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Country Policy and Information Note

Turkey: Kurds

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Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in [the basis of claim](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment on whether, **in general**:

- A person is reasonably likely to face a real risk of persecution or serious harm
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- Claims are likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation’s (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI’s relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the ‘cut-off’ date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the [Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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Assessment

Updated: 13 February 2020

1. Introduction

1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm by state or non-state actors due to a person's Kurdish ethnicity.

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1.2 Points to note

- 1.2.1 For an assessment of risk and country information on claims made on the basis of membership of, or association with, the Partiya Karkerên Kurdistanê or Kurdistan Workers' Party (PKK) see Country Policy and Information Note on [Turkey: Kurdistan Workers' Party \(PKK\)](#).
- 1.2.2 For an assessment of risk and country information on claims made on the basis of membership of, or association with, Kurdish political parties, see Country Policy and Information Note on [Turkey: Kurdish political parties](#).

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2. Consideration of issues

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Exclusion

- 2.2.1 Decision makers must consider whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection.
- 2.2.3 For further guidance on the exclusion clauses and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#) and the [Instruction on Restricted Leave](#).

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2.3 Refugee convention reason

- 2.3.1 Race.

2.3.2 Establishing a convention reason alone is not sufficient to be recognised as a refugee. The question to be addressed in each case is whether the particular person has a well-founded fear of persecution on account of their actual or imputed convention reason.

2.3.3 For further guidance on Convention reasons see the instruction on [Assessing Credibility and Refugee Status](#).

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2.4 Risk

a. State treatment

2.4.1 The Kurds are an ethnic group of 25 to 35 million people who live mainly in a mountainous area extending across the borders of Turkey, Iran, Iraq, Syria and Armenia. An estimated 15 million Kurds live in Turkey, where they form 15-20% of the population. The Kurdish people have maintained their own language, culture and a keen sense of identity, despite not having their own state. Turkish Kurds are concentrated in the southeast of the country, but large numbers have relocated to the cities of the west, including Ankara and Istanbul (see [History](#), [Demography](#)).

2.4.2 The Turkish government has historically sought to limit Kurdish influence and identity in part to protect Turkey's territorial integrity and maintain political stability. Against this, the Kurds have long sought greater cultural and political freedoms. This clash of interests and aims has resulted in discrimination and periods of violence. In 1984, armed conflict broke out between the Kurdistan Workers' Party (PKK) and the government, leading to the evacuation of over 3,000 Kurdish villages in the south-east and the displacement of 1 to 3 million people. The conflict has resulted in 40,000 deaths and is still ongoing, although at a reduced level compared to previous years (see [History](#), [Demography](#) and the Country Policy and Information Note on [Turkey: Kurdistan Workers' Party \(PKK\)](#) for further information).

2.4.3 The Constitution states that all individuals are equal, regardless of language, race or other factors and that all citizens are 'Turks.' There is no law preventing Kurds from obtaining public or private sector employment, participating in public life or accessing services; in general, Kurds are able to exercise these rights. However, the extent to which a Kurdish person may do so depends on individual circumstances and geographical location. Although a Kurdish middle class is growing in urban areas, particularly in the west, Kurds in the less-developed and conflict-affected south-east of the country have reduced access to government services and fewer opportunities than those living in the west (see [Demography](#) and [Nationality](#)).

2.4.4 Sources indicate that about half of the Kurdish population may be sympathetic to the PKK but others support the ruling AKP, which has several Kurdish MPs. Kurds who are not politically active, or who support the AKP, are integrated into society, but may be reluctant to disclose their Kurdish identity, particularly in small towns in the west of the country, in case of a violent response (see [Kurdish political views](#)).

2.4.5 There are a number of Kurds in prominent positions; there are Kurdish MPs, in both the ruling and opposition parties, there are Kurds in the Court of

Cassation, Kurds who are judges and Ministers, Kurds in the Civil Service, and the Ombudsman himself is Kurdish (see [Kurds in public life](#)).

- 2.4.6 Turkish is the official language and the Constitution states that no other language may be the main language of instruction in educational institutions, which puts Kurdish pupils who may not speak Turkish at a disadvantage. The use of languages other than Turkish is also restricted in government and public services and the government has closed many Kurdish-language schools since 2015. However, the ban on Kurdish languages has been lifted, and languages other than Turkish, including Kurdish, may be chosen as an optional course of study in private schools. Kurdish languages are permitted in detention, and translators are provided in courts. Both state and private television channels broadcast in Kurdish languages (see [Kurdish language](#) and [Kurdish language in education and culture](#)).
- 2.4.7 The government has become increasingly intolerant of criticism following the attempted coup in 2016 and resumption of the conflict in the south-east. For information about those Kurds who are politically active, see Country Policy and Information Notes on [Turkey: Kurdistan Workers' Party \(PKK\)](#) and [Turkey: Kurdish political parties](#)).
- 2.4.8 Many events relating to Kurdish issues or opposition groups were prohibited on security grounds, but Newroz celebrations, often seen as linked to Kurdish separatism, were generally permitted in 2019, albeit with a heavy police presence (see [Freedom of assembly](#) and [Newroz celebrations](#)).
- 2.4.9 The government has prosecuted or detained several journalists working in Kurdish-language journalism and many Kurdish journalists have reported threats, violence and criminal investigations by the state. Nearly all Kurdish-language newspapers, television channels and radio stations remained closed on security grounds, although a Kurdish-language radio and television station opened once the state of emergency had ended in July 2018. Hundreds of Kurdish civil society organisations, which were shut down by the government following the coup attempt of 2016, remained closed (see [Journalists and publishing](#) and [Civil society and cultural rights](#)).
- 2.4.10 Some lawyers prefer not to represent Kurds due to a possible unfavourable response from the authorities but there are lawyers who offer their services to Kurdish people. Translators are provided in court if a person cannot speak Turkish (see [Judicial system](#)).
- 2.4.11 Human rights observers claimed that both the government and the PKK have taken insufficient measures to protect civilians in conflict areas. Human rights violations are most likely during curfews, which are still in use and are put in place to facilitate counter-PKK operations in the south-east. The government did not release information on investigations into wrongful deaths of civilians caused by government forces during counter-PKK operations. There have been very few investigations into thousands of unresolved killings, deaths in custody and enforced disappearances for which both government forces and the PKK are thought to have been responsible in the 1990s, or into the alleged unlawful killing of hundreds of people from 2015 to 2016. The conflict has also caused significant internal displacement; between July 2015 and July 2017, approximately 100,000

people lost their homes and up to 400,000 people moved to other areas of Turkey. A reduction in urban clashes and government reconstruction efforts permitted some IDPs to return to their homes in 2018. Despite some reconstruction, only a few internally displaced persons have received compensation. Those who are ethnically Kurdish may be more likely to be ill-treated in detention than those who are not (see [Government human rights violations](#), [Internally displaced persons \(IDPs\)](#), and [Curfews](#)).

- 2.4.12 Even when taken cumulatively, discrimination faced by Kurds does not in general, by its nature or repetition, amount to a real risk of persecution and/or serious harm. However, decision makers must consider whether there are factors specific to the person which would place them at real risk. Each case must be considered on its facts with the onus on the person to show that the levels of discrimination they will face would amount to a real risk of persecution and/or serious harm.
- 2.4.13 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

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b. Societal treatment

- 2.4.14 Kurdish languages can be heard in use all over Turkey, but it may be difficult to use a Kurdish language in some smaller cities outside the south-east due to the possibility of a violent response; some non-Kurdish citizens may associate Kurdish ethnicity with the PKK or terrorism. There is some evidence that Turkish nationalism and anti-Kurdish sentiment may have risen since the Turkish incursion into the Kurdish area of northeast Syria in October 2019. There are reports of three attacks on Kurdish persons, allegedly for speaking Kurdish or for identifying themselves as Kurdish; two of these took place shortly after the Turkish incursion into Syria, and the other in December 2018. There are reports that these attacks were not recognised by prosecutors as racist, although one prosecutor cited a lack of evidence for such a charge (see [Kurdish language](#) and [Kurdish language in education and culture](#)).
- 2.4.15 Although Kurds may participate in all areas of public life, and some have reached senior positions, they tend to be under-represented in senior roles and may be reluctant to reveal their Kurdish ethnicity in case it proves a hindrance. One source told the HO FFT that Kurds work mainly in construction or other heavy work and that opportunities to access better-paid work are denied to them. Another source stated that a Kurdish name or accent may make it harder to gain employment and another stated that a Kurd who does not support the government would be at a disadvantage in the labour market. However, another stated that a Kurdish person may be a lawyer or a minister if they do not emphasise their Kurdish identity. Another source suggested that Kurds who reach higher positions will say that they are Turkish and loyal to the government. Another stated that a middle-class Kurd in the west of the country may have a good education and a good job; such a person may have sympathy for the AKP or they may support the Kurdish cause in private (see [Employment](#)).

- 2.4.16 Women are generally treated less favourably than men in Turkish society, and this phenomenon applies equally to Kurdish women. There is a helpline for women dealing with domestic abuse, with assistance available in Kurdish and Arabic, as well as Turkish. Kurdish women can be provided with a translator in police stations and courts. Kurdish women may be less educated than ethnically Turkish women but underage marriage is an issue in all areas of Turkey, not only amongst Kurds. Arranged marriage is common amongst Kurds, but is becoming less so; parental/family approval may be sought among more religious Kurds, but this is occurring less frequently otherwise (see [Women](#) and, for further information about the situation for women in Turkey, see the Country Policy and Information Note on [Turkey: Women fearing gender-based violence](#)).
- 2.4.17 There is some evidence of societal discrimination towards Kurds. Kurds living in cities in western Turkey may feel fearful about disclosing their Kurdish identity or speaking Kurdish in public, and employment opportunities may be limited for Kurdish people, particularly if they are active in Kurdish politics or vocal about their support for the Kurdish cause. However, the large majority of non-politically active Kurds, and those who support the AKP (ruling party), are able to live without discrimination in the cities of western Turkey. Older Kurds, who may not speak Turkish, may experience some difficulty in accessing medical services (see [Daily life](#)).
- 2.4.18 It is unlikely that the level of societal discrimination would be sufficiently serious, by its nature or repetition, as to amount to serious harm or persecution, but each case must be assessed on its individual facts, with the onus on the person to demonstrate that they are at risk.
- 2.4.19 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

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2.5 Protection

- 2.5.1 The Constitution states that all individuals are equal, regardless of language, race or other factors. A person may be imprisoned for up to three years for hate speech or 'injurious acts' related to language, race, nationality, colour, political opinion or philosophical belief, amongst other things. Turkey is party to most international human rights instruments but the legal framework still needs to be brought in line with the European Convention on Human Rights and the caselaw of the European Court of Human Rights. The European Commission reported backsliding in the areas of freedom of expression and assembly and discrimination, hate speech and hate crime against minorities. It also reported that the judiciary is not independent (see [Legal and constitutional framework, including anti-discrimination legislation](#)).
- 2.5.2 However, there are legal and administrative ways to complain about discrimination, which is prohibited under the law. The National Human Rights and Equality Institution (NHREI) and the Ombudsman are the main bodies working on the promotion and enforcement of human rights, and complaints are made to both bodies. In May 2019, the European Commission stated that both the speed and the effectiveness of the NHREI needed to improve, as did the efficiency and capacity of the Ombudsman. It also expressed

concern that neither institution is operationally, structurally or financially independent, and their members are not appointed in compliance with the Paris Principles (a set of international standards which frame and guide the work of National Human Rights Institutions) (see [Human rights monitoring bodies](#)).

- 2.5.3 Where the person has a well-founded fear of persecution from the state, they are unlikely to be able to avail themselves of the protection of the authorities.
- 2.5.4 Where the person has a well-founded fear of persecution from non-state actors, including 'rogue' state actors, decision makers must assess whether the state can provide effective protection. This is likely to be available. Although Kurds may be reluctant to report incidents due to a low level of trust in the police, this is not the same as unwillingness, and similarly corruption, sympathy or the weakness of some individuals in the system of justice does not mean that the state is unwilling to afford protection.
- 2.5.5 Decision makers need to consider each case on its facts, taking full account of the particular circumstances and profile of the person and any past persecution. The onus is on the person to demonstrate why they would not be able to seek and obtain state protection.
- 2.5.6 See also the Country Policy and Information Note on [Turkey: Background note](#), including actors of protection and internal relocation.
- 2.5.7 For further guidance on assessing the availability of state protection, see the instruction on [Assessing Credibility and Refugee Status](#).

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2.6 Internal relocation

- 2.6.1 Where the person has a well-founded fear of persecution from the state, it is unlikely a person will be able to relocate to escape that risk.
- 2.6.2 Where the risk faced is from a non-state actor, internal relocation is likely to be reasonable in general, depending on the facts of the case. There are Kurdish communities throughout Turkey and Turkish citizens are free to move throughout the country. It is mandatory for Turkish citizens to possess a national identity card (Nefus or Nufus) and this is required in order to work, access health and social services, register to vote, access Turkish courts, obtain a passport or driver's license, register for school and university, own property and/or a vehicle, and to obtain phone, internet, and home utilities.
- 2.6.3 If a Kurd does encounter local hostility, they should be able to avoid this by moving elsewhere in Turkey, but only if the risk is not present there and if it would not be unduly harsh to expect them to do so.
- 2.6.4 Decision makers must give careful consideration to the relevance and reasonableness of internal relocation taking full account of the individual circumstances of the particular person.
- 2.6.5 See also the Country Policy and Information Note on [Turkey: Background note](#), including actors of protection and internal relocation.
- 2.6.6 For further guidance on internal relocation see the instruction on [Assessing Credibility and Refugee Status](#).

