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Briefing Notes Summary

Group 62 – Information Centre for Asylum and Migration

Türkiye – July to December 2023

31 December 2023

03 July 2023

Deportations of Syrian refugees

Between 26.06.23 and 01.07.23, a total of 390 Syrian refugees were forcibly deported to Syria by the Turkish authorities.

At least 30 refugees, who were deported on 27.06. and 28.06.23, have meanwhile reached the area controlled by Turkish forces in Afrin, north-west of Aleppo. According to media reports, the refugees were deported to the town of Jindires in the Afrin area via the Al-Hamam border crossing on the Syrian-Turkish border. Another 40 refugees, who were deported from Türkiye to Syrian territory as part of a "voluntary return", crossed the Tel Abyad region controlled by Turkish forces. Some of them tried to reach relatives in Al-Raqqah, Manbij and Ain Issa in areas controlled by the Syrian Democratic Forces (SDF), while others stayed on the streets of Ain Issa as they had difficulties reaching their homes in areas controlled by regime forces. The authorities allegedly forced the deportees to sign a document of voluntary return and imposed a fine of TYR 250 (approx. EUR 8.80, as of 03.07.23) per person, after which the deportees were handed over to the military police.

Another 90 of the deported refugees, who held the temporary protection card "Kimlik", were reportedly forcibly deported on 01.07.23 via the Bab Al-Salam border crossing to the town of Azaz in the area of the Turkish military operation Euphrates Shield, which is under the control of the Turkish armed forces. The authorities said that refugees had been deported because they failed to complete the documents required for residence and were not in possession of identity papers.

10 July 2023

Deportation of LGBTIQ activist to Iran decided

On 05.07.23 Turkish authorities decided to deport three foreign nationals who were recently arrested at a Pride parade in Istanbul, together with another 111 people. The arrested persons were held in a deportation centre in Urfa. They are charged with violating Assembly and Demonstration Law No. 2911. Among those arrested is the Iranian refugee and LGBTIQ activist Elyas Torabibaeskendari, who faces the death penalty in Iran because of his sexual orientation. According to media reports, Torabibaeskendari will appeal the decision through his lawyers.

Report of the Coalition for Women in Journalism

According to a recent report of the Coalition for Women in Journalism (CFWIJ), Türkiye has the highest rate of legal harassment against women journalists in the world and ranks second in the number of women journalists imprisoned. Kurdish women journalists are most often targeted by the government, which uses terrorism charges to censor and persecute them, the report said. According to CFWIJ data, Türkiye ranks second in the world after Iran among countries with the most imprisoned women journalists. As of 30.04.23, 28 women journalists are imprisoned in Iran, 19 in Türkiye and 15 in China, according to the report.

17 July 2023

Forced deportations to Syria

On 15.07.23 it was reported that the Turkish authorities deported at least 160 Syrian refugees from their territory to the Syrian area of Tel Abyad in the outskirts of Raqqa, which are controlled by the Turkish military. According to media reports, the refugees were brought to the area via the Al-Terwaziyah line under the pretext of "voluntary return"; according to the Syrian Observatory for Human Rights (SOHR), this raises concerns about a possible demographic change in the region. The deportations are said to have been carried out with the use of force. Some of the deportees are said to face immediate arrest by Turkish-backed groups upon arrival in northern Syria. The reasons for this are unknown, the reports said. In addition, SOHR reported that on 14.07.23 that Turkish authorities deported at least 45 Syrian refugees via the al-Hamam border crossing in the Jindires region to the area of the Turkish military offensive "Operation Olive Branch". Some of the deportees reportedly hold Turkish identity cards (Kimlik).

24 July 2023

Attack on members of the Hür Dava party

The provincial secretary of the Islamist-Kurdish Hür Dava Partisi (Free Cause Party) was killed and the provincial chairman injured in a knife attack in the Turkish city of Adana on 22 .07.23. According to media reports, the attack took place in the prayer room of the party's office in Adana. Interior Minister Ali Yerlikaya announced on Twitter that the perpetrator had been arrested and a criminal investigation had been opened.

