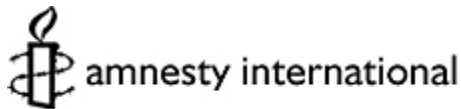


Flygtningenævnets baggrundsmateriale

Bilagsnr.:	353
Land:	Tyrkiet
Kilde:	Amnesty International
Titel:	Amnesty International Report 2014/15 – Turkey
Udgivet:	25. januar 2015
Optaget på baggrundsmaterialet:	12. maj 2015

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Amnesty International Report 2014/15 - Turkey

Publisher [Amnesty International](#)

Publication Date 25 February 2015

Cite as Amnesty International, *Amnesty International Report 2014/15 - Turkey*, 25 February 2015, available at: <http://www.refworld.org/docid/54f07d8715.html> [accessed 23 April 2015]

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Republic of Turkey

Head of state: **Recep Tayyip Erdoğan (replaced Abdullah Gül in August)**

Head of government: **Ahmet Davutoğlu (replaced Recep Tayyip Erdoğan in August)**

Following the 2013 Gezi protests and the rupture with former ally Fethullah Gülen, the authorities became more authoritarian in responding to critics. They undermined the independence of the judiciary, introduced new restrictions on internet freedoms and handed unprecedented powers to the country's intelligence agency. The rights of peaceful demonstrators were violated and police officers enjoyed near-total impunity for the use of excessive force. Unfair trials continued, especially under anti-terrorism laws, but the excessive use and length of pre-trial detention declined. The authorities ignored the rights of conscientious objectors and of lesbian, gay, bisexual, transgender and intersex people and failed to take necessary steps to prevent violence against women. By the end of the year, 1.6 million Syrian refugees were living in Turkey, many of them destitute.

Background

The authorities acted to crush a criminal investigation into alleged corruption within the inner circle of Prime Minister Erdoğan that became public on 17 December 2013. Police officers and prosecutors working on the case were transferred to other duties. The investigation was formally closed by prosecutors on 16 October 2014. The government branded the investigation a plot by supporters of influential cleric, Fethullah Gülen. The authorities vowed to take further action against Fethullah Gülen and his network of supporters in the police and judiciary.

In April, Parliament passed legislative amendments granting the National Intelligence Agency (MIT) unprecedented powers of surveillance and its officials near total immunity from prosecution.

In Soma, western Turkey, 301 miners died following an explosion at a coal mine in May. This latest disaster shone a spotlight on industrial safety in a country with one of the highest numbers of work-related deaths in the world.

The convictions of military officers for plotting to overthrow the AK Party government in the "Sledgehammer" case were overturned by the Constitutional Court on 18 June 2014, and sent for retrial. The "Ergenekon" prosecution against civilians accused of plotting to overthrow the government continued. Many of the defendants were released on the grounds that their detention had exceeded the maximum five-year term. Other defendants were released following rulings by the Constitutional Court. Prosecutions targeting Kurdish political activists for alleged membership of the PKK-linked Kurdistan Communities Union carried on across the country, but many of the defendants were released from pre-trial detention.

In August, the serving Prime Minister became Turkey's first directly elected President, bringing far greater power and influence to the role in practice, if not in law.

In October, 49 hostages taken from Turkey's consulate in Mosul, Iraq, were released after three months by the Islamic State armed group. The government refused to disclose what was provided to the armed group. It was alleged that 180 prisoners in Turkey were released in exchange for the hostages.

The two-year-old peace process between the authorities and the PKK continued but looked shakier than ever in the face of armed clashes, spillover from the conflicts in Syria and Iraq and lack of any concrete progress.

Freedom of expression

Criminal prosecutions threatening freedom of expression continued to be brought against journalists, activists and other dissenting voices, despite the adoption of legislative amendments intended to improve the law in 2013. Alongside anti-terrorism provisions, laws on defamation and provoking religious hatred were frequently used. The independence of the mainstream media continued to be undermined by its close business links with the government. More independent-minded journalists were forced out of their jobs by editors fearful of upsetting government and media owners. Press Law gagging orders were used to ban the reporting of several news stories, including the capture of 49 hostages from Turkey's Mosul consulate, on "national security grounds".

