

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	681
Land:	Tyrkiet
Kilde:	Human Rights Watch
Titel:	World Report 2024 – Turkey
Udgivet:	11. januar 2024
Optaget på baggrundsmaterialet:	4. april 2024

World Report 2024



Türkiye

Events of 2023

A woman waits beside a building that collapsed in the February 6 earthquakes that devastated provinces of southern Türkiye and killed over 50,000 people, injuring and displacing hundreds of thousands more. Pazarcık, Kahramanmaraş province, February 13, 2023.

© 2023 AP Photo/Francisco Seco

- [English](#)
- [العربية](#)
- [Türkçe](#)

The May 2023 re-election of Recep Tayyip Erdoğan and his Justice and Development Party-led People's Alliance in simultaneous presidential and parliamentary elections consolidated an authoritarian order that routinely and arbitrarily punishes perceived critics and political opponents and exerts strong control over the media and courts. Erdogan won 52.2 percent of the vote in the May 28 second round of the presidential election to secure a third term in office, beating rival Kemal Kılıçdaroğlu of the main opposition Republican People's Party (CHP), who had been backed by an alliance of opposition parties.

Two devastating earthquakes on February 6, affecting Türkiye's southeastern provinces and northwest Syria, left over 50,000 dead in Türkiye, at least 100,000 injured, and hundreds of thousands homeless and displaced. A cost-of-living crisis continued, with extremely high price inflation, which the Turkish Statistical Institute estimated to have risen to 61 percent year-over-year as of October.

Freedom of Expression

The Erdoğan government's control of most media was especially significant in an election year, prompting the international election observation mission led by the Organization for Security and Co-operation in Europe (OSCE) and the Council of Europe to [note that during the election campaign](#), the ruling coalition “enjoyed an unjustified advantage, including through biased media coverage.” The observers emphasized that public broadcasters, like TRT, “clearly favoured the ruling parties and their candidates” and that continued restrictions on the freedoms of assembly, association, and expression “hindered the participation of some opposition politicians and parties, civil society and independent media in the election process.”

The government-aligned broadcasting regulator, the Radio and Television High Council (RTÜK), regularly issues arbitrary fines to the few television channels critical of the government, notably Halk TV. RTÜK did so for comments made on their platforms during the election period. Among those fined and sanctioned was Tele 1, whose editor-in-chief, Merdan Yanardağ, was arrested on June 27 on the pretext of non-inciteful [comments he made](#) concerning Abdullah Öcalan, the jailed leader of the Kurdistan Workers' Party (PKK), during a TV broadcast. Prosecuted for “spreading terrorist propaganda” and “praising crime and criminals,” Yanardağ was released from pretrial detention at his first trial hearing on October 4 at which he was convicted and sentenced to 30 months in prison, a sentence he has appealed. The Tele 1 channel was additionally punished for Yanardağ's comments with an unprecedented seven-day broadcasting suspension in August.

Independent media in Türkiye operate mainly via online platforms. The authorities regularly order the [removal of critical online content](#) or negative news coverage relating to government ministers, the president, and members of the judiciary. Journalists face prosecution under Türkiye's Anti-Terror Law, as well as under criminal defamation charges, including the widely used charge of “insulting the president,” which the [European Court of Human Rights](#) (ECtHR) said fails to comply with the right to freedom of expression. At time of writing, [at least 43](#) journalists and media workers were in pretrial detention or serving prison sentences for terrorism offenses because of their journalistic work or association with media. The government significantly expanded online censorship with a [series of legislative amendments](#) passed in October 2022. series of legislative amendments passed in October 2022.

Kurdish journalists are disproportionately targeted. In one Diyarbakır trial of 18 Kurdish journalists and media workers accused of “membership of a terrorist organization,” 15 spent 13 months in pretrial detention before being released at their first hearing in July. In an Ankara trial of 11 Kurdish journalists, 9 spent 7 months in pretrial detention before being released in May at their first hearing. The two trials continued at time of writing.

Freedoms of Association and Assembly

Tens of thousands of people continue to face unfair trials on terrorism charges on the basis of their alleged links with the movement led by US-based cleric Fethullah Gülen, which the government deems a terrorist organization (Fethullahist Terrorist Organization, FETÖ) responsible for the July 15, 2016 attempted military coup. Many have faced prolonged and arbitrary imprisonment with no effective remedy after mass removal from civil service jobs and the judiciary. The justice minister [announced in August](#) that 15,050 remanded and convicted FETÖ prisoners remained in prison.