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2.7 Certification

- 2.7.1 Where a claim based solely on Kurdish ethnicity is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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Country information

Section 3 updated: 11 December 2019

3. Legal provisions and monitoring bodies

3.1 Legal and constitutional framework, including anti-discrimination legislation

3.1.1 The United States Country Report for Human Rights Practices 2018 (USSD HR Report 2018) noted, 'The law allows for up to three years in prison for hate speech or injurious acts related to language, race, nationality, color, gender, disability, political opinion, philosophical belief, religion, or sectarian differences.'¹

3.1.2 The European Commission's report of May 2019 noted:

'Turkey is party to most international human rights instruments. The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and the International Convention for the Protection of all Persons from Enforced Disappearance, have yet to be ratified. [...]

'Following the lifting of the state of emergency, Turkey revoked its derogations to the European Convention on Human Rights and to the International Covenant on Civil and Political Rights (ICCPR) in August 2018.'²

3.1.3 The Home Office Fact-Finding Team (HO FFT) met a representative of the Turkish Ministry of Justice, who explained:

'The Republic of Turkey is a democratic State of law, which is one of the founding members of the Council of Europe and upholds the human rights, rule of law and democracy. The main principles of European Convention on Human Rights and other international treaties in the field of human rights are respected and secured in Turkey. Therefore it can definitely be said that Turkish standards provided by law and practice in the field of human rights are higher than international standards provided in international agreements.'³

3.1.4 The representative from the Turkish Ministry of Justice further stated that according to Turkish law, any discrimination based on religion, ethnicity, gender or language is prohibited⁴. The representative from the Ministry of Foreign Affairs told the HO FFT that discrimination based on race, language, religion, sect, sex, or political or philosophical belief or opinion is penalised under Article 122 of the Penal Code and there are legal and administrative ways to complain about any such discrimination⁵.

3.1.5 The representative from the Turkish Ministry of Foreign Affairs explained that since the early 2000's the government started to implement reforms on fundamental rights and freedoms and [then] had a relatively good prospect

¹ USSD, HR Report 2018, Turkey, 13 March 2019, [url](#)

² European Commission, 'Commission Staff Working Document, Turkey [...]', 29 May 2019, [url](#)

³ [HO FFM report, Ministry of Justice, 21 June 2019](#)

⁴ [HO FFM report, Ministry of Justice, 21 June 2019](#)

⁵ [HO FFM report, Ministry of Foreign Affairs, 20 June 2019](#)

of becoming a member of the EU. The attempted coup slowed down developments, which required certain measures, but they are seeking to revive those reforms now and that the political will is there⁶.

3.1.6 The European Commission further stated:

‘The state of emergency introduced on 15 July 2016 in the aftermath of the attempted coup ended on 18 July 2018, when its last extension expired, but was immediately followed by the adoption by the Turkish parliament of a law that retained many elements of the emergency rule for further three years. The law limits certain fundamental freedoms, allowing in particular to dismiss public servants (including judges) and to prolong detentions, to restrict freedom of movement and public assembly, and extending powers for Government-appointed provincial governors.’⁷

3.1.7 The same report stated:

‘While the legal framework includes general guarantees of respect for human and fundamental rights, it still needs to be brought in line with the European Convention on Human Rights (ECHR) and the case law of the European Court of Human Rights (ECtHR). There has been serious backsliding in the areas of freedom of expression, assembly, and association [...]. No changes were made to the legislation introduced immediately after the lifting of the state of emergency, which removed crucial safeguards protecting civil society activists, human rights defenders, journalists, academics and others from abuses. The enforcement of rights is hindered by the fragmentation and limited independence of public institutions responsible for protecting those rights and freedoms as well as by the lack of an independent judiciary. Trade union rights continue to be under severe pressure. No steps were taken to investigate, prosecute or punish those involved in profound human rights violations during the state of emergency.

‘[...] Severe restrictions on freedom of expression continued and the trend for prosecution of writers, social media users and other members of the public, even children, for insulting the President has dramatically increased. [...] The rights of the most vulnerable groups and of persons belonging to minorities need better protection. [...] discrimination, hate speech against minorities, hate crime [...] are still a matter of serious concern.’⁸

3.1.8 The report further noted violations of the ECHR; it is not known how many of these related to Kurdish persons or issues:

‘In 2018, the European Court of Human Rights (ECtHR) found violations of the ECHR in 142 cases (out of 146) relating mainly to the right to fair trial (41), freedom of expression (40), the right to liberty and security (29), freedom of assembly and association (11), inhuman or degrading treatment (11), and prohibition of torture (10). During the reporting period, 6 717 new applications were registered by the ECtHR. In January 2019, the total

⁶ [HO FFM report, Ministry of Foreign Affairs, 20 June 2019](#)

⁷ European Commission, ‘Commission Staff Working Document, Turkey [...],’ 29 May 2019, [url](#)

⁸ European Commission, ‘Commission Staff Working Document, Turkey [...],’ 29 May 2019, [url](#)

number of Turkish applications pending before the Court was 7. There are currently 410 cases against Turkey in the enhanced monitoring procedure.’⁹

- 3.1.9 The same report stated, ‘There was limited implementation of the 2014 action plan on preventing violations of the ECHR. The implementation reports are not made public, thus limiting the accountability of institutions responsible for implementation. Turkey needs to update its action plan on the prevention of the ECtHR violations, since the previous one has expired.’¹⁰

- 3.1.10 For information about anti-terrorism legislation, see the Country Policy and Information Note on [Turkey: Kurdistan Worker's Party \(PKK\)](#).

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3.2 Human rights monitoring bodies

- 3.2.1 The European Commission published a report in May 2019 which stated:

‘On the promotion and enforcement of human rights, the National Human Rights and Equality Institution (NHREI) and the Ombudsman, as the main human rights institutions, continued to receive complaints. The major difference in the scope of intervention of both institutions lies with the individual application procedure. The Ombudsman Institution deals only with complaints against the actions of the public administration. The NHREI does not accept applications that are within the remit of the Ombudsman; therefore, the efficiency and capacity of the Ombudsman to deal with such applications also need to be stepped up.

‘Following the appointment of members of the NHREI in March 2017, the institution became operational in 2018, after its implementing legislation was adopted. The NHREI has concluded two decisions out of 401 received applications; it has conducted 27 visits and published reports of five visits to some detention centres, prisons and an elderly home. The speed and effectiveness of the institution in dealing with applications causes particular concern in light of the high number of alleged violations in the aftermath of the attempted coup.

‘Neither of these institutions is operationally, structurally or financially independent, and their members are not appointed in compliance with the Paris Principles. So far, the NHREI has not applied for accreditation with the relevant International Coordinating Committee (ICC) of National Institutions for the Promotion and Protection of Human Rights. Turkey should urgently ensure that any and all cases of alleged human rights violations are effectively dealt with and processed, and that these bodies fully comply with the Paris Principles and the European Commission Recommendation on Standards for Equality Bodies, adopted on 22 June 2018.’¹¹

- 3.2.2 For further information about human rights monitoring bodies, see the [Report of a Home Office fact-finding mission to Turkey, June 2019](#).

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⁹ European Commission, ‘Commission Staff Working Document, Turkey [...],’ 29 May 2019, [url](#)

¹⁰ European Commission, ‘Commission Staff Working Document, Turkey [...],’ 29 May 2019, [url](#)

¹¹ European Commission, ‘Commission Staff Working Document, Turkey [...],’ 29 May 2019, [url](#)

4. Kurdish population

4.1 Map: areas of majority Kurdish settlement

- 4.1.1 The following (undated) map of areas of Kurdish settlement in southwest Asia was published by Encyclopædia Britannica¹²:



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4.2 Timeline of key events with an impact on Kurdish issues, June 2015 onwards

- 4.2.1 See Country Policy and Information Note on [Turkey: PKK](#) for a timeline of key events from June 2015 onwards.

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4.3 History

- 4.3.1 The BBC reported in October 2017:

‘Between 25 and 35 million Kurds inhabit a mountainous region straddling the borders of Turkey, Iraq, Syria, Iran and Armenia. They make up the fourth-largest ethnic group in the Middle East, but they have never obtained a permanent nation state.

‘The Kurds are one of the indigenous peoples of the Mesopotamian plains and the highlands in what are now south-eastern Turkey, north-eastern Syria, northern Iraq, north-western Iran and south-western Armenia.

‘Today, they form a distinctive community, united through race, culture and language, even though they have no standard dialect. [...]

¹² Encyclopædia Britannica, Kurdish areas of settlement in southwest Asia (undated), [url](#)

'There is deep-seated hostility between the Turkish state and the country's Kurds [...].

'Kurds received harsh treatment at the hands of the Turkish authorities for generations. In response to uprisings in the 1920s and 1930s, many Kurds were resettled, Kurdish names and costumes were banned, the use of the Kurdish language was restricted, and even the existence of a Kurdish ethnic identity was denied, with people designated "Mountain Turks".'¹³

4.3.2 In a June 2018 report Minority Rights Group International (MRGI) stated:

'Kurdish tribes enjoyed virtual autonomy until the last years of the Ottoman Empire. Fearful of the Armenian threat during World War I, Kurds cooperated in the Ottoman government's genocide of one million Armenians, only to find themselves the target of forcible assimilation in the 1920s and 1930s. From the late 1950s, Kurdish immigration was initially voluntary and economic. But repeated Kurdish rebellions were suppressed with ruthlessness, bordering on genocide. All Kurdish expression was outlawed.

'A few Kurds began to call for recognition in the 1960s, and a growing number identified with the Turkish left in the 1970s. In 1984 Kurdish nationalism found violent expression in the PKK (Kurdistan Workers' Party), which embarked on a guerrilla war against the state.

'In tandem with this, the PKK also succeeded in mobilizing much of the Kurdish civilian population. The struggle has been partly a class one. Kurdish identity was infused with a sense of economic as well as political deprivation. The PKK deliberately targeted certain members of the Kurdish landlord class as accomplices with the system of oppression (though some landlords identified with the PKK, often for reasons of local rivalry). The PKK also targeted perceived agents of the Turkish state such as school-teachers.

'With the outbreak of armed conflict in 1984 between the Turkish army and the PKK, more than 1 million Kurds were forcibly evicted from rural and urban areas in eastern and south-eastern Turkey. The displaced settled in urban centres in the region as well as towns in western and southern Turkey, and many fled to Europe. By 1996 the state only retained control of south-east Turkey through the forced evacuation of over 3,000 Kurdish villages, consequently causing the destitution of 3 million people, with widespread and routine arbitrary arrests and torture common.

'A major factor in Turkey's rapid urbanization in recent decades, especially the main cities in south-eastern Turkey, was the policy of village destruction, which was central to Turkey's internal conflict against the PKK. By 1994, at least 3,000 villages had been deliberately destroyed as part of this campaign. The European Court of Human Rights gave judgment in a number of cases and established that Turkey had destroyed many villages as part of a military strategy. In this context, urban centres such as Diyarbakır experienced rapid growth, tripling in size during the 1990s even as many residents themselves moved elsewhere in Turkey or abroad to

¹³ BBC, 'Who are the Kurds?' 15 October 2019, [url](#)

escape the violence. Though there is no consensus on how many exactly were displaced, reliable estimates range between 1 and 3 million.’¹⁴

4.3.3 MRGI further reported:

‘The Kurdish struggle for cultural and political rights is complicated by social and religious factors. Many rural Kurds are primarily motivated by clan or tribal loyalty, with long-standing local conflicts reflected in support for rival political parties at national level. Inter-tribal politics can determine whether support will be given to the PKK or government forces. Loyalties are also determined by religious sentiment. Possibly up to 25 per cent of Kurds in the south-east are still primarily motivated by religious affiliation. [...] The south-east remains underdeveloped compared with the western half of the country.

‘While the conflict continued to exact a heavy death toll and displace hundreds of thousands of Kurdish civilians, the government also maintained a heavily discriminatory policy towards the community as a whole. This included the removal of Kurdish public officials, harassment of Kurdish political groups, targeting of Kurdish media outlets and the arrest of Kurdish politicians for holding party gatherings in Kurdish. The government also continued to conflate any effort to promote Kurdish rights, such as use of the Kurdish language, with support for “PKK terrorists”.’¹⁵

4.3.4 The United States Congressional Research Service (CRS) reported in January 2019: ‘Historically, the Turkish government and military have sought to limit Kurdish influence and identity in Turkey, due in part to concerns about Turkish territorial integrity and political stability.’¹⁶

For further information about the PKK and Kurdish Political Parties, see the Country Policy and Information Notes on [Turkey: Kurdistan Worker's Party \(PKK\)](#) and [Turkey: Kurdish political parties](#).

