**Partners for Transparency Report to the Human Rights Committee on Turkey**

**Preface:**

The Turkish state has been facing various challenges on different levels since the alleged [coup d'état attempt](https://en.wikipedia.org/wiki/2016_Turkish_coup_d%27%C3%A9tat_attempt) in 2016. On the political level, the popularity decline of the ruling party is considered one of the major challenges. On the economic level, the Turkish Lira crisis has posed an economic challenge on the ruling party and its capability to convince the populace of their future vision.

Consequently, those two challenges have given birth to another challenge pertaining to the human rights violations committed by the Turkish State like detentions, torture, and violations related to freedom of press and media which has been aggravated with the increasing aforementioned ongoing political and economic challenges.

In this light, this report is submitted by Partners for Transparency as an attempt to detect the most essential violations perpetrated by the Turkish State, especially during the aforementioned crisis, and to propose a number of recommendations in order to eliminate or, at least, mitigate those violations.

**Turkish State's Human Rights Violations:**

**Torture and Degrading Treatment:**

In September 2020, both Osman Shayban and Sivit Turgut were severely injured after being detained and beaten by a large group of soldiers in the Turkish Province of Van. According to Osman Shayban's testimony, Sivit Turgut passed away in the hospital on 30th Sep, after both were thrown from a helicopter during the torture process. [[1]](#footnote-1)

Simultaneously, contradiction between both the statements made by Governor of Van office and the Minister of Interior, and the statements of eyewitnesses and Osman Shayban was evident. Consequently, a confidential investigation warrant was issued to detect the torture allegations made by the Prosecutor General of Van.

In October 2020, four journalists who covered the incident were arrested on charges of allegedly being members of terrorist groups based on the media agencies they worked for, and for publishing news about public events that followed the vision and orders of the Kurdistan Workers' Party (PKK) on the account of the state.

However, all the aforementioned contradicts with the provisions of article 7 of the International Covenant on Civil and Political Rights setting forth that:

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment…."[[2]](#footnote-2)

The first paragraph of Article 1 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment defined different methods of torture, which are stated as the following:

"For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions"[[3]](#footnote-3)

**Tightening on Freedom of Press and Media:**

According to reports by Turkish institutions, the total number of broadcast licensed radio stations, estimated by the Supreme Council of the Turkish Radio and Television, was decreased from 1126 in 2018 to 903 in 2021. The Turkish State has deliberately imposed restrictions on any channels through which oppositions can practice a more active role in politics, especially during the economic and political crisis facing president Erdogan since the 2016  [coup d'état attempt](https://en.wikipedia.org/wiki/2016_Turkish_coup_d%27%C3%A9tat_attempt) against him.[[4]](#footnote-4)

Likewise, concerning freedom of press, a report was prepared by one of the opposition parties in 2020, showed that journalists experienced a strict restrictions during 2020. Consequently, 97 journalists resigned from office in 2020, due to the censorship imposed on the newspapers they were working for.

Reports have also indicated that Turkish state deliberately took advantage of Covid crisis in order to exercise more repressive policies on journalists. In this light, 86 journalists were detained while accessibility to more than 100 online news contents was blocked.[[5]](#footnote-5)

With reference to reports by other organizations concerned with writers and intellectuals around the world, Turkey ranked third globally pertaining to the violations committed against intellectuals across the world. Hence, more than 25 Turkish intellectuals reported to have been detained. In this context, many anti-government journalists confirmed that the Turkish authorities was deliberately silencing journalists and writers through ongoing trails and detentions.[[6]](#footnote-6)

This, hereby, represents a violation to Article 19 of the Universal of Human Rights, which provides that:

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".[[7]](#footnote-7)

**Detention Crimes against Oppositions:**

Since the [2016 Turkish coup d'état attempt](https://en.wikipedia.org/wiki/2016_Turkish_coup_d%27%C3%A9tat_attempt), the Turkish State carried out successive and intensive mass arrests targeting opposition groups through its ongoing large apprehension campaigns against civilians and military figures.

On 1st December 2020, the Turkish Authority cried out an operation that covered 39 provinces through which 63 wanted subjects were arrested on charges related to supporting the abortive [2016 coup d'état attempt](https://en.wikipedia.org/wiki/2016_Turkish_coup_d%27%C3%A9tat_attempt). Meanwhile, according to the courts announcement, in November 2020, a Turkish court sentenced a number of coup leaders to life imprisonment.