The motive for the attack is still unclear. Party representatives suspected that organised crime in the city of Adana was involved in the attack. Halef Yilmaz, the party's deputy leader, said on Twitter that there was a "dirty drug trade" in Adana and called on the authorities to track down those behind the attack.

31 July 2023

Decree on the compulsory return of Syrian refugees from Istanbul

On 29.07.23, the Turkish Migration Authority published a decree stating that Syrian nationals currently residing in Istanbul who have been granted temporary protection in Türkiye after their registration in other Turkish provinces, must return to those areas by 24.09.23. The decree also says that Syrian nationals who register with the migration authority before this date will receive a travel permit allowing them to return to the respective Turkish provinces. Syrians who fled the provinces where they are registered because of the earthquake in Türkiye and Syria on 06.02.23 and have received a travel permit allowing them to stay in Istanbul, are exempt from this decision. According to media reports, the Turkish authorities' decree came amid an ongoing wave of deportations targeting Syrian refugees, accompanied by increasing xenophobia and racism against Syrian nationals. There are more than 3.7 million Syrian refugees living in Türkiye, most of whom have not been granted refugee status but temporary protection. Their freedom of movement in Türkiye is thereby restricted and the authorities may deport them to Syria at any time. Istanbul is home to over 500,000 Syrian refugees, more than in any other Turkish city.

Police violence against protesters

Between 17.07. and 20.07.23, police in Istanbul arrested more than 190 people in relation to a planned event commemorating the Suroç attack. 33 people had died in this IS attack on 20.07.15. According to HRW, on 17.07.23, police arbitrarily surrounded, mistreated and arrested a group of about 45 people who were distributing leaflets in Istanbul's Kadıköy district ahead of the event. On 20.07.23, according to witness reports, the police used excessive force against participants during the demonstration, arresting another 154 people and taking them to a police station in the Vatan district. Of those temporarily arrested, 121 were released after being held in police buses for up to 10 hours. According to HRW, police used tear gas, cornered participants on the street during the protest and used excessive force to prevent them from leaving. At the police station, police officers allegedly denied legal representatives access to their clients for hours and verbally and physically abused lawyers. At the request of the Istanbul Court's Terrorism and Organised Crime Prosecution Department, the 2nd Criminal Court ruled that six of those arrested should be remanded in custody on suspicion of violating the Law on Assembly and Demonstration

(Law No. 2911) and resisting arrest, and that three others should be released on conditions including reporting requirements and bans on leaving the country. The rest of those arrested were released.

07 August 2023

Persons injured in attack at Swedish consulate

On 01.08.23, a gunman opened fire in the Swedish consulate in Izmir, seriously injuring a Turkish employee. The assailant, a Turkish citizen from the eastern province of Agri, was arrested shortly afterwards, according to the Izmir Governorate.

In the Governorate's statement, the attacker was described as being "of unsound mind". According to media reports, the suspect had come to the consulate to apply for a visa. The police investigation is ongoing.

14 August 2023

Grain silo explosion

According to state media, at least twelve people were injured in an explosion of grain silos near the port of Derince in western Türkiye on 07.08.23, with three of the injured reported to be in critical condition. Police said they had launched an investigation into the incident.

Turkish authorities said that 13 silos and outbuildings were damaged in the incident. The cause of the explosion is unclear, but authorities suspect it was due to dust compression.

German member of the Bundestag temporarily arrested

Gökay Akbulut (Die Linke), a member of the German Parliament, announced on 13.08.23 that she had been arrested on 03.08.23 upon entering Türkiye because of posts she had made on social media in 2019.

The public prosecutor's office of Kayseri in central Türkiye had issued an arrest warrant against Akbulut for alleged "terrorist propaganda" and detained her for several hours at Antalya airport on 03.08.23. Akbulut was released after she contacted the German Foreign Office. The Turkish authorities have not yet commented on the incident.