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4.4 Demography

4.4.1 The USSD HR Report 2018 noted that there were an estimated 15 million citizens of Kurdish origin in Turkey¹⁷.

4.4.2 CIA World Factbook noted that 70 to 75% of the population of Turkey was Turkish, 19% Kurdish, and other minorities formed 7 to 12% (this is an estimate from 2016)¹⁸.

4.4.3 In June 2018, MRGI stated:

‘Kurds are the largest ethnic and linguistic minority in Turkey. The estimated numbers claimed by various sources range from 10 to 23 per cent of the population. According to the 1965 national census, those who declared Kurdish as their mother tongue or second language constituted around 7.5 per cent of the population. However, [...] it is possible that this figure was

¹⁴ MRGI, Turkey, Kurds, June 2018, [url](#)

¹⁵ MRGI, Turkey, Kurds, June 2018, [url](#)

¹⁶ CRS, ‘The Kurds in Iraq, Turkey, Syria, and Iran’, 23 January 2019, [url](#)

¹⁷ USSD, HR Report 2018, Turkey, 13 March 2019, [url](#)

¹⁸ CIA, World Factbook, Turkey, last updated 14 November 2019, [url](#)

under-inclusive at the time. Today, most estimates suggest that between 15 and 20 per cent of the Turkish population is Kurdish.¹⁹

- 4.4.4 MRGI also noted that although ‘Historically [Kurds were] concentrated in the eastern and south-eastern regions of the country, where they constitute the overwhelming majority, large numbers have migrated to urban areas in western Turkey.’²⁰ In their Country Information report, published October 2018, the Australian Department of Foreign Affairs and Trade (DFAT) noted that there was a significant Kurdish population in Istanbul²¹.
- 4.4.5 In the report of October 2018, DFAT further noted, ‘Eastern and south eastern Turkey have historically been less developed than other parts of the country, with lower incomes, higher poverty rates, less industry, and less government investment. The Kurdish population is socio-economically diverse: while many are very poor, particularly in rural areas and the south-east, a Kurdish middle class is growing in urban centres, particularly in western Turkey.’²²
- 4.4.6 The DFAT report further noted:
‘No laws prevent Kurds (or other ethnic minorities) from obtaining public or private sector employment, from participating in public life, or from accessing government health and education services in the same fashion as other Turkish citizens. The ability of Kurdish citizens to do so in practice, however, depends considerably on individual circumstance and geographic location: those in western Turkey will have far better access to government services than those residing in conflict-affected areas of the south-east.’²³
- 4.4.7 During the HO’s FFM to Turkey in June 2019 the representative from the Ministry of Foreign Affairs stated that Kurdish people prefer to live close together, but they are not told to do so. They noted that there is a large Kurdish population in Istanbul, although Kurds live all over Turkey²⁴.
- 4.4.8 The Director of a Turkish organisation in the UK stated, ‘Kurdish people will tend to live in particular neighbourhoods in cities, and all the more so now, due to the presence of armed militia in big cities, known as the “night watchmen” or “night eagles”.’²⁵
- 4.4.9 The Director of a Turkish organisation in the UK added that ‘Approximately 4 million Kurds live in Istanbul, which is more than the number in Ankara.’²⁶
- 4.4.10 A representative from a confederation of trade unions told the HO FFT that:
‘[Kurds] are mainly residing in south eastern and eastern parts of Turkey. In those parts which are mainly populated by Kurds, economic and social issues are problematic; eastern and south eastern areas are less developed than western parts of Turkey, such as Istanbul and the Black Sea area of

¹⁹ MRGI, Turkey, Kurds, updated June 2018, [url](#)

²⁰ MRGI, Turkey, Kurds, updated June 2018, [url](#)

²¹ Australian DFAT, Country Information Report, Turkey, October 2018, [url](#)

²² Australian DFAT, Country Information Report, Turkey, October 2018, [url](#)

²³ Australian DFAT, Country Information Report, Turkey, October 2018, [url](#)

²⁴ [HO FFM report, Ministry of Foreign Affairs, 20 June 2019](#)

²⁵ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

²⁶ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

Turkey; life is harder.’ He referred to government practices in the 1990s which led to ‘[...] a huge population movement to central Anatolia and to the west. Mersin and Adana are 2 cities which received the IDPs from the Kurdish populated areas.’²⁷

- 4.4.11 Also during the HO FFM, the HDP MP pointed to places in the south east or Kurdish populated cities, where the security is very high – in particular pointing to a barrier at the entrance to the city in Şırnak district²⁸.
- 4.4.12 For further information on these subjects, see [Employment](#) and [Language and education](#).

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4.5 Nationality

- 4.5.1 In the report of October 2018, the Australian DFAT stated, ‘Article 10 of the Constitution states that all individuals are equal without discrimination irrespective of language or race (amongst other things). Article 66 states that everyone bound to the Turkish State through the bond of citizenship is a “Turk”, which could be construed to exclude other ethnic groups, notably Kurds.’²⁹
- 4.5.2 The USSD HR Report 2018 stated, ‘The constitution provides a single nationality designation for all citizens and does not expressly recognize national, racial, or ethnic minorities except for three non-Muslim minorities: Armenian Orthodox Christians, Jews, and Greek Orthodox Christians. Other national or ethnic minorities, including Assyrians, Jaferis, Yezidis, Kurds, Arabs, Roma, Circassians, and Laz, were not permitted to exercise their linguistic, religious, and cultural rights fully.’³⁰

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4.6 Religion

- 4.6.1 The Joshua Project, a Christian organization, noted that the primary religion for both Kurmanji-speaking and Turkish-speaking Kurds in Turkey was Islam³¹.
- 4.6.2 The Australian DFAT report mentioned religious beliefs, stating, ‘Most Kurds are Sunni Muslim, of the Shafi’i school rather than the Hanafi school to which most ethnic Turks adhere. Turkish religious authorities consider both schools equally valid, and followers of the Shafi’i school are not subject to discrimination on religious grounds.’³²

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4.7 Likelihood of being identified as a Kurdish person

- 4.7.1 Several sources told the HO FFT team in June 2019 that there is a tendency for people to think of Kurdish people as dark-skinned with facial hair, and

²⁷ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

²⁸ [HO FFM report, HDP, 20 June 2019](#)

²⁹ Australian DFAT, Country Information Report, Turkey, October 2018, [url](#)

³⁰ USSD HR Report 2018, Turkey, 13 March 2019, [url](#)

³¹ The Joshua Project, Turkey, People Groups, undated, [url](#)

³² Australian DFAT, Country Information Report, Turkey, October 2018, [url](#)

one source stated that persons who meet this description are more likely to be stopped, checked and questioned by the police^{33,34}. However, other sources suggested it was difficult³⁵ or very difficult³⁶ to distinguish between a Turk and a Kurd, but was sometimes possible.

- 4.7.2 When asked whether a Kurdish woman may be recognised by her appearance, Ms Gullu, a human rights lawyer, told the HO FFT, 'No. You cannot identify Kurdish and Turkish women apart in Istanbul.'³⁷ A human rights lawyer stated, 'Women dress the same in Istanbul, whether Turkish or Kurdish, but Kurdish women are more noticeable in the east as they wear traditional clothes.'³⁸
- 4.7.3 A human rights lawyer told the HO FFT that Kurdish names will be recognisable to the authorities, as will different accents³⁹. The Director of a Turkish organisation in the UK believed that a Kurdish person could be recognisable by their name, accent or appearance⁴⁰. The same Director also noted that a Kurdish person could be recognisable by the language spoken⁴¹.

See also [Women](#) for further information on Kurdish women.

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4.8 Kurdish political views

- 4.8.1 The Australian DFAT published a report in October 2018 which stated:
- 'Substantial political divisions exist within the Kurdish population: analysts say that, while around half are sympathetic to the PKK's goals, the remainder are conservative-leaning and sceptical of the PKK's ideology and methods. Many religiously conservative Kurds, who opposed the secularism of past administrations, support the AKP, which has several Kurdish MPs. Some non-Kurdish Turkish citizens continue to associate all Kurds with the PKK.'⁴²
- 4.8.2 The Australian DFAT report further stated:
- 'Kurds in western Turkey do not face the same risk of conflict-related violence as those in the south-east. Many Kurds who are not politically active, and those who support the AKP, are integrated into Turkish society, identify with the Turkish nation, and live their lives in a normal fashion. Human rights observers report, however, that some Kurds in western Turkey are reluctant to disclose their Kurdish identity, including through speaking Kurdish in public, for fear of provoking a violent response.'⁴³

³³ [HO FFM report, Anonymous source, 19 June 2019](#)

³⁴ [HO FFM report, Human rights lawyer, 17 June 2019](#)

³⁵ [HO FFM report, Peace in Kurdistan, 11 June 2019](#)

³⁶ [HO FFM report, Peace in Kurdistan, 11 June 2019](#)

³⁷ [HO FFM report, Federation of Womens' Associations, 18 June 2019](#)

³⁸ [HO FFM report, Human rights lawyer, 17 June 2019](#)

³⁹ [HO FFM report, Human rights lawyer, 17 June 2019](#)

⁴⁰ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

⁴¹ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

⁴² Australian DFAT, Country Information Report, Turkey, 9 October 2018, [url](#)

⁴³ Australian DFAT, Country Information Report, Turkey, 9 October 2018, [url](#)

- 4.8.3 The CRS reported in January 2019: ‘Despite the PKK’s institutional preeminence among Kurds in Turkey, support for it has fluctuated among conservative (particularly avowedly religious) Kurds. Over the years, some Kurds have supported Islamic-leaning parties and movements in Turkey, including the ruling AKP and the more Kurdish-specific Huda-Par (a political arm of a militant group known as Kurdish Hezbollah).’⁴⁴
- 4.8.4 A representative of a confederation of trade unions told the HO FFT in June 2019 that, ‘The government have Kurds who are pro-government, who support the AKP. Kurdish ministers and civil servants are not discriminated against if they are pro-government.’⁴⁵
- 4.8.5 Center for American Progress, an independent nonpartisan policy institute, reported in August 2019 that ‘A nationwide Center for American Progress poll conducted by Metropoll in May and June 2018 showed that just 33 percent of self-identified Kurds approve of Erdoğan, while 56 percent disapprove; among self-identified Kurdish nationalists, just 2 percent approve, while 90 percent disapprove. Furthermore, a June 2019 poll showed that just 24 percent of Kurds said they would support the AKP in a snap election.’⁴⁶
- 4.8.6 See [Employment](#) and [Kurds in public life](#) for information about the impact of a Kurd’s loyalty to the government on employment prospects. For further information about the PKK, see Country Policy and Information Note on [Turkey: PKK](#).

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Section 5 last updated: 17 January 2020

5. Daily life

5.1 Kurdish language

- 5.1.1 The University of Manchester provided the following (undated) information:
- ‘There are two major literary versions of Kurdish, based on two major dialects of the language: Kurmanji-Kurdish is spoken in the northern areas of Kurdistan (in Turkey, Armenia, Syria and northern Iraq) and is written in the Roman (Latin) script. Sorani-Kurdish is spoken in the southern or southeastern regions (in central Iraq and Iran) and is generally written in a modified version of the Arabic-Persian script, though internet communication and other publications in Sorani often use the Roman script as well. Other closely-related languages, most notably Zazaki (spoken in eastern Turkey) and Gorani (spoken in northeastern Iraq), are often regarded as part of the Kurdish linguistic landscape.’⁴⁷
- 5.1.2 In a report dated June 2018, MRGI further stated:
- ‘The use of minority language people’s names was prohibited until recent years, which was particularly detrimental for Kurds. In July 2003, a reform of the law removed the restriction on parents’ freedom to name their children

⁴⁴ CRS, ‘The Kurds in Iraq, Turkey, Syria, and Iran’, 23 January 2019, [url](#)

⁴⁵ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

⁴⁶ Center for American Progress, ‘The State of the Turkish-Kurdish Conflict’, 12 August 2019, [url](#)

⁴⁷ University of Manchester, ‘The dialects of Kurdish,’ Home page, undated, [url](#)

with names “deemed offensive to the national culture,” but kept the requirement that names should “comply with moral values,” and not be offensive to the public. In September 2003, the law was restricted to curtailing names containing the letters q, w and x, which are common in Kurdish. Thus, Kurds are still precluded by law from giving their children Kurdish names that include these letters.’⁴⁸

- 5.1.3 The Australian DFAT published a report in October 2018 which stated, ‘Turkish is the official language, and the Constitution states that no other language can be the main language of instruction in educational institutions. Other languages, including Kurdish, may be taught as an elective in public schools, and are commonly used in daily life.’⁴⁹
- 5.1.4 The USSD HR Report 2018 stated that certain minority groups in the country, including Kurds, ‘[...] were not permitted to exercise their linguistic, religious, and cultural rights fully.’⁵⁰
- 5.1.5 A representative from the Ministry of Foreign Affairs told the HO FFT that the Kurdish language can be heard in Anatolia and all over Turkey⁵¹. The HDP MP stated, ‘In some cities you can speak Kurdish but in some other cities you cannot, for example, in Kayseri, a central Anatolian city, you cannot speak Kurdish freely in public. In larger metropolitan cities you can, but it depends.’⁵² The MP commented that there is no official use of the Kurdish language; for example, it is not used on road signs⁵³.
- 5.1.6 See [Judicial system](#) for information about use of Kurdish languages within the judicial system.