After the May elections, Türkiye's intelligence agency continued the practice of organizing the abduction and rendition to Türkiye of individuals with alleged associations with the Gülen movement in collusion with authorities in countries with weak rule of law frameworks. In July and September, Tajik authorities bypassed legal extradition processes in abducting Emsal Koç and Koray Vural before they were flown to Türkiye where they were placed in pretrial detention pending trial.

Provincial authorities regularly ban protests and assemblies of constituencies critical of the government, often flouting domestic [court rulings that such bans are disproportionate](#). Police

violently detain demonstrators associated with leftist or Kurdish groups. Some are arrested and placed in pretrial detention for resisting the police or failing to disperse.

Attacks on Human Rights Defenders

In September, the Court of Cassation, Türkiye's top appeals court, upheld the baseless conviction and life sentence of human rights defender Osman Kavala as well as the 18-year sentences of Çiğdem Mater, Can Atalay, Mine Özerden, and Tayfun Kahraman on charges of attempting to overthrow the government for their alleged role in the lawful and overwhelmingly peaceful 2013 Istanbul Gezi Park protests. The court quashed the convictions of three others, two of whom (Mücella Yapıcı and Hakan Altınay) were released from prison pending retrial. Kavala has been arbitrarily detained since November 2017 and the others since their conviction in April 2022. President Erdoğan has made repeated public speeches against Kavala throughout the trial and the case demonstrates the Erdoğan administration's high level of political control over Türkiye's courts and flagrant defiance of Council of Europe infringement proceedings against Türkiye over its failure to implement two ECtHR judgments ordering Kavala's release.

At time of writing, in direct contravention of an October Constitutional Court decision ordering his release, human rights lawyer Can Atalay, a defendant in the Gezi trial, remained in prison and unable to take up the parliamentary seat he won on behalf of the Workers Party of Türkiye in the May elections.

The authorities continue to use terrorism and defamation charges to harass rights defenders; sometimes lawyers representing terrorism suspects are also targeted for arrest pending trial and prosecuted on terrorism charges.

Torture and Ill-Treatment in Custody

Allegations of torture and ill-treatment in police and gendarmerie custody and prison since 2016 have rarely been rigorously investigated, and perpetrators even more rarely prosecuted. In the days after the February earthquakes, there were multiple reports of police and gendarmerie beating individuals during the rescue effort, justifying it by accusing them of looting. One man, Ahmet Güreşçi, died in gendarmerie custody in Altınözü, Hatay province, after he and his brother were subjected to torture. An investigation into the gendarmerie is ongoing. Some police ill-treatment has been directed at Syrian refugees and also reflects xenophobic motivation.

Alongside continuing reports of cruel, inhuman, and degrading treatment and over-crowding in removal centers where foreign nationals, including asylum seekers, are subject to administrative detention pending deportation procedures, there were well-documented cases of soldiers and gendarmerie shooting at or severely ill-treating migrants and asylum seekers attempting to cross the border from Syria to Türkiye.

Kurdish Conflict and Crackdown on Opposition

Türkiye has concentrated its military campaign against the PKK with drone strikes in northern Iraq where PKK bases are located and also increasingly in northeast Syria against the Kurdish-led, US-backed Syrian Democratic Forces (SDF), where Türkiye's strikes in October damaged critical infrastructure and disrupted water and electricity for millions of people. Türkiye continues to occupy territories in northern Syria, where its local Syrian proxies have abused civilians' rights with impunity (see Syria chapter). On October 1, in Ankara, a suicide bombing at the entrance to the Interior Ministry was claimed by a unit of the PKK.

The Erdoğan government pursued a highly divisive discourse against the opposition parties during its May election campaign, regularly accusing the CHP of supporting the PKK and circulating a

fake video in which a video of CHP's Kemal Kılıçdaroğlu was merged with footage of the leadership of the PKK.

With a [closure case](#) against it pending before Türkiye's Constitutional Court, the pro-Kurdish Peoples' Democratic Party (HDP) did not enter the election and instead recommended its supporters vote for another party, the Green Left Party, which ran candidates and won 61 seats. Scores of former HDP members of parliament, mayors, and party officials are in prison on remand or are serving sentences after being convicted of terrorism offenses for their legitimate non-violent political activities, speeches, and social media postings. They include [jailed former HDP co-chairs Selahattin Demirtaş and Figen Yüksekdağ](#), in prison since November 4, 2016, despite ECtHR judgments ordering their immediate release.

Istanbul mayor Ekrem İmamoğlu from the opposition CHP faces two ongoing politically motivated prosecutions that could ban him from politics. At time of writing, [his conviction for insulting the Higher Election Board](#) was on appeal and, in a second case that began in June, he is [accused of corruption](#) in 2015 during his term as mayor of Istanbul's Beylikdüzü district.

