share vital information.

I. CONFLICT-RELATED ABUSES

Occasional clashes between Turkish security forces and the PKK and its affiliates in the country continued throughout the year and resulted in the injury or deaths of security forces, PKK terrorists, and civilians. Human rights organizations and media claimed Turkish airstrikes reportedly aimed at the PKK in Syria and Iraq resulted in civilian casualties. Humanitarian sources reported Turkish airstrikes October 5-8 across northeast Syria damaged critical infrastructure, killed 17 civilians, and seriously injured 11. The government continued security operations against the PKK and its affiliates in various areas of the east and southeast of the country. Authorities issued curfews of varying duration in certain urban and rural areas and decreed “special security zones” in some areas to facilitate counter-PKK operations, which restricted access of visitors and, in some cases, residents. Portions of Hakkari Province and rural portions of Tunceli Province remained “special security zones.” The PKK engaged in kidnappings and carried out attacks that claimed the lives of civilians. Residents of these areas reported they occasionally had very little time to leave their homes prior to the launch of counter-PKK security operations.

NGOs reported Turkish-supported Syrian armed opposition groups (TSOs) in northern Syria committed human rights abuses, reportedly targeting Kurdish and Yezidi residents and other civilians, including extrajudicial killings, the arbitrary detention and enforced disappearance of civilians, torture, sexual violence, forced evacuations from homes, looting and seizure of private

property, transfer of detained civilians across the border into Turkey, recruitment or use of child soldiers, and the looting and desecration of religious sites. Turkish think tank Center for Middle Eastern Studies in coordination with Syrian opposition delivered a four-day International Humanitarian Law Training Program inside Syria to SNA commanders on July 25-28, 2022. (For more information, see the Department of State's *Country Reports on Human Rights Practices* for Syria).

Killings: PKK tactics included targeted killings and assault with conventional weapons, vehicle-borne bombs, and improvised explosive devices (IEDs). At times IEDs and unexploded ordnance, usually attributed to the PKK, killed or maimed civilians and security forces. In Syria TSO clashes with groups the Turkish government considered to be affiliated with the PKK resulted in civilian deaths.

Abductions: The PKK regularly abducted or attempted to abduct civilians. (see Child Soldiers, below).

The NGO Syrians for Truth and Justice reported TSOs detained and unlawfully transferred Syrian nationals through Turkey.

Physical Abuse, Punishment, and Torture: The February 13 report of the Independent International Commission of Inquiry on the Syrian Arab Republic noted the presence of Turkish officials in TSO detention facilities, including in interrogation sessions where torture was used.

Human rights groups alleged police, other government security forces, and the PKK abused some civilian residents of the southeast. There was little accountability for mistreatment by government authorities.

Child Soldiers: The Secretary of State determined the government-supported armed groups that recruited or used child soldiers during the reporting period of April 2022 to March 2023. See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Section 2.

Respect for Civil Liberties

A. FREEDOM OF EXPRESSION, INCLUDING FOR MEMBERS OF THE PRESS AND OTHER MEDIA

The constitution and law provided for freedom of expression, within certain limits, and freedom of the press. The government restricted freedom of expression, including for members of the press and other media. Multiple articles in the penal code directly restricted freedom of the press and other media platforms and free speech through broad provisions that prohibited praising a crime or criminals or inciting the population to enmity, hatred, or denigration, as well as provisions that purported to protect public order and criminalized insulting the state, the president, or government officials. The law also limited free expression online through a law that criminalized "disseminating false information" without establishing clear guidelines.

The government prosecuted journalists from major opposition and independent newspapers and jailed journalists, hindering freedom of expression in the country. Media professionals reported self-censorship was widespread amid fear that criticizing the government could prompt reprisals, both economically and through selective prosecution.

Freedom of Expression: Individuals in many cases could not criticize the state or government publicly without risk of civil or criminal suits or investigation, and the government restricted expression by individuals sympathetic to some religious, political, or cultural viewpoints. Those who wrote or spoke on sensitive topics or in ways critical of the government risked job loss, abuse by officials in the justice system, fines, and imprisonment. The government convicted and sentenced hundreds of individuals for exercising their freedom of expression. The government frequently responded to expression critical of it by filing criminal charges alleging affiliation with terrorist groups, terrorism, or otherwise endangering the state, citing national security grounds. The application of insult laws was also used to limit freedom of expression.

The law provided for punishment of up to three years in prison for conviction of “hate speech” or injurious acts related to language, race, nationality, color, gender, disability, political opinion, philosophical belief, religion, or sectarian differences. Human rights groups noted the law was used primarily to restrict freedom of expression rather than to protect members of minority groups.

Under the rules of procedure, members of parliament could be reprimanded or temporarily expelled from the assembly due to the usage of the word “Kurdistan” or other sensitive terms on the floor of the parliament. Authorities did not uniformly implement this procedure.

Rights groups and free speech advocates reported intensifying government pressure that in certain cases resulted in journalists exercising enhanced caution in their public reporting. As of October, between 21 and 44 journalists were imprisoned in the country. The Media Freedom Rapid Response documented a record number of violations of press and media freedom in the country encompassing 136 incidents involving 172 individuals or media organizations as of October.

Violence and Harassment: Government and political leaders and their supporters used a variety of means to intimidate and pressure journalists, including through lawsuits, threats, and, in some cases, physical attacks. There was violence against journalists perpetrated by individuals affiliated with far-right groups and with alleged ties to political parties. Journalists alleged such groups were involved in the systematic intimidation of critical, left-leaning opinion. In October the Committee to Protect Journalists asserted attacks on journalists were rarely prosecuted. Victims publicly expressed a belief law that enforcement agencies were not interested in prosecuting the crimes.

The government routinely filed terrorism-related charges against individuals or publications in response to reporting on sensitive topics, particularly government efforts against PKK terrorism and the Gulen movement. Human rights groups and journalists asserted the government did this to target and intimidate journalists and the public for speech perceived as critical of the state.

Journalists affiliated or formerly affiliated with pro-Kurdish outlets faced significant government pressure, including incarceration. The government routinely denied press accreditation to Turkish citizens working for international outlets for any association (including volunteer work) with private Kurdish-language outlets.

On February 21, a trial against journalist Mansur Celik began for “targeting individuals involved in counter-terrorism efforts,” for a 2020 report he wrote on the noncompliance of the Istanbul 14th High Criminal Court’s ruling with the Constitutional Court’s decision regarding member of parliament Enis Berberoglu. The case continued at year’s end.

On June 26, police detained journalist Merdan Yanardag on charges of “making propaganda for a terrorist organization” for questioning the prison conditions and solitary confinement of Abdullah Ocalan, the convicted leader of the PKK.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Government and political leaders maintained direct and indirect censorship of media and books. Mainstream print media and television stations were largely controlled by progovernment holding companies heavily influenced by the ruling party. Only a small fraction of the holding companies’ profits came from media revenue, and their other commercial interests

impeded media independence, encouraged a climate of self-censorship, and limited the scope of public debate.

A study published in July by the European Federation of Journalists asserted low wages, long working hours, mobbing, and censorship plagued journalism in the country. Fifty percent of journalists surveyed identified political pressure as a major obstacle to their work and 43 percent experienced some form of censorship.

Government prosecution of journalists limited media freedom throughout the year. Authorities subjected some writers and publishers to prosecution on grounds of defamation, denigration, obscenity, separatism, terrorism, subversion, fundamentalism, or insulting religious values. Authorities investigated or continued court cases against a myriad of publications and publishers on these grounds. Authorities also exercised censorship over online media (see Internet Freedom). In several cases the government barred journalists under judicial controls from traveling outside the country, including by using electronic monitoring. Authorities also targeted foreign journalists.

While the law did not prohibit specific books or publications, court decisions resulted in bans for distribution or sale of certain books and periodicals. The Press Advertisement Board, which had the authority to impose advertising bans, included provisions referencing the lesbian, gay, bisexual, transexual, queer, intersex, and other sexual minority (LGBTQI+) community, forbidding publications that “disrupt the family structure” and “weaken the common national and moral values of Turkish society.” The board extended press ethics obligations to websites and social media accounts of newspapers. Bookstores did not carry books by some opposition political figures.