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5.2 Kurdish language in education and culture

- 5.2.1 The HO FFT also met the Ombudsman in June 2019, who said that he himself is Kurdish, and stated:

‘[...] the ban on the Kurdish language has been lifted, now they can play music, publish magazines, offer school classes (in private schools) in Kurdish, have radio and TV broadcasting in the Kurdish language. By the way, our current president who was prime minister at the stage, did not deny in the past there have been pressure on Kurds relevant to language, but this targeting of Kurdish people has ended. He acknowledged that in the past there was pressure on Kurds to speak Turkish, but this has now ended. Such big steps have been taken, e.g., 2 days ago I was invited to take part in a TV interview by a state-owned programme, I myself spoke in Kurdish.

‘You can go to university and be taught in Kurdish, [...]. In comparison to the past, Kurdish language is now recognised. For example, now they can speak

⁴⁸ MRGI, Turkey, Kurds, June 2018, [url](#)

⁴⁹ Australian DFAT, Country Information Report, Turkey, October 2018, [url](#)

⁵⁰ USSD, HR Report 2018, Turkey, 13 March 2019, [url](#)

⁵¹ [HO FFM report, Ministry of Foreign Affairs, 20 June 2019](#)

⁵² [HO FFM report, HDP, 20 June 2019](#)

⁵³ [HO FFM report, HDP, 20 June 2019](#)

Kurdish in prison, can be assigned translators in Kurdish in trials. It is now illegal/criminalised to discriminate based on ethnicities.

‘[...] If you compare 30 years ago to now, there have been big steps forward.’⁵⁴

5.2.2 Estella Schmid, a co-founder of Peace in Kurdistan, told the HO FFT:

‘Education is possible for Kurdish people; however, classes will be in Turkish, so they will have to learn to speak and live in Turkish to achieve an education. This becomes an issue for working-class or poor Kurdish people from the south east who do not know the Turkish language or use a Kurdish language as their first language; it immediately puts them at a disadvantage when it comes to gaining an education and employment. The closing of Kurdish schools throughout the years is an effort by the Turkish government to stop people continuing the Kurdish language; it makes it harder for Kurdish traditions to continue.’⁵⁵

5.2.3 The representative from a confederation of trade unions informed the HO FFT of the case of the Turkish Education and Science Workers’ Union, Egitim Sen, which was forced to remove the clause from their constitution which advocated for education in a person’s mother tongue, especially in Kurdish areas, following pressure from the authorities⁵⁶.

5.2.4 The Director of a Turkish organisation in the UK stated, ‘There are generally no problems for Kurds in accessing schools, as the authorities are keen to assimilate Kurds in Turkish society. However, continuing in education as a person gets older can depend on allegiance to the government.’⁵⁷

5.2.5 The USSD HR Report 2018 stated:

‘The law allows citizens to open private institutions to provide education in languages and dialects they traditionally used in their daily lives, on the condition that schools were subject to the law and inspected by the Ministry of National Education. Some universities offered elective Kurdish-language courses, and two universities had Kurdish language departments, although several instructors in these departments were among the thousands of university personnel fired under official decrees, leaving the programs unstaffed. The law also allows reinstatement of former non-Turkish names of villages and neighborhoods and provides political parties and their members the right to campaign and use promotional material in any language; this right was not protected in practice.

‘The law restricts the use of languages other than Turkish in government and public services. [...]

‘Although the government officially allows the use of Kurdish in private education and in public discourse, it did not extend permission for Kurdish-language instruction to public education.’⁵⁸

⁵⁴ [HO FFM report, Turkish Ombudsman's Office, 20 June 2019](#)

⁵⁵ [HO FFM report, Peace in Kurdistan, 11 June 2019](#)

⁵⁶ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

⁵⁷ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

⁵⁸ USSD, HR Report 2018, Turkey, 13 March 2019, [url](#)

5.2.6 Freedom House reported in February 2019: ‘Many Kurdish-language schools and cultural organizations have been shut down by the government since 2015.’⁵⁹

5.2.7 The representative from the Ministry of Foreign Affairs told the HO FFT that, although Turkish is the official language, it is not true that Kurdish cannot be spoken in public, adding that state television, TRT, has been reporting in different dialects since 2004, as do private television channels⁶⁰.

See also [Women](#) for information about education for girls.

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5.3 Attitude to education

5.3.1 Both the HDP MP and the representative from a confederation of trade unions, who met with the HO FFT in June 2019, also noted the issue of a language barrier for Kurdish people in official services, such as education. The latter stated:

‘Until now there have been serious issues in the Kurdish population in terms of education; good qualified teachers and schools in Kurdish regions were an issue, people didn’t receive the same level or quality of education as in the west. There is a general patriarchal issue and urbanisation issue as well, in comparison to other regions in the west. Due to these circumstances, it can be said that education is seen as less important in the south east than in other regions. [He later added the following notes: ‘[We] do not think that education is less important just because Kurdish people believe so. The reason, from [our] perspective, is that there are certain structural conditions that form their belief. Patriarchal issues affect parents’ attitude to education. Accordingly, they may not want to send their kids, particularly girls, to school. Similarly, urbanisation process is another factor that affects the parents’ behaviour/attitude to education. For example, they are forced to move to the city centre and have to change some habits. They have to adopt a new life in urban areas. Unlike rural areas, they (more family members) have to work more.’]’⁶¹

See also [Women](#) for information about education for girls.

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5.4 Employment

5.4.1 The Australian DFAT report of October 2018 stated:

‘While Kurds participate in all aspects of Turkish public life, including government, the civil service and military, they have traditionally been under-represented in senior positions. Some Kurds employed in the public sector have reported a reluctance to reveal their Kurdish identity for fear of negatively affecting their prospects for promotion. DFAT assesses that Kurds

⁵⁹ Freedom House, ‘Freedom in the World 2019’, 4 February 2019, [url](#)

⁶⁰ [HO FFM report, Ministry of Foreign Affairs, 20 June 2019](#)

⁶¹ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

are more likely to obtain public sector employment at the sub-national level, particularly in areas where they are in the majority.’⁶²

- 5.4.2 The HDP MP told the HO FFT in June 2019 that having a Kurdish name can make it more difficult for a person to find employment⁶³. However, the representative from the Ministry of Foreign Affairs stated that finding employment can be difficult at times, but this is the case for everyone, not only those of Kurdish origin⁶⁴.

- 5.4.3 When the HO FFT met the representative of a confederation of trade unions, he stated:

‘ILO [International Labour Organization] Convention 111 states you cannot discriminate in employment. A survey was given to employers; they were shown two pictures, one of a person from central Anatolia (western/central) which was not a smart-looking photo, and the second was of a Kurdish-looking person from eastern Turkey who looked a lot smarter. 80% chose their preferred photo based on where the person was born and not on other characteristics. This survey was done independently and conducted by academics last year.’⁶⁵

- 5.4.4 This representative further stated that of the confederation’s members who were dismissed from their jobs following the coup attempt of 2016, most were Kurdish, but they ‘[...] were not dismissed for being Kurdish only but because they are Kurdish public officers opposed to the government.’⁶⁶ He added:

‘It is not just Kurdish people, it is also people in opposition to the government who are dismissed or prevented from getting a job. The process now for public sector employment is that you need to be interviewed and have a security investigation which makes it impossible for someone of Kurdish ethnicity to get the job.

‘For example, you sit an exam for public service job, you get the highest score but because of your Kurdish identity you do not get the job, but someone with half your score who is pro-government and not Kurdish will get the job. It is the security investigation that stops you from getting the job, for example because you are Kurdish and may be a security risk.’⁶⁷

- 5.4.5 This representative from a confederation of trade unions further stated:

‘There is such oppression in private sector [employment] for Kurdish people, they cannot identify as a Kurdish person, and they cannot speak Kurdish. No law bans this or the use of Kurdish languages, but this is the practice. For example, A Kurdish seasonal agricultural worker was attacked and lynched for trying to sing a song in Kurdish language. The attack took place in an area where nationalist feeling is strong. It was done by the local people, this

⁶² Australian DFAT, Country Information Report, Turkey, 9 October 2018, [url](#)

⁶³ [HO FFM report, HDP, 20 June 2019](#)

⁶⁴ [HO FFM report, Ministry of Foreign Affairs, 20 June 2019](#)

⁶⁵ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

⁶⁶ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

⁶⁷ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

is societal discrimination, it was triggered by government policies. This happened last year (2018).'⁶⁸

5.4.6 Murat Celikkan, Director of Hafiza Merkezi, told the HO FFT:

'Kurdish people face some discrimination; for example, the Bosphorus University is an English/American language school, it is one of the best universities in Turkey. Some of the students are Kurdish, when they go to apply for jobs employers are impressed at the person's ability to speak English, however, when they speak Turkish and they do not have the Turkish dialect, they are then discriminated against because they have a Kurdish dialect and they do not get the job. This is discrimination not only by the state but in daily life. [...]

'The government discriminates against Kurds in respect to holding different government jobs, being MPs or prosecutors. You can be a lawyer, even a minister or a high-level social worker if you do not emphasise your Kurdish identity or openly say that you are a Kurd.'⁶⁹

5.4.7 Estella Schmid, a co-founder of Peace in Kurdistan, told the FFT:

'If you are a middle-class Kurd, you will most likely have an "ok" job and an education which you can use to conceal your Kurdish ethnicity to some degree. However, having an "ok" job such as being a journalist or an academic, you will be a lot more politically aligned with the Turkish government and not aligned with Kurdish politics. In private a middle-class Kurdish person who lives in Istanbul or Ankara may give indirect support to the Kurdish cause, but not openly, as this may hinder them in the future.'⁷⁰

5.4.8 The HO FFT met the Director of a Turkish organisation in the UK, who thought:

'There can be discrimination in regard to accessing employment; [...] Kurds work mainly in construction and other heavy work. They also work on farms, as fruit pickers and in tourist resorts. It would be hard for a Kurd to become a Judge or prosecutor, for example. Some Kurds are teachers, but in more basic jobs. Some Kurds run businesses, but they must show that they are very loyal to the government. The private sector in Turkey is small, and it generally excludes Kurds. If a Kurd is considered well-off or successful, they are more likely to be targeted by the state, and most Kurds who reach higher positions will say that they are Turkish and loyal to the government.'⁷¹

5.4.9 The representative from a confederation of trade unions said, 'We can say Kurdish people are not well educated, that is why they hold the worst jobs in the civil service and private sector, there is no equality in this regard, they receive very little economic welfare in the country. There are now about four million Syrian refugees that are worse off, before this the Kurds were the worst off in terms of jobs.'⁷²

⁶⁸ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

⁶⁹ [HO FFM report, Truth, Justice and Memory Centre, 18 June 2019](#)

⁷⁰ [HO FFM report, Peace in Kurdistan, 11 June 2019](#)

⁷¹ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

⁷² [HO FFM report, Confederation of trade unions, 21 June 2019](#)

See [Kurds in public life](#), [Kurdish language in education and culture](#), [Attitude to education](#) and [Kurdish political views](#) for further information on these subjects.

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5.5 Accommodation

- 5.5.1 The HO FFT met the Director of a Turkish organisation in the UK, who thought that, 'It can be hard to find accommodation and difficulties can arise when Turkish neighbours ask questions about where a Kurdish family is from.' However, the same source noted that approximately 4 million Kurds lived in Istanbul⁷³.

See [Demography](#) for further information on living conditions for Kurdish people.

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5.6 Medical care

- 5.6.1 The HO FFT met a representative from the Ministry of Foreign Affairs, who stated that Kurds may not always be able to access medical treatment from a doctor speaking a Kurdish language as all medical personnel are rotated around the country, so not everyone posted to the south-east will be able to speak a Kurdish language⁷⁴. The HDP MP affirmed that Kurdish people cannot always access official services, such as healthcare, in their mother tongue⁷⁵.

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5.7 Women

- 5.7.1 When the HO FFT asked whether any societal discrimination against Kurds might have a particular impact on Kurdish women and girls, the Director of a Turkish organisation in the UK stated, 'Women are generally treated less favourably than men throughout Turkish society.'⁷⁶
- 5.7.2 The HO FFT also met Canan Gullu, President of the Federation of Womens' Associations of Turkey, who stated:

'Kurdish women are the same as Turkish women in terms of reporting domestic abuse to the police. Kurdish people live all over Turkey and face the same issues as Turkish women when reporting violence. Living in a patriarchal system makes it harder to resist violence.

