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Country Report on Human Rights Practices 2015 - Turkey

EXECUTIVE SUMMARY

Turkey is a constitutional republic with a multiparty parliamentary system and a president. A unicameral parliament (the Grand National Assembly) exercises legislative authority. The June 7 parliamentary elections, which observers considered generally free and fair, resulted in a hung parliament and led to a "rerun" election on November 1. Official observers also considered the November vote, which led to the formation of a government on November 24 by Prime Minister Ahmet Davutoglu, generally free; however, they noted that a "challenging security environment" and attacks on party officials and campaign staffers in some cases "hindered contestants' ability to campaign freely" and expressed concern that media restrictions during the campaign period "reduced voters' access to a plurality of views and information." Civilian authorities maintained effective control of the security forces.

During the second half of the year, the Kurdistan Workers' Party (PKK) terrorist organization resumed conflict with government security forces after a two-year hiatus during which the parties had participated in a peace process. Turkish authorities attributed the breakdown to a series of violent PKK attacks on security forces, commencing with the killing of two police officers by PKK militants in the city of Sanliurfa, while the PKK held the Turkish state responsible for complicity in a suicide bomb attack that killed 33 socialist activists in the border town of Suruc. The PKK attacked security installations, planted improvised explosive devices, and in some neighborhoods, erected barriers and dug trenches to wage urban warfare, claiming the lives of more than 170 security personnel as of December 1. Security forces responded with ground and air operations against PKK targets both in Turkey and in Iraq. During clashes with PKK militants in urban areas, the government periodically imposed curfews, some lasting for weeks, to facilitate security operations. Dozens of civilians were killed and injured.

The most significant human rights problems during the year were:

1. Government interference with freedom of expression: Multiple provisions in the law created the opportunity for the government to restrict freedom of expression, the press, and the internet. Government pressure on the media continued. As of November authorities had arrested an estimated 30 journalists, most charged under antiterror laws or for alleged association with an illegal organization. The government also exerted pressure on the media through security force raids on media companies; confiscation of publications with allegedly objectionable material; criminal investigations of journalists and editors for alleged terrorism links or for insulting the president and other senior government officials; reprisals against the business interests of owners of some media conglomerates; fines; and internet blocking. At least one journalist was physically attacked and injured in the wake of threats incited by a progovernment member of parliament. Self-censorship was common amid a

prevailing fear that criticizing the government could prompt reprisals. Pressure on Kurdish-language and opposition media outlets in the Southeast reduced vulnerable populations' access to information about the conflict with the PKK. A number of media outlets affiliated with the Fethullah Gulen movement were dropped from digital media platforms (cable providers) and five outlets were taken under the control of government-appointed trustees. Representatives of Gulenist and some liberal media outlets were denied access to official events and in some cases, denied press accreditation.

2. Impunity and weak administration of justice: Inconsistent application of the law and the appearance of overly broad application of antiterror laws remained problems. Wide leeway granted to prosecutors and judges contributed to politically motivated investigations and court verdicts that were not consistent with the law or with rulings in similar cases. Authorities applied the broad antiterror laws extensively with little transparency to arrest opposition political party members and individuals accused of association with the PKK or the Fethullah Gulen movement. Authorities continued to make arbitrary arrests, hold detainees for lengthy and indefinite periods, and conduct extended trials. The government also indicted six judges and prosecutors involved in investigating alleged corruption of high-level government officials, a move interpreted as an attempt by the executive branch to intimidate members of the judiciary.

3. Inadequate protection of civilians: In the renewed conflict with the PKK in the second half of the year, the government did not sufficiently protect vulnerable populations, with the result that both PKK fighters and, at times, government security forces reportedly killed and injured civilians. Dozens of civilians, including at least 20 children, reportedly were killed in clashes between security forces and the PKK. Medical workers, educators, and other officials reported intimidation and threats coming from both the government and PKK that reduced their ability to fulfill their civil roles. Restrictive curfews in a number of areas, which forced residents to remain indoors for days, reportedly resulted in inhumane conditions and deprived thousands of persons of access to food, shelter, and medical care for periods regularly exceeding a week.

Other human rights problems included overcrowding and substandard conditions in prisons. Syrian refugees (more than 2.2 million at year's end) had limited social-support mechanisms and faced increasing government travel restrictions. Violence against women, including so-called honor killings, remained a significant problem, and child marriage persisted. The government did not effectively protect women, children, members of ethnic and religious minorities, and LGBTI (lesbian, gay, bisexual, transgender, and intersex) persons from abuse, discrimination, and violence. Senior government officials used anti-LGBTI, anti-Armenian, anti-Alevi, and anti-Semitic rhetoric, particularly during polarizing election campaign periods.

The government took limited steps to investigate, prosecute, and punish members of the security forces and other officials accused of human rights abuses. Impunity was a problem.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were credible allegations that the government or its agents committed arbitrary or unlawful killings. Many of these alleged killings stemmed from the renewal of violent clashes between government security forces and the PKK, a terrorist organization, during the second half of the year (see section 1.g.).

According to the Jandarma (a paramilitary force controlled jointly by the Ministry of Interior and the armed forces and charged with policing rural areas), six civilians lost their lives and 39 were injured in clashes between security forces and the PKK in the first eight months of the year. The Jandarma added that 46 security personnel, including one police officer and two village guards, were killed in the same period, with 209 wounded. The Human Rights Foundation (HRF), a domestic nongovernmental organization (NGO), attributed 53 civilian deaths as of October 15, to clashes between security forces and the PKK.

On January 14, in the Cizre district of Sirnak Province in the Southeast, a 12-year-old boy, Nihat Kazahan, was shot and killed. Witnesses alleged a military officer opened fire when a group of boys began to throw stones. The alleged shooter was arrested and charged in the boy's death. Four police officers also face related charges. The most recent hearing was on October 2, and the judicial process continued at year's end.

The Human Rights Association (HRA), a domestic NGO, maintained security officers killed nine civilians and injured 22 at government checkpoints in the first nine months of the year. The HRF claimed that 139 individuals died during the year at border crossings or internal checkpoints, during security-force raids of houses, or as a result of extrajudicial killings in conjunction with increased PKK-government violence. The statistics set forth by the two human rights organizations varied because their reporting and tallying methods differed.

During the year tens of thousands of Syrians continued to cross into the country, and some were injured or killed during border crossings (see section 2.d.).

According to the HRA, during the first nine months of the year, security forces killed 11 persons within the country and four trying to enter the country from Syria's side of the border; security forces injured 38 persons. On January 29, Nezahat Sadun, who was pregnant, was shot and killed by security forces while trying to enter the country from Syria. In July at least five Syrians were killed trying to cross the border: Alaa Mohammed Jolo, Hasan Misto, Mustafa Sabah, his wife, and one unidentified person. A trial commenced in November of two police officers alleged to have beaten a 17-year-old Afghan boy, Lutfullah Tacik, to death at a migrant detention center in Van in 2014.

As of December 15, the Turkish National Police (TNP) reported 19 police officers, one soldier, and nine civilians were killed and 131 police officers, 39 soldiers, and 97 civilians were injured by explosions attributed to the PKK/KCK (Kurdistan Communities Union).

According to the Jandarma, as of August 31, there were 11,454 landmines remaining within territory under its jurisdiction. Sources from the Jandarma and TNP asserted landmine explosions killed 22 security forces, five police officers, and six civilians through October 9, with another 203 security forces and 66 civilians injured. Statistics varied from among civil society groups, with one reporting 11 civilian deaths in the first nine months of the year.

The HRA reported that in the first nine months of the year, improvised explosive devices killed four children and injured 21. One adult died and another was injured in similar circumstances. Media sources attributed the explosives to PKK terrorists.

In addition to a heightened level of attacks perpetrated by the PKK in the second half of the year (see section 1.g., Internal Conflicts), citizens were also affected by three major terrorist attacks attributed to Da'esh and five by the Revolutionary People's Liberation Party-Front (DHKP/C).

On January 7, a suicide bomber blew herself up at a police station in Istanbul's Sultanahmet neighborhood, killing one police officer and injuring another. The DHKP/C subsequently claimed responsibility for the attack. On March 31, two members of the DHKP/C stormed an Istanbul courthouse, taking hostage and then reportedly killing Mehmet Selim Kiraz, a prosecutor. Security forces subsequently killed both attackers."

Simultaneous explosions at the offices of the pro-Kurdish Peoples' Democratic Party (HDP) in Mersin and Adana on May 18, which injured three in Adana and none in Mersin, were attributed to Da'esh. On June 5, the government attributed a double bombing at an HDP election rally in Diyarbakir to Da'esh. The attack killed five persons and wounded 399. Police later arrested Orhan Gonder, who reportedly had ties to Da'esh.

On July 20, a suicide bombing in the southeastern town of Suruc killed 33 persons and injured more than 100. The attack was aimed at a leftist NGO planning to help rebuild the Syrian town of Kobane. The government attributed the bombing to Da'esh.

On October 10, twin explosions at a peace rally in Ankara killed at least 103 and injured hundreds, resulting in the worst terrorist attack in the country's modern history. Government officials attributed the attack to Da'esh.

On November 28, human rights activist and Diyarbakir Bar Association president Tahir Elci was shot and killed at a press gathering under unclear circumstances. Elci had just finished making a press statement protesting damage to the UNESCO-listed "Four Pillar Minaret" when gunfire erupted as unknown assailants ambushed and killed two police officers. Several more individuals, including two journalists, were injured in the crossfire from the ensuing firefight between police and assailants.

As of December 1, continued violence at the site, including a rocket attack and gunfire aimed at investigators, impeded investigation of the crime scene. Human rights groups highlighted the suspicious nature of Elci being the lone victim, besides the police who had been initially targeted, in a crowded square.

Security officers reacted with force to some protests and demonstrations. According to human rights groups, this response may have contributed to civilian deaths in the Southeast. Human rights organizations continued to assert that the government's failure to delineate clearly in the law the circumstances that would justify the use of force contributed to disproportionate use of force during protests (see section 2.b.).

b. Disappearance

There were no reports of politically motivated disappearances during the year.

Human rights organizations continued to criticize official investigations into previous disappearances, many from the early 1990s. Only a few active court cases continued. According to the HRA, 10 cases continued

during the year, four of which concluded in acquittals. The HRF reported that of hundreds of reported disappearances from the 1990s, only a few cases were opened, and only after public pressure. Citing security concerns, the government moved hearings on the few continuing cases to cities distant from the scene of the alleged disappearances, making participation in the hearings difficult for victims' families and their lawyers.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit torture and other cruel, inhuman, or degrading treatment, but there were reports that some government officials employed them. Human rights organizations continued to report allegations of torture and abuse, especially of persons who were in police custody but not in a place of detention, and during demonstrations and transfers to prison, where such practices were more difficult to document.

Prosecutors investigated allegations of abuse and torture by security forces during the year but rarely indicted accused offenders. The National Human Rights Institution (NHRI) is administratively responsible for investigating human rights violations, including allegations of torture, excessive use of force, or extrajudicial killings. Domestic human rights organizations claimed the NHRI's failure to follow through in investigating potential human rights violations deterred victims of abuse from filing complaints. Authorities regularly allowed officers accused of abuse to remain on duty during their trial.

Human Rights Watch (HRW) alleged in a report published in September that police abused detainees in August and September while responding to perceived security threats in the Southeast. It documented three cases in which police severely beat detainees, forced men to remain in kneeling positions for hours, and threatened them with torture and execution. In another case police detained a boy who had a severe gunshot wound and for several hours denied him medical treatment (see section 1.g.).

Police in several parts of the country sometimes used disproportionate force to disrupt protests, often leading to injury (see section 2.b.).

Human rights groups alleged that although torture and mistreatment in police custody decreased following installation of closed-circuit cameras in 2012, police continued to abuse detainees outside police stations. On July 13, a media report included footage from security cameras showing police beating 24-year-old university student Tevfik Caner Ertay multiple times in 2013 during the Gezi Park protests before transporting him to a police station in the trunk of a police car. Ertay suffered multiple injuries, including a broken nose. Police perpetrators included some of the same officers later accused of killing fellow university student Ali Ismail Korkmaz (see section 1.d.).

Some human rights observers reported detainees often refrained from reporting torture and abuse because they feared retaliation or believed complaining to authorities would be futile. Human rights organizations documented cases of prison guards beating inmates and maintained those arrested for ordinary crimes were as likely to suffer torture and mistreatment as those arrested for political offenses, such as speaking out against the government. They also noted that some LGBTI persons, particularly gay men, were subject to police abuse and harassment on "moral" grounds (see section 6).

Through the first nine months of the year, the Ministry of Justice reported 98 investigations regarding allegations of torture, 26 of which resulted in indictments.

The HRA reported receiving hundreds of allegations of torture and excessive use of force, including 213 cases through September 21 that involved the alleged abuse of detainees. For example, on January 29, in Simak, police reportedly beat four citizens whom they had detained during raids of their homes.

The TNP reported that 383 officers were investigated or dismissed for a variety of disciplinary reasons, including rape, homicide, and other disciplinary issues like drug use, insubordination, and political engagement. The Ministry of Justice reported that authorities conducted 510 investigations during the first nine months of the year into claims of excessive use of force and prepared indictments in 462 of them.

The government continued to pursue efforts to ensure compliance with legal safeguards to prevent torture and mistreatment through its campaign of "zero tolerance" of torture. The Jandarma reported that 97 percent of 2,010 detention centers had camera systems to help prevent torture and abuse. The TNP reported it had completed installation of digital audio and video systems in 284 detention rooms and 114 statement-taking rooms in 74 provinces.

According to the NGO Soldiers' Rights Platform, some military conscripts endured severe hazing, physical abuse, and torture that sometimes resulted in suicide. According to the NGO, at least 28 soldiers had

committed suicide as of October 28. The TNP reported that as of December 15, 36 police officers and one technician had committed suicide. The General Staff reported that 47 military personnel had committed suicide.

The Human Rights Joint Platform (HRJP), a domestic NGO, alleged that hate crimes, sexual orientation, and discrimination based on ethnicity played a role in military suicides and suspicious deaths, but it noted an absence of empirical data because the military did not recognize ethnic minorities or collect data on sexual orientation. The HRJP cited the case of Sevag Balikci, an ethnic Armenian in the military who was killed by another soldier on April 24, the Armenian National Remembrance Day, which commemorates the expulsion of millions of Armenians from the Ottoman Empire in 1915. Suicides and suspicious deaths in the military most frequently involved Kurdish individuals, the HRJP alleged. The military did not screen for mental disabilities prior to conscription, resulting in both a lack of data and a lack of services for people who may need them, according to the HRJP.

Prison and Detention Center Conditions

Prison facilities remained inadequate and did not meet international standards. Underfunding and lack of access to adequate health care were problems. Overcrowding in some prisons remained a problem.

Physical Conditions: On September 16, according to the Ministry of Justice, there were 362 prisons with a designed capacity of 171,267. As of August 18, the prisons held 172,708 inmates, including 25,433 persons in pretrial detention and 147,275 convicts. The Turkish General Staff reported that, as of October, there were 197 pretrial detainees and nine convicts held in 21 military prisons.

There were 2,420 children in prison, including 1,773 in pretrial detention and 647 convicts. The government reported it used separate prisons for children where such facilities were available; otherwise, children were held in separate sections within adult prisons.

The Ministry of Justice reported that during the first eight months of the year, 249 prison inmates and 33 pretrial detainees died of what appeared to be natural causes. Through July a total of 29 prison inmates or detainees committed suicide.

Human rights organizations asserted prisoners frequently lacked adequate access to potable water, proper heating, ventilation, and lighting, a claim the government denied. According to the HRA, prisoners sometimes complained about food quality. The HRF reported that physical and hygiene conditions in prisons were inadequate due to overcrowding.

Although the government claimed doctors were assigned to each prison, human rights associations expressed serious concern over the inadequate provision of health care to prisoners, particularly the insufficient number of prison doctors. The HRA reported prison doctors were often absent for long periods and that prisoners often waited months to be transferred to hospitals. As of May the HRA reported that 721 inmates were sick, including 283 in critical condition. The Ministry of Justice reported that between January 2013 and October 5, authorities released 517 inmates for health reasons, but the HRA claimed only a few of those releases occurred during the year. Chief prosecutors have discretion, particularly under the wide-reaching antiterror law, to keep in prison inmates whom they deem dangerous to public security, regardless of medical reports documenting serious illness.

The government in 2014 amended the law to enhance inmates' access to medical care. Instead of improving conditions, there were reports it actually worked against prisoners by adding a requirement to show "immediate and verifiable danger" for prisoners to receive special treatment. The HRF stated that illness among inmates was the biggest problem in prisons, followed by overcrowding.

The Ministry of Justice reported that as of September 15, there were 6,982 prisoners accused of membership in terror organizations (see section 1.e.). The HRA reported that political prisoners typically were held in higher-security prisons and only received one to two hours per week of recreational time. The law allows prisoners 10 hours of recreational time per week.