Publishers often exercised self-censorship, avoiding works with controversial content (including government criticism, erotic content, or pro-Kurdish content) that might draw legal action. Publishers faced publication bans and heavy fines if they failed to comply in cases in which a court ordered the correction of offensive content. Authorities also subjected publishers to book promotion restrictions. In some cases, prosecutors considered the possession of some Kurdish-language, pro-Kurdish, or Gulen movement books to be credible evidence of membership in a terror organization.

Some journalists reported their employers asked them to censor their reporting if it appeared critical of the government or jeopardized other business interests and fired them if they failed to comply. Journalist organizations also reported that due to a fear of government backlash, companies were unwilling to purchase ads for critical or opposition outlets. These pressures contributed to an atmosphere of self-censorship in which media reporting became increasingly standardized along progovernment lines.

On July 26, the Radio and Television Supreme Council (RTUK) imposed fines on several television streaming service companies for “violating the principles of protecting the family” and “obscenity.” The fines were reportedly imposed at the upper limits for productions, including Netflix’s Dutch drama television series *Anne+* and Spanish teen drama *Elite*, for violating national and moral values, general morality, and the principle of protecting the family; for Disney+’s series *Love, Victor*, for “disturbing and morally objectionable behaviors;” and for *Modern Love*, which aired on Amazon Prime, for “containing dialogues contrary to the moral values of society and the principles of protecting the family.” Additionally, RTUK requested the removal of certain films from streaming. Other streaming services including MUBI, Virgin Radio, and BluTV, were also penalized for similar violations.

Libel/Slander Laws: Libel, slander, and blasphemy were criminal offenses, but legal provisions were selectively enforced. The law provided for a prison term of up to four years for persons convicted of insulting the president of the republic. The sentence could be increased by one-sixth if committed publicly and by one-third if committed by media outlets. Observers reported government officials used libel and slander laws, also known as defamation laws, to stop political opponents, journalists, and ordinary citizens from voicing criticism.

The government opened investigations into thousands of individuals, including politicians and journalists based on allegations of insulting President Erdogan. Authorities selectively charged

citizens, including teenagers and children, with insulting the country's leaders and denigrating "Turkishness." Free-speech advocates pointed out that, while leaders and deputies from opposition political parties regularly faced multiple insult charges, the government did not apply the law equally and Justice and Development Party members and government officials were rarely prosecuted. In April human rights organizations reported a total of 16,573 persons were tried in 2022 for charges related to "insult" and "incitement of public hatred or enmity."

The government increasingly enforced blasphemy laws that prohibited insulting religious values. In May a court convicted popstar Gelsen Colakoglu on charges of "inciting hatred and enmity" for a video in which she joked regarding religious Imam Hatip schools. She received a suspended sentence of 10 months so she would not serve any jail time so long as she did not face additional charges. Her arrest sparked widespread outrage on social media, with critics pointing to the incident as the latest example of political pressure on the judiciary.

On June 1, an Istanbul court acquitted lawyer Efkân Balaç of charges for "insulting the President" regarding two cartoons that he shared on Instagram in 2014. The related cartoons were those of Carlos Latuff, a cartoonist from Brazil. One of the cartoons was concerning Berkin Elvan, who died at age 15 after being hit in the head by a tear gas capsule thrown by a police officer during Gezi Park protests in 2013; the other was concerning the 301 miners who died in the Soma Mine Disaster in 2014, the worst mining disaster in the country's history. The cartoon concerning Berkin Elvan was published by several media outlets, including progovernment daily *Hurriyet*.

National Security: Authorities regularly used the counterterrorism law and the penal code to limit free expression on grounds of national security. Organizations, including the Committee to Protect Journalists and Freedom House, reported authorities used the counterterrorism law and criminal code to prosecute journalists, writers, editors, publishers, filmmakers, translators, rights activists, lawyers, elected officials, and students accused of supporting a terrorist organization, often either the PKK or the Gulen movement.

On January 11, Turkish Medical Association Chairwoman Sebnem Korur Fincanci was sentenced to two years, eight months, and 15 days in prison on conviction of "disseminating terrorist propaganda" for suggesting authorities should investigate the possible use of chemical weapons against Kurdish militants in Iraq. Fincanci was released pending appeal.

On September 9, the Ankara Chief Public Prosecutor's Office opened an investigation in response to comments made by member of parliament Sezgin Tanrikulu on September 8, during a live broadcast on the pro-opposition TV100 channel. He was investigated for "insulting the Turkish Nation, the State of the Republic of Türkiye, and State Institutions and Bodies," and "inciting the public to hatred and hostility or contempt."

Nongovernmental Impact: The PKK used intimidation to limit freedom of expression and other constitutional rights in the southeast of the country. Some journalists, political party representatives, and residents reported pressure, intimidation, and threats if they spoke out against the PKK or praised government security forces.

Internet Freedom

The government restricted access to the internet and blocked selected online content. The government at times blocked access to cloud-based services and permanently blocked access to many virtual private networks. There was credible evidence the government monitored private online communications. The government had authority to restrict internet freedom with limited parliamentary and judicial oversight. The law provided for government authorities to access internet users' records to "protect national security, public order, health, and decency" or to prevent crime. The judicial system was responsible for informing content providers or ordered blocks.

The BTK was empowered, as were government ministers, to demand internet service providers (ISPs) remove content or block websites with four hours' notice. The regulatory body was required to refer the matter within 24 hours to a judge, who typically ruled on the matter within 48 hours. If it was not technically possible to remove individual content within the specified time, the entire

website could be blocked. ISP administrators could face a penalty of six months to two years in prison or fines ranging from 50,000 to 500,000 Turkish lira (\$1,800 to \$18,000) for conviction of failing to comply with a judicial order. The president appointed the BTK president, vice president, and members of the agency. The government required ISPs, including internet cafes, to use BTK-approved filtering tools that blocked specific content. Additional internet restrictions were in place in government and university buildings. According to EngelliWeb, the government had blocked 712,558 domain names as of October.

The government criminalized “disseminating false information” with a penalty for conviction of up to three years in prison, creating an environment of self-censorship and fear. The law allowed the government to block a website or remove content if there was sufficient suspicion the site was committing any number of crimes, including insulting the founder of the Turkish Republic, Mustafa Kemal Atatürk, or insulting the president. The government could also block sites to protect national security and public order. At times authorities blocked some news and information sites that had content criticizing government policies. The law also allowed persons who believed a website violated their personal rights to ask the regulatory body to order ISPs to remove offensive content. Government leaders, including the president, reportedly employed staff to monitor the internet and initiate charges against individuals perceived as insulting them.

On February 28, press reported prominent geologist Ovgun Ahmet Ercan was detained on charges of “spreading obviously false information to the public” in the eastern province of Elazığ in relation to his earthquake-related social media posts on the same date. Ercan posted that several women had reportedly been raped after the earthquakes because soldiers had not been stationed in the earthquake zone. He was later released on judicial control with an international travel ban.

On February 28, journalist Sinan Aygul was convicted on charges of “spreading false information” based on the controversial “disinformation” law. Aygul, who served as chairman of the local area’s journalists association, posted on social media that a girl, age 14, had been sexually abused by police officers and soldiers in Bitlis Province. After speaking with the local governor, Aygul retracted the story and deleted the post, saying it was possible the information he received was incorrect or incomplete and he had not confirmed the story before publication. Aygul’s conviction was the first case to be tried and convicted under the disinformation law. Following the hearing, Aygul reported he told the panel the law was antidemocratic and refused to legitimize the law by defending himself and remained silent throughout the trial. Aygul was expected to further appeal the decision.

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

The government restricted the freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

Although the constitution provided for freedom of assembly, the law specified several grounds for the government to limit that right. The law stipulated penalties for protesters convicted of carrying items that might be construed as weapons, prohibited the use of symbols linked to illegal organizations (including chanting slogans), and criminalized covering one’s face while protesting. The law permitted police to use tinted water in water cannons, potentially to tag protesters for later identification and prosecution. The law also allowed police to take persons into “protective custody” without a prosecutor’s authorization if there was reasonable suspicion that they were a threat to themselves or to public order. The antiterror law gave provincial governors enhanced authority to ban protests and public gatherings, a ban some governors enacted broadly.