28 August 2023

Attempted attack on party building foiled

On 20.08.23, a person left explosives and a flammable substance in a party building shared by HDP and YSP (Yeşil Sol Parti, Green Left Party) in Adana province. Two suspects were arrested. The Adana provincial branch of the HDP said a woman entered the building, placed several bottles she had taken from her bag on a staircase and then left the building. While police were investigating the scene, the woman and another person were caught by party members and handed over to the police. The Adana governor's office stated on its website that the alleged perpetrator was "mentally unstable" and had given contradictory answers when asked why she had tried to carry out the attack.

Merger of HDP and YSP

During the HDP party congress in Ankara on 27.08.23, the party formally decided to merge the HDP and the Yeşil Sol Parti. In future, the pro-Kurdish HDP will only be active under the banner of the green-leftist YSP. This is HDP's response to the threat of a party ban that had been looming since 2021, after it was accused of being close to the PKK. Cahit Kirkazak and Sultan Ozcan were elected as new co-chairs.

11 September 2023

Suspected terrorist attack foiled

On 08.09.23, Interior Minister Ali Yerlikaya announced that five terrorists from a separatist group had been arrested during an operation by security forces in the south-eastern Turkish province of Diyarbakır. According to media reports, the arrested persons are PKK members.

Reportedly, bomb-making materials and pentaerythritol tetranitrate (PETN), an explosive chemical, were found during the search of the suspects' homes.

According to information published by the Ministry of Defence on 07.09.23, Türkiye had killed or arrested more than 1,180 PKK or YPG members since the beginning of the year, including people who were in Iraq and northern Syria.

18 September 2023

Arrests at LGBTIQ demonstration

On 12.09.23, ten people were temporarily arrested by the police during an LGBTIQ demonstration in Izmir. The protest had been organised by the NGO Renklerin Direnişi (Resistance of Colours). The protest was directed against the broadcasting of an anti-LGBTIQ advertisement on Turkish television channels, which had been approved by the Supreme Radio and Television Council (RTÜK) office in Izmir. The commercial entitled "Stop LGBT propaganda", was created by the Istanbul Family Foundation. The police used force against the protesters and took ten of them to a police station. The arrested persons were released from custody in the evening of 12.09.23.

The Izmir Governor's Office had banned LGBTIQ protests, citing public safety. The office stated that protesters are acting "against morality" in such protests, thereby inviting attacks from radical groups or people with opposing views and would therefore endanger public safety.

09 October 2023

Constitutional court upholds verdict in case concerning the Gezi Park protests

On 28.09.23 the constitutional court of Türkiye (Yargıtay) upheld the sentences for Osman Kavala and four other defendants in the case concerning the Gezi Park protests. The sentences for three other defendants were revoked. Osman Kavala was sentenced to life imprisonment. Four other defendants were sentenced to 18-year prison terms for "supporting an attempted overthrow of the government".

Kavala has been in custody for more than five years and denies the charges brought against him and 15 other individuals in connection with the Gezi Park protests. Kavala was acquitted of all charges in February 2020, only for a court of appeal to subsequently revoke the acquittals. Kavala was additionally charged with being involved in the attempted coup in 2016 and was remanded in custody on spying charges in 2017.

Suicide attack in Ankara

At least one person was killed and two injured in a bomb attack outside the Turkish interior ministry building in Ankara on 01.10.23. According to the interior ministry, prior to the attack two suspected PKK members killed an uninvolved man in the city of Kayseri and stole his vehicle.

At the scene of the crime in Ankara, investigators found four different types of guns, three hand grenades, a rocket launcher and C4 explosives.

The PKK has since issued a statement claiming responsibility for the attack. The suicide attack took place only a few hours before the Turkish parliament was due to reopen after its three-month summer recess.

23 October 2023

Anti-Israeli and anti-American disturbances

In the wake of the reported destruction of a hospital in Gaza which has sparked international protests, demonstrations involving thousands of participants also took place in Türkiye on 17.10.23. Violence erupted in some instances - protesters attempted to enter the Israeli embassy in Ankara and the Israeli consulate general in Istanbul, for example. Fireworks were thrown at the consulate building and Israeli flags were burnt. In both cases, security forces prevented the protesters from entering the buildings. According to official information, 60 people were injured in the demonstration in Istanbul, including 43 police officers. Protests also took place in other parts of the country, including outside the US radar station in Kürecik and the US consulate in Adana, where stones and Molotov cocktails were thrown at the building from within the crowd. On 18.10.23 Turkish president Erdoğan declared three days of mourning for the Palestinians who are believed to have died in the hospital in Gaza. Israel has withdrawn its staff from Türkiye for the time being and called on Turkish nationals to leave the country as a matter of urgency.