'There have been changes in attitude after a domestic abuse hotline was announced on television and women started to call the hotline. Over the last two years there has been an increase in the number of complaints registered. Due to the patriarchal structure of the Kurdish society, male relatives, such as uncles and fathers, also call the helpline, saying daughters or female relatives are in a violent house.'⁷⁷

⁷³ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

⁷⁴ [HO FFM report, Ministry of Foreign Affairs, 20 June 2019](#)

⁷⁵ [HO FFM report, HDP, 20 June 2019](#)

⁷⁶ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

⁷⁷ [HO FFM report, Federation of Womens' Associations, 18 June 2019](#)

5.7.3 When asked whether less educated women and girls may call the helpline, Ms Gullu answered, 'The Federation of Womens' Associations put advertisements on television, and they can be seen by everyone, old and young. Even old women call the helpline, it is available in Kurdish and Arabic and in the future we may make it available in English. In the police stations and courts, if there is a Kurdish girl who does not speak Turkish, they can have access to a translator.'⁷⁸

5.7.4 On the subject of education, Ms Gullu stated,

'There is no distinction between Kurdish or Turkish women. However, because of the Kurdish traditional lifestyle structure, most of the time Kurdish women are deprived of education which in turn makes them more prone to violence. [...] Kurdish women are less educated, but this is not just a Kurdish problem; it is a problem for all girls, including those in the Black Sea and Central regions and those in underage marriages.

'There has been a change of legislation in the education system to break it down into a 4+4+4 years system. A child starts school at 6 and education until 10 is mandatory. However before the next stage (10-14), some will be married. Some women are happy about this, they enjoy it. However, this is not strictly a Kurdish issue but an issue across Turkey.'⁷⁹

See [Kurdish language in education and culture](#) and [Attitude to education](#) for further information on this subject.

5.7.5 When asked about arranged marriage, Ms Gullu replied: 'Underage marriage is an issue in the whole of Turkey, not just in the Kurdish regions. When mayors were dismissed in Kurdish areas and "legal" guardians were put in place, shelters which had previously provided support to women in Kurdish areas were closed. [...] In Kurdish areas, arranged marriage is common but it is happening less and less as women are becoming better educated.'⁸⁰

5.7.6 When asked whether a Kurdish woman or girl might marry without parental approval, the Director of a Turkish organisation in the UK stated, 'It is less common now for family approval to be sought, but more so in the more religious sector of Kurdish society.'⁸¹

See also [Likelihood of being recognised as a Kurdish person](#) for further information on women. For further information about the situation for women, see the Country Policy and Information Note on [Turkey: Women fearing gender-based violence](#).

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5.8 Societal discrimination

5.8.1 The HO FFT met a representative from the Ministry of the Foreign Affairs, who stated that there is no societal discrimination⁸².

⁷⁸ [HO FFM report, Federation of Womens' Associations, 18 June 2019](#)

⁷⁹ [HO FFM report, Federation of Womens' Associations, 18 June 2019](#)

⁸⁰ [HO FFM report, Federation of Womens' Associations, 18 June 2019](#)

⁸¹ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

⁸² [HO FFM report, Ministry of Foreign Affairs, 20 June 2019](#)

- 5.8.2 One source told the HO FFT that persons who have previously lived in the east of Turkey may experience some discrimination with regard to education, employment and accommodation, although discrimination with regard to accommodation is not much. The source stated that there is discrimination against Kurds in Ankara. Kurdish people may send their children to private schools because they are more likely to be accepted there. The same person further stated that there is no discrimination towards Kurds from the state and there is no direct discrimination in law, but discrimination can happen at a societal level⁸³.
- 5.8.3 A representative from a confederation of trade unions stated, 'if you are in a small town that is very pro-government and very nationalist, you may face discrimination for being a Kurd.'⁸⁴ He felt that society is following the direction of the government by exploiting and oppressing Kurdish people⁸⁵.
- 5.8.4 The HO FFT also met an HDP MP, who stated that Kurds do not feel safe in Turkey, adding that a nationalism in Turkey is increasing⁸⁶.
- 5.8.5 In October 2019, Deutsche Welle reported:
- 'National fervor is simmering in Turkey, as the country pursues its military offensive against Kurdish militias in northern Syria. Critics say that sentiment is behind a rise in discrimination against Kurds in the country, many of whom are Turkish citizens. Media reports about the issue have been on the rise as well.
- 'Ekrem Yasli is one victim. On October 15 [2019], the 74-year-old man was accompanying his wife to a hospital in Canakkale, on Turkey's northwestern coast, when another man attacked him, reportedly for speaking Kurdish. [...] The man was charged, then acquitted, supposedly due to lack of evidence pointing to an anti-Kurdish motive. "There is no concrete evidence for this vague claim," said the local state prosecutor's office, rejecting the case.
- 'Yasli's attorney, Necibe Inci Incesagir, told DW the fact that no police report was released denied her any opportunity to find out exactly what the investigation turned up. All she could say was that her client "had a serious head injury as a result." The elderly man could only report that the suspect appeared to be psychologically disturbed, but did not know if he had been arrested. [...]
- 'Anti-Kurdish sentiment is on the rise, the lawyer said, especially due to the military operation in northern Syria. "The number of attacks always increases whenever polarization increases, whenever Kurdish politicians are detained and when the criminalization for being Kurdish gets stronger," she said, adding there needs to be more conciliatory rhetoric, rather than stoking social division. [...]
- 'The recent hospital attack is reminiscent of a racist hate crime in December 2018. A 43-year-old Kurd, Kadir Sakci, was shot and killed in the Black Sea

⁸³ [HO FFM report, Anonymous source, 19 June 2019](#)

⁸⁴ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

⁸⁵ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

⁸⁶ [HO FFM report, HDP, 20 June 2019](#)

province of Sakarya. His 16-year-old son was seriously injured. The two were speaking Kurdish when they were attacked.

'The suspect is reported to have asked if they were "Kurdish or Syrian." When they responded "Kurdish," the man opened fire. Sakci died at the scene. His son remains in a hospital. Here, too, the Sakarya governor ruled out racism, saying the incident had no "ethnic background."

"Upon reviewing the investigation, it seems to us that the state prosecutor tried to treat the incident like a normal murder," Veysi Eski, a lawyer with the Turkish Human Rights Association (IHD), told DW. Moreover, he explained, "the prosecutor appears not to have taken into consideration that the suspect first asked the victims about their Kurdish background. We're still waiting for a court ruling, possibly on December 6." [CPIT was unable to obtain information about this at the time of writing.]

'But on a deeper level, says the lawyer, the state's explanation is a red herring: "It doesn't matter whether they are Syrians or Kurds. This was a murder [that happened] because it was 'the other.'" Eski views a widespread rise in discriminatory language in Turkey as doing a favor for these kinds of crimes. "These murders remain hidden. It's a disgrace for our system of justice," he said.

'Another case made headlines shortly after Turkey began its offensive in northern Syria. Sirin Tosun died in an intensive care unit on October 13 [2019], from injuries sustained at the end of August while on his way to collect hazelnuts with his family in Adapazari, also in Sakarya province. Six people beat and shot him, allegedly for speaking Kurdish.

'Hate speech and racism across Turkish society provide a breeding ground for these brutal attacks, said Eren Keskin, the rights group's [Turkish Human Rights Association (IHD)] co-director. Attacks are rising, she said, because the state is not consistently prosecuting the perpetrators of such violence. Keskin says that the societal oppression under Turkish President Recep Tayyip Erdogan's ruling Justice and Development party and the rise in hate speech and violent attacks cannot be separated. "Kurds are attacked so often, women are subjected to such violence, and there is so much hatred on social media. Because they [the perpetrators] know the state is behind them. They feel so safe - they know that nothing will happen to them. Because there is no sanction by the state," the human rights expert told DW.⁸⁷

See [Kurdish language in education and culture](#), [Attitude to education, Employment](#) and [Accommodation](#) for further information on these subjects.

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Section 6 last updated: 17 January 2020

⁸⁷ DW, 'Kurds in Turkey increasingly subject to violent hate crimes,' 22 October 2019, [url](#)

6. State treatment of Kurds

6.1 Kurds in public life

- 6.1.1 When the HO FFT met a representative from the Ministry of Justice, he stated that there are many Kurdish MPs in parliament, in the ruling and opposition party, and in the Court of Cassation, and who are judges⁸⁸.
- 6.1.2 The HO FFT also met the Turkish Ombudsman, a man of Kurdish origin, who stated that he has been in the position of Ombudsman for two and a half years. Furthermore, he has been a Member of Parliament for four terms and head of the parliamentary Petition Committee, which oversees allegations of human rights conditions in Turkey, for the last seven years⁸⁹.
- 6.1.3 Canan Gullu, President of the Federation of Womens' Associations, told the HO FFT, 'An ex-Minister of Interior has Kurdish origin and the current Minister of Justice has Kurdish descent. In Turkey, to enjoy civil rights you do not have to be a Turkish person but you do have to be born in Turkey and to live in the country. There is nothing to say that if you are Kurdish you cannot be a judge or a doctor; people of Kurdish origin are not prevented from being part of anything.'⁹⁰
- 6.1.4 A representative of a confederation of trade unions told the HO FFT, 'The government have Kurds who are pro-government, who support the AKP. Kurdish ministers and civil servants are not discriminated against if they are pro-government. If you empathise with Kurdish ethnicities and identity, then you are discriminated against.'⁹¹

See [Employment](#) and [Kurdish political views](#) for further information on these subjects.

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6.2 Conflation with the PKK

- 6.2.1 Foreign Policy, an American news outlet reporting on international news and policy, reported as follows in October 2019: 'In Turkey, support for the PKK, which Ankara and Washington consider a terrorist group, has long been grounds for dismissal or imprisonment. But what exactly constitutes support is subject to the state's discretion, and the line is by no means fixed. Instead, it ebbs and flows, determined by developments in the ongoing conflict between the government and Kurdish separatists—or by the election cycle.'⁹²
- 6.2.2 The HO FFT met Andrew Gardner of Amnesty International, who stated, 'The Turkish state regards people who are pro-autonomy or who are seen as against the government or defending Kurdish rights as within the political influence of the PKK; the Turkish state criminalises these people. The definition of terrorism in Turkey has gone beyond what it is. It defines it as being within political aims/scope rather than violent methods. For example,

⁸⁸ [HO FFM report, Ministry of Justice, 21 June 2019](#)

⁸⁹ [HO FFM report, Turkish Ombudsman's Office, 20 June 2019](#)

⁹⁰ [HO FFM report, Federation of Womens' Associations, 18 June 2019](#)

⁹¹ [HO FFM report, Confederation of trade unions, 21 June 2019](#)

⁹² Foreign Policy, 'Turkey's Crackdown on Kurdish Mayors Could Backfire,' 21 October 2019, [url](#)

anyone who speaks out against the government on issues of Kurdish rights could be argued in the current context to be supporting the PKK, or anyone criticizing the post-coup cases, to be supporting FETO.’⁹³

- 6.2.3 Mr Gardner pointed to the former chair and director of Amnesty International Turkey having both been charged with terrorism-related offences. He suggested that ‘charging someone with terrorism is now a tool to attack people who don’t support the government’ and believed that ‘The laws and legislation have not changed a lot, but the practice has changed.’⁹⁴ He also added, ‘Criticism of the government in relation to the Kurdish issues can be used to charge people with terrorist propaganda. Continuously criticising the government, you could be charged with not only propaganda for a terrorist group but also being a member of a terrorist organisation.’⁹⁵
- 6.2.4 An HDP MP told the HO FFT, ‘The level of evidence accepted to be arrested and charged under the propaganda for a terrorist organisation is very low. It could be anything interpreted as against the government, for example I do not want my child to die in Turkey or I want peace in Turkey. 7,000 people are in prison for political reasons but not all are HDP members, they are people who have supported, sympathised or had a political or Kurdish opinion.’⁹⁶
- 6.2.5 The HO FFT met Murat Celikkan, Director of Hafiza Merkezi, who claimed that ‘Over the last 5-6 years there have been social workers in the presidency whose job it is to go through social media. There is most likely another group employed by the Minister of Interior to also monitor peoples’ accounts. Certain words will be picked up by these people and they will track you this way.’⁹⁷ Mr Celikkan also felt internet freedom decreased following the coup attempt⁹⁸.
- 6.2.6 A human rights lawyer told the HO FFT that communication is monitored by the police and, ‘[...] if you post anything to do with government buildings or departments you can be arrested. Police or hardcore AKP supporters will pick up on tweets. Cem Kucuk [a journalist] targets people who do not support the AKP; they will be arrested. These people are called “trolls”. The government pay hundreds of people to check social media to find people who tweet or use hashtags criticising the government.’⁹⁹
- 6.2.7 A human rights lawyer suggested to the HO FFT that the police conduct random checks, which includes looking at social media on peoples’ phones. The source described this as ‘not an advanced process of stopping/searching’ but ‘if you have darker skin (from the east of Turkey), they will they check Twitter, Instagram, Facebook’¹⁰⁰.