Administration: There was no prison-specific ombudsman institution; the national Ombudsman Institution functioned for prisons as well as for broader human rights and personnel issues. Authorities at times investigated credible allegations of inhuman conditions but generally did not document the results of such investigations in a publicly accessible manner or take action to hold perpetrators accountable. The Ministry of Justice reported that, as of September 16, it had received 64 complaints of inhuman treatment of detainees by prison guards. The ministry conducted administrative investigations of 210 personnel. As a result of these investigations, 18 personnel received disciplinary warnings. Criminal investigations continued in 138 cases. The HRA reported it had received numerous complaints of inhuman treatment by prison wardens or other inmates.

Independent Monitoring: The HRA reported the government did not allow NGOs to monitor prisons. Parliament's Human Rights Investigation Commission (HRIC) and the Ombudsman Institution had authorization

to visit and observe prisons, including military prisons, without advance permission. During the year the HRIC issued 30 reports on prison conditions. The government reported it allowed prison visits by some international delegations, the EU, the Council of Europe's Committee for the Prevention of Torture, and UN bodies. It allowed visits by civil society representatives or journalists when the visit related to education or cultural events within the prisons. It also permitted visits to individual foreign prisoners by representatives of their embassies and consulates.

The NHRI has responsibility for investigating human rights violations, including allegations of torture, excessive use of force, or extrajudicial killings. Human rights groups alleged the Human Rights Institution was ineffective (see also section 5).

The EU's 2015 progress report noted the NHRI's national mechanism for the prevention of torture and ill-treatment in prisons was not yet functional and that civil society oversights of alleged ill-treatment were also ineffective.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, but numerous credible reports indicated the government did not always observe these prohibitions. For example, on March 15, police detained six members of the ultranationalist Turkish Youth Union in Balıkesir Province in advance of a visit by President Erdogan. Justification for the detentions was that the youths "may protest the president." The detention was made using the prospective authorities of the Internal Security Package, which, at the time, had not yet been signed into law.

Role of the Police and Security Apparatus

The TNP, under the control of the Ministry of Interior, was responsible for security in large urban areas. The Jandarma, under the joint control of the Ministry of Interior and the military, was responsible for rural areas and specific border sectors where smuggling was common, although the military has overall responsibility for border control and overall external security. Village guards, a civilian militia that reported to the Jandarma (and historically was responsible for widespread human rights abuses), provided additional local security in the Southeast, largely in response to the terrorist threat from the PKK. Government mechanisms to investigate and punish alleged abuse and corruption by state officials remained inadequate, and impunity remained a problem.

Human rights organizations alleged that village guards were less professional and disciplined than other security forces and engaged in abductions and confiscation of property. The government noted the PKK targeted village guards for attack, including deliberate ambushes, kidnappings, and killings (see section 1.g.).

The Ombudsman Institution, the NHRI, and parliament's Human Rights Commission are authorized to investigate reports of security force killings, torture or mistreatment, excessive use of force, or other abuses, but military and civil courts remained the main recourse to prevent impunity. Turkish National Intelligence Organization (MIT) members have had legal immunity from prosecution since 2014.

During the first eight months of the year, the General Staff reported it had dismissed 43 personnel for disciplinary and moral reasons, including 10 based on court decisions. The other dismissals were based on decisions of the General Staff Supreme Disciplinary Board. The Jandarma reported 43 dismissals for disciplinary and moral reasons.

The TNP investigated allegations of excessive use of force during the year, resulting in disciplinary actions for 30 officers in relation to 334 cases. At the end of the year, 71 cases continued. The TNP also investigated allegations of the use of torture, dismissing 34 officers in 46 investigations. Eight investigations continued at year's end. The TNP also reported 229 criminal cases based on allegations of the use of torture during the year. There were no convictions, but prosecution continued in seven cases.

Human rights groups highlighted that only seven security officers were charged with crimes for their role in four of the eight deaths attributed to Gezi Park protest violence in 2013. Courts convicted three of the officers but later overturned one of the convictions. The government reported that 329 investigations were conducted against police accused of excessive use of force in conjunction with Gezi Park protests and that some 140 police officers faced sanctions for their role in the protests. Loss of evidence and police obstruction, including the filing of counterclaims by alleged perpetrators of human rights violations against their alleged victims, impeded investigations.

On September 28, prosecutors indicted army private Adem Ciftci, who was accused of shooting 19-year-old Medeni Yildirim in Diyarbakir during a Gezi-related protest in 2013. Ciftci allegedly shot into a group of protesters who had been throwing stones and Molotov cocktails at soldiers guarding a new police station.

Yildirim was reportedly standing on the sidelines and did not participate in the violence but was shot from within the station complex. Ciftci faced a potential 18-year prison sentence. His case continued.

Authorities repeatedly postponed the trial of plainclothes police officers Mevlut Sandogan, Saban Gokpinar, Huseyin Engin, Yalcin Akbulut, and four armed civilians under their direction for the beating death of Eskisehir University student Ali Ismail Korkmaz. Korkmaz died in 2013 of a brain hemorrhage caused by the beating. Watchdog groups reported that police and government officials initially tried to cover up police involvement, accusing Korkmaz's friends of the beating and deleting camera footage (later recovered) documenting the attack. On January 21, a court found two police officers guilty of causing Korkmaz's death, sentencing them to 10 years' imprisonment. The court acquitted the other two officers, sentenced three of the civilians to six-year prison terms, and released the fourth.

Officials employed the tactic of counterfiling lawsuits against individuals who alleged abuse. For example, Erdal Kocabiyik, a Soma miner, gained notoriety in 2014 as the victim of a kick by then prime minister Erdogan's assistant, Yusuf Yerkel. When Erdogan visited the scene of a mining accident that killed 301 miners in May 2014, Kocabiyik, whose brother was killed in the mine, allegedly kicked a car in the motorcade. Special forces physically intervened against Kocabiyik, and Yerkel subsequently joined in, kicking him in an incident caught on camera. On May 18, Kocabiyik was fined 543 lira (\$200) for causing damage to a car in Erdogan's convoy.

The 2015 EU progress report noted the use by law enforcement officers of counterfiling and alleged that in many instances courts gave priority to these counterfiled cases.

During the first eight months of the year, more than 5,000 Jandarma received training in human rights and counterterrorism issues. According to the government, the military emphasized human rights in training for both commissioned and noncommissioned officers.

Arrest Procedures and Treatment of Detainees

The law requires warrants issued by a prosecutor for arrests, unless the suspect is detained while committing a crime. Individuals may be detained for up to 24 hours, after which a prosecutor may authorize extending the period to 48 hours, excluding transportation time, before arraigning them with a prosecutor's warrant before a judge. A chief prosecutor may apply to extend this period of custody up to four days before arraignment under certain circumstances, including cases with multiple suspects and charges. Formal arrest is a later step, separate from detention, and means a suspect will be held in jail until and unless released by a subsequent court order. Authorities must notify suspects of the charges against them within 24 hours, although human rights activists claimed they did not always tell suspects which specific statement or action was the basis of a given charge. For crimes that carry sentences of fewer than three years in prison, a judge may release the accused after his arraignment upon receipt of an appropriate assurance, such as bail. For more serious crimes, the judge decides either to release the defendant on his or her own recognizance or, if there are specific facts indicating that the suspect may flee, attempt to destroy evidence, or attempt to pressure or tamper with witnesses or victims, the judge may hold the defendant in custody (arrest) prior to trial. Judges, however, often kept suspects in detention without articulating a justification for doing so.

The Internal Security Package, enacted on April 4, provides a liberalized arrest procedure timeline for a catalogue of crimes (including participation in illegal demonstrations, sexual assault, smuggling, theft, drug use, and murder). Those suspected of committing these crimes may be detained for up to 48 hours before being arraigned before a judge. Prosecutors may authorize an extension of pre-arraignment detention for up to four days in certain situations.

Human rights organizations, opposition political parties, and others sharply criticized the changes made to arrest and detention laws by the Internal Security Package.

While the law generally provides detainees the right to immediate access to an attorney at any time, the Internal Security Package allows prosecutors to deny such access for up to 24 hours. In criminal cases the law also requires that the government provide indigent detainees with a public attorney if they request one. In cases where the potential prison sentence is more than five years or where the defendant is a child or is disabled, a defense attorney is appointed, even absent a request from the defendant. Human rights observers noted that in most cases authorities provided an attorney where a defendant could not afford one. The Internal Security Package also provides judges with the right to limit a lawyer's access to the investigation file, should the judge decide the case is confidential.

The HRA noted that after the annulment of antiterror law Article 10, suspects charged with terror crimes could be represented by more than three lawyers in courts, allowing human rights interest groups and bar associations greater participation in the legal defense of these cases. According to the Judicial Reform Package enacted into law in December 2014, defense lawyers' access to their clients' court files for a specific catalogue of crimes (including crimes against state security, organized crime, and sexual assault against children) is restricted until after the client is indicted.

Private attorneys and human rights monitors reported irregular implementation of laws protecting the right to a fair trial, particularly with respect to attorney access. The HRA reported that suspects in sensitive cases continued to have restricted access to a lawyer in the first 24 hours of detention. In terrorism-related cases, authorities frequently denied access to an attorney until after security forces had interrogated the suspect.

Authorities generally allowed detainees prompt access to family members, although human rights organizations alleged this principle was sometimes violated, particularly in the Southeast following antiterror sweeps conducted by security forces in the wake of the July 20 bombing in Suruc, subsequently attributed to Da'esh.

Arbitrary Arrest: Although the law prohibits holding a suspect arbitrarily or secretly, there were numerous reports that the government did not observe these prohibitions. By law police and Jandarma may compel citizens without cause to identify themselves. During the year police routinely detained individuals for hours without legal justification. Human rights groups alleged that especially in areas under curfew or in "special security zones," security forces detained citizens without official record. Consequently, these detainees were at greater risk of "arbitrary practices."

Pretrial Detention: The 2014 Fifth Judicial Package reduced from 10 years to five the maximum time that a detainee could be held pending conviction, including for organized crime and terrorism-related offenses. For other major criminal offenses tried by high criminal courts, the maximum detention period is two years plus three one-year extensions, for a total of five years.

The 2014 change in allowable preconviction detention time was given retroactive effect. This resulted in the release during 2014 of hundreds of suspects who had been in custody for more than five years, many of them alleged members or supporters of the KCK, the umbrella political organization of the PKK. The Ministry of Justice reported that in the first nine months of the year, 114 persons were released due to the rule change.

The trial system does not provide for access to a speedy trial, and hearings in a case may be months apart. For example, in 2007 police apprehended five individuals for the killing of three Christians in Malatya. Despite considerable evidence and at least one clear confession, the trial continued with its 107th hearing on September 9. Only one defendant remained in jail, the others having been released in 2014 or during the year due to limitations in allowable pretrial detention time despite the violent nature of their alleged crime.

The 2015 EU progress report noted the length of pretrial detention was often excessive and not supported by adequate reasoning as required by law. Human rights groups further noted that detentions were generally longer than necessary to defend the public interest, detainees usually had limited opportunities to challenge their detentions in court, and those occasions offered little prospect of success.

Protracted Detention of Rejected Asylum Seekers or Stateless Persons: The Directorate General of Migration Management (DGMM) reported the TNP operated 21 readmission and removal centers with a holding capacity of 3,333 for persons who claimed asylum after being detained. The DGMM reported that, as of September 14, there 70,000 individuals had resided in these facilities during the year, although some spent only a few days. The DGMM stated facilities had shortcomings, largely because they had not been designed to serve as readmission and removal centers. Construction started during the year on a series of new centers designed to alleviate the shortcomings. Another government source reported there were 46,383 illegal migrants transferred to provincial DGMM offices and sent to temporary detention and deportation centers in the first eight months of the year.

UNHCR noted that detention center conditions varied and were often challenging due to limited physical capacity and increased referrals, possibly related to the unprecedented number of coast guard interdictions of migrants at sea. In December Amnesty International reported the government had rounded up scores of refugees and asylum seekers since September and transported them to detention centers where some were mistreated or forcibly returned to Syria and Iraq.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but the judiciary remained subject to government influence, particularly from the executive branch. Judges who ruled against prosecuting high-level members of the ruling Justice and Development Party (AKP) on corruption charges in 2014 were subsequently promoted to more senior positions, while prosecutors and one judge who had conducted the initial investigation into allegations of corruption were indicted during the year.

Critics asserted the government used its influence in 2014 to ensure the election of its handpicked candidates to the Supreme Board of Judges and Prosecutors (HSYK), which selects judges and prosecutors and is responsible for court oversight. Although the constitution provides tenure for judges, the HSYK controls the careers of judges and prosecutors through appointments, transfers, promotions, expulsions, and reprimands.

Broad leeway granted to prosecutors and judges, as well as their inclination to protect the state over individual and alleged partiality, contributed to inconsistent application of criminal laws.

While “specially authorized courts” were abolished in 2014, the government subsequently created new “penal judges of peace” courts with the authority to decide on issuance of arrest and search warrants, seizure of property, and detentions during the investigative phase of a single case; appeal from peace court rulings is limited to other judges within the peace courts. Critics charged the new system grants extraordinary powers to judges, that many of the appointed judges were progovernment, and that the new courts simply replaced the abolished special courts. Two appeals were filed with the Constitutional Court seeking abolishment of the system. In January the court ruled that peace courts are legal.

Legal professionals reported that peace courts created legal confusion due to unclear hierarchy and authority. The courts in December 2014, for example, ordered the arrest of Samanyolu Broadcasting Company CEO Hidayet Karaca and other members of the media as well as 33 police officers with alleged ties to Fethullah Gulen, a Muslim cleric accused of operating a clandestine network within the executive and judicial branches with a goal of overthrowing the government. After a higher-level court ruled on April 26 that detainees should be released, the Istanbul chief public prosecutor stated the higher court’s decision was null and void because another peace court had simultaneously ruled for the continuation of their detention. The defendants were indicted on September 17, and the case continued at year’s end.

The country has an inquisitorial criminal justice system.

The country’s system for educating and assigning judges and prosecutors created close connections between them; observers (including the European Commission) claimed this led, at least, to the appearance of impropriety and unfairness in criminal cases. Prosecutors and judges studied together at the country’s Justice Academy before being assigned to their first official posts by the HSYK; after appointment, they often lodged together, shared the same office space, worked in the same courtroom for many years, and even switched positions over their careers. Prosecutors entered courtrooms through doors reserved for judicial officials and sat next to judges throughout court proceedings. Human rights and bar associations noted that defense attorneys generally underwent less rigorous training than their prosecutorial counterparts and were not required to pass an examination to demonstrate a minimum level of expertise.

The constitution provides for the trial of military personnel in civilian courts if their alleged crime was committed against the state or the constitutional order. Decisions of the Supreme Military Council are generally not open to civilian review, although the constitution provides for civilian judicial review when specific circumstances are met.

Trial Procedures

The constitution provides for the right to a fair trial, and an independent judiciary generally enforced this right.

Under the law defendants enjoy a presumption of innocence and have the right to prompt and detailed information about the charges against them. There were multiple, confirmed reports that the government did not observe this law. The EU’s 2015 progress report noted the lack of reasoning in indictments remained a serious cause for concern. Courtroom proceedings are public for all cases except those involving minors as defendants and those with security concerns, such as those related to “crimes against the state.” Court files, which contain the indictment, case summaries, judgments, and other court pleadings, are closed to everyone other than the parties to a case, thus making it difficult to obtain information on the progress or results of court cases. The Internal Security Package enacted in April overturned a provision in the 2014 Fifth Judicial Package that prevented judges from restricting lawyers’ access to the files during the prosecution phase. Following adoption of the package, judges ruled to withhold the investigation files for 20 persons detained during annual May 1 demonstrations. Following the July 20 bombing in Suruc, judges ruled to withhold the investigation file from both defendants’ and victims’ lawyers. The 2014 Judicial Package also removed public prosecutors from first-level judicial review of cases. If a judge decides to arrest or release a suspect during this level of review, the file is sent to the prosecutor for an opinion. There is no jury system, and a judge or a panel of judges decides all cases.

Defendants have the right to be present at trial and to consult with an attorney in a timely manner. Defendants or their attorneys can question witnesses for the prosecution (although questions must usually be presented to the judges who will then ask the questions on behalf of counsel) and, within limits, present witnesses and evidence on their own behalf. Secret witnesses were frequently used, particularly in cases related to state security. Defendants and their attorneys generally have access to government-held evidence relevant to their cases unless the case is sealed for national security concerns. Defendants have the right not to testify or confess guilt and the right to appeal, although appeals generally took several years to conclude. Defendants sometimes waited several years for their trials to begin. The failure of officials to submit statements promptly or attend trials, especially in cases against security officials, resulted in delayed proceedings.

After former chief of general staff and retired general Ilker Basbug was sentenced to life imprisonment in 2013 for leading an alleged terrorist organization known as Ergenekon, the Constitutional Court ruled in favor of his release because the written opinion in support of the verdict was not issued within the timeframe required for him to appeal. The high criminal court subsequently ruled in 2014 for the release of 275 other convicted Ergenekon defendants on the same grounds. On October 6, the appeal case began at the Supreme Court of Appeals for all 275 convicted defendants.