In March, the Parliament passed draconian amendments to the Internet Law increasing the authorities' powers to ban or block content and threatening users' privacy. Following the amendments, the authorities used administrative orders to block access to Twitter and YouTube after the social media sites were used to post items embarrassing to the government ahead of the local elections in March. Despite court orders requiring the lifting of the bans, the sites remained blocked for two weeks and two months respectively until the Constitutional Court ruled that the blocking order be lifted.

Freedom of assembly

The rights of peaceful demonstrators were denied by the authorities, with protests banned, prevented or dispersed with the use of excessive, unnecessary and often punitive force by police officers. People who attended demonstrations deemed unlawful by the authorities faced prosecution, often on trumped-up charges of violent conduct. The restrictive Law on Meetings and Demonstrations continued to be a barrier to freedom of peaceful assembly, despite superficial amendments in March. It unfairly restricted the time and location that assemblies could take place, while requiring overly burdensome notification from the organizers and discounted any possibility of spontaneous demonstrations.

On 1 May, 39,000 police and 50 water cannon vehicles were used to prevent trade unionists and others from marching on Taksim Square, the traditional location for May Day demonstrations. May Day demonstrations had taken place in Taksim Square for several years. In 2013 and 2014 they were banned and clashes ensued between police and demonstrators trying to reach the square. The authorities announced that Taksim would be permanently off-limits for all large demonstrations and instead offered two locations outside the centre of the city where demonstrations could take place. This policy was replicated in other cities across Turkey.

In June, the trial of members of Taksim Solidarity, an umbrella group of more than 100 organizations, set up to contest the redevelopment of Gezi Park and Taksim Square, started in Istanbul. Five prominent members stood accused of "founding a criminal organization", punishable by up to 15 years in prison, while all 26 defendants were charged with "refusing to disperse from an unauthorized demonstration" under the Law on Meetings and Demonstrations. The trial was continuing at the end of the year.^[1]

Torture and other ill-treatment

Reported cases of torture in official places of detention remained far fewer than in previous years. More than two years after the ratification of the Optional Protocol to the UN Convention against Torture, the required domestic implementing mechanism had not been established. The National Human Rights Institution was earmarked by the authorities for this role but lacked the necessary skills, resources and guarantees of independence to fulfil it.

Excessive use of force

Excessive and abusive force by police officers during demonstrations, including the firing of tear gas canisters directly at demonstrators from close range, and the use of water cannon and beatings of peaceful protesters, remained common. Ministry of Interior guidelines, introduced in June and July 2013 to combat excessive and unnecessary force, were mostly ignored.

In a number of cases, police used live ammunition during demonstrations, resulting in deaths and injury.

Impunity

Investigations into abuses by public officials remained ineffective, and the chance of securing justice for the victims remote. In the absence of the long-promised but never-established independent police complaints mechanism, police units were effectively responsible for investigating their own alleged abuses under the instruction of under-resourced prosecutors. Police departments routinely failed to provide the most basic items of evidence to investigations.

No prosecution was opened against six police officers who were filmed with a camera phone beating Hakan Yaman and dragging him onto a fire, close to the scene of a Gezi Park demonstration in Istanbul in June 2013.^[2] In the attack, Hakan Yaman lost his sight in one eye and suffered burns and broken bones for which he underwent six operations. At the end of the year, police departments had failed to provide the investigation with CCTV footage from the area and photographs of police officers on duty at the time. A parallel administrative investigation concluded without result on the grounds that the police officers could not be identified, despite the number of the water cannon vehicle that they were operating being clearly visible in mobile phone footage.

In October, more than 40 people were killed and scores injured in the predominately Kurdish area of southeastern Turkey, during clashes between rival groups and with the police, after protests erupted against the Islamic State armed group assault on the Kurdish city of Kobani in Syria.

There were numerous reports of the failure to conduct prompt crime scene investigations or to question alleged perpetrators of attacks on rival groups.

In Siirt, Davut Naz died at the scene of a Kobani-related protest on 8 October. The provincial governor said in a statement that he had been killed by demonstrators and died of a neck injury while eyewitnesses reported that he was shot by police officers with live ammunition. His family reported that there were three gunshot wounds but no neck injury to the body. No crime scene investigation was conducted and the criminal investigation into the incident had not progressed by the end of the year.