The government treated many demonstrations as security threats to the state and deployed large numbers of riot police to control crowds, frequently using excessive force, resulting in injuries, detentions, and arrests. At times the government used its authority to detain persons before protests were held on the premise that they might cause civil disruption. The government generally did not

investigate security forces' actions. Human rights NGOs asserted the government's failure to delineate clearly in the law the circumstances that justified the use of force contributed to disproportionate use of force during protests. Authorities restricted the rights of assembly of LGBTQI+ individuals and allies throughout the year.

In March, during the 21st Feminist Night March to commemorate International Women's Day, riot police prevented crowds from reaching Istanbul's Taksim Square in the city center but allowed them to carry on with their march for a while before later using tear gas to disperse them. Police detained 32 persons, mostly women. In May police detained 59 protesters who tried to break through the barricades and enter Taksim Square to commemorate the 10th anniversary of the Gezi Park protests.

On August 12, police detained 39 demonstrators at a protest organized by the Adana branch of the HRA, citing disruption of public order. The protest, titled "Galatasaray is Ours," was organized in support of The Saturday Mothers at Inonu Park – a 28-year effort to uncover the fate of those who disappeared while in police custody. Since May 1995, the Saturday Mothers had gathered at Galatasaray Square to hold vigil. After multiple instances of police interventions, the gatherings were intermittently halted in 1999 for a decade. They resumed in 2009, however following police attacks and detentions at the group's 2018 Galatasaray Square sit-in, demonstrations were once again only held intermittently. In November the Ministry of Interior allowed the group to continue its vigil.

Freedom of Association

While the law provided for freedom of association, the government restricted this right. The government used provisions of the antiterror law to prevent associations and foundations it had previously closed due to alleged threats to national security from reopening. Bar association and other civil society organization representatives reported police sometimes attended organizational meetings and recorded them, which the representatives interpreted as an effort to intimidate them.

By law persons organizing an association did not need to notify authorities beforehand, but an association was required to provide notification before interacting with international organizations or receiving financial support from abroad and was required to provide detailed documents on such activities. Representatives of associations stated this requirement placed an undue burden on their operations. Human rights and civil society organizations, groups promoting respect for the rights of LGBTQI+ persons, and women's groups asserted the government used regular and detailed audits to create administrative burdens and to intimidate them by threatening large fines.

Human rights groups reported the counterterrorist financing law was used to justify onerous government audits of organizations and associations focused on human rights or topics otherwise sensitive to the ruling party. The law granted the Ministry of Interior powers to audit, suspend staff and governing board members, and temporarily shut down operations of NGOs without judicial review. Civil society organizations noted an increase in the number of audits and fines levied on organizations.

On September 13, an Istanbul court rejected the closure case against the We Will Stop Femicide organization on charges of "activity against law and morals." The NGO campaigned for the ending of femicide in the country and frequently criticized the government for what it considered to be inadequate laws to combat violence against women.

C. FREEDOM OF RELIGION

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

D. FREEDOM OF MOVEMENT AND THE RIGHT TO LEAVE THE COUNTRY

The constitution provided for freedom of internal movement, foreign travel, emigration, and repatriation, but the government limited these rights. The government restricted foreign travel for some citizens accused of terrorism, or links to the Gulen movement or the failed 2016 coup attempt. Media workers, human rights defenders and others facing politically motivated charges were often placed under “judicial control” pending the outcome of their trial, which frequently included a ban on international travel that prevented them from leaving the country. Curfews and bans on public gatherings imposed by local authorities in response to counter-PKK operations and the country’s military operation in northern Syria also restricted freedom of movement and expression.

In-country Movement: The constitution provided that only a judge could limit citizens’ freedom to travel and only in connection with a criminal investigation or prosecution. Antiterror laws allowed serious restrictions to be imposed on freedom of movement, and granted governors the power to limit individuals’ movement, including entering or leaving provinces, for up to 15 days.

The lack of freedom of movement was a problem in parts of the east and southeast of the country, where countering PKK activity led authorities to block roads and set up checkpoints, temporarily restricting movement at times. The government instituted special security zones, restricting the access of civilians, and established curfews in parts of several provinces in response to PKK terrorist attacks or activity.

Conditional refugees and Syrians under temporary protection also experienced some restrictions on their freedom of movement requiring travel permits to travel to cities other than those in the province in which they were registered. In response to severe earthquakes in February that affected an estimated 1.7 million refugees, approximately half of the country’s refugee population, the government issued travel permit exemptions to allow refugees to leave their cities of registration in earthquake-impacted areas, but some refugees reported they were unable to renew these permits after they expired, requiring them to return to earthquake impacted regions.

Foreign Travel: The government placed restrictions on foreign travel for tens of thousands of citizens accused of terrorism due to alleged links to the Gulen movement or the failed coup attempt, as well as on their extended family members. Authorities restricted some foreign citizens with dual Turkish citizenship from leaving the country. The government maintained the travel restrictions were due to terrorism concerns or were necessary to preserve security.

E. PROTECTION OF REFUGEES

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to international protection applicants and status holders and temporary protection beneficiaries, stateless persons, and returning refugees.

The government continued to host approximately 3.7 million refugees and asylum seekers in the country, 3.3 million of whom were Syrians. Case overload created a number of economic, political, and social challenges. In response to increasing antirefugee sentiments throughout the country, the government prioritized irregular migration management – both inside and at its borders. This included increasing crackdown operations on irregular migration and deportations, preventing irregular entry at its borders without consideration for asylum claims, enforcing address verifications to ensure refugees were living at their assigned provinces, and encouraging the voluntary return of one million Syrians to Turkish-controlled areas of northern Syria.

Following elections in May, the government intensified combating irregular migration as part of its efforts to demonstrate it had control over its borders. From May to June, migration authorities released data indicating a 40 percent increase in arrests of undocumented migrants. On July 9, the

minister of interior pledged to “visibly curb undocumented migrants” through increased identity checks and crackdowns. In the weeks and months following the announcement, there were widespread allegations of police misconduct, including entering individual’s homes without permission to check documentation, stopping persons on the street who were perceived to look foreign in order to check their identification documents, and police arresting individuals and sending them to removal centers without due process.

Access to Asylum: The law provided for standard treatment of asylum seekers countrywide and established a system of providing protection to asylum seekers and refugees, but it limited rights granted in the 1951 Refugee Convention to refugees from Europe and established restrictions on movement of persons under temporary or conditional status.

The law provided regulatory guidelines for foreigners’ entry into, presence in, and exit from the country, and provided for the protection of asylum seekers. The law did not impose a strict time limit to apply for asylum and required only that asylum seekers did so “within a reasonable time” after arrival. The law also did not require asylum seekers to present a valid identity document to apply for status.

UNHCR had regular access to removal centers where foreigners, including persons under temporary and international protection, were detained. There were reports from refugee-rights NGOs and bar associations that authorities prevented them from accessing clients and asylum seekers at risk of deportation. UNHCR worked with the government to provide access to asylum procedures for persons in need of protection, including through access to information, interpretation, and legal aid.

UNHCR, Ukrainian associations, and refugee-rights NGOs estimated more than 825,000 displaced Ukrainians entered the country following Russia’s war against Ukraine in February 2022. Many were on extended tourist visas or short-term residency permits with limited access to public services. There were reports some authorities discouraged Ukrainian nationals from applying for international protection status and encouraged them instead to seek residency permits that did not afford them refugee protection and access to public services.

Refoulement: Authorities generally offered protection against refoulement to all asylum seekers who met the definition of a refugee under the country’s domestic legislation on asylum protection, although there were some confirmed cases of refoulement. The government increased efforts to deport those it claimed entered the country illegally, particularly non-Syrians, as well as those it deemed to pose security threats before they were granted status determination interviews by migration authorities.

Some NGOs alleged clients were taken into custody when applying for asylum and then deported without being provided access to a lawyer. There were also reports some Afghans and Syrians were coerced into providing a fingerprint signature on “voluntary” repatriation forms in removal centers through physical force or terrible conditions that induced them to “sign.” Following the government’s July 9 announcement to “visibly curb undocumented migrants,” there were increased reports of a government crackdown on irregular migration that included forced returns and deportations to Syria and Afghanistan. Many asylum seekers claimed they were not provided an opportunity to file for asylum protection, prevented from accessing legal aid support, or both.