On March 31, the Istanbul Anatolian Fourth High Criminal Court acquitted 236 defendants in the Balyoz ("Sledgehammer") coup plot retrial. The defendants were accused of having plotted to topple the government at an army seminar in 2003. The ruling followed the Constitutional Court's unanimous opinion in 2014 that the defendants' right to a fair trial had been violated due to concerns arising from contested digital evidence and the specially authorized court's decision to reject testimony by defense witnesses. A separate trial of 63 Balyoz suspects whose convictions had been reversed in 2013 due to lack of sufficient evidence or for agreeing to an offense without committing it also ended in acquittal on March 31. This followed the acquittal of another 25 Balyoz suspects in 2014.

The rulings brought the Balyoz trial, begun in 2003, to a conclusion with the acquittal of all defendants. The majority of the defendants were military officers whose careers had been suspended during their time in jail pending trial or under conviction. The General Staff quickly promoted lower-ranked active duty officers among the defendants and initiated a comprehensive legal package that would ensure retrospective salary adjustment and compensation for Balyoz defendants. Numerous military officers filed claims for pecuniary and nonpecuniary damages amounting to 40 million lira (\$13.5 million) in compensation, with potentially more cases to be filed against the state. On November 5, an Ankara court ruled that retired lieutenant general Ayhan Tas should receive 1.2 million lira (\$450,000) in compensation, stating he had been "insulted" and his "moral values were disregarded." On December 20, an Ankara court ruled that retired colonel Yusuf Kelleli should be paid 1.5 million lira (\$600,000) for "unfair arrest" and "the method and length" of his arrest.

Political Prisoners and Detainees

The HRA asserted there were hundreds of political prisoners from across the political spectrum, including journalists, political party officials, academics, and students. The government stated that these individuals were charged with being members of, or assisting, terrorist organizations. Despite limits placed on the use of the antiterror law during 2013 and 2014 by the Fourth and Fifth Judicial Packages, prosecutors continued to use a broad definition of terrorism and threats to national security. Antiterror laws were broadly used after the July 20 Suruc bombing, and media widely reported that between July 24 and August 10, approximately 1,600 persons were detained for questioning in antiterror operations, 340 of whom were subsequently arrested and held in jail on terror-related charges. Human rights groups alleged that many detainees had no substantial link to terrorism and were detained to weaken the opposition, pro-Kurdish HDP. Authorities also used the antiterror laws during the year to detain individuals and seize assets, including media companies, of individuals alleged to be associated with the Gulen movement, designated by the government during the year as the Fethullah Gulen Terrorist Organization.

International and domestic human rights organizations expressed particular concern over what they regarded as an overly broad definition of terrorism under the antiterror law and its disproportionate use by authorities against members of the press, academics, students, and members of the political opposition. The HRA reported that, as of September, approximately 7,000 persons were in prison on terror charges, approximately 5,000 of whom were alleged PKK members.

On July 29, Deputy Prime Minister Bulent Arinc announced that in antiterror sweeps in July, the government detained 1,061 individuals, including 847 with alleged PKK/KCK connections, 77 with alleged DHKP/C connections, and 137 with alleged Da'esh ties. Of these, as of July 29, there were 44 DHKP/C individuals and 31 Da'esh individuals who remained under arrest. An unknown number of individuals accused of PKK/KCK connections remained incarcerated. As of July 28, according to the HDP, antiterror sweeps resulted in the detention of 467 persons for alleged PKK/KCK connections, with 49 formally arrested.

On August 9, authorities detained Abdulla Demirbas, former district mayor in Diyarbakir and long-time advocate of Armenian rights, as part of these broad antiterror sweeps. Authorities claimed he funneled money to the PKK while he was Sur District (Diyarbakir) mayor, but as of November, he had not been indicted. Demirbas was released pending investigation in early October due to poor health.

According to the Ministry of Justice, as of September 15, there were 2,026 persons under arrest and 4,956 convicted on terrorism charges. The HRA alleged that, between June 7 and September 9, authorities detained 2,411 individuals and arrested 280, including 24 children.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters. The law provides that all citizens have the right to file a civil case for compensation for physical or psychological harm, including for human rights violations. Individuals are able to apply directly to the High Court of Appeals (Yargıtay) for redress. The law allows individuals to appeal their cases directly to the Constitutional Court, allowing for faster and logistically easier high review of contested court decisions. The right of citizens to apply directly to the Constitutional Court for redress of human rights issues led to a decrease in the number of applications made to the European Court of Human Rights against the country.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

While the constitution provides for the “secrecy of private life” and states that individuals have the right to demand protection and correction of their personal information and data, the law provides the National Intelligence Organization (MIT) the power to collect information while seriously limiting the ability of the public or journalists to expose abuses. The MIT may collect data from any entity in the country without a warrant or other judicial process for approval. At the same time, the law establishes criminal penalties for interfering with MIT activities, including MIT data collection, for obtaining information about the MIT, and for publishing information about the MIT. In addition the law gives the MIT and its employees immunity from prosecution. Only the Prime Minister’s Office has oversight of the MIT and the ability to investigate MIT activities. The law, adopted in 2014, has been referred to the Constitutional Court and was under review as of year’s end.

The Internal Security Package enacted on April 4 provides broader police powers for personal search and seizure. Senior police officials may authorize search warrants, with judicial permission to follow within 24 hours. HRW noted that a judge’s permission to conduct a search after it has already taken place failed to serve as a check against abuse. Individuals subject to such searches have the right to lodge complaints.

The law allows the Turkish Telecommunications Authority (TIB) to engage in wiretapping with a court order only if directed against alleged drug traffickers, organized crime members, or terrorists. The Internal Security Package increased from 24 to 48 hours the period of time during which security forces can conduct wiretaps without a judge’s approval and centralized approving authority to the Ankara Heavy Criminal Court. As a check against abuse of this power, the Internal Security Package allows annual inspections by the Prime Ministry’s Inspection Board and presentation of its reports for review to parliament’s Security and Intelligence Commission.

Human rights groups noted that tighter government control over wiretapping enabled by the Internal Security Package limited the possibility of using wiretapping to uncover government corruption, adding that wiretapping without a court order circumvented judicial control and potentially limited citizens’ right to privacy.

On May 29, the Ministry of Health reportedly sent letters to primary care physicians directing them to provide information about any of their patients referred for psychiatric care, without a provision for seeking permission from the patient. Critics alleged that this would allow for blacklisting or other discriminatory practices towards psychiatric patients. The Minister of Health Mehmet Muezzinoglu replied the data collection would provide more accurate statistics and improve assistance to patients.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

After a July 20 suicide bombing attributed to Da’esh in the southeastern city of Suruc, fighting between the PKK and government security forces increased. The PKK blamed the government for complicity in the bombing, which killed 33 mainly Kurdish activists and injured approximately 100. The PKK retaliated by killing two police officers on July 22, leading to an escalation of government-PKK violence over the following weeks. The fighting, which continued at year’s end, occurred mainly in the eastern and southeastern areas of the country inhabited by ethnic Kurds. It brought an apparent halt to the two-year peace process aimed at ending the PKK-government conflict that has continued since 1984.

On December 15, the government launched a major military offensive designed to eliminate PKK fighters using urban areas for operations. In conjunction with military action, the government declared curfews in these urban areas, including Cizre and Silopi districts in Sirnak Province and the Sur district of Diyarbakir Province. In some places the curfews lasted for more than 10 days. Reports indicated the local population faced difficulty obtaining food and water. Some reports estimated 200,000 persons fled their homes. A police report released on December 24 estimated 100,000 persons were displaced. On December 23, HRW released a report claiming that more than 100 civilians had been killed and many more injured in the Southeast since July.

Killings: Casualty tolls from renewed government-PKK fighting varied considerably and remained a topic of debate at year’s end. As of October 9, the TNP reported that 31 police, three soldiers, and one village guard were killed since the resumption of violence, with 146 police officers and 21 soldiers injured. The TNP reported

that 30 civilians had died and 96 were injured. A coalition of human rights groups consisting of EuroMed Rights, the International Federation for Human Rights, the HRA, the HRF, and the Helsinki Citizens' Assembly asserted that between July 21 and September 21, approximately 50 civilians; more than 121 police officers, soldiers, and village guards; and 57 PKK militants had been killed and dozens of civilians injured. In an update on November 20, the HRA stated that since July 20, 51 children had been killed as a result of the fighting.

Between August and the end of the year, the government implemented restrictive curfews in several urban neighborhoods as security forces responded to PKK violence and/or declarations of local autonomy by co-mayors. For example, starting on September 4, the government instituted a nine-day curfew in the southeastern city of Cizre in response to recurring PKK attacks. According to various sources, security forces killed between 20 to 22 civilians, including four children, during the curfew, although the government refuted this. The government prevented a delegation of HDP officials, including members of parliament, from entering Cizre for fact-finding purposes until the curfew was lifted. When the government undertook a new operation on December 14, curfews were reinstated in Cizre, Silopi, Nusaybin, and Sur, continuing for at least two weeks and in the case of Cizre, through year's end.

The Turkish General Staff reported that between July 20 and October 15, security forces killed more than 1,000 PKK fighters in Turkey and northern Iraq, although some observers questioned this figure. On October 5, then interior minister Selami Altinok announced more than 2,000 PKK fighters were killed in operations since July 22. Various security forces released varying reports on the number of security personnel killed in the violence, with at least 97 but possibly more than 300 security personnel killed.

PKK attacks also claimed the lives of police officers and civilians in Istanbul. On August 10, a suicide car bomb attack at a police station in Istanbul's Sultanbeyli district killed three officers and injured seven civilians. When officers investigated the explosion, PKK terrorists lying in wait attacked them, killing an additional police officer. Two PKK terrorists were killed in the fight. An armed branch of the PKK, the People's Defense Forces, claimed responsibility for both the suicide bombing and subsequent attacks.

Abductions: The Jandarma reported that on August 10, the PKK kidnapped 10 customs workers at the Kapikoy border gate, and on August 21, another 11 went missing in Van Province; all were released in Iraq the following month. The Jandarma reported that 15 security officers had been kidnapped between July 20 and December 15. The General Staff reported nine officers kidnapped, and the TNP reported one police officer kidnapped in the July 20-December 15 period. On September 1, a Turkish soldier disappeared under suspicious circumstances in borderland Kilis, near Da'esh-held territory. The TNP reported one village guard and five medical personnel were kidnapped during the year.

Child Soldiers: The government alleged the PKK continued to recruit and forcibly abduct children for conscription purposes. It claimed the families of 929 children had applied to security forces for help in securing the release of their children from the PKK. The government stated that during the preceding two years, the PKK either abducted or recruited 2,152 children and 419 children escaped from the PKK and surrendered to Turkish security forces during the same period. The government alleged the PKK had used children as suicide bombers. Independent observers disputed some of the government's claims.

On June 9, the governor of Sanliurfa Province stated the PKK recruited 3,000 children during the first six months of the year. The semi-official Anadolu News agency reported the PKK conscripted 597 children during the first six months of the year. Human rights groups believed most youths "joined voluntarily."

Other Conflict-related Abuses: The HRF noted health-care workers in Nusaybin, Cizre, Silopi, Van, Tatvan, and Bitlis experienced threats in their efforts to continue operating during the renewed violence. For instance, on October 22, a PKK bomb in Hakkari Province damaged a hospital, halting provision of health care at the site. At times security forces used hospitals as operational bases or interfered with the performance of medical personnel. At other times citizens or the PKK interfered with medical services. In Cizre the HRA reported security personnel on August 4 prevented the staff of the Cizre hospital from giving care to Besir Egitmis, who had been shot in front of his house. The HRA stated security forces used the Nusaybin hospital as a base from which to intervene in demonstrations outside and that hospital staff felt threatened and could not treat patients freely.

The HRA accused security forces of beating members of the media on August 11 when the latter tried to film health-care workers under pressure from security forces.

On September 8, violent protests throughout the country targeted the HDP for the party's perceived links to the PKK. Protesters burned the HDP headquarters in Ankara and attacked HDP offices in at least six other cities. The HDP reported its properties had been attacked approximately 400 times over the course of a few days.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

While the constitution and improvements made by the Fourth and Fifth Judicial Packages provide for protection of free speech, the penal code and antiterror law still contain multiple articles that restrict freedom of speech and press.

The penal code contains multiple articles that directly restrict press freedom and free speech, for example, through inclusion of provisions on praising a crime or criminals, inciting the population to enmity or hatred and denigration, and protecting public order. The law provides for punishment of 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. Human rights groups criticized the law for not including protections based on gender identity and noted that the law was sometimes used more to restrict freedom of speech than to protect minorities.

During the year many individuals, including journalists and minors, were indicted for insulting the president or prime minister; insulting the organs and institutions of the state; taking part in antigovernment plots; and being members of outlawed political groups. Some journalists were indicted for attempting to influence the judiciary (including publishing an opinion about how a pending case should be resolved or protesting in favor of a particular outcome).

Freedom of Speech and Expression: Individuals in many cases could not criticize the state or government publicly without risk of civil or criminal suits or investigation, and the government continued to restrict expression by individuals sympathetic to some religious, political, or cultural viewpoints. Active debates on human rights and government policies continued in the public sphere, particularly relating to political Islam, Kurds, and the history of the Turkish-Armenian conflict at the end of the Ottoman Empire. Government critics and human rights associations acknowledged that open debate on some topics, most notably Kurdish and Armenian issues, was more accepted than it was a decade ago. Nonetheless, many who wrote or spoke on sensitive topics involving the ruling party risked investigation. Some opinion leaders and many journalists reported they practiced self-censorship.

On April 16, after he remarked that it was impossible not to admit that Armenians were subject to genocide during the final years of the Ottoman Empire, Etyen Mahcupyan, who had been serving as an advisor to Prime Minister Davutoglu, announced he had retired. He said his retirement had taken effect a month earlier when he turned 65, but political analysts questioned the timing of the announcement, coming just after Mahcupyan’s controversial remarks.

The penal code criminalizes insults to the Turkish nation and leaders, including the president and prime minister. The Ministry of Justice reported receiving 331 complaints brought under this law in the first eight months of the year, of which it rejected 265. This data contradicted reporting in the EU progress report, which stated the Ministry of Justice received 962 requests for investigations of alleged insult to the president in the first six months of 2015, up from 397 in all of 2014. Persons from all walks of life were liable to come under investigation for insult or related offenses, including participants in political rallies, politicians, and children.

On July 14, a court found lawyer Umut Kilic, a member of the Afyon Bar Association, guilty of insulting President Erdogan for allegedly shouting at the Supreme Board of Judges and Prosecutors’ interview panel that they were representatives of “fascist Erdogan.” He received an 18-month suspended sentence.

On March 30, prosecutors launched an investigation against 58 persons (including journalists, musicians, and actors) for criticizing the state-run Anadolu Agency for biased coverage. The suspects were accused of “provoking persons to hatred and enmity, as well as defamation, slander and intimidation” for their posts on social media (under the penal code, which governs “offenses against public peace”).

Press and Media Freedoms: The print media was privately owned and active, although a small number of large business concerns owned many leading press outlets. Hundreds of private newspapers spanning the political spectrum published in numerous languages, including Kurdish, Armenian, Arabic, English, and Farsi, although most had low circulations. Conglomerates or holding companies, many of which had interests before the government on a range of business matters—including billions of dollars in government construction, energy, or communications contracts—owned an increasing share of media outlets. Only a fraction of these companies’ profits came from media revenue, and their other commercial interests impeded media independence and encouraged a climate of self-censorship. The concentration of media ownership influenced the content of reporting and limited the scope of public debate. According to the TNP, through December 15, one newspaper, 60 magazines, one banner, 19 books, three bulletins, and eight other published materials were banned, confiscated, or removed from distribution or sale.

The Radio and Television Supreme Council (RTUK) registered and licensed a large number of privately owned television and radio stations that operated on local, regional, and national levels. The wide availability of satellite dishes and cable television allowed the public access to foreign broadcasts, including several Kurdish-

language private channels. The RTUK allowed radio and television stations to broadcast in Uighur, Laz, and Kurdish (both the Kurmanji and Zaza dialects) during the year.

Amid the renewal of violent PKK attacks during the second half of the year, the government on July 25 blocked the internet availability of a number of mostly Kurdish-language media outlets. On September 14, a court order blocked broadcasting of two digital media platforms affecting approximately 100 channels, of which 40 were Kurdish-language channels. The government alleged the platforms were operating in breach of legal or technical requirements; critics alleged the decision to block the platforms was political. Several channels applied to Ankara's Administrative Court to appeal the block, and the court ruled in their favor on September 16. As of September 18, some channels had restarted broadcasting.

The Alternative Media Association reported that, as of July 25, the government had blocked nearly 100 internet news sites, most of which were largely pro-Kurdish or leftist in orientation (see Internet Freedom).

In the context of the government's fight against the "parallel state" or "parallel structure"--which it alleged was a clandestine network of followers of Muslim cleric Fethullah Gulen within the executive and legislative branches that sought to overthrow the government--a court ordered that a Gulen-affiliated holding company, Koza Ipek Holding, be placed under government-appointed trusteeship on October 27. Koza Ipek Holding owned five media outlets, which re-opened with a progovernment editorial line shortly after the takeover. Another holding company, Kaynak Holding, with the nation's largest publisher of educational textbooks, was put under trusteeship on November 18.