Moreover, courts in Turkey have also committed crimes including subversion of the constitutional order, attempts of assassinating the president, and complicity in different murder crimes in the Turkish society with proscribed groups in order to oppress the opposition in the Turkish State. [[8]](#footnote-8)

On 5th April 2021, the Turkish Authority arrested dozens of retired military figures following their criticism against President Erdogan scheme related to constructing a canal in Istanbul, arguing that this project poses a threat to the maritime traffic. They also called on the Turkish President to abide by the Montreux Convention which guarantees free passage of vessels through the Bosporus and the Dardanelles straits during war and peacetime.[[9]](#footnote-9)

Furthermore, on 5th May 2021, a Turkish police operation was launched to arrest 19 students from 7 Turkish cities, following the warrant arrest issued by the Prosecutor General of Istanbul ordering to bring them for investigation on charges of belonging to "Hizmet Movement" headed by Fethullah Gülen. [[10]](#footnote-10)

On 1st May 2021, Turkish police forces beat and arrested 212 protesters during the workers march protest. The Turkish police also deliberately prevented those protesters against the workers' conditions, from reaching Taksim Square and Istiklal Avenue by blocking all the roads leading to those bearings.[[11]](#footnote-11)

**Recommendations:**

Out of the above mentioned, Partners for Transparency proposes a number of recommendations that are deemed necessary in the light of fighting against the illegal practices perpetrated by the Turkish State, which are stated as the following:

1. The urgent need for the International Community to pressure on the Turkish State to abide by the international legal frameworks which incriminate such aforementioned violations, and not to relay on any exceptional condition in the country, whether it be related to lack of internal stability or threating of civil war break out, in order to justify violations.
2. The need for civil society organizations to play a more effective role pertaining to continuous and periodic monitoring to all forms of violations committed by the Turkish Authorities. Besides, the need to raise citizens' awareness on any occurring violations, as ignoring them will lead to noting but aggravating the intensity of these violations, and, hence poses a further threat to the citizens' rights.
3. The need for the authorities and the legislative bodies in the Turkish State to perform their oversights functions by establishing an independent investigative committee to detect those involved in committing violations inside prisons, whether it be torture or other forms of degrading treatment. In addition, ensure executing just trials for all detainees as well as the release of prisoners who hold political opinions.

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2. دراسات في حقوق الإنسان، نصوص العهد الدولي الخاص بالحقوق المدنيـــــة والسياسيــة لعام 1966، متاح على الرابط التالي: <https://cutt.us/t2miK> [↑](#footnote-ref-2)
3. الأمم المتحدة، اتفاقية مناهضة التعذيب وغيره من ضروب المعاملة أو العقوبة القاسية أو اللاإنسانية أو المهينة، متاح على الرابط التالي: <https://cutt.us/C2Fno> [↑](#footnote-ref-3)
4. تركيا الآن، الحريات الإعلامية في عهد أردوغان إغلاق نصف الإذاعات المحلية خلال 3 سنوات، 6 مايو 2021، متاح على الرابط التالي: <https://cutt.us/bcZOE> [↑](#footnote-ref-4)
5. العبن الإخبارية، سجن وقمع.. أردوغان يتمسك بمرتبة تركيا بين الأسوأ في حرية الصحافة، 10 يناير 2021، متاح على الرابط التالي: <https://cutt.us/uYn9O> [↑](#footnote-ref-5)
6. تركيا الآن، تركيا من أكثر دول العالم اعتقالًا للمفكرين والكتاب.. اعرف الإحصاءات، 2 مايو 2021، متاح على الرابط التالي: <https://cutt.us/m2vIP> [↑](#footnote-ref-6)
7. الأمم المتحدة، الإعلان العالمي لحقوق الإنسان، متاح على الرابط التالي: <https://cutt.us/AtnBn> [↑](#footnote-ref-7)
8. سكاي نيوز عربية، تركيا.. اعتقال عشرات العسكريين بالتهمة المعتادة، 1 ديسمبر 2020، متاح على الرابط التالي: <https://cutt.us/e4c88> [↑](#footnote-ref-8)
9. DW، تركيا - اعتقال عشرة ضباط كبار بسبب بيان ينتقد مشروعاً لأردوغان، 5 إبريل 2021، متاح على الرابط التالي: <https://cutt.us/e38Xp> [↑](#footnote-ref-9)
10. تركيا الآن، الشرطة التركية تعتقل 19 طالبًا بتهمة الانتماء لحركة جولن، 5 مايو 2021، متاح على الرابط التالي: <https://cutt.us/wCPYQ> [↑](#footnote-ref-10)
11. تركيا الآن، قوات الشرطة التركية تعتقل 212 مواطنًا ضمن احتجاجات في عيد العمال، 1 مايو 2021، متاح على الرابط التالي: <https://cutt.us/6Wfcs> [↑](#footnote-ref-11)