In incidents of administrative detention of which UNHCR was made aware, the reasons for detention primarily related to violations of provisions of the Law on Foreigners and International Protection (including but not limited to irregular presence in the country, irregular entry to or departure from the country, or alleged involvements in criminal acts or disturbing the public order). In cases of alleged forced return or risk of forced return, UNHCR shared its concern with the relevant authorities.

UNHCR typically intervened in incidents of detention when it was known a person needed international protection, or detained individuals expressed interest in seeking asylum. There were press reports alleging refugees were returned involuntarily to Syria after being rounded up in

crackdown operations, including in August two Moroccans mistakenly deported to Syria. There were reports of provincial Presidency for Migration Management authorities denying refugee status and issuing deportation orders to individuals who had fled countries where they faced persecution for their religious beliefs. Many such cases involved Iranians, including Baha'is, Christian converts, and atheists. While evidence of systematic discrimination against non-Muslims or religious minorities was not available, there were allegations some individual migration officials and judges made comments that indicated general ignorance of religious minorities and sometimes individual bias.

Abuse of Refugees and Asylum Seekers: Authorities engaged in pushbacks of asylum seekers at the country's borders and there were multiple reports by international media of alleged violence and forced returns to Iran of Afghans, to Syria of Syrians, and of other asylum seekers attempting to enter the country. Migrants and asylum seekers reported severe mistreatment when attempting to cross the borders with Greece and Bulgaria. International media and UN agencies also documented similar mistreatment of migrants and asylum seekers in the Aegean Sea between Greece and Turkey. Greek officials claimed Turkish forces escorted boats containing migrants and asylum seekers into Greek territorial waters.

Ahead of presidential and parliamentary elections in May and following the February earthquakes, some political parties and far-right groups used antirefugee rhetoric and circulated reportedly faked videos to stir public sentiments. NGOs reported the continued increase in negative rhetoric concerning refugees in media impacted refugees' daily lives directly and indirectly, with some stating they felt increasingly unsafe, tended to keep quiet and out of the public eye, and preferred not to report problems to authorities due to fear of potential deportation. Workplace exploitation, child labor, and forced early marriage were significant problems among refugees and worsened as a result of the declining economic conditions in the country as well as following the February earthquakes. Human rights groups alleged conditions in detention and removal centers sometimes limited rights of asylum seekers to communicate with family members, interpreters, and lawyers.

UN agencies reported there were LGBTQI+ asylum seekers and conditional refugees in the country – most from Iran, Afghanistan, and Iraq – and LGBTQI+ individuals from Syria under temporary protection status. According to human rights groups, these individuals faced discrimination and hostility from both authorities and the local population. Many experienced gender-based violence. Commercial sexual exploitation was a significant problem among LGBTQI+ refugees, particularly for but not limited to transgender persons.

On January 5, local and international press reported two soldiers in the eastern Van Province were arrested for raping an Afghan woman when a group of 16 asylum seekers were being processed for deportation to Iran. In June the two soldiers were convicted of rape and received maximum sentences of 32 years and 37 years in prison.

Freedom of Movement: Undue and arbitrary restrictions on freedom of movement for refugees and asylum seekers occurred. Authorities assigned non-Syrians to one of 62 "satellite cities," where they received services from local authorities under the responsibility of provincial governorates. Refugees, asylum seekers and status holders were required to check in with local migration authorities on a weekly or biweekly basis and needed permission from local authorities to travel to cities other than their assigned city, including for meetings with UNHCR or resettlement country representatives. Syrians under temporary protection and international protection applicants and status holders continued to be restricted from traveling without permission outside provinces listed on their registration cards, although authorities made exemptions for those affected by the February earthquakes. Refugees reported difficulties in obtaining these permissions, even for doctor's appointments. Some provinces would not accept travel permission requests or transfer of residency registration.

Syrians under temporary protection risked the loss of temporary protection status if they traveled to a third country or returned temporarily to Syria without government permission. The government sometimes denied exit permission to Syrians under temporary protection for reasons that were unclear. In response to the February earthquakes, the government allowed an estimated 70,000

Syrians under temporary protection to temporarily exit the country for Syria for up to six months; according to UNHCR, as of the end August, close to 63,000 had returned, most without any problems.

Employment: The law allowed both international protection applicants and status holders (mostly non-Syrians) and temporary protection beneficiaries (mostly Syrians) the right to work, provided they were registered for six months in the province where they wished to work, although some flexibilities were granted. Applying for a work permit was the responsibility of the employer; some complained the government procedure was burdensome and permit fees expensive. Some refugees, asylum seekers, and status holders opted not to work formally with work permits because they would potentially lose cash assistance support from social programs and were unaware of the advantages of formal employment. Most international protection applicants and status holders and temporary protection beneficiaries remained without legal employment options, leaving them vulnerable to exploitation, including wages under minimum wage, withholding of wages, and exposure to unsafe work conditions.

Access to Basic Services: Provincial and municipal governments, working with local NGOs, were responsible for meeting the basic needs of refugees, international protection applicants and status holders, and temporary protection beneficiaries present in their districts. Basic services were dependent on local officials' interpretation of the law and their resources. Governors had significant discretion in working with asylum seekers and NGOs, and the assistance provided by local officials to vulnerable persons varied widely. Following the February earthquakes there were some reports of local government officials denying public services and access to shelter for refugees.

NGO staff members reported individual cases of refugees being refused health-care services. International protection applicants and status holders lost access to subsidized health care after one year of registration in the country or if their application was rejected. Individuals meeting certain conditions, such as documented chronic conditions, disabilities, or those older than a specific age, could apply for an exemption to continue receiving subsidized health-care coverage. The implementation of these exemptions by local migration authorities, however, was inconsistent and without clear criteria. Some international protection applicants and status holders displaced by earthquakes faced difficulties reactivating their health coverage despite internal guidelines from migration authorities providing this exception. Temporary protection beneficiaries received free access to the public-health system, although some services such as medicines and advanced medical procedures were not always covered.

Registered school-age refugee children had access to education, although many encountered challenges overcoming the language barrier, meeting transportation or other costs, and facing bullying in school both from school officials and other students. NGOs reported the government did not accept school enrollment by refugee students if they were residing outside their registered provinces, resulting in more children out of school. Some NGOs succeeded in getting court orders to enroll the students, but the process was legally burdensome and required many appeals. NGOs and UN agencies reported increasing numbers of children were out of school following the February earthquakes, with many at risk of exploitation, engaging in child labor, and early forced marriage.

Durable Solutions: The law did not provide for naturalization or resettlement within the country for international protection applicants and status holders or temporary protection beneficiaries, but it allowed them to stay until resettled to a foreign country or able to return to their country of origin. Temporary protection beneficiaries or international protection status holders could access naturalization only through marriage to a Turkish citizen or through an exceptional circumstances allowance.

UNHCR worked closely with Turkish authorities as well as resettlement countries to identify, assess, and process refugees for resettlement considerations.

Temporary Protection: While non-European asylum seekers were not considered refugees by domestic law, the government granted temporary protection status to nearly 3.3 million Syrians and

provided international protection to more than 330,000 asylum seekers of other nationalities. Individuals recognized by the government for temporary protection (Syrians) or international protection (all other non-Europeans, for example, Afghans, Iraqis, Iranians, and Somalis) were permitted to reside in the country temporarily until they could obtain third-country resettlement.

F. STATUS AND TREATMENT OF INTERNALLY DISPLACED PERSONS (IDPS)

As a result of February earthquakes, 3.6 million persons resided in medium, heavy, or totally damaged dwellings and were left without safe homes according to government damage assessments. While some individuals relocated to other parts of the country or to secondary homes, as of October 790,000 still resided in temporary settlements.

Prior to the earthquakes, close to 505,000 Syrians under Temporary Protection and International Protection status holders or applicants lived in the four most heavily earthquake affected provinces as well as Nurdagi and Islahiye District in Gaziantep. As of year's end, there were approximately 435,000 registered refugees in these most heavily affected locations, of whom around 100,000 lived in formal container and tent sites as well as temporary accommodation centers. In addition, there also were displaced refugees living in informal sites.

For further information regarding IDPs in the country, please see the materials of the Internal Displacement Monitoring Center: <https://www.internal-displacement.org/>.