Most Gulen-affiliated television channels lost a significant portion of their audience after pay-television platforms dropped them, beginning with Tivibu on September 27. By October 15, four (out of six) digital pay-television platforms had dropped the channels. The government's media regulatory institution, RTUK, warned the operators that the removal violated broadcasting requirements for platform operators to be fair and impartial and was inconsistent with standard legal procedure. Despite the RTUK warning, a fifth pay-television platform, Turksat, dropped Gulen-affiliated channels on November 16.

While the law does not ban particular books or publications, publishing houses were required to submit books and periodicals to prosecutors for screening at the time of publication. Media activists reported that, as a means of censorship, the Ministry of Culture sometimes denied approval of a barcode required for all publications.

The Turkish Publishers Association (TPA) reported that publishers often exercised self-censorship, avoiding works with controversial content that might draw legal action. The association also reported that the state established book inspection committees in public schools and that school administrators closely monitored book recommendations, increasingly limiting students to ones approved by the state. The association described cases in which teachers who shared unapproved literature with students, even at the university level, faced investigation.

Writers and publishers were subject to prosecution on grounds of defamation, denigration, obscenity, separatism, terrorism, subversion, fundamentalism, and insulting religious values. Authorities investigated or continued court cases against myriad publications and publishers during the year. On December 15, a Gaziantep court ruled that the books of three authors, Hasan Cemal, Tugce Tatri, and Muslum Yucel, would be pulled from bookstores because the books were found among the possessions of two persons arrested for PKK membership.

The TPA stated that publishers faced publication bans and heavy fines if they failed to comply in cases where a court ordered the correction of offensive content. Publishers were also subject to book promotion restrictions. The TPA noted cases in which printers were held responsible for content, even if the publisher and author faced separate charges and, as in the 2011 case of Gulseren Aksu, were acquitted. Translators could also be held liable for translating material deemed objectionable. The government brought criminal charges against the publishers and translators of writers such as Guillaume Apollinaire and William Burroughs.

Observers also reported that, with the consolidation of media outlets under a few conglomerates that had other business interests, media entities increasingly practiced self-censorship to remain eligible for government contracts. Human rights organizations such as Freedom House noted that certain companies with media outlets critical of the government were targeted in tax investigations and forced to pay fines.

On October 28, police used teargas and water cannons to disperse crowds of supporters in front of the office building housing the Kanalturk and Bugun TV television stations, then forced their way into the building and shut down the two channels during a live broadcast. The police action was the result of a court ruling creating a board of trustees to manage the stations' parent company, Koza Ipek Holding. Critics of the takeover cited procedural irregularities and asserted that the media outlets were targeted for criticizing the government. Government officials denied any political motives, stating the connection between Koza Ipek Holding and Gulen justified the action.

Several organizations, including the Committee to Protect Journalists (CPJ) and Freedom House, reported authorities increased their abuse of the antiterror law and criminal code to prosecute journalists, writers, editors, publishers, translators, rights activists, lawyers, elected officials, and students for exercising their right to free expression.

Violence and Harassment: Government and political leaders and their supporters used a variety of means to intimidate and pressure journalists, including lawsuits, threats, and, in at least one case, physical attack. President Erdogan and AKP members sometimes verbally attacked journalists by name in response to critical reporting.

On May 29, a prosecutor opened an investigation against *Cumhuriyet* editor in chief Can Dundar on espionage charges related to a story he published in May alleging MIT had transferred arms to Syrian rebels via MIT-contracted trucks intercepted in Turkey in January 2014. On May 31, President Erdogan told a state television interviewer, "the person who wrote the story will pay a heavy price for it; I won't let him go unpunished." On June 2, prosecutors officially charged Dundar, asking for life imprisonment. After testifying before a judge on November 27, Dundar and his colleague, *Cumhuriyet's* Ankara representative Erdem Gul, were arrested and charged with "acquiring documents related to the security of the state," "political and military espionage," "publishing information supposed to remain secret," and "contributing to the propaganda of a terrorist organization."

On August 4, Dundar and 17 other journalists were indicted on terrorism charges in connection with publishing photos of prosecutor Mehmet Selim Kiraz, who died while being held hostage by DHKP/C terrorists. The two cases accusing Dundar of supporting terrorism continued at year's end.

On September 7, approximately 150 persons attacked the Istanbul office of the independent daily *Hurriyet*, smashing windows and attempting to enter the building. The attack, led by then AKP deputy Abdurrahim Boynukalin, occurred in response to *Hurriyet's* coverage of a statement by President Erdogan regarding recent violence in the Southeast. Two days later a video recording of Boynukalin surfaced in which he said it was a mistake not to beat *Hurriyet* columnists, specifically naming Ahmet Hakan. Prime Minister Davutoglu subsequently criticized Boynukalin's comments, and on September 18, Boynukalin was dropped from the AKP candidate list for the November 1 parliamentary elections. On December 17, Boynukalin was appointed deputy minister for youth and sports, and on December 21, the prime minister, during his speech at AKP's Youth Auxiliary Convention, praised Boynukalin for his success as the head of the AKP youth, presenting him with a gift of appreciation.

Government officials also pressured international journalists. On August 27, security forces detained British journalists Jake Hanrahan and Philip Pendlebury along with their Iraqi-national assistant, Mohamed Ismail Rasool, as they were filming clashes between security forces and the PKK in Diyarbakir. Authorities deported the two British journalists on September 6; their Iraqi colleague remained in jail through the end of the year.

Authorities at times also ordered raids on newspaper offices, temporarily closed newspapers, issued fines, or confiscated newspapers for violating speech codes. On January 14, police raided daily newspaper *Cumhuriyet's* printing office to prevent the distribution of editions containing a controversial *Charlie Hebdo* cartoon. Authorities later allowed distribution after a prosecutor determined the cartoon was not included in the edition. Separately, a Diyarbakir court ordered a block of several websites that had published the cartoon.

The number journalists imprisoned or detained by authorities rose in the second half of the year, largely due to the government's antiterror operations. In September the Ministry of Justice reported that 36 convicts and five detainees claimed they were members of the press. The ministry asserted that as of October there were no journalists in jail on journalism-related charges, arguing that these persons' crimes were not related to journalism but rather to other crimes, including murder, damaging property, or terror-related charges. Human rights groups pointed out that terrorism-related charges were a common tool to target journalists investigating sensitive issues, particularly PKK terrorism. Journalists who reported on the PKK or KCK were sometimes charged with a crime for promoting terror organizations.

On December 15, the CPJ released a report stating there were 14 journalists in the country's jails, double the number it listed in 2014. Other NGOs put the number of journalists in jail higher, including a listing by the EU in June (30) and the Turkish Union of Journalists in December (32). The CPJ noted many of the journalists released from prison in 2014 still faced charges and could potentially be incarcerated again, a status that encouraged self-censorship. On December 22, the Ministry of Justice stated that only four of the 32 journalists listed by the Turkish Union of Journalists carried press accreditation from the government and that another four of the 32 had already been released from jail.

The RTUK continued a practice of fining broadcasters whose content was considered "contrary to the national and moral values of society." A change in the make-up of the board following the June 7 elections may have rendered it more politically independent, although the makeup will change again to reflect the composition of the November 1 parliament, which returned the AKP to a firm majority.

Besides criminal charges and arrests, media faced verbal harassment, tax investigations and fines, and terrorism investigations. On May 28, the government banned Dogan Holding, owner of *Hurriyet*, *CNN-Turk*, and other media outlets, from participating in state tenders just days after President Erdogan accused owner and industrialist Aydin Dogan of being a "coup lover." On June 2, authorities opened an investigation against Aydin Dogan and several other businesspersons for their role in the "coup by memorandum" in 1997. On September 15, prosecutors opened an investigation into the Dogan Media Group for alleged terrorism propaganda. The investigation opened six days after progovernment mobs attacked the paper's offices and accused it of sympathizing with the PKK. The charges were allegedly also linked to the paper's failure to adequately blur the faces of dead Turkish soldiers in a photograph and to its interview of an individual who later joined the PKK. All three outlets adopted a progovernment editorial line at year's end.

Censorship or Content Restrictions: Government and political leaders occasionally resorted to direct censorship of news media. During the year the government added several events to the list of topics about which media coverage was restricted, including prosecutor Kiraz's March 31 death, the MIT arms-to-Syria scandal, the July 20 Da'esh bomb attack in Suruc, and the October 10 Da'esh bombing attack of a peace rally in Ankara. Independent media largely ignored the bans.

Progovernment media sometimes appeared to coordinate editorial decisions, running similar or identical headlines. In the initial minutes after a bomb attack at a June 5 HDP rally left five persons dead and nearly 400 injured, progovernment media outlets collectively announced the explosion was due to an electrical transformer and carried only "ticker" coverage of the event for nearly an hour. Progovernment media covered the event as a bombing only after a government minister announced the event was not due to a transformer explosion.

Although campaign rules allocated specific amounts of broadcast time to opposition political parties, in April the state-run *Turkiye Radyo ve Televizyon (TRT)* refused to broadcast a campaign ad prepared by the main opposition Republican People's Party on the grounds it "harshly targeted the AKP government," although the Supreme Election Board allowed the ad to run on other channels. The TRT was criticized during the election campaign for partisan broadcasting (see section 3).

Journalists reported that media outlets fired some individuals for being too controversial or adversarial with the government out of fear of jeopardizing other business interests. For example, in August two *Milliyet* journalists were dismissed after criticizing the government on their personal Twitter accounts, although not in their reporting.

The government continued the practice of excluding certain journalists representing outlets critical of the government from official press conferences and official events. When Prime Minister Davutoglu held a press conference on July 25 to discuss "antiterrorist operations," the editors of three newspapers linked to Fethullah Gulen--*Zaman*, *Taraf*, and *Bugun*--and the editor of the leftist daily *Birgun* were not invited. Similarly, these publications were not accorded credentials to cover the G20 summit in Antalya in November or its various antecedent events throughout the year.

On September 1, the group Solidarity against Censorship reported that, from July 24 through September 1, the government blocked 103 websites, specific content in 50 websites, and 23 Twitter accounts, and launched lawsuits against 21 journalists with a combined recommended sentence of 157.5 years in prison. It reported 20 journalists (including *Milliyet* and *Hurriyet* newspaper staff) lost their jobs at the same time. The organization also reported that during that same five-week period, 10 journalists were attacked, nine by police and one by an unknown assailant.

Libel/Slander Laws: Observers reported government officials used defamation laws to stop political opponents and journalists from voicing criticism. The law provides that persons who insult the president of the republic can face a prison term of up to four years. The sentence may be increased by one-sixth if committed publicly and by one-third if committed by the press or media. Hundreds of persons faced criminal charges, many of them multiple counts, for violations of the law, including "denigrating Turkishness" or insulting public leaders. According to the Ministry of Justice, it received 236 investigation requests and permitted 105 to proceed between August 2014 and February 28.

On June 16, an Ankara court gave a suspended 21-month prison sentence to *Today's Zaman* editor in chief Bulent Kenes for a tweet in which he insulted President Erdogan even though he did not name him. On August 6, Kenes was summoned before a judge, this time for a tweet that the prosecutor altered, changing Kenes' word "fools" to the singular "fool" and claiming it referred to Erdogan. He was briefly detained on October 8 on additional insult charges. On December 4, Kenes announced his resignation from *Today's Zaman*, citing "government pressure." On December 11, antiterror security officers again detained Kenes on charges of insulting President Erdogan in his articles and statements.

According to an April BBC report, since the beginning of President Erdogan's tenure in office (beginning as prime minister in 2003), 63 journalists have been sentenced to a total of 32 years in prison and fined 380,000 lira (\$128,000) collectively.

National Security: The antiterror law and the penal code were regularly used to limit free expression on grounds of national security. On July 24, then deputy prime minister Bulent Arinc accused the pro-Kurdish *Evrensel* and *Ozgur Gundem* newspapers of being "criminal machines." On July 25, just several days after the Da'esh bombing in Suruc and the subsequent renewal of government-PKK hostilities, the TIB ordered and a court subsequently endorsed the blocking of websites for *Evrensel*, *Ozgur Gundem* and approximately 100 other mostly pro-Kurdish news and information sites. Sendika.org and ETHA News Agency, leftist news sites, were also blocked.

The government continued to block media coverage of controversial and sensitive events in the name of national security, including prosecutor Kiraz's March 31 hostage-taking and death, the MIT arms-to-Syria scandal, the July 20 Da'esh bomb attack in Suruc, and the October 10 bombing attack on a peace rally in Ankara.

Internet Freedom

According to the Turkish Statistical Institute from August, 56 percent of the country's population used the internet.

The government maintained restrictions on internet access. Internet law allows the government to prohibit a website or remove content if there is sufficient suspicion that the site is committing any of eight crimes: insulting the founder of the Turkish Republic, Mustafa Kemal Ataturk; engaging in obscenity, prostitution, or gambling; encouraging suicide, sexual abuse of children; drug abuse, or provision of substances dangerous to health. An amendment during the year added the following reasons a website can be blocked or content removed: right to life and protection of security of life and property, protection of national security and public order, prevention of commission of crimes, or protection of public health. The TIB is empowered to demand that internet service providers (ISPs) remove content or block websites with four hours' notice. The TIB must refer the matter within 24 hours to a judge, who must rule on the matter within 48 hours. If it is not technically possible to remove individual content within the specified time, the entire website may be blocked. ISP administrators may face a penalty of six months' to two years' imprisonment or fines ranging from 50,000 to 500,000 lira (\$18,000 to \$180,000) for failing to comply with a judicial order. The law also allows persons who believed a website has violated their personal rights to request the TIB to order the service provider to remove the offensive content. On April 15, an omnibus law (the Law on Amending Some Other Laws and Regulations) took effect and amended Internet Law 5651, extending the discretion to request website blocking to government ministers and requiring TIB compliance within four hours followed by a court order within 24 hours.

The government's Information Technology Institution reported 150,924 complaints regarding offensive internet content, including vulgarity (56 percent), sexual exploitation of children (7 percent), prostitution (28 percent), and other offenses like gambling and insults against Ataturk. The institution did not provide numbers for the year and did not describe how many of the complaints resulted in blocking orders.

Authorities also used the antiterror law and other sections of the penal code to block websites.

On April 6, ISPs blocked access to YouTube and Twitter for several hours until they complied with a court order to remove images of prosecutor Mehmet Kiraz while he was held hostage by DHKP/C terrorists. On July 22, Twitter was again blocked for several hours after a court ordered the company to remove material related to the July 20 bombing in Suruc. According to a Twitter transparency report from August, Twitter content requests during the first half of the year represented a 26 percent increase over those of the second half of 2014. There were 408 court-ordered content removal requests from Turkey to Twitter, with an additional 310 requests from government agencies, police, and others lacking a court order. Twitter removed content in 34 percent of cases and blocked Twitter accounts in 125 cases. Twitter filed legal objections in response to 60 percent of the requests, but prevailed only 5 percent of the time. On December 11, news media reported that the government's communications authority imposed a 150,000 lira (\$51,000) fine on Twitter for failing to remove content it said praised terror and incited violence.

Government authorities on occasion accessed internet user records to "protect national security, public order, health, and decency" or to prevent a crime. Police must obtain authorization from a judge or, in emergencies, the "highest administrative authority" before taking such action. The law also establishes an ISP union of all internet providers that is responsible for implementing website takedown orders and is supposed to coordinate with content providers. The TIB is not obligated to inform content providers about ordered blocks or to explain why a block was imposed. Content providers, including Twitter and Facebook, were required to obtain an operating certificate for the country.

According to the internet freedom NGO Engelliweb, as of October 14, a total of 24,104 websites had been newly blocked during the year--23,023 by the TIB, 898 by court order, 23 by prosecutors pending court decisions, and 160 by the Turkey Pharmaceutical and Medical Device Institution's requests. As of December 2, Engelliweb reported there were 106,198 blocked websites, compared with 58,635 in 2014.

Internet access providers are required to deploy and use filtering tools approved by the TIB. Providers who operated without official permission faced administrative fines. Internet activists and the press reported that more than one million websites were blocked in internet cafes in the country. Additional internet restrictions operated in government and university buildings.

Authorities used insult and antiterror laws to prosecute persons who used the internet for speech considered insulting or threatening to Turkishness, the Turkish nation, or national leaders. Government leaders, including the president, reportedly employed staff to monitor the internet and initiate charges against individuals accused of insulting them.

Academic Freedom and Cultural Events

Government restrictions on freedom of speech at times limited academic freedom and cultural events. Some academics and event organizers stated their work was monitored and they faced censure from their employers if they spoke or wrote on topics not acceptable to academic management or the government. Consequently, some contacts reported that they could not easily attend academic programs and practiced self-censorship on sensitive topics. Human rights organizations and student groups continued to criticize constraints placed on universities by law and by the actions of the Higher Education Board that limited the autonomy of universities in staffing, teaching, and research policies and practice.