Refugees, Asylum Seekers, and Migrants

Türkiye continues to host the world's largest number of refugees. At time of writing, more than [3.2 million Syrians](#) had temporary protection status, and more than [290,000 people](#) from different non-European countries had a form of conditional refugee status. The Turkish government mostly deems people from Afghanistan, Iraq, and other non-European countries irregular migrants and strictly limits avenues for them to apply for international protection, routinely deporting large groups and publishing statistics that show it. Turkish authorities also conduct mass summary pushbacks at the borders.

During the May election campaign, opposition politicians increasingly weaponized xenophobic anti-foreigner sentiment, particularly directing it at Syrians and Afghans and advocating for the return of Syrians to war-torn Syria. President Erdoğan responded with pledges to resettle 1 million Syrians in Turkish-occupied areas of northern Syria. Since the election, deportation centers have filled rapidly with Syrians, Afghans, and other groups at risk. The practice of men and some boys being unlawfully deported to northern Syria, often after being [coerced into signing voluntary return forms](#), continues in spite of a 2022 [ECtHR judgment](#) and a [May 2023 Constitutional Court judgment](#) finding forced return under the guise of voluntary repatriation a violation of human rights on several counts.

Women's and Girls' Rights

Two years after Türkiye's 2021 withdrawal from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, known as the Istanbul Convention, challenges in providing [effective protection to women in Türkiye](#) who report domestic violence are reflected in the high number of murders of women and girls. The We Will Stop Femicide Platform, an association campaigning against murders of women and girls and supporting families of victims, reported [254 femicides](#) in the January to October period.

In September, an Istanbul court [dismissed a case](#) brought in 2021 by the prosecutor's office to dissolve the We Will Stop Femicide Platform, rejecting the prosecutor's accusation that the association acted against the structure of the family and "violated law and morality."

Sexual Orientation and Gender Identity

The Erdoğan government made anti-lesbian, gay, bisexual, and transgender (LGBT) hate speech a [core part of its election campaign](#) and overall political discourse, appealing to its conservative voter

base and fomenting societal polarization while putting LGBT people at great risk. The ninth successive [ban on the Istanbul Pride week events](#) in June was accompanied by police arrests of those who attempted to assemble. Authorities regularly and arbitrarily ban other events by LGBT groups.

Local authorities around the country have increasingly been [canceling concerts](#) by artists openly supportive of LGBT rights or critical of relevant government restrictions. TV regulator RTÜK has [justified imposing fines on digital platforms for airing creative content referring to LGBT people](#), saying it violates “societal and cultural values,” “the Turkish family structure,” and “morality.”

Climate Change Policy and Impacts

Türkiye is a growing contributor to the climate crisis, which is taking a mounting toll on human rights around the world. While Türkiye ratified the Paris Agreement in 2021, its climate policies and commitments are “critically insufficient” to meet global goals to limit global warming to 1.5 degrees Celsius above pre-industrial levels, according to the [Climate Action Tracker](#), an independent scientific project that tracks government climate action.

Türkiye’s failure to set and meet ambitious emission reduction targets is matched by a continuing commitment to running coal-supplied power plants and expanding coal extraction. In July, the destruction of the Akbelen forest in Muğla province [to feed local coal power plants](#) was met with strong resistance by the local community and climate activists. Police intervened to disperse protests with tear gas and water cannons, and there were numerous arbitrary detentions.

Key International Actors

The European Union in September announced [further financial support to Türkiye for the most vulnerable Syrian refugees](#) provided in return for restrictions on the entry of refugees and migrants to the EU. Although Türkiye is still formally a candidate for EU accession, the process is at a standstill.

In its [enlargement report](#) on Türkiye in November, the European Commission stressed that the “deterioration of human and fundamental rights continued,” pointing to “serious deficiencies in the functioning of Türkiye’s democratic institutions” and Erdoğan’s “unjustified advantage” in the presidential election.

In June, the United Nations Committee on the Rights of the Child [recommended](#) that the Turkish government “[e]nsure that children under 18 years of age are not detained or prosecuted under anti-terrorism laws,” that the minimum age of criminal responsibility be raised from its current level of 12 to “at least 14 years of age,” and that the minimum age of marriage be enforced as “18 years without exception.”

In September, the ECtHR issued a judgment (*Yalçınkaya v. Türkiye*) with implications for tens of thousands in Türkiye persecuted for their alleged association with the Gülen movement. The court found that being prosecuted and convicted for “membership of a terrorist organization” mainly on the basis of having a mobile phone application called ByLock allegedly used by Gülen followers was an arbitrary application of the law, violating the principle of legality. The judgment also found violations of fair trial and freedom of association rights and ruled that Türkiye needed to implement general measures to prevent thousands of similar cases from coming before the ECtHR.