⁹³ [HO FFM report, Amnesty International, 18 June 2019](#)

⁹⁴ [HO FFM report, Amnesty International, 18 June 2019](#)

⁹⁵ [HO FFM report, Amnesty International, 18 June 2019](#)

⁹⁶ [HO FFM report, HDP, 20 June 2019](#)

⁹⁷ [HO FFM report, Truth, Justice and Memory Centre, 18 June 2019](#)

⁹⁸ [HO FFM report, Truth, Justice and Memory Centre, 18 June 2019](#)

⁹⁹ [HO FFM report, Human rights lawyer, 17 June 2019](#)

¹⁰⁰ [HO FFM report, Human rights lawyer, 17 June 2019](#)

- 6.2.8 The HO FFT met with the Director of a Turkish organisation in the UK who claimed that ‘A person can be in prison for 6 months or so for sending a political tweet; they are accused of having links with the PKK, and a person does not have to be well-known to receive such treatment.’¹⁰¹
- 6.2.9 The HO FFT met an HDP MP, who perceived that the government consider HDP supporters as terrorists, and consider Kurds as HDP supporters¹⁰². The Director of a Turkish organisation in the UK also thought that the government assumes that all Kurds are PKK supporters¹⁰³. However, a representative of the Turkish Ministry of Justice stated that anyone who commits crime in the name of the PKK or any other terrorist organisation will be prosecuted and convicted if there is evidence, whether they are Turkish, Kurdish or Syrian. Prosecutors will focus on activities, not ethnicity¹⁰⁴.
- 6.2.10 Sebnem Financi of the Human Rights Foundation of Turkey (HRFT) told the HO FFT, ‘Shepherds and ordinary Kurdish people from Kurdish villages are in jail for allegedly supporting the PKK or have given shelter and food to PKK.’¹⁰⁵
- 6.2.11 The human rights lawyer told the HO FFT, ‘Some traditional clothes are worn by men along the Turkey/Iraq border, but you cannot wear traditional clothes away from the border because they look very similar to the PKK uniform [and this has been used by the authorities as evidence to arrest people].’¹⁰⁶
- 6.2.12 Another source told the HO FFT that, following the killing of 34 Kurdish people from a village called Roboski by the Turkish military, who had mistaken them for PKK operatives, one of the relatives pursuing justice for those killed had been arrested; the source believed that this family member had been targeted by the authorities in order to send a warning to the rest of the family. He stated that individuals are targeted by the authorities, especially if they are well-known, in order to intimidate others¹⁰⁷.

For further information, please see [Likelihood of being recognised as a Kurdish person](#) and Country Policy and Information Notes on [Turkey: PKK](#) and [Turkey: Kurdish political parties](#).

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6.3 Approach of the government and others in authority

- 6.3.1 Foreign Policy published an article in October 2019, which stated:
- ‘In August [2019], Imamoglu [Ekrem Imamoglu, mayor of Istanbul and member of the Republican People’s Party, or CHP], his position newly secured, paid a visit to Diyarbakir, in the heart of Turkey’s Kurdish region. He visited the grave of a slain Kurdish human rights lawyer. He stopped by a restaurant to grill liver, a local favorite. And he met with two of the Kurdish

¹⁰¹ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

¹⁰² [HO FFM report, HDP, 20 June 2019](#)

¹⁰³ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

¹⁰⁴ [HO FFM report, Ministry of Justice, 21 June 2019](#)

¹⁰⁵ [HO FFM report, HRFT, 17 June 2019](#)

¹⁰⁶ [HO FFM report, Human rights lawyer, 17 June 2019](#)

¹⁰⁷ [HO FFM report, 17 June 2019](#)

mayors elected to office the same as he had, only to be dismissed over claims they were too close to the PKK.

“It’s unacceptable to apply different rules, to separate some voters, political parties, and elected persons from others,” he said. “This is dangerous discrimination.” Imamoglu likely sees a risk that he and other CHP mayors could one day be branded terrorists in the same manner. In September [2019], for instance, Turkey’s interior minister, Suleyman Soyly, warned that his department was watching Imamoglu’s ties with the HDP closely. “Do your job,” Soyly said. “If you are busy with other things besides doing your job, we will ruin you.”¹⁰⁸

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6.4 Freedom of assembly

6.4.1 In a report dated May 2019, the European Commission stated:

‘There was further backsliding in the area of freedom of assembly and association, where the legislation and its implementation are not in line with European standards and do not abide by the Turkish Constitution. The applicable ECtHR case law on freedom of assembly needs to be implemented without delay, and relevant national laws need to be revised accordingly. The implementation of legislation resulting from the state of emergency expanded the administration’s powers to limit the right to peaceful assembly. [...] [A] ECtHR judgment on *İmret v. Turkey* (no.2) is related to the Kurdish issue, and calls for legal amendments to vague provisions defining a terrorism-related criminal activity, in this case participation in public demonstrations, based on Articles 220 (7) and 314 of the Criminal Code. [...]

‘While a number of commemoration ceremonies and meetings were allowed, many events and demonstrations relating to the Kurdish issue or organised by the opposition groups were prohibited on security grounds.’¹⁰⁹

6.4.2 Andrew Gardner of Amnesty International explained to the HO FFT that meetings and rallies could be held, if permission was acquired beforehand, but ‘Article 2911, which is the law on assembly and demonstrations, allows someone to be charged for unlawful assembly and demonstrations. This law is applied routinely to any demonstration on Kurdish rights or by pro-Kurdish groups [...].’¹¹⁰

See [Newroz celebrations](#) for further information on freedom of assembly for Kurdish people. See also the Country Policy and Information Notes on [Turkey: PKK](#) and [Turkey: Kurdish political parties](#) for further information on this subject.

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6.5 Newroz celebrations

6.5.1 The Kurdish Project, an initiative to raise awareness in western culture of Kurdish people, explained the meaning of Newroz:

¹⁰⁸ Foreign Policy, ‘Turkey’s Crackdown on Kurdish Mayors Could Backfire,’ 21 October 2019, [url](#)

¹⁰⁹ European Commission, ‘Commission Staff Working Document, Turkey [...],’ 29 May 2019, [url](#)

¹¹⁰ [HO FFM report, Amnesty International, 18 June 2019](#)

‘Newroz is the Kurdish celebration of the Persian new year holiday “Nowruz.” Kurdish Newroz coincides with the Spring Equinox, and is a festival celebrating the beginning of spring. Over the years, Newroz has come to represent new beginnings, as well as an opportunity to support the Kurdish cause. For these reasons, Newroz is considered to be the most important festival in Kurdish culture. Typically the festival is celebrated in the days running up to the Spring Equinox [...].’¹¹¹

6.5.2 The representative from the Ministry of Foreign Affairs stated that Kurdish people are free to celebrate Newroz and do not need permission to do so¹¹².

6.5.3 The Director of a Turkish organisation in the UK stated, ‘Kurds were permitted to celebrate Newroz in 2002 for the first time. These celebrations attract a large number of people and so the authorities see them as a threat. In some cities celebrations are allowed, but the police will nevertheless attack attendees.’¹¹³

6.5.4 The HDP MP stated:

‘Newroz was banned in 2016 but it is not banned anymore. Under the law on assembly and demonstration, you need to apply to the local governors for permission. Newroz is held on 21 March and you need to apply in advance, get permission and then hold the celebration, you can only celebrate it on the 21 March, in general it is accepted. You cannot celebrate Newroz in a closed space because the celebration includes a fire, there are historical and social significance of this, and the right to celebrate this is at the discretion of government officials.’¹¹⁴

6.5.5 Freedom House reported in February 2019: ‘The conflict with the PKK has been used to justify discriminatory measures against Kurds, including the prohibition of Kurdish festivals for security reasons [...].’¹¹⁵ In March 2019, Alaraby (a pan-Arab media outlet with headquarters in London) stated, ‘Kurdish celebrations of Newroz in Turkey are a highly contentious issue as the Turkish government often views the festivities as a manifestation of separatist nationalism. Turkey sometimes bans celebrations in different cities, such as in Istanbul and Ankara in 2016, and tens of arrests were made at Newroz festivities across the country [in 2018].’¹¹⁶ Also in March 2019, Ahval (an independent on-line news site) reported:

‘Turkish authorities permitted the celebrations in the southeast but a massive amount of police officers were called on duty to follow the rallies. The annual Kurdish celebrations are a highly contentious issue in Turkey, which is home to some 15 million Kurds.

‘Ankara sees the festivities as a manifestation of separatist nationalism and maintains heavy control over them often banning events in large cities as in Istanbul and Ankara.

¹¹¹ The Kurdish Project, ‘Kurdish Newroz,’ undated, [url](#)

¹¹² HO FFM report, Ministry of Foreign Affairs, 20 June 2019

¹¹³ HO FFM report, Turkish organisation based in the UK, 7 May 2019

¹¹⁴ HO FFM report, HDP, 20 June 2019

¹¹⁵ Freedom House, ‘Freedom of the World 2019’, 4 February 2019, [url](#)

¹¹⁶ Alaraby, ‘Turkey bans Newroz celebrations for Syrian Kurds in Afrin,’ 17 March 2019, [url](#)

‘The festival has an important place in terms of Kurdish identity for the majority of Kurds, mostly in Iraq, Turkey and Syria. With the long-disputed Kurdish question in Turkey, the revival of the Newroz celebration has become more intense and politicised.’¹¹⁷

See [Freedom of assembly](#) for further information on this subject.

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6.6 Journalists and publishing

6.6.1 The USSD HR Report 2018 stated, ‘The government [...] characterized those working for Kurdish language outlets as “terrorists” for their alleged ties to the PKK, regardless of their previous work. Information about and access to Kurdish outlets’ imprisoned staff was therefore limited.’¹¹⁸

6.6.2 Human Rights Watch reported in January 2019: ‘Journalists working for Kurdish media in Turkey continued to be arrested and jailed repeatedly, obstructing critical reporting from the southeast of the country.

‘After a police raid in March [2018] on the pro-Kurdish newspaper Free Democracy (Özgürlükçü Demokrasi), its journalists and other workers were detained and its printing works and assets turned over to the state. The newspaper was closed by decree in July, and 21 printworkers and 14 journalists are being prosecuted in separate trials. A total of 13 printworkers and journalists were being held in pretrial detention at time of writing.’¹¹⁹

6.6.3 The USSD HR Report 2018 continued,

‘Nearly all private Kurdish-language newspapers, television channels, and radio stations remained closed on national security grounds under government decrees, although a Kurdish-language radio and television station, Amed Radio-Television, opened following the end of the state of emergency in July [2018].

[...]

‘On July 12 [2018], police in Diyarbakir raided the offices of Kurdish publication JinNews and confiscated the new organization’s computers. On June 28 [2018], Istanbul police also raided the office of the Sendika.org news website as part of an investigation into Editor in Chief Ali Ergin Demirhan, who was briefly detained on May 28 [2018] on charges of promoting “terrorist propaganda” in a column titled, “We Can Stop Dictatorship.”

[...]

‘Journalists currently 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 Kurdish-language outlets.’¹²⁰

¹¹⁷ Ahval, ‘Kurds rally for Newroz celebrations in Istanbul ahead of March [...],’ 24 March 2019, [url](#)

¹¹⁸ USSD HR Report 2018, Turkey, 13 March 2019, [url](#)

¹¹⁹ HRW, World Report 2019, Turkey, Events of 2018, 17 January 2019, [url](#)

¹²⁰ USSD HR Report 2018, Turkey, 13 March 2019, [url](#)

6.6.4 The Australian DFAT report of October 2018 stated, ‘Authorities have prosecuted or detained several journalists currently or formerly affiliated with Kurdish outlets for alleged links with the PKK or for “spreading terrorist propaganda”. Many Kurdish journalists, including those working in the south-east, have reported threats, physical violence, and criminal investigations from state authorities.’¹²¹

6.6.5 The USSD HR Report 2018 further stated:

‘The TPA [Turkish Publisher’s Association] reported publishers often exercised self-censorship, avoiding works with controversial content (including government criticism, erotic content, or proKurdish content) that might draw legal action. The TPA reported that publishers faced publication bans and heavy fines if they failed to comply in cases in which a court ordered the correction of offensive content. Publishers were also subject to book promotion restrictions. In some cases, prosecutors considered the possession of some Kurdish language, pro-Kurdish, or Gulenist books to be credible evidence of membership in a terror organization. In other cases, authorities directly banned books because of objectionable content. For example, in May [2018] courts banned at least nine Kurdish books written in Turkish, citing counterterrorism. Avesta, the Kurdish publishing company, stated the books included a biography of Kurdish leader Mustafa Barzani and Yezidi religious books. In October police confiscated copies of an Avesta book on Sheikh Ubeydullah and the Kurdish Uprising of 1880 at the Batman Book Fair and detained the publishing company’s staff.’¹²²

For further information about the media in Turkey, see the [Turkey Country Background Note](#).