On April 10, the Ministry of Interior released a circular announcing that academics needed prior approval before conducting research on Syrian refugees living in the country, including surveys or fieldwork.

On April 13, Yucel Altunbasak resigned as president of the Scientific and Technological Research Council of Turkey (TUBITAK), reportedly due to allegations that TUBITAK played a role in the "parallel state." More than 250 TUBITAK officials have been fired or re-assigned since 2013 as the government increased its efforts to root out members of the alleged "parallel state."

The arts continued to experience de facto and de jure censorship. On April 14, the Istanbul Film Festival, slated to run April 4-19, announced the cancellation of numerous screenings, two major prize competitions, and the closing ceremony after filmmakers pulled their films in protest of a Ministry of Culture decision to block the screening of a film about the PKK entitled *Bakur* (North). Festival organizers received notification from the ministry that the film lacked an official registration certificate, a requirement for all films produced in the country instituted five years previously but rarely enforced. More than 100 filmmakers, including the winner of the 2014 Cannes Palme d'Or, signed a letter alleging censorship. Filmmakers complained about a double standard, noting that many films made in the country on less sensitive topics were allowed to be screened during the year and previous years without approval.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

Although the constitution provides for freedom of assembly, the penal code provides several grounds for government limitation of that right. The Internal Security Package, enacted on April 4, increased penalties for protesters carrying items that might be construed as weapons, prohibited the use of symbols linked to illegal organizations (including chanting slogans), and criminalized covering one's face during a protest. The law permits police to use tinted water in water cannons, which may be used to "tag" protesters for later identification and prosecution. The law also allows police to take persons into "protective custody" without a prosecutor's authorization if there is reasonable suspicion that they are a threat to themselves or to public order.

The government regarded many demonstrations as security threats to the state, deploying large numbers of riot police to control crowds, often using excessive force. The government selectively restricted meetings to designated sites or dates, particularly limiting access to Istanbul's Taksim Square and Ankara's Kizilay Square, and set up roadblocks to prevent protesters from gathering there. The government attempted to ban some demonstrations outright if they touched sensitive issues or appeared likely to include violence. The TNP reported that, through October 9, police detained 1,072 persons for participating in protests and illegal demonstrations and arrested 126. Security forces regularly responded with excessive force to protests, resulting in dozens of injuries, detentions, arrests, and even deaths. The TNP reported that five civilians, two police officers, and one soldier were killed during protests and that 66 civilians, 153 police officers, and six soldiers were injured. The government showed support for this strong security reaction.

According to the HRA, between July 21 and August 30, police intervened in 145 meetings or demonstrations. The HRA reported that 132 persons (including 12 children) were seriously wounded during this time in demonstrations countrywide related to the increased violence between security forces and the PKK.

According to the HRF, through November security forces detained 3,038 persons and arrested at least 201 during protests and demonstrations that resulted in 203 injuries. Human rights organizations remained critical of the violent police response to demonstrations and police use of tear gas.

The 2015 EU progress report stated that in 2014 and 2015, nearly 300 children were detained or taken into custody during protests. Numerous domestic and international human rights organizations criticized authorities' restriction of freedom of expression and assembly and the security forces' use of excessive force in a punitive manner against demonstrators.

For a third year, residents in cities nationwide freely celebrated the Kurdish new year holiday of Newroz. There were clashes reported between Newroz celebrants and the police in Sirnak, Batman, Mus, and Diyarbakir Provinces, all in the heavily Kurdish Southeast. In the clashes in Sirnak, four police officers and one child were injured. The HRF reported that 55 persons were detained and 10 were injured nationwide during Newroz celebrations.

On February 9, police prevented protesters from marching to the new presidential palace to mark the anniversary of the death of 15-year-old Gezi Park protest victim Berkin Elvan. The 50-person group, consisting of members of the leftist People's Front, travelled from Istanbul to Ankara in two minibuses. When the police halted the group in Ankara's Mamak district, the demonstrators locked themselves inside the minibuses, resisting a search warrant. Police forcefully entered the vehicles and used tear gas before detaining the 50 individuals inside.

The HRA reported that, on May 1 (Labor Day), the government again took extraordinary security measures in Istanbul, where it decided to close Taksim Square to the traditional annual demonstrations and close much of the public transportation system. As they did in 2014, police forces blocked all roads leading to Taksim Square and used pressured water, pepper gas, and plastic bullets against crowds gathered elsewhere in the city throughout the day. The TNP reported that authorities nationwide detained 339 persons during the demonstrations, of whom 235 were in Istanbul, where four persons were arrested. The Directorate General for Security issued a statement claiming that 50 persons, including 25 police officers, were injured nationwide. According to the group Jurists for Justice, 452 persons were detained during the day in Istanbul, with detentions arbitrarily lengthened and no notification to lawyers. Human rights groups alleged that, on May 4, several additional persons were arrested, bringing the total arrested for participation in May 1-related demonstrations to 20. The HRA reported that detainees were held for an arbitrarily long period and that it received numerous complaints of torture and inhuman treatment.

Investigations and trials continued throughout the year of individuals accused of violating the law during the 2013 Gezi Park protests. The Ministry of Justice reported authorities opened 591 cases against 5,020 Gezi Park protest participants and as of September had completed 301 cases, while continuing to pursue 273. The HRF reported that as of October authorities had charged 6,146 persons in connection with the protests in 115 different cases nationwide for fomenting unrest, resisting state officials, and violating the Law on Meetings and Demonstrations. The HRF reported that 22 of the 115 cases had concluded, resulting in 840 acquittals and 16 convictions. Of the 16 persons convicted, eight were sentenced to a total of six years and one month in prison, while the other eight were fined a total of 57,660 lira (\$25,600).

Among those subjected to criminal prosecutions were 26 members of the Taksim Solidarity Platform, a coalition of more than 100 organizations whose members included architects, engineers, doctors, trade unionists, and others. On April 29, a court acquitted the 26 defendants, who had faced up to 15.5 years in prison for "founding a criminal organization" and violating the Law on Public Meetings and Demonstrations.

On October 23, 244 of 255 defendants in an Istanbul-based Gezi Park protest case were found guilty of charges including "polluting the Bezm-i Alem Mosque by drinking alcoholic beverages inside the mosque" and "damaging the environment." Sentences ranged from two-and-a-half to 14.5 months in prison. Four persons (two of whom were doctors providing medical assistance to the injured) were found guilty of "damaging a mosque" and were sentenced to 10 months in prison. On November 2, 28 of 161 defendants in a Kayseri-based Gezi Park protest trial received prison sentences of between five and 12 months for crimes including "defying laws on meetings and demonstrations," "insulting a public officer," and "causing damage to property."

At least two new Gezi Protest trials began during the year. The first, in Ankara, involved 87 defendants. The second, in Izmir, involved 94 defendants, who had their first hearing on September 21. Authorities charged defendants in both cases with various counts of violating the Law on Meetings and Demonstrations, damaging public property, and resisting arrest.

A law criminalizing the provision of “unlicensed medical services” led to a case against the Ankara Medical Doctors’ Chamber for its doctors’ role in providing medical assistance during the Gezi Protests. On February 20, a court dismissed the charges.

On December 29, an Istanbul court acquitted 33 of 35 defendants in a Gezi Park-related trial of members of the Besiktas soccer team fan group, Carsi. Two of the defendants were found guilty of “possession of forbidden items,” for which they received a suspended sentence of two years and six months in prison. The Carsi group was a significant force in Istanbul’s 2013 Gezi Park protests. The 35 had been charged in September 2014 with “establishing an armed organization to create an Arab Spring illusion to overthrow the government” during the protests. They faced life imprisonment.

Freedom of Association

While the law provides for freedom of association, the government maintained several restrictions on this right.

Under the law persons organizing an association do not need to notify authorities beforehand, but an association must provide notification before interacting with international organizations or receiving financial support from abroad and must provide detailed documents on such activities. Representatives of associations stated this requirement placed an undue burden on their operations. LGBTI and women’s groups in particular complained that the government used regular and detailed audits to create administrative burdens and to intimidate them through the threat of large fines. According to the EU progress report, although cooperation between the government and civil society improved during the year, civil society organizations were sometimes unduly restricted, facing audits and legal attempts to shutter their operations based on restrictive interpretations of the law. On April 1, the Mardin Syriac Unity Association was closed by court order following a complaint by the district governor’s office regarding the association’s use of the word “unity” (which is commonly associated with labor unions) in its title as well as its leadership structure. The organization, which officially was accredited in 2014, continued to appeal the decision as of year’s end.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation, but at times the government limited these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers awaiting resettlement to third countries (termed “conditional refugees”), stateless persons, and Syrian guests under temporary protection.

The country continued to experience a dramatic influx of refugees from Syria, as well as persons from Iraq, Afghanistan, and other countries. By law refugee status could be conferred only on persons of European origin. Persons from other countries could apply for recognition as “conditional refugees,” with the exception of Syrians, for whom the law establishes a “temporary protection” status. The renewal of conflict in the Southeast also resulted in an increased number of internally displaced persons (IDPs).

In-country Movement: The constitution provides that only a judge may limit citizens’ freedom to travel and only in connection with a criminal investigation or prosecution.

Freedom of movement was a problem in the East and Southeast, where renewed conflict between the PKK and security forces following a two-year break led both the government and PKK members and supporters to block roads and set up checkpoints, temporarily restricting movement. The government instituted special security zones and established curfews in several provinces in response to PKK attacks (see section 1.g.).

Conditional refugees and Syrians under temporary protection also experienced restrictions on their freedom of movement. Authorities assigned “conditional refugees” to one of 62 cities, where they received services from local authorities under the responsibility of provincial governorates. These asylum seekers needed permission from local authorities to travel to cities other than their assigned city, including for meetings with UNHCR or resettlement country representatives. On September 15, media reported that Syrians under temporary protection were newly restricted by a Ministry of Interior circular forbidding Syrian migrants from traveling outside of provinces listed on their registration cards. According to media, authorities warned bus companies that they could be investigated as “human traffickers” if they sold tickets to migrants without checking identity

cards. Syrians who wished to travel could potentially obtain permission from the Directorate General of Migration Management (DGMM).

Foreign Travel: The government placed restrictions on foreign travel for Syrians under temporary protection. Only with individual exception could Syrians leave the country for reasons other than family reunification, health treatment, or permanent resettlement.

A refugee accepted by a third country for resettlement through a UNHCR process needed to obtain exit permission before leaving the country. UNHCR reported that, through the end of September, 5,900 persons received exit permission and departed the country. The government reported in September that 2,794 provisional refugees had been allowed to leave the country during the year; another 1,757 "conditional refugees" were sent to a third country.

Internally Displaced Persons

The renewal of conflict in the Southeast displaced an estimated 100,000 to 200,000 persons. The Ministry of Interior reported that during the conflict between security forces and the PKK from 1984 to the early 2000s, 386,360 persons had been displaced, of whom 190,000 eventually returned to their homes.

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 Ministry of Interior reported that a cumulative total of 3.4 billion lira (\$1.2 billion) had been paid to applicants through September (of which approximately 35 million lira (\$12 million) was paid during 2014). Delays in payments continued, however. Since 1999 a total of 181 million lira (\$80.3 million) has been allocated from the ministry's budget for provinces affected by the rehabilitation project.

Protection of Refugees

During the year many countries in the EU and Southeast Europe experienced an unprecedented wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum seekers/potential refugees, economic migrants, and trafficking victims, among others. For simplicity, this report will refer to these populations as 'migrants and asylum seekers' if more specific information is not available.

Access to Asylum: The law provides for standard treatment of asylum seekers countrywide and establishes a system of protection, but limits rights granted in the 1951 UN Refugee Convention to refugees from Europe and establishes restrictions on movement for conditional refugees. While most non-European asylum seekers were not considered refugees under the law, the government granted temporary protection status to Syrians while maintaining conditional/subsidiary refugee status for other asylum seekers.

Non-Europeans of any other origin (commonly Iraq, Iran, Afghanistan, and Somalia) were required to apply for conditional refugee status through a status determination process run by UNHCR. Authorities offered protection against refoulement to all non-European asylum seekers who met the definition of a refugee as defined in the 1951 convention and as determined through status determinations by UNHCR. Those under temporary protection as well as those in conditional/subsidiary refugee status were permitted to reside in the country temporarily.

The law provides regulatory guidelines for foreigners' entry into, stay in, and exit from the country and for protection of asylum seekers. The law does not have a strict time limit to apply for asylum, requiring only that asylum seekers do so "within a reasonable time" after arrival. The law also does not require asylum seekers to present a valid identity document to apply for status. The law distinguishes between conditional refugees and foreigners under "temporary protection."

UNHCR reported receiving information from multiple sources about denial of entry to undocumented Iraqis and Syrians during the year. At least seven Syrian nationals and two Palestinians from Syria were denied entry and detained at an Istanbul airport for several months before opting for voluntary repatriation. HRW reported that Syrians without valid documentation regularly were denied entry. The country, however, continued to open its borders to Syrians without valid documentation for cases of urgent medical need or during impending humanitarian disasters.

UNHCR reported that as of September, approximately 200,000 Iraqis resided in the country, of whom 115,832 had entered UNHCR's refugee status determination process. In addition, as of September, there were 71,256 Afghans, 22,621 Iranians, and 15,064 persons of other nationalities in UNHCR's status determination process. Syrians, who do not qualify for conditional refugee status, instead qualified for temporary protection status. The government reported there were 2,181,293 Syrians registered for temporary protection as of November 3. The government reported that, as of October 8, there were 257,278 Syrians and 15,177 Iraqis residing in government-run camps. The government further reported that as of May 15, there were five refugees of European origin.

Safe Country of Origin/Transit: UNHCR reported successful interventions in most cases where asylum seekers arrived lawfully in the country. It also reported generally good access to asylum procedures for persons in detention or at international airports who wished to claim asylum.

Refoulement: UNHCR reported a limited number of cases of refoulement. During the year authorities deported at least one Afghan refugee to his country of origin. UNHCR received several reports of persons in detention, including Iraqis and Syrians, who opted for voluntary repatriation, but it was unclear whether all were truly voluntary. In August and September, 1,000 Iraqis involuntarily were returned from Hatay Province to Iraq, which the Iraqi Embassy in Ankara facilitated. Amnesty International (AI) reported that 80 Syrian refugees were refouled in November, and another 50 faced deportation after participating in peaceful protests in the city of Edirne in September. AI reported that another group of 150 Syrians, who had been interdicted by the Turkish Coast Guard while attempting to reach a Greek island, were sent to a camp in Osmaniye on September 17, during which time they were threatened with refoulement. Another group of migrants in the same camp reportedly was released from custody only after agreeing to return to Iraq.

UNHCR sometimes had difficulty gaining access to interview potential refugees whom security forces had detained or arrested for illegal entry into the country. Overall, however, UNHCR reported improved access to asylum seekers, including in removal centers.

Refugee Abuse: Hundreds of thousands of Syrians crossed the country's southern border during the year. A few were injured or killed during border crossings, including by security forces (see section 1.a.).

The HRA alleged that security forces detained and tortured an Uzbek asylum seeker in an Istanbul detention center on March 7. AI alleged security authorities forced some Syrians in detention to sign voluntary return papers.

There were numerous allegations of refugee exploitation, including illegal work schemes, housing manipulation, and human smuggling. Refugees' lack of access to legal employment left them vulnerable to employment manipulation, including failure to pay wages and unsafe work conditions. CBS News in September documented sweatshops in Istanbul that employed Syrian children working long hours for low pay. Other media stories documented forced prostitution and bride-selling among Syrian refugees. On September 29, authorities reported finding 24 Syrians living in a two-room basement slum in the border town of Edirne.

UNHCR reported that approximately 697 LGBTI asylum seekers and conditional refugees lived in the country, 82 percent of them from Iran. Human rights groups reported these refugees faced discrimination due to their status as members of the LGBTI community.

Employment: Syrians under temporary protection have no right to work, while other conditional refugees can work once they have been resident in the country for six months. The work permission protocol was the responsibility of the employer and was sufficiently burdensome that few employers pursued legally hiring refugees. Consequently, the vast majority of conditional refugees remained without legal employment options.

Access to Basic Services: Provincial governments, working with local NGOs, are responsible for meeting the basic needs of refugees and other asylum seekers assigned to satellite cities in their jurisdictions as well as Syrians present in their districts. Basic services were dependent on local officials' interpretation of the law and on their resources. Governors had significant discretion in working with asylum seekers and with NGOs, and the response of local officials to refugee populations varied widely. Following the passage of temporary protection regulations in 2014, some provincial authorities demanded that NGOs stop providing medical care to Syrian refugees unless the refugees were officially registered. During the year the government released guidelines officially restricting the provision of medical care to Syrians who were registered, and only in the province in which they were registered.

As of March the Ministry of National Education reported that 93 percent of Syrian children in camps and 26 percent of children outside of camps were in school. An August UN Children's Fund (UNICEF) report also placed the school attendance rate outside of camps at 26 percent.

