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World Report 2021 - Turkey

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

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

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

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

Freedom of Expression, Association, and Assembly

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

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

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

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

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

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

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

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

Human Rights Defenders, Lawyers

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

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

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

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

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

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

Torture and Ill-Treatment in Custody, Enforced Disappearances

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

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

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

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

Kurdish Conflict and Crackdown on Opposition

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

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

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

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

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

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

Refugees and Migrants

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

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

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

Key International Actors

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

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

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

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

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

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