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6.7 Civil society and cultural rights

6.7.1 In a report dated October 2018, the Australian DFAT noted, ‘In June 2018, human rights defenders in Diyarbakir reported that there were now no private or municipal Kurdish-oriented organisations left in the south-east: authorities had closed theatres, kindergartens, and language schools.’¹²³

6.7.2 The USSD HR Report 2018 stated, ‘Hundreds of Kurdish civil society organizations [...] closed by government decree in 2016 and 2017, after the coup attempt remained closed.’¹²⁴

6.7.3 In a report dated May 2019, the European Commission stated, ‘Particular restrictions exist on Kurdish language and literature: there are reports about the dismissal of Kurdish academics and lecturers, partly facing terrorism-related investigations, the closure of Kurdish language NGOs and institutions, pressure on Kurdish media, and bans on Kurdish books. In the south-east, several commemorative and literary monuments marking

¹²¹ Australian DFAT, Country Information Report, Turkey, 9 October 2018, [url](#)

¹²² USSD HR Report 2018, Turkey, 13 March 2019, [url](#)

¹²³ Australian DFAT, Country Information Report, Turkey, 9 October 2018, [url](#)

¹²⁴ USSD HR Report 2018, Turkey, 13 March 2019, [url](#)

Kurdish personalities, as well as events and bilingual street signs, were removed by appointed trustees and authorities.¹²⁵

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6.8 Government human rights violations

- 6.8.1 The DFAT Country Information Report of October 2018 noted that, 'Human rights observers report that both the government and PKK have taken insufficient measures to protect civilian lives.'¹²⁶
- 6.8.2 The USSD HR Report 2018 stated that 'There were credible allegations that the government contributed to civilian deaths in connection with its fight against the terrorist PKK organization in the southeast, although at a markedly reduced level compared with previous years.'¹²⁷
- 6.8.3 The same report stated that 33 civilians were killed in clashes between the government and PKK in the first 11 months of 2018 and added, 'Human rights groups stated the government took insufficient measures to protect civilian lives in its fight with the PKK in the southeast.'¹²⁸ The report added, 'The government did not release information on efforts to investigate or prosecute personnel for any wrongful or inadvertent deaths of civilians linked to counter-PKK security operations.'¹²⁹
- 6.8.4 The Office of the United Nations High Commissioner for Human Rights (OHCHR) published a report dated February 2017 concerning the security situation in south-east Turkey between July 2015 and December 2016, particularly in relation to government activity; this report stated:
- '[OHCHR] documented numerous cases of excessive use of force; killings; enforced disappearances; torture; destruction of housing and cultural heritage; incitement to hatred; prevention of access to emergency medical care, food, water and livelihoods; violence against women; and severe curtailment of the right to freedom of opinion and expression as well as political participation. The most serious human rights violations reportedly occurred during periods of curfew, when entire residential areas were cut off and movement restricted around-the-clock for several days at a time.'¹³⁰
- 6.8.5 In a report dated October 2018, DFAT stated 'International and domestic observers have reported that the government's response to both the resumption of conflict in the south-east between the government and the PKK, and to the July 2016 attempted coup, have significantly affected the rights and freedoms of Kurds. In particular, security operations since 2015 have resulted in significant hardship for local residents in the south-east.'¹³¹
- 6.8.6 In the 'Freedom in the World 2019' report, Freedom House stated, 'The conflict with the PKK has been used to justify discriminatory measures against Kurds, including the prohibition of Kurdish festivals for security

¹²⁵ European Commission, 'Commission Staff Working Document, Turkey [...]', 29 May 2019, [url](#)

¹²⁶ DFAT, Country Information Report, Turkey, 9 October 2018, [url](#)

¹²⁷ USSD, 'HR Report 2018,' Turkey, 13 March 2019, [url](#)

¹²⁸ USSD, 'HR Report 2018,' Turkey, 13 March 2019, [url](#)

¹²⁹ USSD, 'HR Report 2018,' Turkey, 13 March 2019, [url](#)

¹³⁰ OHCHR, 'Report on the human rights situation in South-East Turkey, [...]', February 2017, [url](#)

¹³¹ DFAT, Country Information Report, Turkey, 9 October 2018, [url](#)

reasons and the reversal of Kurdish municipal officials' efforts to promote Kurdish language and culture. Many Kurdish-language schools and cultural organizations have been shut down by the government since 2015.'¹³²

6.8.7 The USSD HR Report 2018 further noted the expropriation of properties in the south-east by the government:

'Extensive damage stemming from government/PKK fighting led authorities in 2016 to expropriate certain properties in specific districts of the southeast to facilitate post-conflict reconstruction. Many of these areas remained inaccessible to residents at year's end due to reconstruction. In Diyarbakir's Sur District, the government expropriated properties for the stated goal of "post-conflict reconstruction" and had not returned or completed repairs on any of the properties, including the historic and ancient Sur District of Diyarbakir Province, Kursunlu Mosque, Hasirli Mosque, Surp Giragos Armenian Church, Mar Petyun Chaldean Church, Syriac Protestant Church, and the Armenian Catholic Church. Some affected residents filed court challenges seeking permission to remain on expropriated land and receive compensation; many of these cases remained pending at year's end. In certain cases, courts ruled to award compensation to aggrieved residents, although the latter complained it was insufficient. Overall numbers of those awarded compensation was unavailable at year's end.

'Government actions and adverse security conditions limited journalists' and international observers' access to affected areas, which made monitoring and assessing the aftermath of these urban conflicts difficult.'¹³³

For information about curfews and internally displaced persons as a result of government/PKK clashes, see the Country Policy and Information Note on [Turkey: PKK](#).

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6.9 Internally displaced persons (IDPs)

6.9.1 The USSD HR Report 2018 stated:

'The renewal of conflict between the government and the PKK in the southeast in 2015 resulted in hundreds of thousands of IDPs. In some cases those displaced joined IDPs remaining from the conflict between security forces and the PKK between 1984 and the early 2000s. A reduction in urban clashes and government reconstruction efforts during the year permitted some IDPs to return to their homes. Overall numbers remained unclear at year's end.

'The law allows persons who suffered material losses due to terrorist acts, including those by the PKK or by security forces in response to terrorist acts, to apply to the government's damage determination commissions for compensation. The government reported that, between 2004 and June [2018], it had distributed more than 1 billion lira (\$190 million) to more than

¹³² Freedom House, 'Freedom in the World 2019', 4 February 2019, [url](#)

¹³³ USSD, 'HR Report 2018,' Turkey, 13 March 2019, [url](#)

70,000 victims of displacement due to past PKK terrorism in Sirnak province.’¹³⁴

6.9.2 The DFAT report of October 2018 stated:

‘The conflict has caused significant internal displacement: between July 2015 and July 2017, approximately 100,000 people lost their homes and up to 400,000 people reportedly moved to neighbouring suburbs, towns and villages, or to other regions within Turkey. In areas where 24-hour curfews were enforced, large numbers of people were forcibly displaced and prevented from returning to their homes until after the conflict had subsided. Many have still not been able to return to their homes. Owners of houses destroyed in the conflict have reported that financial compensation is conditional on them signing declarations that their property was destroyed by “terrorist activities”. Many report that the amount of financial compensation offered has been insufficient to find replacement housing.’¹³⁵

6.9.3 In the ‘Freedom in the World 2019’ report, Freedom House stated, ‘The conflict with the PKK has resulted in the forced relocation of hundreds of thousands of people, and there is evidence that the government is using curfews and cuts to utilities to push residents out of some areas.’¹³⁶

6.9.4 In a report dated May 2019, the European Commission noted, ‘Despite some reconstruction, only few internally displaced persons have received compensation. There were no visible developments on the resumption of a credible political process to achieve a peaceful and sustainable solution.’¹³⁷

See [Curfews](#) for further information on this subject. For further information on the PKK see the Country Policy and Information Note on [Turkey: Kurdistan Worker's Party \(PKK\)](#).

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6.10 Curfews

6.10.1 Al-Awsat, an Arabic newspaper, reported in July 2019:

‘Turkish authorities imposed a one-day curfew in 16 villages of Tatvan in the southeastern Bitlis region to carry out operations against the banned Kurdistan Workers' Party (PKK). Curfews have been imposed on various occasions in the Kurdish-dominated southeast over the past four years after the collapse of peace negotiations between Turkish authorities and the Kurds. The Turkish army constantly carries out operations in northern and eastern states, such as Van, Sirnak, Mardin, Hakkari, Diyarbakir, Batman and Bingol.

‘In early July [2019], authorities imposed a complete curfew on five regions in the southeastern Hakkari province. In a statement, the office of Hakkari Governor Idris Akbiyik justified the curfew, saying the state was falling victim

¹³⁴ USSD, ‘HR Report 2018,’ Turkey, 13 March 2019, [url](#)

¹³⁵ DFAT, Country Information Report, Turkey, 9 October 2018, [url](#)

¹³⁶ Freedom House, ‘Freedom in the World 2019’, 4 February 2019, [url](#)

¹³⁷ European Commission, ‘Key findings of the 2019 Report on Turkey,’ 29 May 2019, [url](#)

to “acts of sabotage by terrorist separatist organizations and other groups, which has negatively affected its economic and social development.” [...]

‘According to a 2018 Turkish rights report, Diyarbakır witnessed the largest amounts of curfews, with 190, followed by Mardin with 53, Hakkari with 23 and Sirnak with 13.’¹³⁸

6.10.2 Ahval News, an independent news source which reports on Turkey, published the following in March 2019:

‘Turkish authorities declared military curfews in eight villages around the predominantly Kurdish southeastern city of Diyarbakır's Dicle district ahead of March 31 [2019] local elections, a statement released by the governorship of Diyarbakır said on Friday.

‘According to the announcement, eight villages and their hamlets in Dicle district will be ruled under curfew on the grounds of military operations. “Curfew will be in force until a second order to avoid civilian casualties and for the safety of life and property of the citizens,” the statement said.

[...]

‘Turkish authorities have intensified military curfews in mostly Kurdish-populated southeastern provinces since August 2015, after a peace process on Turkey's long-lasting Kurdish question failed.

‘At least 351 curfews have been declared in 11 provinces and 51 districts in Turkey since August 16, 2015, according to data from the Human Rights Foundation of Turkey (TIHV). In the last three and a half years, people living in Diyarbakır have faced curfews 204 times, according to TIHV figures.’¹³⁹

6.10.3 The USSD HR Report 2018 stated:

‘The government continued security operations against the PKK and its affiliates in various areas of the east and southeast. Authorities issued curfews of varying duration in certain urban and rural areas and also decreed “special security zones” in some areas to facilitate counter-PKK operations, which restricted access of visitors and, in some cases, residents. Residents of these areas reported they sometimes had very little time to leave their homes prior to the launch of counter-PKK security operations. Those who remained faced curfews of varying scope and duration that, at times, restricted their movement and complicated living conditions.’¹⁴⁰

6.10.4 In its report of October 2018, DFAT stated:

‘At the peak of the conflict in 2016, state security forces introduced strictly enforced curfews (including 24-hour curfews in some locations) and movement restrictions in 47 districts in 11 provinces, many of which remain in place. In February 2018, the government announced a new series of curfews in several villages and towns of Diyarbakır province. While technically temporary measures, they are frequently renewed.’¹⁴¹

¹³⁸ Asharq Al-Awsat, ‘Turkey Imposes Curfew in 16 Villages [...],’ 29 July 2019, [url](#)

¹³⁹ Ahval News, ‘New curfews in Turkey’s mainly Kurdish southeast ahead of [...],’ 1 March 2019, [url](#)

¹⁴⁰ USSD, ‘HR Report 2018,’ Turkey, 13 March 2019, [url](#)

¹⁴¹ DFAT, Country Information Report, Turkey, 9 October 2018, [url](#)

- 6.10.5 The USSD HR Report 2018 further stated, 'Freedom of movement remained a problem in parts of the east and southeast, where continuing 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.'¹⁴²
- 6.10.6 International Observatory of Human Rights (IHOR) reported in February 2019: 'The Kurdish-dominated cities of Turkey were under continuous curfew [in 2018]. Governors of these cities declared bans on all kinds of protests or public events whenever they felt a stir among the public. The city of Diyarbakir alone has imposed curfews 332 times in the last three years.'¹⁴³

For further information on the PKK see the Country Policy and Information Note on [Turkey: Kurdistan Worker's Party \(PKK\)](#).

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6.11 Numbers detained in connection with counter-terrorism

- 6.11.1 When the HO FFT met the representative from the Ministry of Justice, he stated that there are currently 250,000 people in prison in Turkey; of these, 42,000 are linked to groups considered as terrorist, such as Daesh, PKK and Gulen¹⁴⁴.
- 6.11.2 An HDP MP stated, '7,000 people are in prison for political reasons but not all are HDP members; they are people who have supported, sympathised or had a political or Kurdish opinion.'¹⁴⁵
- 6.11.3 When meeting the HO FFT, Andrew Gardner of Amnesty International put the figure at tens of thousands of people having been under investigation on terror-related crimes since 2015, describing a 'surge in people being arrested and charged with terrorist propaganda' when the Turkish-Kurdish peace process broke down in 2015¹⁴⁶.
- 6.11.4 Murat Celikkan, Director of Hafiza Merkezi, stated, '500,000 people last year [2018] were investigated for being a member of a terrorist organisation. It is easy to assume/suspect that they are members/supportive of terrorist organisations under the anti-terror law.'¹⁴⁷
- 6.11.5 The USSD HR Report 2018 stated:
- 'Throughout the year, courts issued sentences for 28 academics, known as the Academics for Peace, for "terrorist propaganda" after they were among the more than 1,100 signatories of a 2016 petition condemning state violence against Kurds in the southeast and calling for peace. Among them, an Istanbul court sentenced prominent physician and chairwoman of the Human Rights Foundation of Turkey, Sebnen Financi, on December 19

¹⁴² USSD, 'HR Report 2018,' Turkey, 13 March 2019, [url](#)

¹⁴³ IHOR, '2018 in Review: Human Rights Violations in Turkey', 4 February 2019, [url](#)

¹⁴⁴ [HO FFM report, Ministry of Justice, 21 June 2019](#)

¹⁴⁵ [HO FFM report, HDP, 20 June 2019](#)

¹⁴⁶ [HO FFM report, Amnesty International, 18 June 2019](#)

¹⁴⁷ [HO FFM report, Truth, Justice and Memory Centre, 18 June 2019](#)

[2018] to two years and eight months in prison for “spreading terrorist propaganda.”¹⁴⁸

For further information on this subject, see the Country Policy and Information Note on [Turkey: Kurdistan Worker's Party \(PKK\)](#) and the Country Policy and Information Note on [Turkey: Kurdish political parties](#).