Durable Solutions: The law does not provide for durable solutions within the country for conditional refugees but allows them to stay until resettled to a foreign country. The government assisted in the safe, voluntary return of refugees to their home countries when applicable.

Temporary Protection: The government enacted a temporary protection status regime in response to the arrival of Syrian refugees who do not qualify as refugees due to the European-origin limitation in the law. Authorities required asylum seekers to register with the DGMM to legalize their temporary stay in the country.

Although the government publicly announced an open-door policy for all Syrians fleeing to the country since 2011, security concerns affected this policy. In general, authorities were highly permissive in allowing emergency cases to enter. Authorities continued to admit Syrians seeking refuge, but their options to enter the country legally were restricted, causing many to risk dangerous illegal crossings. As noted, the country

continued to open its borders to Syrians without valid documentation in cases of urgent medical need or impending humanitarian disaster.

Syrians who officially entered the country with passports could receive one-year residence permits upon registration with the government. UNHCR estimated that only 4 percent of the Syrian population in Turkey qualified for residency. All Syrians were required to register with the government. Some Syrians complained that information on registration and subsequent assistance possibilities was difficult to obtain. As of the end of September, the country provided temporary protected status and assistance to more than two million Syrian citizens, approximately 270,000 of whom were in camps along the Syria border. Although estimates of unregistered Syrians in the country varied, experts believed that most were registered. Syrians who registered with the government were able to receive an identification card, which qualified them for assistance provided through the governorates, including free health care. Residents of the camps were provided with significantly more assistance, including shelter, education, and food support. Residents of the camps were also generally free to enter and leave the camps. They were generally required to inform camp management and risked losing their place if absent for more than 15 days.

Stateless Persons

According to UNHCR, there were 780 persons under its statelessness mandate as of December 2014. Although the government provides documentation for babies born to conditional refugees and Syrians under temporary protection, statelessness remained an increasing concern for these children who can receive neither Turkish citizenship nor documentation from their parents' home country. According to the DGMM, 64,540 babies were born to Syrian mothers in the country during the first nine months of the year.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to change their government through free and fair elections based on universal and equal suffrage, and citizens exercised this ability. The government restricted the activities of some opposition political parties and leaders through a variety of measures, including by detaining local party officials, most commonly those affiliated with the HDP.

Elections and Political Participation

Recent Elections: Candidates were generally able to campaign freely in advance of the June 7 parliamentary election, which suffered from an uneven campaign playing field, according to the Organization for Security and Cooperation in Europe (OSCE). In its postelection report, the OSCE stated the elections were characterized by active and high citizen participation (86 percent) during the campaign and on election day. The report criticized the 10-percent threshold for political representation in parliament and noted that media members and journalists critical of the ruling party were subject to pressure and limitations during the campaign. The OSCE report also expressed concern over President Erdogan's active role in the campaign, in contravention of constitutional requirements for the president to remain politically neutral. Three of five monitored television stations displayed a significant bias in favor of the ruling party, according to the OSCE. In its post-election report following the November 1 election, the OSCE expressed concern about restrictions on media reporting and a campaign environment that restricted candidates' ability to campaign freely, among other issues.

In June the country's media-monitoring board reported that during the campaign state-run television broadcaster TRT provided 54.5 hours of coverage of the AKP and 45 hours of President Erdogan, compared with 14 hours of the main opposition Republican People's Party (CHP), 7.5 hours of the Nationalist Movement Party (MHP), and three hours of the pro-Kurdish HDP. The campaign for the November 1 election also featured similarly disproportionate coverage of the AKP.

Both the June and November campaigns included a number of attacks on political party offices, rallies, and members, including incidents that caused injuries and deaths. The HRA alleged a high number of attacks against political party property and members during the June 7 campaign, citing 187 attacks on party offices and vehicles, candidates, meetings, and officials between March 23 and June 3. The attacks were disproportionately aimed at the property and members of the HDP, with 168 attacks against HDP interests, 12 attacks against the ruling AKP, five against the main opposition CHP, and two against the MHP. The HRA claimed 97 persons were injured during such attacks. Police arrested 10 persons and detained one. The HRA alleged that during the election campaign, police arrested 183 persons and detained eight; 32 HDP members in this cohort claimed police tortured them or treated them inhumanely.

On June 5, a double bombing struck an HDP rally in Diyarbakir, killing five persons and injuring more than 100. Authorities attributed the attacks to Da'esh. Police arrested one suspect.

On September 8, amid an increase in violence between security forces and the PKK, violent protesters attacked HDP offices in at least seven cities, burning the party's offices in certain cities, including parts of its Ankara headquarters. Protesters linked the HDP to PKK violence. The HDP reported that its properties were attacked more than 400 times during the course of several days in early September.

The law requires a party to receive at least 10 percent of the valid votes cast nationwide to enter parliament, which many political parties and human rights groups criticized as excessively high. Four of the 20 parties that competed in the June 7 general elections crossed this threshold; the HDP's entry into parliament marked the first time in history a party advocating Kurdish rights as an organizing principle crossed the election threshold. Candidates who ran as independents were able to bypass the threshold, but no independents were elected. The November 1 election also led to the same four parties crossing the 10 percent threshold. No independents were elected.

In the months leading up to the November 1 parliamentary elections, police detained, and in some cases arrested, a significant number of HDP officials across the country who were affiliated with election preparations, often on charges related to terrorism. HDP representatives viewed the step as an attempt by the AKP to prevent the HDP from passing the 10 percent election threshold.

Political Parties and Political Participation: While political parties and candidates could freely declare their candidacy and run for election, the chief prosecutor of the Court of Appeals could seek to close political parties for unconstitutional activities by bringing a case before the Constitutional Court. On March 2, the government lowered the criterion for state financial support for parties' political campaigns from 7 to 3 percent of the vote, giving smaller political parties a better chance of obtaining state financing.

During campaigning for the June 7 parliamentary election, observers accused President Erdogan of violating the constitutional requirement for the president to remain politically neutral. Opposition political parties applied to the Supreme Election Board to protest the president's actions. The board rejected the petition, citing lack of jurisdiction. The HDP subsequently petitioned the Constitutional Court, which as of October had not heard the case. Critics expressed similar concerns about President Erdogan's criticism of opposition parties during the campaign prior to the November 1 election.

Participation of Women and Minorities: The June 7 election resulted in the highest numbers of female and minority deputies in the country's history. There were 98 women elected to the 550-seat parliament. A number of ethnic and religious minorities also gained representatives in parliament on June 7, including the first Romani member of parliament, Ozcan Purcu. The results of the November 1 election reduced the number of women in parliament to 81, still more than had been in parliament previously (79). The 26-member cabinet named on November 24 featured two women.

Nonetheless, the number of women in politics and the judiciary remained very small. The Ministry of Family and Social Policies reported that two governors (Kirklareli and Sinop), 17 subgovernors, and 12 deputy governors were women.

Many women's organizations reported in February that they were not invited to the first meeting of a commission formed within parliament to carry out research regarding violence against women. Some 60 women's organizations, including prominent ones such as Mor Cati (Women's Shelter Foundation), the Istanbul Feminist Collective, the International Foundation of University Women, and Flying Broom, were reportedly not invited to participate in the commission, which instead gave prominent access to women's groups organized under the ruling party's leadership.

Section 4. Corruption and Lack of Transparency in Government

While the law provides criminal penalties for official corruption, the government did not implement the law effectively, and some officials engaged in corrupt practices with impunity. The EU progress report noted the country had not made progress in limiting the immunity of members of parliament and senior public officials in corruption-related cases or in establishing objective criteria for lifting their immunity.

Corruption: There was no established pattern of or mechanism for investigating, indicting, and convicting individuals accused of corruption, and there were concerns about the impartiality of the judiciary in the handling of anticorruption cases.

A major corruption scandal allegedly involving then prime minister Erdogan, his children, and close political advisors and business associates wound down in 2014 after the prosecution decided against pursuing cases against government officials. The scandal originally broke in 2013 and was fueled by the leak of dozens of alleged wiretap recordings in February and March 2014. By the end of 2014, most cases opened against government officials accused of corrupt dealings had been closed. During the year prosecutors instead indicted four prosecutors and one judge who had conducted the initial investigation.

On June 16, the Ankara Fifth Criminal Court of Peace announced it would file a summary proceeding against Kemal Kilicdaroglu, leader of the CHP, for disclosing audio recordings purportedly showing that President Erdogan ordered his son, Bilal, to dispose of large amounts of cash. The original recordings were released anonymously on the internet in early 2014 in conjunction with the 2013 corruption allegations connecting the Erdogan family and other high-ranking members of the AKP and their business contacts to corrupt business and political practices. Kilicdaroglu played the recordings during a CHP meeting in February 2014. This was the second attempt to prosecute Kilicdaroglu on these charges, following a case filed by President Erdogan in 2014, which the prosecutor's office at that time decided not to pursue.

The International Transparency Association of Turkey (ITA) alleged that the governing party, the AKP, used public funds inappropriately during the June 7 election. The ITA filed complaints with the Supreme Election Board, but received no response. The ITA also noted that the decision not to pursue prosecutions of government officials in connection with the 2013 corruption scandal-related allegations created a situation of impunity and negatively impacted the fight against corruption.

The ITA also reported that the corruption perception index in the country in 2014 fell five points. According to the ITA, a survey conducted in April showed the public believed the government was unsuccessful in fighting corruption.

Financial Disclosure: The law requires certain high-level government officials to provide a full financial disclosure, including a list of physical property, every five years. Officials generally complied with this requirement. The Prime Ministry's Inspection Board, which advises the Corruption Investigations Committee, is responsible for investigating major corruption cases. Nearly every state agency had its own inspector corps responsible for investigating internal corruption. Parliament can establish investigative commissions to examine corruption allegations concerning cabinet ministers or the prime minister, but that mechanism was ineffective. A majority may vote to send such cases to the courts for further action. There was no coordination with civil society on oversight.

Public Access to Information: While the law provides for public access to government information, the government occasionally rejected applications on national security grounds. The law restricts access to information pertaining to state secrets, as well as information concerning the privacy of individuals and intellectual property. The law requires institutions to provide requested information within 15 or 30 working days, depending on the volume of the request. If the government needs additional time, the applicant must be informed of the extension and the underlying rationale within 15 working days. Processing fees, which observers considered reasonable, are waived if the information can be obtained and provided via e-mail. Officials and other civil servants who negligently, recklessly, or deliberately obstruct the law are subject to disciplinary sanctions.

Denials of requests for information are subject to appeal. Within 15 days from the date of official notification, an applicant whose request for information was rejected may appeal to the Board of Review of Access to Information, which then has 30 days to render a decision. Following the board's decision, individuals may also appeal for judicial review in an administrative court.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups operated throughout the country. Some had difficulty registering as legal entities with the Ministry of Interior. Others faced government obstruction and restrictive laws regarding their operations, particularly in the Southeast. International and Syrian NGOs based in the country and involved in Syria-related programming reported difficulty obtaining residency permits for their staff and complained that documentation requirements were unclear. Human rights groups reported the government was sometimes unresponsive to their requests for meetings and did not include their input in policy formation. Human rights organizations and monitors as well as lawyers and doctors involved in documenting human rights violations occasionally faced detention, prosecution, intimidation, harassment, and closure orders for their activities. Human rights organizations reported that official human rights mechanisms did not function

consistently and failed to address grave violations. At times lawyers were detained when they attempted to intervene on behalf of protesters.

On September 30, police raided the offices and homes of the Siirt provincial branch of the HRA and other NGOs. Police detained three HRA officers and arrested 10 persons, including journalists and members of the Democratic Regions Party, a Kurdish political party. Authorities charged the HRA officers under the antiterror law. The HRA contended that police had insufficient warrants and authority to confiscate books, reports, other documents, and computers belonging to the HRA. The HRA's Siirt branch has been linked to terror activities in the past, with its previous executive, Abdullah Gergen, sentenced in 2014 to more than eight years in prison for belonging to a terrorist organization.

On March 10, the Baran Tursun Foundation (Baransav), which documents and monitors excessive use of police force, received a notice from an Izmir court calling for its closure one week after releasing a report on police violence. The TNP reportedly requested Baransav's closure, claiming that the report was insulting to police and their profession. The foundation's legal challenge of the ruling continued at year's end.

The government noted that it had prepared a book on human rights that would become part of the Jandarma training curriculum in 2016. It additionally stated that 5,000 Jandarma had received training in human rights and counterterrorism issues, and that 31 detention centers had been inspected for procedural compliance. The TNP reported that 5,588 personnel had received one hour of human rights training during the year and that 1,733 personnel had taken a longer counterterrorism and human rights course that covered detention, arrest, and defense tactics.

Government Human Rights Bodies: The National Human Rights Institution (NHRI), which reports to the prime ministry, acts autonomously within the government to protect and promote human rights. During the year the agency published reports about Afghan asylum-seeker Lutfullah Tacik's suspicious death and conditions in Van Province's return center; prison conditions in Antalya; and conditions in an Ankara hospital. Critics noted that the NHRI budget was provided by the prime ministry, limiting its ability to act independently.

The Ombudsman Institution operates under parliament but as an independent complaint mechanism for citizens to request investigations and research and to make suggestions regarding government practices and actions, particularly concerning human rights issues and personnel issues. The Ombudsman Institution had a budget of 15 million lira (five million dollars) during the year, 85 percent of which was for institutional expenses. As of August, it had received 4,378 complaints alleging human rights violations related to public personnel, government training, and labor and social security issues. In 2014 the institution made 119 recommendations, of which the state institutions implemented 38 percent. As of August the institution gave 55 recommendations and 15 partial recommendations and rejected 74 cases. It ruled that 1,350 applications were inadmissible. The EU progress report noted the institution had increased its capacity and that a higher percentage of its recommendations had been implemented than previously.

The Ministry of Justice's Human Rights Department is the ministry's sole authority for human rights issues.

Parliament's Human Rights Investigation Commission (HRIC) functioned as a national monitoring mechanism. Commission members conducted on-site inspections of detention centers and prisons and maintained dialogue with NGOs. It provided reports to the relevant government offices for action. Through June 6, the HRIC had received 517 complaints of alleged human rights violations related to problems involving judicial processes, prison conditions, practices of state officials, social security issues, financial aid requests, and rights for soldiers, workers, and persons with disabilities. Nearly 60 percent of those complaints focused on prison conditions, inhuman treatment, and transfer and medical treatment requests of prisoners. Nearly 31 percent of the complaints were related to judicial processes. The HRIC's budget was part of parliament's general budget.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, but the government did not enforce these prohibitions effectively. Government officials used discriminatory language toward opposition groups such as protesters, women, Kurds, Alevis, LGBTI individuals, and other vulnerable populations. The constitution allows measures to advance gender equality as well as measures to benefit children, seniors, persons with disabilities, widows, and veterans, without violating the constitutional prohibition against discrimination. Civil society organizations asserted the grounds for punishing discrimination and violence motivated by hate in the law remained too limited and excluded major offences that may be motivated by discrimination or hate, especially failing to protect the most vulnerable groups, including women, persons with disabilities, LGBTI individuals, Roma, and members of other ethnic minorities.

Women

Rape and Domestic Violence: The law prohibits violence against women, but human rights organizations claimed the government did not effectively enforce it. The law prohibits sexual assault, including rape and spousal rape, with penalties of imprisonment for attempted sexual violation from two to 10 years, and for rape or actual sexual violation for not less than 12 years. The government did not effectively or fully enforce these laws or protect victims, who often waited days or weeks to report incidents due to embarrassment or fear of reprisals, hindering effective prosecution of assailants. Government statistics on violence against women were incomplete, and human rights organizations had little confidence that official statistics were comprehensive or captured the magnitude of the problem. Societal acceptance of domestic abuse in some cases contributed to its underreporting.

The law covers all women, regardless of marital status, and provides for police and local authorities to grant various levels of protection and support services to survivors of violence or to those at risk of violence. It also requires government services, such as shelter and temporary financial support, for victims and provides for family courts to impose sanctions on perpetrators.

The law provides for the establishment of prevention-of-violence and monitoring centers to offer economic, psychological, legal, and social assistance. As of December 2015, Ministry of Family and Social Policies (MOFSP) reported there were 135 women's shelters run by the government (100) or civil society (four) and local administrations (31) and 40 in-take centers (SONIMs) operated by the ministry. The shelters had a capacity of at least 3,375. The MOFSP reported that municipality shelters in the first four months of the year served 804 women and 494 children. Purple Roof alleged that the SONIMs and shelters were insufficient in number and quality of services provided. Purple Roof alleged the SONIMs had policies that actually harmed the victims they were supposed to serve, including through invasive searches, removal of victims' cell phones, and restricted entry and exit hours. Because all referrals to shelters must proceed through SONIMs, this negatively affected the efforts of municipalities--suffering from low budgets and limited capacity--to serve victims of gender-based violence.

Regulations call for a state-funded women's shelter for every 100,000 persons. There were no sanctions for noncompliance. Observers noted an inadequate number of shelters--or no shelters at all--in many cities with populations above 100,000. For example, there were only three shelters in Adana, a city with a population of two million.