Unfair trials

Legislative amendments in July abolished the anti-terrorism and organized crime courts with special powers, but those accused of terrorism-related offences still risked conviction without substantive and convincing evidence in ordinary courts. Legislative amendments in 2013, imposing a maximum limit of five years for pre-trial detention and introducing greater protections against its unfair use, yielded results and resulted in fewer people being held and for less time.

The independence of the judiciary was undermined by changes to the top judicial body, the Higher Council of Judges and Prosecutors, that granted greater powers to the Minister of Justice, and allowed the transfer of hundreds of judges and prosecutors.

Housing rights

The central government and municipalities controlled by all the main political parties carried out urban transformation projects that failed to uphold the right of residents to adequate consultation, compensation or the provision of alternative housing.

Residents in Sarıgöl, a poor district of Istanbul with a significant Roma population, were forcibly evicted from their homes in a project to replace shanty houses with higher quality residential blocks. The cost of the new houses was vastly higher than the majority of residents could afford and the compensation for those who lost their houses was inadequate. Many of the families threatened with homelessness by the project did not have title deeds for the land despite living in the neighbourhood for generations.

Violence against women

The implementation of the 2012 Law on Protection of Family and Prevention of Violence against Women remained inadequate, under-resourced and ineffective in dealing with domestic violence. A number of women under judicial protection were reported to have been killed. The number of shelters for victims of domestic violence remained far below that required by law.

Refugees and asylum-seekers

At the end of the year, the government estimated that there were 1.6 million Syrian refugees in the country, up from 700,000 in January.^[3] The bulk of the financial burden was borne by the Turkish authorities with little assistance from the international community. More than 220,000 were accommodated in well-resourced, government-run refugee camps, but many of the more than 1.3 million refugees living outside camps were destitute and received little or no assistance. Despite Turkey's professed "open border policy", there were persistent reports of unlawful or abusive force by Turkish border guards at unofficial crossing points, including the use of live ammunition, beatings and pushing refugees back into war-torn Syria.

An estimated 30,000 Yezidi Kurdish refugees arrived from Iraq in August, but unlike the Syrians, they were not afforded a "temporary protection status", nor the rights and entitlements it brings.

The Yezidi refugees joined an estimated 100,000 asylum-seekers from other countries residing in Turkey, almost all of whom faced severe delays in the processing of their asylum claims.

Conscientious objectors

Turkey did not recognize the right to conscientious objection to military service despite the explicit rulings from the European Court of Human Rights requiring it to do so. Instead, the authorities continued repeatedly to prosecute conscientious objectors for "desertion" and other similar offences.

In October, a military court convicted 56-year-old conscientious objector Ali Fikri Işık on three counts of desertion, sentencing him to 25 months in prison or a fine of 15,200 liras (US\$6,725). His "desertion" related to his refusal, for reasons of conscience, to carry out military service during the 1980s. At 56 he was too old to serve and had already been considered "unfit for military service" by the military authorities. An appeal remained pending at the military Supreme Court of Appeals at the end of the year.

Rights of lesbian, gay, bisexual, transgender and intersex people

Lesbian, gay, bisexual, transgender and intersex people continued to face discrimination in employment and in interactions with the state authorities. No progress was made in bringing provisions to prohibit discrimination on grounds of sexual orientation and gender identity into the Constitution or into domestic law. A number of murders of transgender women were reported during the year.

The trial for the murder of Ahmet Yıldız, a gay man killed in a suspected honour killing in July 2008, failed to make any progress during 2014, with his father, the single suspect in the case, remaining at large. The authorities had failed to investigate death threats against Ahmet Yıldız ahead of the murder and to launch a prompt, effective investigation following the killing.

1. Gezi Park protests: Brutal denial of the right to peaceful assembly in Turkey (EUR 44/022/2013) www.amnesty.org/en/library/info/EUR44/022/2013/en

2. Gezi Park protests: Brutal denial of the right to peaceful assembly in Turkey (EUR 44/022/2013) www.amnesty.org/en/library/info/EUR44/022/2013/en

3. Struggling to survive: Refugees from Syria in Turkey (EUR 44/017/2014) www.amnesty.org/en/library/info/EUR44/017/2014/en

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