G. STATELESS PERSONS

The government did not keep figures for stateless persons. The government provided documentation for children born to international protection applicants and status holders and temporary protection beneficiaries, although statelessness remained an increasing concern for these children, some of whom could receive neither Turkish citizenship nor documentation from their parents' home country. Children born to refugee parents lacking a legal marriage or legal registration documents faced difficulty getting birth registration documents, increasing their risk of statelessness. There were reports of children encountering difficulties regarding parental custody or guardians during the earthquakes.

Section 3.

Freedom to Participate in the Political Process

Although the constitution and law provided citizens the ability to change their government through free and fair elections based on universal and equal suffrage conducted by secret ballot, the government restricted equal competition and placed restrictions on the fundamental freedoms of assembly and expression. The government restricted the activities of opposition political parties, leaders, and officials, including through police detention. Several parliamentarians were at risk of prosecution after parliament lifted their immunity.

ELECTIONS AND POLITICAL PARTICIPATION

Abuses or Irregularities in Recent Elections: In May the country held early parliamentary and presidential elections. The elections were the first to take place under the presidential system adopted after the 2017 national referendum took effect. The observation mission of the Organization for Security and Cooperation in Europe noted the elections were held in an environment tilted in favor of the president and the ruling party, stating, "biased media coverage

and the lack of a level playing field gave an unjustified advantage to the incumbent.”

Radio and television broadcast outlets did not provide equal access to candidates from the country’s major political parties. Critics charged media generally favored the ruling Justice and Development Party. According to RTUK member Ilhan Tasci from the main opposition Republican People’s Party (CHP), the television channel TRT Haber covered President Erdogan for more than 48 hours, or 90 times more airtime than Kemal Kilicdaroglu, leader of the CHP and the joint presidential candidate of the Nation Alliance, who received only 32 minutes of coverage in total.

Assailants carried out multiple attacks on political party offices, rallies, and party members during the period between the announcement in March of early elections and the vote. Opposition party members faced frequent accusations from the highest levels of government of alleged terrorism-related crimes. Several opposition candidates for parliament faced legal charges in connection with these or other claims.

There were isolated allegations of electoral irregularities primarily in the east of the country, which no party claimed affected the overall election result.

Political Parties and Political Participation: In parliament, 14 political parties held seats before the May elections; 16 political parties held seats following the elections, and other parties were able to participate in elections. Some parties enjoyed greater advantages than others. Media influence favored the ruling party and its alliance partner, the Nationalist Movement Party. Representatives expressing views critical of the government or President Erdogan have faced criminal or civil charges. The government used opposition leaders’ social media postings to file criminal and civil complaints against them, alleging the defendants insulted the president and spread terrorist propaganda.

In Istanbul, both opposition CHP Mayor Ekrem Imamoglu and CHP Provincial Party then-Chair Canan Kaftancioglu were the subjects of investigations and judicial proceedings that human rights organizations widely viewed as politically motivated. In December 2022 Imamoglu was found guilty of “insulting” government officials for his 2019 remarks allegedly insulting members of the Supreme Electoral Council. Kaftancioglu also faced investigations related to comments deemed insulting to President Erdogan and other senior government officials.

HDP representatives faced significant legal challenges to their ability to campaign, express opinions, and retain their mandate. The party faced a closure suit brought by the government. Restrictive government regulations constrained the ability of many in the opposition to conduct political activities such as organizing protests or political campaign events and sharing critical messages on social media. In April amendments to the electoral law that democracy advocates claimed were designed to limit the political participation of opposition parties and diminish stakeholder trust in the electoral process took effect. The government routinely suspended democratically elected mayors in multiple cities and municipalities. Since 2016, the government had removed 88 percent of elected HDP officials with mayorships still run by government-appointed trustees. Former HDP cochair Demirtas and Figen Yuksekdog remained in prison.

Section 4.

Corruption in Government

The law provided criminal penalties for conviction of official corruption. Government mechanisms to investigate and punish alleged abuse and corruption by state officials remained inadequate, and impunity was a problem. The judiciary was subjected to government interference, including with respect to the investigation and prosecution of major corruption cases. The government did not implement the law effectively, and some officials engaged in corrupt practices with impunity. There were isolated reports of government corruption.

Corruption: The government continued efforts to crack down on high-level corruption. Investigative journalists and NGOs reported cases of well-connected businesspersons siphoning state finances in previous years through tax fraud, manipulated public procurements, or frauds related to agricultural subsidies. These investigations sometimes resulted in prosecutions. Parliament entrusted the Court of Accounts, the country's supreme audit institution, with accountability related to revenues and expenditures of government departments. Outside this audit system, there was no dedicated regulator with the exclusive responsibility for investigating and prosecuting corruption cases and there were concerns regarding the impartiality of the judiciary in the handling of corruption cases.

While opposition politicians frequently accused the ruling party of corruption, there were only isolated journalistic or official investigations of government corruption. Journalists and civil society organizations revealed they feared retribution for reporting on corruption. Authorities continued to pursue criminal and civil charges against journalists reporting on corruption allegations. Courts and RTUK regularly blocked access to press reports regarding corruption.

There were some credible press allegations of corruption throughout the year. Following the February 6 earthquakes, press reported on increasing levels of public frustration and anger regarding allegations of government corruption within the construction sector, correlating faulty construction and the cutting of corners as well as the government's granting of building amnesties to the high level of destruction and rate of collapse of buildings throughout the country's southeast.

On June 16, law enforcement officials in Hakkari Province carried out a series of raids to apprehend 31 individuals including customs officers, police officers, and civilians and seized substantial amounts of foreign currency, Turkish lira, and jewelry believed to have been acquired through corrupt practices.

In October police detained 60 active and former local government employees in raids in Seyhan and Cukurova Municipalities on charges of corruption and bribery related to city zoning matters. Detainees included former Cukurova Municipality Deputy Mayor Ali Arslanlioglu, former zoning manager Hasan Uzun, an unnamed Seyhan deputy mayor, multiple zoning managers, and dozens of others. One zoning director allegedly illegally appropriated land belonging to a local university in order to turn it into a residential area so as to accrue 150 million Turkish lira (\$5.5 million). Authorities subsequently released one suspect and arrested 13. Three other suspects were placed under house arrest while 17 persons were released under "judicial supervision." For additional information regarding corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

Section 5.

Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A limited number of domestic and international human rights groups operated throughout the country, although many faced serious government harassment. Government officials were rarely cooperative and were not responsive to the views of these groups. Some had difficulty registering as legal entities with the Ministry of Interior. Others faced government obstruction and restrictive laws regarding their operations. Human rights groups reported the government was often unresponsive to their requests for meetings and did not include their input in policy formation. Human rights organizations and monitors as well as lawyers and doctors involved in documenting human rights abuses faced detention, prosecution, intimidation, and harassment, and their organizations faced closure orders for their activities.

Retribution against Human Rights Defenders: The HRA asserted its members collectively faced more than 5,000 legal suits since the group's establishment, of which more than 129 were active at

year's end. These cases were mostly related to terror and insult charges. Four HRA executives and members were in prison. HRA asserted Co-chair Eren Kesken had over 150 court cases pending against her. On February 23, Kesken again faced trial on charges of "insulting a public official" and "targeting those who took part in the fight against terrorism" in Izmir. In April she was also detained at an Istanbul airport allegedly due to her social media posts. Others faced continued threats of police detention and arrest. The harassment, detention, and arrest of many leaders and members of human rights organizations resulted in some organizations closing offices and curtailing activities and some human rights defenders self-censoring.

Government Human Rights Bodies: The Ombudsman Institution and the National Human Rights and Equality Institution were the government's human rights monitoring bodies. The Ombudsman Institution operated under parliament as a mechanism for citizens to file complaints and request investigations into government practices and actions, particularly concerning human rights problems and personnel matters. The Ombudsman Institution's mandate extended only to complaints related to public administration. Dismissals under the 2016-2018 state of emergency decrees did not fall within its purview. The National Human Rights and Equality Institution reviewed cases outside the Ombudsman Institution's mandate. Independent observers assessed both institutions were not financially nor operationally independent.

The Inquiry Commission on the State of Emergency Measures was established in 2017 to review cases and appeals related to purges and closures during the state of emergency. In January the Commission concluded examining all applications.

The Ministry of Justice's Human Rights Department was the ministry's lead entity on human rights matters and coordinated its work with the ministry's Victims' Rights Department.