06 November 2023

HRW: Report on civilian casualties resulting from military operations

On 03.11.23 HRW published a report on civilian casualties during the military operations from 05.10. to 10.10.23 against PKK and YPG members in Syria and called on Türkiye to launch an investigation.

HRW claims that Turkish drone attacks killed at least eleven civilians and injured many. HRW accuses the Turkish military of failing to undertake any precautions to avoid civilian casualties. Türkiye launched a bombing campaign in northern Iraq and north-eastern Syria on 05.10.23 after the PKK claimed responsibility for a bomb attack near government buildings in Ankara in which two police officers were injured. Turkish authorities have alleged that the attackers had been trained in Syria. The Kurdish authority has rejected this claim, stating that dozens of people, including security staff and civilians, were killed in the Turkish attacks.

Journalists arrested

Two journalists, Tolga Şardan and Dinçer Gökçe, were arrested separately on 01.11.23 and charged with “spreading false information”. A day later, the police arrested online columnist Cengiz Erdiñ on suspicion of the same offence. The three media representatives had reported on corruption in the Turkish judiciary. While Gökçe and Erdiñ were conditionally released after a short time, Şardan is still in custody. The investigations into Şardan were initiated by the chief public prosecutor’s office in connection with his news comment on an alleged report by the MİT news agency which is said to have been presented to president Erdoğan. The report allegedly contains findings relating to accusations of corruption in the judiciary. The public prosecutor’s office classifies this as “misleading information”.

27 November 2023

Femicides and other acts of violence against women

A report published by the Bianet news agency on 23.11.23 states that at least 288 women in Türkiye were victims of femicide in the period between 01.01. and 21.11.23. According to the report, firearms were used in 165 of the murders, three women were burned alive and two women were stoned to death. Acts of violence are said to have been committed against 681 women. In addition, 350 confirmed cases of mistreatment and 116 cases of abuse were reported and at least 335 women are reported to have been forced into prostitution in the course of the year. The perpetrators were for the most part husbands, former husbands and male relatives.

11 December 2023

Constitutional court verdict against Article 220/6 of the Turkish criminal code

On 08.12.23 the Turkish constitutional court annulled Article 220/6 of the Turkish criminal code. The article concerned is a controversial law which punishes people for committing offences on behalf of an organisation without them actually having to be a member of the organisation concerned. The court stated that it had reached its decision due to the law’s vague wording, resulting in provisions which do not prevent arbitrary application by the authorities. The constitutional court stated that the law’s vagueness led to broad interpretation which compromised fundamental rights such as freedom of speech, freedom of assembly and freedom of association, as well as religious freedom and freedom of conscience. The court consequently found the law to be incompatible with the country’s constitutional principles. The verdict is to take effect in April 2024.

Article 220 of the Turkish criminal code, which concerns the formation of an organisation to commit criminal offences, stipulates a prison sentence of four to eight years for persons who found or lead a criminal organisation or who are members of such an organisation. Article 220/6 also stipulates punishment for non-members who “commit criminal offences on behalf of an organisation”, however. It states that persons who commit criminal offences on behalf of an armed organisation without being a member of such organisation are also punishable for membership, albeit with the option of reducing the penalty for membership by half.

The court’s assessment led to a unanimous decision by the judges to annul the provision. In the period prior to the law entering into force, the Turkish parliament has a limited period in which to enact a law which meets the criteria stipulated by the court.

In its *Işıkırık* verdict of 2017, the European Court of Human Rights (ECHR) had previously ruled that Article 220/6 of the Turkish criminal code was unforeseeable and not in compliance with the given legal standards. The ECHR emphasized that the vague wording and the broad application of the law did not provide adequate protection against arbitrary interference by the authorities.

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Briefing Notes
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