The government operated a nationwide domestic-violence hotline, but women's rights NGOs criticized the government for changing its focus from violence against women to broader issues, as demonstrated by its new name: the hotline for Family, Women, Children, the Disabled, and Families of Martyrs and Veterans. The Ministry of Family and Social Policy reported that between January 1 and December 21, the hotline received 13,882 calls. NGOs reported the quality of services provided in calls was inadequate for victims of domestic violence.

In April the Ankara Bar Association president stated in a press release that the association's Poppy Center, which provides legal support to women facing domestic violence, had assisted approximately 3,000 women and children out of nearly 25,000 requests since 2011. The bar association appointed lawyers in more than 2,500 cases, and some 500 women were directed to shelters and received psychological assistance. The association president estimated in 2014 that only 10 percent of victims of domestic violence actually applied for institutional assistance.

Violence against women, including spousal abuse, remained a serious and widespread problem both in rural and urban areas. Spousal rape is a criminal offense, and the law also provides criminal penalties for crimes such as assault, wrongful imprisonment, or threats. Despite these measures, the number of killings and other forms of violence against women remained high.

Courts regularly issued restraining orders to protect victims, but human rights organizations reported police rarely enforced them effectively. Women's associations also charged that government counselors sometimes encouraged women to remain in abusive marriages at their own personal risk rather than break up families. On May 5, the Stop Women Murders Now Platform, a domestic NGO, reported that 27 percent of killings of women involved wives seeking a divorce.

NGOs estimated domestic violence killed 400 women during the year. NGO groups maintained these numbers were probably lower than actual occurrences due to underreporting.

A study released by Hacettepe University in January found that, on average, 35 percent of women experienced physical violence at least once in their lives, while 12 percent experienced sexual violence.

On February 11, Ozgecan Aslan, a 20-year-old university student in Mersin Province, was stabbed and killed when she resisted a private bus driver's attempt to rape her. After killing her, the bus driver cut off her hands to

hide her fingerprints and burned the body with the help of his father and a friend. Her body was found on February 13, and more than 5,000 attended her funeral on February 16. Demonstrations took place in more than a dozen cities from February 14-23 to show support for Aslan and condemn her killer and his accomplices. The first hearing in the case of the accused murderer, Ahmet Suphi Altindoken, took place on June 12 in Mersin Province. Altindoken was charged with murder and attempted rape, while his father and his friend were charged as accomplices. On December 3, Ahmet Suphi Altindoken, his father Necmettin Altindoken, and his friend, Fatih Gokce, were found guilty and sentenced to aggravated life imprisonment.

Courts often gave reduced sentences to men found guilty of committing violence against women, citing good behavior during the trial or "provocation" by women as an extenuating circumstance of the crime. For example, on February 17, I.K. received a 20-month reduced sentence for raping a Japanese tourist in 2011 due to his "respectful attitude in court."

The Jandarma reported more than 100 personnel working in the children and women's department and the public order department received training related to domestic abuse or gender-based violence. In addition 1,050 Jandarma officers in training received a course on this topic. The Ministry of Family and Social Policies reported that 71,000 police, 169,598 soldiers, and 47,566 religious clerics received training on domestic violence and honor killings. The ministry did not clarify when the training occurred.

Other Harmful Traditional Practices: So-called honor killings of women remained a problem. Most honor killings occurred in conservative families in the rural Southeast or among families of migrants from the Southeast living in large cities. Individuals convicted of honor killings may receive life imprisonment, but NGOs reported actual sentences often were reduced due to mitigating factors. The law allows judges, when establishing sentences, to take into account anger or passion caused by the "misbehavior" of the victim. Because the law created harsh penalties for honor killings, family members sometimes pressured girls to commit suicide to preserve the family's reputation. The government did not report statistics on honor killing, and women's advocates alleged this failure was part of the problem. Local political and human rights representatives noted that society ignored women killed by family members because there was an underlying assumption that some type of "honor" violation was involved, perhaps justifying the murder. Human rights groups also alleged honor killings were likely underreported in the media and inadequately investigated by police, as murders were not always attributed to honor killing, were made to look like suicide, or were in fact induced suicides.

The Federation of Women's Associations reported a trend of suspicious suicides of teenage girls in Van Province. In one 40-day period, 14 women committed suicide by hanging, shooting themselves, or other suspicious methods. The federation noted some of the victims had been forced to marry, some were the victims of domestic violence, and some had been prevented from attending school.

On February 2, at an Istanbul bus terminal, Hamdullah Ayaydin was killed and 19-year-old C.I. was seriously injured in an attack allegedly perpetrated by C.I.'s family members upset at their infidelity. Ayaydin was C.I.'s brother-in-law and had taken her by bus from Mardin to Istanbul, allegedly to help with her sister's one-year-old child. A history of infidelity and family fights ended with C.I.'s brother attacking them at the bus terminal. Six persons were detained, including one minor, and charged with intentionally committing murder with an "honor" motive.

Sexual Harassment: During the year authorities increased penalties for sexual crimes committed against women and children. The law provides for two to five years' imprisonment for sexual harassment. If the victim is a child, the recommended punishments are longer. Women's rights activists reported authorities rarely enforced these laws.

Reproductive Rights: Couples and individuals generally have the right to decide the number, spacing, and timing of their children; manage their reproductive health; and have the information and means to do so, free from discrimination, coercion, and violence. Women's rights NGOs criticized the government for unofficial bans on or interference in the distribution of birth control pills.

Discrimination: While women enjoy the same rights as men under the law, societal and official discrimination were widespread.

On June 1, President Erdogan told a gathering in the eastern province of Igdir that he would not accept criticism from women. Addressing a crowd of women who had turned their backs to him, he made a sexual slur, adding, "If you have a modicum of politeness, honor, and ability, then the place for politics is parliament."

The constitution permits measures, including positive discrimination, to advance gender equality. To encourage the hiring of women, the state began paying in 2011 the social services insurance premiums on behalf of the employer for several months for any female employee over age 18. The Ministry of Family and Social Policy reported on the efforts of several organizations to reduce discrimination against women, including parliamentary commissions on equal opportunity and human rights, the Ombudsman Institution, and the NHRI. The Ministry of Family and Social Policies also has a directorate focused on the status of women.

Women continued to face discrimination in employment (see section 7.d.).

Children

Birth Registration: There is universal birth registration, and births were generally registered promptly. A child receives citizenship from his or her parents, not through birth in the country. Only one parent needs to be a citizen to pass citizenship to a child. In special cases in which a child born in the country cannot receive citizenship from any other country due to the status of his or her parents, the child is legally entitled to receive Turkish citizenship. According to the DGMM, 64,540 babies were born to Syrian mothers in the country during the first nine months of the year. It was unclear what the citizenship and identity status of these babies was, as their parents could not refer to the Syrian government for provision of birth documentation. The government had not yet announced a policy of identification and documentation for children born to Syrians who lived in the country in temporary protection status.

Education: Human rights NGOs expressed concern that the law on compulsory education allows female students to be kept at home and married early. The system, generally referred to as "4+4+4," divides education into three four-year periods. After the first four years of mandatory elementary education, students can choose to attend general middle school or religious-vocational middle schools, called Imam Hatip schools. The law also allows parents to homeschool their children starting in the fifth grade. Egitim Sen, a teacher's union, reported in 2014 that 36,401 girls who graduated from middle school did not continue on to high school.

The Ministry of Family and Social Policies provided conditional cash transfers to support families and children. The ministry reported that these cash transfers helped poor families continue education for their daughters, although it did not indicate how many families received the stipend during the year.

Child Abuse: Child abuse was a problem, and comprehensive social services to provide medical, psychological, and legal assistance were limited. The law provides police and local officials the authority to grant various levels of protection and support services to victims of violence or to those at risk of violence. It requires the government to provide services to victims, such as shelter and temporary financial support and empowers family courts to impose sanctions on those responsible for the violence. The penalties for child abuse are eight to 15 years' imprisonment, with the possibility of additional imprisonment for three to eight years for attempted molestation. The punishment for sexual intercourse with a minor is two to five years' imprisonment.

Some aspects of the law, such as the requirement to file sexual crime complaints within six months, reduced its potential benefits.

On September 3, a Ministry of Justice report stated the Forensic Medicine Office received 650 child abuse files each month and that the office was still working on cases received three years previously. It emphasized the office was closing the gap and was processing child abuse cases more quickly than in the past. According to the Turkish Statistical Institute, child abuse cases increased by 6.2 percent from 2013 to 2014. In 2014 there were 1,377 documented cases of sexual abuse of boys and 9,718 of girls.

Forced and Early Marriage: The law defines 18 years as the minimum age for marriage, although children may marry at 17 with parental permission and at 16 with court approval. Children as young as 12 were at times married in unofficial religious ceremonies, particularly in poor, rural regions. Some families applied to courts to change the birthdate of their daughters so that they could "legally" marry. Early and forced marriage was particularly prevalent in the Southeast, and women's rights activists reported the problem remained serious. A report by the NGO KAMER in 2013 estimated that as many as one-third of marriages in the Southeast involved underage girls. In 2014 the NGO Flying Broom estimated that, based on police data, one-third of all marriages involved girls under age 18 and that one-third of those marriages involved marriages as second wives.

The Ministry of Family and Social Policies ran a public service message during the year aimed at reducing early marriage.

Sexual Exploitation of Children: The constitution provides that the state shall take measures to protect children from exploitation. The law criminalizes sexual exploitation of children and mandates a minimum sentence of eight years in prison. There were reports that children were subject to commercial sexual exploitation. The penalty for encouraging or facilitating the entry of children into prostitution is four to 10 years' imprisonment; if violence or pressure is involved, the sentence may be doubled.

The age of consent for sex is 15 years. The law provides sentences for statutory rape (without use of force) of from two to five years' imprisonment. The sentence is doubled if the offender is more than five years older than the victim. The law prohibits producing or disseminating child pornography and provides for a prison sentence of six months to two years as well as a fine for violations.

Incest involving children remained a problem, although official statistics were incomplete, and prosecutions remained minimal. The new law also increased prison sentences for incest to between two and five years; sentences formerly were from six months to two years. The Jandarma reported 47 incest cases during the year.

Displaced Children: The DGMM estimated that, of the approximately two million Syrians in the country, 54 percent were children. Of these, approximately 150,000 lived in government-run camps, where they had a high rate of access to education (93 percent). Of the other estimated 850,000 Syrian children in the country, the government and UNICEF estimated that only 26 percent were in school during the year. Many worked illegally or begged on the street to help support their families (see section 2.d.).

It was unclear at year's end how violence in the Southeast, including internal population displacements, affected children.

International Child Abductions: The country is a party to the Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at travel.state.gov/content/childabduction/english/legal/compliance.html and country-specific information at travel.state.gov/content/childabduction/english/country/turkey.html.

Anti-Semitism

Jewish residents continued to leave the country permanently because of anti-Semitism. According to the chief rabbinate in Istanbul, the number of Jews in the country dropped to 17,000 during the year, from 19,500 in 2005.

Incidents of anti-Semitism were common. Media and elected officials regularly spoke out against Israel and generalized their statements toward Jews more broadly. For example, a "documentary" film, *Mastermind*, that was broadcast repeatedly on a progovernment television station in March and was posted on progovernment websites, alleged the greatest threat to the Turkish nation was 3,500 years of Jewish world domination.

Despite anti-Semitic comments by some leaders and media and incidents of vandalism against the Jewish community, the government took a number of positive steps during the year. The country has commemorated Holocaust Remembrance Day (January 27) since 2011. On March 26, the government's five-year restoration of the Great Synagogue of Edirne concluded, and the synagogue was reopened.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The constitution permits positive discrimination favoring persons with disabilities, and the law prohibits discrimination against them in employment, education, air travel and other transportation, access to health care, and the provision of other state services. NGOs that advocate for persons with disabilities asserted the government did not enforce the law effectively.

The law requires all governmental institutions and businesses to provide persons with disabilities access to public areas and public transportation and allows for the establishment of review commissions and fines for noncompliance. The government nonetheless continued to make little progress implementing the law. Access in most cities remained extremely limited. The Disabled and Senior Citizens Directorate General, under the Ministry of Family and Social Policies, is responsible for protecting persons with disabilities. The Ministry of Family and Social Policies reported a continuing project funded by the UN Development Program to increase awareness within state institutions and develop monitoring strategies regarding the Convention on the Rights of the Disabled.

The Ministry of Family and Social Policies reported there were 25 support centers providing assistance to 2,193 persons with disabilities throughout the country. As of August there were 101 group homes for persons with disabilities accommodating 550 individuals. The ministry reported there were 86 rehabilitation centers and five specialized day-care centers serving 6,537 persons with disabilities. The ministry also reported improvements in public and private transportation support for persons with disabilities.

The law requires all public schools to accommodate students with disabilities, although activists reported instances of such students being refused admission or encouraged to drop out of school. According to disability activists, a large number of school-age children with disabilities did not receive adequate access to education. The Education Reform Initiative, a domestic NGO, stated that, during the 2014-15 school year, only 2.7 percent of preschool-age children with disabilities had access to education services. The report found the number of

students with disabilities attending high school dropped sharply compared with the numbers attending primary and middle school. According to the Ministry of Education, students with disabilities received at least eight hours of individual education and four hours of group education per month.

The Independent Election Watch Platform, which monitored the June 7 election in coordination with the Association to Watch for the Equal Rights, reported 54 percent of the schools surveyed were not accessible to individuals with mobility limitations and that 70 percent of ballot boxes were difficult to access.

National/Racial/Ethnic Minorities

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, Caferis, Yezidis, Kurds, Arabs, Roma, Circassians, and Laz, were not permitted to fully exercise their linguistic, religious, and cultural rights. The NGO Human Rights Joint Platform claimed that the government's failure to recognize national minorities resulted in a failure to identify specific needs, led to discrimination, and left vulnerable populations unprotected.

Although official figures did not exist, more than 15 million citizens were estimated to be of Kurdish origin and to speak Kurdish dialects. Kurdish communities were disproportionately affected by PKK-government clashes during the second half of the year. Several communities experienced government-imposed curfews, cuts in services such as electricity or water, and inability to receive medical care, generally in connection with government security operations aimed at ridding areas of PKK fighters (see section 1.g.). As these areas were overwhelmingly Kurdish in composition, Kurdish citizens were disproportionately the victims of this increase in PKK-government violence.

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 the schools are subject to the provisions in the Private Educational Institutions Act and inspected by the Ministry of National Education. At least three universities provided Kurdish-language programs. 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. The law restricts, however, the use of languages other than Turkish in government and public services.

Although Kurdish is officially allowed in private education and in public discourse, the government did not extend permission for Kurdish-language instruction to public education. Kurdish and pro-Kurdish civil society organizations and political parties faced increased problems exercising the freedoms of assembly and association.

Public gatherings on April 24 to commemorate events relating to the Armenian issue and the tragic events of 1915 were peaceful and received police protection where necessary.

In the period leading up to the June parliamentary elections, President Erdogan used disparaging rhetoric targeting a variety of minorities, including Armenians. During a June 3 election rally in Bingöl, for example, he criticized journalists, Armenians, and members of the LGBTI community, accusing them of supporting the opposition Peoples' Democratic Party (HDP). He stated, "their (the HDP's) biggest ally is Dogan Media...the Armenian lobby, homosexuals and those who believe in 'Alevism without Ali'--all these representatives of sedition are [the HDP's] benefactors."

On January 19, thousands of persons marched in Istanbul to commemorate the life of Turkish-Armenian journalist Hrant Dink and to call for justice in connection with his murder. Dink was killed in Istanbul in 2007. The march from Taksim Square to the Agos newspaper office, where Dink was shot, was peaceful. At Dink commemorations in Ankara, however, police intervened and detained 20 persons. At Ankara University, students throwing stones and bottles clashed with other students demonstrating in support of Dink and the French satirical magazine, *Charlie Hebdo*. One student on Facebook reportedly threatened that the campus "would see unprecedented violence" if "Je suis Charlie" and "We are all Hrant Dink" posters on campus were not taken down.

In response to a 2014 Constitutional Court ruling that the government's inadequate investigation of Dink's killing violated the rights of the Dink family, the government opened several negligence cases against police involved in the investigation. On January 14, two police officers turned themselves in, followed by the Cizre police chief on January 20. On February 27, authorities detained the former chief of the Police Intelligence Bureau, Ramazan Akyurek, in Ankara. The cases against them continued at year's end.

On October 5, an Istanbul court ordered the Istanbul Municipality to pay the Surp Agop Armenian Church Foundation approximately 110 million lira (\$37 million) for a 1.75 square-mile parcel of land the government

seized in 1971. The parcel formed part of a large Armenian cemetery. In 2012 at the insistence of then prime minister Erdogan, the government returned the cemetery grounds to the Surp Agop Foundation without the parcel, which contained roads and passages associated with the Sisli metro station. The judgment was equal to the value of the parcel in 2013, when the lawsuit was filed, plus interest.