Parliament's Human Rights Commission functioned as a national monitoring mechanism. Commission members maintained a dialogue with NGOs on human rights problems and conducted some prison visits, although activists asserted the commission's ability to influence government action was limited.

Section 6.

Discrimination and Societal Abuses

WOMEN

Rape and Domestic Violence: The law criminalized gender-based violence and sexual assault, including rape of a person, and spousal and domestic or intimate partner rape, with penalties of two to 10 years' imprisonment for conviction of attempted sexual violation and at least 12 years' imprisonment for conviction of rape or sexual violation. Other forms of domestic and sexual violence, including so-called corrective rape of LGBTQI+ persons, were criminalized.

The law required police and local authorities to grant various levels of protection and support services to survivors of violence or those at risk of violence. It also mandated government services, such as shelter and temporary financial support, for survivors and provided for family courts to impose sanctions on perpetrators. The law provided for the establishment of violence prevention and monitoring centers to offer economic, psychological, legal, and social assistance. The government did not effectively or fully enforce these laws.

Courts regularly issued restraining orders to protect survivors, but human rights organizations reported police rarely enforced them effectively. Women's associations also stated government counselors and police sometimes encouraged women to remain in abusive marriages at their own personal risk rather than break up families. Courts in some cases gave reduced sentences to men

found guilty of committing gender-based violence, citing good behavior during the trial or “unjustifiable provocation” by women as an extenuating circumstance of the crime. The criminal code allowed defendants to receive a reduced sentence if the offense was committed “in a state of anger or severe distress caused by an unjust act.”

Gender-based violence, including domestic and intimate partner violence, remained a serious and widespread problem both in rural and urban areas. Women’s rights advocates asserted there were not enough shelters to meet the demand for assistance and shelter staff did not provide adequate care and services, particularly in the southeast of the country. Lack of services was more acute for elderly women and LGBTQI+ women as well as for women with older children.

The government operated a nationwide domestic violence hotline and a web application called the Women Emergency Assistance Notification System that provided women with a means to report domestic violence. NGOs asserted the quality of services provided in response to calls was inadequate for survivors of domestic violence and that women were at times directed to mediation centers or told to reconcile with their husbands.

Other Forms of Gender-based Violence or Harassment: There were occasional reports of so-called honor killings of women, mainly in the southeast of the country. The criminal code prescribed life imprisonment for killings perpetrated with the motive of “custom,” but NGOs reported courts often reduced actual sentences due to mitigating factors, including “unjustifiable provocation.” Human rights groups reported that as of September men had killed 247 women. In September alone at least 32 women were reportedly killed, 14 of whom were killed by their husbands, former husbands, or boyfriends.

In January, Necati Akpınar, who had been imprisoned for conviction of the murder of his two previous wives in 1983 and again in 2003, was charged with killing his third wife, Mutlu Menekşe, in Manisa. He had been released from prison on parole in 2020 under a law to reduce jail populations during the Covid-19 pandemic. In October an indictment was prepared requesting an aggravated life sentence for the murder of his third wife.

Discrimination: Women enjoyed the same rights as men by law, although inequities remained. Societal and official discrimination were widespread. Legal restrictions existed on women’s right to remarry, requiring a 300-day waiting period following the dissolution of a marriage before remarrying (giving birth also ended the waiting period), and on the ability to work in mining and water industries. The law provided the same legal status and rights for women in property, inheritance, and owning and managing a business. No legal prohibition against gender-based discrimination in access to credit existed. Women faced discrimination in employment. According to the Turkish Statistics Institute, in 2022 women’s employment was at 30 percent compared with men’s employment at 65 percent.

The constitution permitted measures to advance gender equality. To encourage the hiring of women, the state paid social services insurance premiums on behalf of employers for several months for any woman employee older than 18. Laws provided for maternity leave, breastfeeding time during work hours, flexibility in work hours, and required childcare by large employers.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. Women generally had access to at least one family planning method, and women could access contraceptive methods for free in government funded primary health-care units and hospitals or pharmacies and private practitioners for a fee. Abortion was legal upon request to all women up to the 10th week of pregnancy, and up to the 20th week for medical reasons, and according to the law was provided in public hospitals for free. Women’s rights organizations reported it was becoming increasingly difficult to find public hospitals that would perform abortions, leading many women to seek help from private clinics.

The health infrastructure in the earthquake-affected provinces was severely damaged and a significant number of health staff were also victims of the earthquake. As a result, some health facilities stopped operating or had a decreased capacity that also negatively impacted the provision of sexual and reproductive health services. According to a report published by the Association of

Public Health Specialists, overall reproductive health services, including sexual and reproductive health counseling and family planning, were mostly focused on pregnancy care and childbirth. In addition, access to sexual reproductive health services particularly deteriorated for the most vulnerable groups (such as refugee women and girls, and women and girls living in the rural areas) after the earthquakes.

The government provided access to sexual and reproductive health services for survivors of sexual violence. Emergency contraception and postexposure prophylaxis were available as part of clinical management of rape.

SYSTEMIC RACIAL OR ETHNIC VIOLENCE AND DISCRIMINATION

The constitution provided a single nationality designation for all citizens and did not expressly recognize national, racial, or ethnic minorities except for three non-Muslim minorities: Armenian Apostolic Christians, Jews, and Greek Orthodox Christians. Other national, religious, or ethnic minorities, including Assyrians, Jaferis, Yezidis, Kurds, Arabs, Roma, Circassians, and Laz, were not permitted to fully exercise their linguistic, religious, and cultural rights. The constitution prohibited discrimination based on language, race, or color and provided for equality in the eyes of the law, but authorities did not consistently enforce these provisions.

The law allowed citizens to open private institutions to provide education in languages and dialects traditionally used in their daily lives, on the condition that schools were subjected to the law and inspected by the Ministry of National Education. Some universities offered elective Kurdish-language courses, and five universities had Kurdish-language departments. The law allowed reinstatement of former non-Turkish names of villages and neighborhoods and provided political parties and their members the right to campaign and use promotional material in any language, but this right was not protected. The law restricted the use of languages other than Turkish in government and public services.

Romani communities reported discrimination and lack of access to education, housing, health care, and employment. Community members recounted that a majority of Roma did not complete formal education and as a result were unable to secure employment. Romani advocates asserted there was little concrete advancement for Roma. They also noted Romani communities were particularly hard hit by the economic situation in the country, and alleged the national government did little to provide economic assistance to the communities.

Armenian minority groups reported hate speech and coded language directed against the Armenian community, including from high-level government officials.

More than 15 million citizens were estimated to be of Kurdish origin and spoke Kurdish dialects. Security force efforts against the PKK disproportionately affected Kurdish communities. Some predominantly Kurdish communities experienced government-imposed curfews, generally in connection with government security operations aimed at clearing areas of PKK terrorists. There were several attacks against ethnic Kurds that human rights organizations alleged were racially motivated. Kurdish and pro-Kurdish civil society organizations and political parties continued to experience problems exercising freedoms of assembly and association.

On March 19, police detained 224 persons following a public celebration of Nowruz, the new year of Kurds, Alevis, and Shi'a Muslims, in Istanbul's Yenikapi Square. As the gathering concluded police reportedly prevented crowds from departing and detained participants. Police allegedly did not allow photos of imprisoned opposition leader Selahattin Demirtas and barred participants from wearing clothing in traditional Kurdish red, yellow, and green colors. The Istanbul Governor's office asserted the 224 detainees used "illegal" banners and slogans.

CHILDREN

Education: There was some discrimination in the way education was provided to certain groups through the secondary level. Although the government officially allowed the use of Kurdish in private education and in public discourse, it did not extend permission for Kurdish-language instruction to public education. The constitution prohibited any language other than Turkish to be taught “as a mother tongue.”

Human rights NGOs and others expressed concern that despite the law on compulsory education, some families kept girls home from school, particularly in religiously conservative rural areas, where girls often dropped out of school after completing their mandatory primary education.

Child Abuse: There were laws against child abuse and the government enforced the laws effectively. By law if the victim of abuse was between ages 12 and 18, conviction for molestation resulted in a sentence of three to eight years in prison, conviction for sexual abuse in a sentence of eight to 15 years’ imprisonment, and conviction for rape in a sentence of at least 16 years’ imprisonment. If the victim was younger than 12, conviction of molestation resulted in a minimum sentence of five years’ imprisonment, conviction of sexual abuse a minimum of 10 years’ imprisonment, and conviction of rape a minimum of 18 years’ imprisonment.