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6.12 Treatment in detention

6.12.1 International Observatory of Human Rights (IOHR) reported in February 2019: ‘In prison, certain books were [...] banned. Kurdish prisoners were not given books on the history and culture of the Kurds. Selahattin Demirtas’s best-selling book *Seher* was banned in most prisons. When prisoners asked for published Kurdish books that were not banned, prison authorities asked them to pay for the cost of translating them so the content of the books could be inspected.’¹⁴⁹

6.12.2 The World Organisation Against Torture (OMCT) reported in an open letter to ruling AKP members in June 2019:

‘Between 18 and 21 May 2019, at least 51 persons, including three children, were detained in Halfeti, Urfa during police raids following armed clashes between security forces and the PKK during which a police officer as well as two alleged PKK members were killed. Two other police officers were injured.

‘Images circulated on the internet and eyewitnesses’ testimonies show that during the arrest the detainees were pushed to the floor, handcuffed behind their backs and kept on the ground in stress position for hours. Police officers allegedly also kicked, punched, and hit them with the butt of their weapons. Reportedly, the beating continued in the anti-terrorism branch of Urfa security directorate, where the detainees were taken for interrogation. Some of them told their lawyers that the police threatened, blindfolded them and applied electricity to their bodies and genitals.

‘It was also reported that detainees were not allowed to be examined by a doctor without the presence of police officers and were denied access to legal counseling in the 24h after their arrests. When finally permitted to see a lawyer, the meeting was monitored by video surveillance. Lawyers acting on behalf of some of the detainees reported that many of them presented visible injuries, cuts and bruises to their bodies, legs and faces, but were terrified to speak out for fear of being exposed to even heavier torture.’¹⁵⁰

6.12.3 When meeting the HO FFT, Suleyman Arslan of the National Human Rights and Equality Institution of Turkey (NHREIT) stated that, ‘there is no such thing that people with the same ethnicity are kept in the same prison wings.’¹⁵¹ One source told the HO FFT that prison officers in the west of Turkey will recognise Kurdish prisoners through accent and language, and

¹⁴⁸ USSD HR Report 2018, Turkey, 13 March 2019, [url](#)

¹⁴⁹ IOHR, ‘2018 in Review Human Rights violations in Turkey’, 4 February 2019, [url](#)

¹⁵⁰ OMCT, ‘Turkey: OMCT conveys deep concern to authorities regarding recent [...]’, June 2019, [url](#)

¹⁵¹ [HO FFM report, National Human Rights and Equality Institution of Turkey, 21 June 2019](#)

they will be aware that they are likely to be charged with terrorism¹⁵². Several sources suggested that Kurds are treated worse than Turks in detention^{153,154,155}. An executive from the Human Rights Association thought that Kurds will be tortured in prison¹⁵⁶.

- 6.12.4 Referring to torture in police custody, the executive from the Human Rights Association stated, 'First and foremost, it depends on the province or region and the reason why the person was detained' [...].¹⁵⁷ They also gave some specific examples of situations (see [Report of Home Office fact-finding mission to Turkey, June 2019 \(notes of meeting with the Human Rights Association of Turkey, 21 June 2019\)](#)). Andrew Gardner of Amnesty International acknowledged that torture is not used in every prison or with every prisoner. Mr Gardner also described how 'Ill-treatment and systematic torture in Turkey is complicated.'¹⁵⁸
- 6.12.5 However, several sources told the FFT that torture took place in the initial stages of police custody and not in prison^{159, 160, 161}. Two sources agreed that torture is not used in every prison or with every prisoner. A Human Rights Lawyer stated that prison conditions are better than most of Europe¹⁶².
- 6.12.6 One source told the HO FFT that sick people are not always treated appropriately in prison, such as those who were wounded following fighting in 2015. During the recent Kurdish hunger strikes, there was insufficient medical care¹⁶³.
- 6.12.7 On 2 December 2019, Duvar English, a Turkish news source, stated: 'Former HDP co-chair Selahattin Demirtaş was taken to hospital on Dec. 2 [2019], nearly a week after losing consciousness due to chest tightness and inability to breathe. [...]
- 'Earlier on Dec. 2, Aygül Demirtaş [sister of Selahattin Demirtaş] announced on social media that the former HDP leader had not been still taken to the hospital despite losing consciousness on Nov. 26.
- 'Just hours after Aygül Demirtaş tweeted the information, the chief prosecutor in the western province of Edirne, where Demirtaş is being held, said that initial tests on Nov. 26 "had indicated no health issues."
- 'It said appointments were made at a hospital to conduct detailed tests, and Demirtaş had been transferred to the hospital on Dec. 2. "After Selahattin Demirtaş, who is jailed at the Edirne F Type Prison, on Nov. 26 notified the

¹⁵² [HO FFM report, Anonymous source, 19 June 2019](#)

¹⁵³ [HO FFM report, HDP, 20 June 2019](#)

¹⁵⁴ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

¹⁵⁵ [HO FFM report, HRFT, 17 June 2019](#)

¹⁵⁶ [HO FFM report, Human Rights Association of Turkey, 21 June 2019](#)

¹⁵⁷ [HO FFM report, Human Rights Association of Turkey, 21 June 2019](#)

¹⁵⁸ [HO FFM report, Amnesty International, 18 June 2019](#)

¹⁵⁹ [HO FFM report, Turkey, 2019, Truth, Justice and Memory Centre, 18 June 2019](#)

¹⁶⁰ [HO FFM report, Turkey, 2019, anonymous source, 19 June 2019](#)

¹⁶¹ [HO FFM report, Turkey, 2019, Human Rights Association of Turkey, 21 June 2019](#)

¹⁶² [HO FFM report, Turkey 2019, Human Rights Lawyer, 17 June 2019](#)

¹⁶³ [HO FFM report, Anonymous source, 19 June 2019](#)

prison management that he fell ill, 112 medical emergency/ambulance hotline was called, and his initial inspection was undertaken by the doctor who came and the necessary examinations were conducted,” Edirne’s Chief Prosecutor’s Office said.

““Even though no health issue detected, the necessary appointments were made and he [Demirtaş] was today transferred to Trakya University Medical School Hospital for more detailed tests to be conducted,” the prosecutor’s office said.’¹⁶⁴

For further information about detention conditions, medical care, monitoring of detention centres and complaints and avenues of redress, see the Country Policy and Information Notes on [Turkey: PKK](#) and [Turkey: Kurdish political parties](#).

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6.13 Conditions of release from detention

- 6.13.1 Speaking to the HO FFT, the Director of a Turkish organisation in the UK stated, ‘Sabri Ok is one example of a Kurdish prisoner suspected of PKK involvement; as a condition of release from prison, he was forced to do military service for Turkey as a way of humiliating him and sending a warning to others.’¹⁶⁵
- 6.13.2 Andrew Gardner of Amnesty International told the HO FFT, ‘There are many reports on people being released after arrest and detention on the condition of being an informant for the police.’¹⁶⁶ An executive from the Human Rights Association pointed to [their report on the subject](#). They suggested that Kurdish university students and journalists are the main targets to be forced to become informants. The source stated ‘They were asked to spy on everyone who is in opposition to the Government and is therefore seen as “dangerous” to the state, such as left-wing and Kurdish people.’¹⁶⁷ The Director of a Turkish organisation in the UK also believed the authorities attempt to recruit Kurds as informants, especially if the family is involved in politics¹⁶⁸.
- 6.13.3 The representative from the Ministry of Justice told the FFT that a person is not monitored on release from detention unless there is a reasonable suspicion against them, in which case, law enforcement officers will monitor or investigate in line with the rule of law. A person may be given parole on certain conditions, but if they commit a further crime, they must serve the remainder of the sentence¹⁶⁹.
- 6.13.4 The Director of a Turkish organisation in the UK stated, ‘The authorities continue to watch a person once they have been released as they are likely to become more politicised in prison, and to be angered by being imprisoned, and quite possibly been treated badly whilst there. A person

¹⁶⁴ Duvar English, ‘Demirtaş underwent medical check-up, test results [...],’ 2 December 2019, [url](#)

¹⁶⁵ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

¹⁶⁶ [HO FFM report, Amnesty International, 18 June 2019](#)

¹⁶⁷ [HO FFM report, Human Rights Association of Turkey, 21 June 2019](#)

¹⁶⁸ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

¹⁶⁹ [HO FFM report, Ministry of Justice, 21 June 2019](#)

may be imprisoned multiple times.’¹⁷⁰ The same source stated that a person may be required to report regularly to the police, whether they are high-profile or not¹⁷¹.

6.13.5 The human rights lawyer said:

‘When people are arrested on charges of terrorism, the authorities still track people after they have been released from prison and by the time they get to the prison gate, they are arrested again on different charges. Prosecutors can object to your release. HDP MPs were being released in 2017, and the prosecutor would object, but this is illegal. There was not a legal ground for that, however they brought an amendment with state of emergency decrees for such legal grounds. They do this to anyone they do not like.’¹⁷²

6.13.6 Sebnem Financi of the HRFT stated, ‘After detention, you have your passport taken away from you, they are on probation, they can’t travel, academics have been dismissed from jobs.’¹⁷³

For further information about possible conditions for release from detention, see the Country Policy and Information Notes on [Turkey: PKK](#) and [Turkey: Kurdish political parties](#).

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6.14 Judicial system

6.14.1 The HO FFT met Sebnem Financi of HRFT, who declared, ‘Lawyers do not wish to represent people from Gulenist movement and some nationalist Bar Associations of the western cities had problems with Kurds as well.’¹⁷⁴ Ms Financi further stated that not all Kurdish people have sufficient funds or are fully aware of legal processes, but there are lawyers, such as Ozgurlukcu Hukukcular Dernegi, who offer their services to the Kurdish people. She added that political prisoners have contacts for lawyers, and most people have access to lawyers through friends who would make arrangements outside prison¹⁷⁵.

6.14.2 When questioned by the HO FFT, the representative from the Turkish Ministry of Justice stated that the right of suspects and accused persons to use their own language is protected. A public prosecutor or judge must provide a translator if the person cannot speak Turkish and the State will pay for this. If the person can speak Turkish but states that they would prefer to make their defence or submission in Kurdish, for example, they are allowed to do so, but in this case, the person must pay for the translator¹⁷⁶. The representative from the Ministry of Justice confirmed that translators are provided if parties to the trial case require them¹⁷⁷.

See [Kurdish language](#) and [Kurdish language in education and culture](#) for further information on this subject. For further information about the judiciary,

¹⁷⁰ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

¹⁷¹ [HO FFM report, Turkish organisation based in the UK, 7 May 2019](#)

¹⁷² [HO FFM report, Human rights lawyer, 17 June 2019](#)

¹⁷³ [HO FFM report, HRFT, 17 June 2019](#)

¹⁷⁴ [HO FFM report, HRFT, 17 June 2019](#)

¹⁷⁵ [HO FFM report, HRFT, 17 June 2019](#)

¹⁷⁶ [HO FFM report, Ministry of Justice, 21 June 2019](#)

¹⁷⁷ [HO FFM report, Ministry of Justice, 21 June 2019](#)

including judicial independence and fair trials, see Country Policy and Information Notes on [Turkey: Kurdish political parties](#) and [Turkey: PKK](#).

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6.15 Military service

- 6.15.1 For information about military service in Turkey and the treatment of Kurds, see the Country Policy and Information Note on [Turkey: Military service](#).

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Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Background
 - History
 - Demography
 - Legal and constitutional framework, including anti-discrimination legislation and anti-terrorism laws
- Treatment of Kurds
 - Language and education
 - Employment
 - Kurdish people holding political positions
 - Kurdish people supporting the government
 - Accommodation
 - Life and integration outside the southeast
 - Newroz celebrations
 - Societal violence and hate speech
 - Impact of coup attempt of 2016
 - State treatment of Kurds
 - Police treatment of Kurds
 - Treatment by the judicial system
 - Treatment in detention
 - Military Service

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Version control

Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from **11 February 2020**

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Country information updated, with information gathered on the Home Office Fact-Finding Mission now included, and Assessment updated.

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