Also in October a private property owner gave Gedikpasa Armenian Protestant Church Foundation the deed to Camp Armen, a roughly two-acre plot of land in Istanbul's Tuzla neighborhood that houses an abandoned orphanage where Dink stayed as a child. Camp Armen garnered international attention when activists and politicians intervened to halt the owner's planned demolition of the property, and the site became a rallying point for activists and politicians seeking to protect Dink's legacy by staging sit-ins. In August unidentified assailants attacked three volunteer "guards" near the property. The property owner reportedly returned the camp under pressure from the government, which had seized the land in 1971 under a law banning religious foundations from acquiring real estate.

Observers estimated there were more than two million Roma in the country. Romani communities reported being subject to disproportionate police violence and continued housing loss due to urban transformation projects that extended into their traditional areas of residence. The Romani community also continued to face problems with access to education, health care, and housing. Roma reported that their ability to take advantage of government offers to subsidize rent on new apartments was impinged due to discriminatory rental practices. Roma reported workplace discrimination and asserted their children often were singled out in the classroom, leading to high dropout rates. Early marriage also remained a problem in the Romani community; 67 percent of Romani youth ages 13 to 17 were married. The government has implemented financial support for weddings for couples older than the legal marriage age in an effort to curtail this traditional practice.

In 2014 the government drafted an action plan to improve life for Romani citizens that included increased vocational training, business incentives, temporary municipal employment, educational incentives, and the organization of Romani committees to monitor these actions. Implementation of the plan was in its initial stages during the year, with the formation of an all-Romani marching band and an educational initiative to train Romani children as hafiz (reciters of the Quran).

According to the HRF, as of November two persons had lost their lives and six were injured in hate crimes directed towards Kurds, Alevis, Roma, Armenians, Jews, and transgender individuals.

On February 11, Prime Minister Davutoglu told an Ankara audience he hoped to "eliminate the "minority concept" in social life," explaining that distinguishing "between 'primary' and 'second-class' citizens merely on the basis of being a religious minority [puts] dynamite in the foundations of [the] state."

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

While the law does not explicitly discriminate against LGBTI individuals, legal references to "offenses against public morality," "protection of the family," and "unnatural sexual behavior" sometimes served as a basis for discrimination by employers and abuse by police. LGBTI prostitutes reported police detained them to extract payoffs. LGBTI advocates accused courts and prosecutors of creating an environment of impunity for attacks on transgender persons involved in prostitution.

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. Human rights groups criticized the failure to include protections based on gender identity and noted that the law was sometimes used to restrict freedom of speech rather than to protect minorities. The Ministry of Interior explained that LGBTI definitions were not included in the law. Protections for LGBTI individuals are provided under a general "gender" concept. KAOS-GL, a domestic NGO focused on LGBTI rights, maintained that due to this failure to acknowledge the existence of LGBTI individuals, authorities withheld social protection from LGBTI individuals. KAOS-GL reported that neither the Ministry of Family and Social Policies nor the Ministry of Labor and Social Security would engage with LGBTI groups or consider the rights of LGBTI persons or their need for services and protection.

During the year LGBTI individuals continued to experience discrimination, intimidation, and violent crimes.

Human rights attorneys reported police and prosecutors frequently failed to pursue aggressively cases of violence against transgender persons. They often did not arrest suspects or hold them in pretrial detention, as was common with other defendants. When arrests were made, defendants could claim "unjustifiable provocation" under the penal code and request a reduced sentence. That provision states punishment "will be reduced if the perpetrator commits a crime under the influence of rage or strong, sudden passion caused by a wrongful act." Judges routinely applied the law to reduce the sentences of those who killed LGBTI individuals. Courts of appeal upheld these verdicts based, in part, on the "immoral nature" of the victim.

During the campaign for the June 7 parliamentary election, some politicians engaged in hate speech directed at LGBTI individuals and other minorities. Human rights groups contended an increase in violent acts against LGBTI individuals in June and July was a direct result of bigotry fueled by political leaders. After Istanbul police used teargas, rubber bullets, and water hoses to prevent some participants from joining the LGBTI pride parade on June 28, a series of anti-LGBTI incidents occurred in both Istanbul and Ankara the following week. Gay men were attacked in Istanbul outside a shopping mall on June 30; the head of the Red Umbrella transgender-support NGO was attacked and raped in his home in Ankara on July 5; and violent anti-LGBTI posters were placed around Ankara on July 8. The LGBTI community responded by filing legal actions against the youth group that claimed to have created the posters and requesting a protective order for Red Umbrella's chairperson. The government took no public action to respond to allegations of disproportionate use of force by police, police intimidation, the calls for anti-LGBTI violence, or the attacks in Istanbul and Ankara. The one openly LGBTI candidate for parliament in the June 7 elections, Baris Sulu, did not secure a seat and in August left the country, reportedly due to the intensity of threats he faced because of his LGBTI status.

There were active LGBTI organizations in Istanbul, Ankara, Izmir, Adana, Mersin, Gaziantep, Eskisehir, and Diyarbakir, and unofficial groups in smaller cities and on university campuses. Groups reported harassment by police and government authorities. Many university groups in small cities complained that rectors had denied them permission to organize.

LGBTI organizations reported the government used regular and detailed audits against them to create administrative burdens and threaten the possibility of large fines. They also reported challenges finding office space due to discrimination from landlords. Following the July 5 attack against him in his home, the chair of Red Umbrella reported he eventually had to threaten legal action against a landlord to rent a new apartment. He was forced to leave his previous apartment because the court denied a request to arrest the three men who attacked him in his home on July 5, leaving him at risk of a second attack.

LGBTI individuals faced discrimination in employment (see section 7.d.).

HIV and AIDS Social Stigma

Human rights organizations complained the media and medical professionals often did not respect the privacy of individuals with HIV/AIDS. Many persons with HIV/AIDS reported discrimination in access to employment, housing, public services, benefits, and health care. The Positive Life Foundation noted that the country lacked laws protecting persons with HIV/AIDS from discrimination and that there were legal obstacles to anonymous HIV testing.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The government generally respected these rights with significant legal restrictions. The law prohibits antiunion discrimination and requires reinstatement of workers fired for union activity or payment of a fine equal to one year's salary.

Certain public employees, such as senior officials, magistrates, members of the armed forces, and police, cannot form unions. The law provides for the right to strike but prohibits strikes by public workers engaged in safeguarding life and property and by workers in the coal-mining and petroleum industries, hospitals and funeral industries, urban transportation, energy and sanitation services, national defense, banking, and education. In June the International Labor Organization (ILO) noted the Turkish High Court had removed banking and urban public transport from the list of essential services in which bargaining rights are restricted by law. While the latter groups of workers can bargain collectively, the law requires them to resolve disputes through binding arbitration rather than strikes.

The law allows the government to deny the right to strike for any situation it determines a threat to public health or national security. The government maintained a number of restrictions on the right of association and collective bargaining. The law requires unions to notify government officials prior to holding meetings or rallies, which they must hold in officially designated areas, and allow government representatives to attend their conventions and record the proceedings. A minimum of seven workers is required to establish a trade union without prior approval. To become a bargaining agent, a union must represent 40 percent of the employees at a given work site and 1 percent of all workers in that particular industry. Labor law prohibits union leaders from becoming officers of or otherwise performing duties for political parties, or working for, or being involved in the operation of any profit-making enterprise. Nonunionized workers, such as migrants, domestic servants, and those in the informal economy, are not covered by collective bargaining laws. Labor courts functioned

effectively and relatively efficiently. Appeals, however, could often last for years. If a court ruled that an employer had unfairly dismissed a worker and should either reinstate or compensate him or her, the employer generally paid compensation to the employee along with a fine.

The government and employers interfered with freedom of association and the right to collective bargaining. Government restrictions and interference limited the ability of unions to conduct their activities, particularly with respect to freedom of association. Police were frequently present at union meetings and conventions. In January more than 10,000 unionized metalworkers called a nationwide strike to protest low wages, among other issues. The government ended the strike on its first day, exercising its power to postpone strikes deemed a threat to public health or national security. On July 2, the Constitutional Court ruled that a similar move by the government to end, on national security grounds, a June 2014 strike by Sisecam glass workers had been unlawful. For the second year in a row, authorities restricted traditional May Day rallies in parts of the country and used water cannons and tear gas to disperse participants in Istanbul.

Employers continued to use threats, violence, and systematic layoffs in unionized workplaces. Unions alleged that antiunion discrimination occurred regularly across sectors. Service-sector union organizers reported that private-sector employers sometimes ignored the law and dismissed workers to discourage union activity. There was an increasing trend toward hiring workers on revolving contracts of less than a year's duration, making them ineligible for equal benefits or bargaining rights. In May unionized auto workers in Bursa and other cities conducted an extended strike to demand better wages and improved working conditions. On May 15, the automaker Tofas, some of whose factories were affected by the strike, dismissed 80 workers who had participated in the protest.

b. Prohibition of Forced or Compulsory Labor

The law generally prohibits all forms of forced or compulsory labor, and the government generally enforced such laws effectively. Forced labor generally did not occur, although some families sent their children to work on the streets selling items and begging (see section 7.c.).

Women and refugees were vulnerable to trafficking. The government and NGOs reported traffickers increasingly used psychological coercion, threats, and debt bondage to compel victims into sex trafficking. The government demonstrated weak efforts in preventing trafficking but some improvements in identifying trafficking victims. Penalties for trafficking violations range from eight to 12 years' imprisonment and were sufficiently stringent compared with other serious crimes.

The law allows the use of military conscripts for purposes of economic development. The law on collective agreements, strikes, and lockouts also provides criminal sanctions involving compulsory labor for participation in strikes.

The Labor Ministry asserted it had no evidence of forced labor in the country.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law allows children to perform light work that does not interfere with their school attendance from age 14 and prohibits children under age 16 from performing arduous or dangerous work. The government prohibited children younger than 18 from working in certain professions or under hazardous conditions, such as working at night or in underground mining. In 2013 the government repealed laws protecting children from other heavy and hazardous work and revised regulations to allow employment of children between ages 16 and 18 in brick and plastics factories. The law permits home schooling of children age 13 and older (also see section 6, Children). The ILO noted with concern a rise in recent years in the number of working children under age 15. The EU progress report for 2015 noted the country had made progress in preventing child labor in seasonal hazelnut harvesting but indicated that child labor persisted, including in some of its worst forms.

The law was amended on April 4 to regulate children's work in the art and cultural sectors.

Child labor took place in manufacturing, some street industries in the informal economy, and in seasonal migrant farm work, in which children joined their families to follow harvests. According to an ILO report released June 10, approximately 893,000 children between ages six and 17 worked during the year. Government sources maintained child labor had declined considerably in small industries, such as shoemaking or auto repair, and that there was no evidence the problem existed in such workplaces. Parents and others sent Romani children to work on the streets selling tissues or food, shining shoes, or begging. Such practices were a growing problem among Syrian, Afghan, and Iraqi refugees as well. Refugees lacked access to legal employment, and refugee children were compelled to work under exploitive conditions to help support their families. The Labor Ministry identified seasonal commercial agriculture and street work as the loci for the worst

forms of child labor and worked with international partners to reduce child labor in seasonal agricultural work. Data from the government's 2012 National Child Labor Survey, the most recent information available, indicated that one-third of working children were between ages six and 14 and two-thirds were between ages 15 and 17. Some sources alleged commercial sexual exploitation of children (see section 6, Children).

Resources and inspections were insufficient to effectively monitor and enforce the law in all sectors. Inspectors did not routinely visit farms employing 50 or fewer workers, maritime and air transportation facilities, family handicraft businesses, and small shops employing up to three persons. Labor Ministry inspection of these workplaces generally occurred only if someone submitted a complaint. As of September inspectors identified 15 cases of child labor and levied total penalties of 20,939 lira (\$7,000). Penalties were not always sufficient to deter violations. During the year the Labor Ministry's participation in an ILO project to prevent child labor in the hazelnut industry was extended three years, through 2018.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations prohibit discrimination in employment or occupation with regard to race, sex, gender, disability, language, religion or sect, political opinions, or philosophical beliefs. The Positive Life Association reported that in theory, these safeguards also included medical conditions (e.g., HIV). The law does not explicitly address sexual orientation or gender identity. The government did not effectively enforce these laws and regulations. Discrimination in employment or occupation occurred with regard to gender, ethnicity, religion, sexual orientation, HIV-positive status, and presence of a disability.

Women continued to face discrimination in employment and generally were underrepresented in managerial-level positions in business and government. According to the Turkish Statistics Institute, women's participation in the labor market was at 27.1 percent during the year. As of June the Turkish Statistics Institute estimated the unemployment rate for women at 11.9 percent, while their employment rate in the formal economy was 31.6 percent. Women mostly served as unpaid family workers with no social protection apart from that afforded by other family members. According to January data from the State Personnel Department, 36.5 percent of individuals employed by state institutions and agencies were women. In the upper levels of the state bureaucracy, 9.8 percent of bureaucrats were women. According to the ILO, women occupied only 12.2 percent of executive positions. According to the EU progress report, women's access to employment was limited by general promotion of the traditional role of women and inadequate child-care services or services for older persons. Women also were underrepresented in business management and in trade unions.

For companies with more than 50 workers, the law requires that at least 3 percent of the workforce comprise persons with disabilities; in the public sector, the requirement is 4 percent. As of July the ministry reported there were 10,531 persons with disabilities working in the public sector and 84,841 in the private sector. The State Personnel Department reported that as of May, 37,031 persons with disabilities were serving as public officials. The Jandarma reported that as of September it had filled 70 of 79 slots designated for persons with disabilities. Despite these government efforts, NGOs reported examples of discrimination in employment.

LGBTI individuals faced discrimination in employment. The law includes a clause that allows the dismissal of a government employee who is found "to act in a shameful and embarrassing way unfit for the position of a civil servant." Other statutes criminalize the vague practice of unchastity. Employers have used these provisions to discriminate against LGBTI individuals in the labor market.

e. Acceptable Conditions of Work

The national minimum wage was 1,201 lira (\$407) monthly for the first half of the year, and 1,273 lira (\$432) per month for the second half of the year, based on October exchange rates. The official poverty level was 4,473 lira (\$1,597) per month for a family of four as of September. The national minimum wage did not take sufficient account of regional variations in productivity and living costs.

The law establishes a 45-hour workweek with a weekly rest day. Overtime is limited to three hours per day and 270 hours a year. The law mandates premium pay for overtime but allows for employers and employees to agree to a flexible time schedule. The Labor Ministry's Labor Inspectorate effectively enforced wage and hour provisions in the unionized industrial, service, and government sectors. Workers in informal and nonunionized sectors had difficulty receiving overtime pay to which they were entitled by law. The law prohibits excessive compulsory overtime. According to unions, government-set occupational safety and health standards were not always current or appropriate for specific industries. The law does not cover workers in the informal economy.

The government through the Labor Ministry effectively enforced laws in some sectors. As of September 14, the Labor Ministry employed 999 labor inspectors, approximately half of whom worked on labor violations; the rest

focused on health and security. Resources and inspections were not adequate to ensure enforcement in all sectors. Authorities could fine violators from 1,233 to 98,690 lira (\$440 to \$35,246) per violation. As of September the ministry reported 4,699 labor law inspections had uncovered an unknown number of labor law violations while 6,966 health and safety inspections uncovered 46,689 violations. Together these violations resulted in fines totaling 79.1 million lira (\$26 million).

The country had a large informal economy. While the Finance Ministry reported in 2013 that the informal sector represented 26.5 percent of GDP, an academic report from January 2015 placed it at 27.8 percent.

In most sectors workers could not remove themselves from situations that endangered their health or safety without jeopardy to their employment, and authorities did not effectively protect employees in this situation. According to the worker advocate organization Assembly for Worker Health and Safety, the construction, transportation, and agricultural sectors were the most hazardous.

During the year the ILO made a number of observations concerning the country's record in occupational safety and health (OSH). It noted the overall rate of industrial accidents remained high and the system for reporting such accidents was weak, that inspections were too rare, that sanctions were not effectively enforced, and that relevant laws and regulations failed to cover all branches of economic activity. Unions reported existing OSH laws and regulations did not sufficiently protect contract workers or unregistered workers. In April parliament ratified a law aimed at improving workplace safety, with a particular emphasis on the mining sector. Among other things, the law requires employers to install protective safety features, including "escape rooms," in mines.

Prosecutors continued to pursue those responsible for two major 2014 mine disasters, including the May 2014 explosion in Soma, which killed 301 miners. On April 13, a trial of eight executives and 37 other employees of the Soma Mining Company began in connection with their alleged role in the worst mining disaster in the country's history. The trial was convened to establish responsibility for regulatory lapses and safety failures, including allegations from workers that mine management disabled safety alarms and communication systems and that twice as many miners were in the mine as normal due to overlapping shifts in contravention of a law requiring shifts to be sequential. Prosecutors requested stiff sentences for each of the eight company executives and prison terms of two to 15 years for the other defendants. In addition approximately 400 "mental anguish" lawsuits were filed by Soma family members against the mine's operator and the state-run Turkish Coal Enterprises regional institution. On December 23, the first case to reach a conclusion awarded the family of one of the 301 workers killed in the Soma disaster 395,000 Turkish lira (\$134,900).

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