The law authorized police and local officials to grant various levels of protection and support services to children who were victims of violence or to those at risk of violence. Nevertheless, children’s rights advocates reported inconsistent implementation and called for expansion of support for victims. The law required the government to provide services to victims, such as shelter and temporary financial support, and empowered family courts to impose sanctions on those responsible for the violence.

Child, Early, and Forced Marriage: The law defined 18 as the minimum legal age for marriage, although children could marry at 17 with parental permission and at 16 with court approval. The law was effectively enforced by the government. The law acknowledged civil and religious marriages, but the latter were not always registered with the state.

NGOs reported children as young as age 12 were sometimes married in unofficial religious ceremonies, particularly in poor and rural regions and in the Syrian community in the country. Women’s rights groups stated there were instances of forced marriages and bride kidnapping, particularly in rural areas in the southeast of the country, although the practices were not widespread. Local NGOs worked to educate and raise awareness among individuals in the Turkish and Syrian populations in southeastern provinces.

In October an Istanbul court sentenced the parents of a victim of forced marriage, age six, along with the person to whom the child was married, to a total of 66 years in prison for the forced “religious marriage” of a child.

Sexual Exploitation of Children: The constitution required the state to take measures to protect children from exploitation. The law prohibited the sale or use of children for commercial sexual exploitation, including sex trafficking. Authorities enforced these laws. The law mandated a minimum sentence of eight years in prison. The penalty for conviction of encouraging or facilitating child commercial sexual exploitation was up to 10 years’ imprisonment; if violence or pressure was involved, a judge could double the sentence.

The age of consent for sex was 18. The law prohibited producing or disseminating child pornography or other forms of online child sexual exploitation and abuse and stipulated a prison sentence of up to two years for conviction and fines. The government enforced the law effectively and brought prosecutions under crimes against “public morals” and “obscenity.” The law provided prison sentences of up to five years for conviction of incest.

Displaced women, including refugees and asylum seekers were particularly vulnerable to being exploited by criminal organizations and pressured into commercial sex, and this practice was particularly prevalent among adolescent girls.

ANTISEMITISM

Approximately 12,000 to 16,000 Jews were estimated to live in the country. Some members of the community continued to emigrate or seek to obtain citizenship in a second country, in part due to concerns regarding antisemitism. Jewish citizens also expressed concern regarding security threats. Antisemitic rhetoric continued in print media and on social media throughout the year.

Harassment increased after Hamas attacked Israel in October. The pro-government daily newspaper *Yeni Akit* targeted Jewish Turks with a front-page headline “Strip Zionist Servants of Citizenship.” On October 27, an Izmir synagogue and community center was vandalized with red spray-painted graffiti saying “Killer Israel” in Turkish. The perpetrator was caught on camera and was detained and remanded to the prosecutor’s office. The investigation continued at year’s end. In January the government commemorated International Holocaust Remembrance Day, and the Ministry of Foreign Affairs issued a statement. In February, for the eighth year in a row, the government commemorated the nearly 800 Jewish refugees who died aboard the Struma, a ship that sank off the coast of Istanbul in 1942. The deputy governor of Istanbul, Chief Rabbi Haleva, other members of the Jewish community, the deputy foreign minister, and members of the diplomatic community attended the commemoration. President Erdogan issued public messages in celebration of the Jewish holidays of Passover, Rosh Hashanah, and Hanukkah.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

TRAFFICKING IN PERSONS

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, OR SEX CHARACTERISTICS

Criminalization: Same-sex sexual conduct, cross-dressing, or other sexual or gender characteristic-related behaviors were not explicitly outlawed or criminalized; however, provisions of the law concerning “offenses against public morality,” “protection of the family,” and “unnatural sexual behavior” sometimes served as a basis for abuse by police, discrimination by employers, and the banning of public gatherings.

Violence and Harassment: LGBTQI+ individuals experienced discrimination, intimidation, and violent crimes. Human rights groups reported police and prosecutors frequently failed to pursue cases of violence against LGBTQI+ persons or accepted justification for perpetrators’ actions. Human rights defenders reported specific members of the police force repeatedly attempted to instigate violence at peaceful demonstrations to justify police violence against, and detention of, the demonstrators. In June several human rights organizations reported police allegedly abused and mistreated demonstrators and attorneys detained in connection with Pride demonstrations. Some LGBTQI+ persons reported reluctance to wear rainbow colors in public, citing fears of police harassment. When arrests were made of alleged perpetrators accused of committing crimes against LGBTQI+ persons, defendants had the option to claim “unjustifiable provocation” under the penal code and request a reduced sentence. Judges routinely applied this provision to reduce the sentences of persons who killed or assaulted LGBTQI+ individuals. Courts of appeal routinely upheld these verdicts based in part on the “immoral nature” of the victim. Although work in commercial sex was legal in Turkey, LGBTQI+ advocates reported police arbitrarily detained transgender individuals

engaged in commercial sex and courts, as well as prosecutors, created an environment of impunity for attacks on transgender persons involved in commercial sex.

Human rights activists attributed what they assessed to be increased public anti-LGBTQI+ sentiment and incidence of violence against LGBTQI+ individuals to an uptick in anti-LGBTQI+ rhetoric by high-level government officials. In the lead-up to the May elections, anti-LGBTQI+ rhetoric was amplified through progovernment media. President Erdogan frequently likened respecting the rights of LGBTQI+ persons to terrorism and referred to the “deviancy called LGBT.” In a May 28 election night impromptu victory speech in Istanbul’s Uskudar neighborhood, Erdogan alleged the opposition was unduly influenced by the LGBTQI+ community.

Discrimination: The criminal code did not include protections based on sexual orientation or gender identity or expression. The law did not explicitly recognize LGBTQI+ couples and their families and did not grant them rights equal to rights of other persons. The law allowed for up to three years in prison for conviction of hate speech or injurious acts related to language, race, nationality, color, gender, disability, political opinion, philosophical belief, religion, or sectarian differences. Human rights defenders asserted such protections were more frequently applied against LGBTQI+ persons. Human rights groups criticized the law’s failure to include protections based on gender identity. LGBTQI+ definitions were not included in the law, but authorities maintained that the general “gender” concept in the constitution provided for protections for LGBTQI+ individuals.

Human rights organizations reported some LGBTQI+ individuals were unable to access health services or faced discrimination when trying to do so. Some LGBTQI+ individuals reported they believed it necessary to hide their identities, faced mistreatment by health-care service providers (in many cases preferring not to request any service), and asserted prejudice against HIV-positive individuals negatively affected perceptions of LGBTQI+ persons. Multiple sources reported discrimination in housing as landlords sometimes refused to rent to LGBTQI+ individuals or charged them significantly higher prices.

LGBTQI+ individuals in particular faced discrimination in employment. Employment laws allowed the dismissal of public-sector employees found “to act in a shameful and embarrassing way unfit for the position of a civil servant,” while some statutes criminalized the vague practice of “unchastity.” Human rights organizations noted some employers used these provisions to discriminate against LGBTQI+ individuals in the labor market. Some labor unions created commissions to strengthen efforts to combat discrimination.

Availability of Legal Gender Recognition: Individuals could legally change the gender marker on an identity card if gender-affirming surgery was conducted at a state hospital; this surgery was available in major cities like Istanbul, Ankara, Izmir, and Antalya. The minimum age required to get gender affirming surgery was 18. Those who suffered complications following a procedure had no legal recourse against the doctor in question.

Involuntary or Coercive Medical or Psychological Practices: LGBTQI+ NGOs reported that so-called conversion therapy practices to try to change a person’s sexual orientation or gender identity or expression rarely occurred and were not widely practiced. The NGOs stated they reported any health professionals identified with such practices to the medical associations that license medical professionals. NGOs reported surgeries were sometimes performed on intersex children at the discretion of parents and doctors.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: Numerous LGBTQI+ organizations reported a sense of vulnerability as restrictions on their freedom of speech, assembly, and association continued. NGOs reported police targeted LGBTQI+ individuals using disproportionate force while intervening in demonstrations. LGBTQI+ organizations reported government rhetoric increasingly equated LGBTQI+ topics with terrorism.

LGBTQI+ organizations alleged the government used regular and detailed audits against them to create administrative burdens and threaten the possibility of large fines. Such audits were at times conducted under the basis of purported antiterrorist financing legislation or compliance with foreign

funding regulations. LGBTQI+ NGOs reported authorities audited LGBTQI+ organizations more frequently than NGOs focused on other matters. This created the possibility smaller organizations would not be able to continue operations because they had less capacity to manage such audits or to pay fines. University officials limited LGBTQI+ students' ability to organize and stage Pride events.

On June 8, Ankara's Middle East Technical University rectorate banned the 11th student organized LGBTQI+ Pride March planned for June 9 and reportedly asked police to intervene. Police blockaded the campus early on June 9, cordoned off large sections of the campus, positioned riot police, and dispersed any students who entered the designated protest area. Fifteen students were detained but released later that night.

PERSONS WITH DISABILITIES

The law prohibited discrimination against persons with disabilities, but the government did not implement or enforce the law effectively and access in many parts of the country remained restricted. Government guidelines required official information materials to be provided in accessible formats.

The law required all governmental institutions and businesses to provide persons with disabilities access to public areas and public transportation and allowed for the establishment of review commissions and fines for noncompliance. The law required public transportation be provided free of charge to persons with disabilities.

The law required equal access to health care, and the government generally enforced the law effectively. The Ministry of Family and Social Services was responsible for protecting persons with disabilities. The ministry maintained social service centers assisting marginalized individuals, including persons with disabilities.

The law required equal access to education for persons with disabilities. Most children with disabilities were enrolled in mainstream public schools; others attended special education centers. The law required all public schools to accommodate students with disabilities, although activists reported instances of students being refused admission or encouraged to drop out of school. According to disability activists, a large number of school-age children with disabilities did not receive adequate access to education.

Some NGOs representing persons with disabilities reported delays in appointment of candidates with disabilities to government positions.

For companies with more than 50 workers, the law required at least 3 percent of the workforce consist of persons with disabilities while in the public sector the requirement was 4 percent. Despite government efforts, NGOs reported discrimination in employment of persons with disabilities occurred.

Institutionalized Children: A Ministry of Family and Social Services program provided for children with autism or other mental disabilities to stay in government-run houses and offered state resources to families who were unable to attend to the needs of their autistic children.

OTHER SOCIETAL VIOLENCE OR DISCRIMINATION

Alevis and Christians, including Armenian Apostolic Christians, remained the subject of hate speech and discrimination.

International protection status holders and temporary protection beneficiaries also faced societal discrimination and violence.

Many persons with HIV and AIDS reported discrimination in access to employment, housing, public services, education, and health-care benefits. Rights organizations noted the country lacked sufficient laws protecting persons with HIV and AIDS from discrimination and that there were legal obstacles to anonymous HIV testing. Due to pervasive social stigma against persons with HIV and AIDS, many individuals avoided testing for HIV due to fear the results would be used against them. Human rights advocates reported some employers required HIV and AIDS testing prior to employment to screen positive applicants. HIV-positive individuals also reported difficulties in receiving exemption from compulsory military service.

Section 7.

Worker Rights

A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The law provided for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes, but it placed significant restrictions on these rights. Some public-sector employees, such as senior officials, magistrates, members of the armed forces, and police, could not form or join unions. The law prohibited antiunion discrimination and discouraged employers from terminating workers involved in union activities. In particular the law required employers to either reinstate a worker fired for participating in union activity or to pay enhanced compensation of at least one year of the affected worker's salary if a court found the worker was unfairly terminated for participating in union activities. If the employer opted not to reinstate the worker to their former role, the law required the employer to pay union compensation and an additional fine of four to eight months' wages. The law provided some workers the right to strike. The government effectively enforced laws protecting freedom of association, collective bargaining, and the right to strike for workers. Penalties for violations of freedom of association, collective bargaining, and the right to strike were not commensurate with or less than those for analogous crimes such as civil rights violations and penalties were rarely applied against violators.

A 2014 Constitutional Court ruling that bankers and municipal transport workers had the right to strike remained in force. Public-sector workers who were responsible for safeguarding life and property as well as workers in the essential areas (coal mining and petroleum industries, hospitals and funeral industries, urban transportation, energy and sanitation services, national defense, banking, and education) did not have the right to strike.

While the law allowed some essential workers to bargain collectively, it required workers to resolve disputes through binding arbitration rather than strikes. The law further allowed the government to deny the right to strike in any situation that represented a threat to public health or national security.

The government also maintained restrictions on the right to freedom of association and collective bargaining. The law required labor unions to notify government officials prior to meetings or rallies, which were required to take place in officially designated areas. The law allowed government representatives to attend their conventions and record the proceedings.

The law required a minimum of seven workers to establish a union without prior approval. To become a bargaining agent, a union was required to represent 40 percent of worksite employees and 1 percent of all workers in their industry. The law prohibited union leaders from becoming officers of or otherwise performing duties for political parties. The law also prohibited union leaders from working for or being involved in the operation of any profit-making enterprise. Migrant workers and domestic servants without valid work permits were prohibited from joining unions and nonunionized workers were not covered by collective bargaining laws.

Labor courts functioned effectively and relatively efficiently, although as with other courts, the appeals process could often last for years. The 19 unions and confederations shut down under the 2016-2018 state of emergency, some due to alleged affiliations with the Gulen movement, remained closed.

The government and employers interfered with freedom of association and the right to collective bargaining. Government restrictions and interference limited the ability of some unions to conduct public and other activities. Police frequently attended union meetings and conventions. In addition, some unions reported local authorities prohibited public activities, such as marches and press conferences.

Employers used threats, violence, and layoffs in unionized workplaces. Unions stated antiunion discrimination occurred regularly across sectors. Manufacturing and service-sector union organizers reported private-sector employers sometimes ignored the law and dismissed workers to discourage union activity. Many employers hired workers on revolving contracts of less than a year's duration, making them ineligible for equal benefits or bargaining rights.

In July the Turkish Ministry of Labor and Social Security released data that revealed a slight increase in union membership nationwide and that 2.4 million of the country's 16.4 million workers belonged to a union.

B. PROHIBITION OF FORCED OR COMPULSORY LABOR

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>

C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/> .

D. DISCRIMINATION (SEE SECTION 6)

E. ACCEPTABLE CONDITIONS OF WORK

Wage and Hour Laws: The national minimum wage was lower than the estimated national poverty level.

The law established a 45-hour workweek with a weekly rest day. Overtime was limited to three hours per day and 270 hours a year. The law mandated paid holiday and leave and premium pay for overtime but allowed for employers and employees to agree to a flexible time schedule.

Workers in nonunionized sectors had difficulty receiving overtime pay they were entitled to by law. The law prohibited excessive compulsory overtime.

Occupational Safety and Health: Government occupational safety and health (OSH) standards were not always up to date or appropriate for specific industries. The government did not engage in proactive efforts to identify unsafe conditions, and generally only responded to workers' OSH complaints. OSH violations were particularly common in the construction and mining industries, where accidents were frequent and regulations inconsistently enforced. In many sectors, including mining, workers could not remove themselves from situations that endangered their health or safety without jeopardizing their employment, and authorities did not effectively protect vulnerable

employees. The Workers' Health and Work Safety Assembly reported at least 1,409 workers died in the first nine months of the year, with the highest number of deaths occurring in the construction sector followed by the agriculture and forestry, transportation, and housing sectors.

Wage, Hour, and OSH Enforcement: The Ministry of Labor and Social Security's Labor Inspectorate was responsible for enforcing wage, hour, and OSH laws. The government effectively enforced wage and hour provisions in the unionized industrial, service, and government sectors but not in other sectors. The government did not effectively enforce OSH laws in all sectors. Penalties for violations were commensurate with than those for similar crimes such as fraud or negligence but were rarely applied against violators. The number of labor inspectors remained insufficient to enforce compliance with labor laws across the country. Labor inspectors had the authority to and conducted scheduled and unannounced inspections and had the authority to initiate sanctions, but inspections were mainly used to follow up on complaints.

According to World Economics 2023 statistics Turkey's informal economy represented 31 percent of GDP, and the government rarely enforced labor laws in this sector.