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**ROCK BOTTOM  
NORMALIZED**

**HUMAN RIGHTS IN  
TURKEY IN 2022**

**SOLIDARITY WITH OTHERS**

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PREPARED BY  
**ALİ DİNÇER**

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# ROCK BOTTOM NORMALIZED

HUMAN RIGHTS IN TURKEY IN 2022

## INTRODUCTION

This report was produced by Solidarity with OTHERS, a human rights association based in Brussels, on the basis of its weekly newsletter, Turkey Rights Monitor. The newsletter compiles the week's notable human rights-related developments in or connected to Turkey based on open-source information and presents them in a thematic order. It regularly gets published on the organization's website in four languages: English, French, Dutch, and Turkish. It is also distributed via email to hundreds of subscribers in all these languages except Turkish.

For Turkey's human rights record, the year 2022 was no different from the previous few years in that it was marked by widespread and systematic abuses by the authorities. Arbitrary detention and arrest, violations of the freedom of assembly and association, violations of the freedom of expression and media, lack of judicial independence and impartiality, lack of access to a fair trial, impunity for alleged perpetrators of rights abuses, hate speech and hate crimes targeting minorities and migrants, inhumane prison conditions, torture and ill-treatment, and transnational repression remained as the country's major human rights issues.

As the contents of this report are limited to confirmed, available, and adequately reported data from news outlets, Turkey-based human rights NGOs, and credible social media accounts, the actual magnitude of the human rights issues as well as the related statistical data might possibly be even more significant than what is reported in this publication. The links to original sources can be traced back through the English-language version of individual issues of the newsletter<sup>1</sup>.

## ARBITRARY DETENTION AND ARREST

### MASS DETENTION OF PEOPLE WITH ALLEGED LINKS TO THE GÜLEN MOVEMENT

Throughout the year, Turkish authorities detained and/or issued detention warrants for at least 6415 people over their alleged links to the faith-based Gülen movement.

The Turkish government accuses the movement of orchestrating a failed military coup in July 2016, although the movement denies any involvement in it. While this controversy falls beyond the scope of this report, the mass detention of people on the sole basis of their real or perceived affiliation with the group has been one of Turkey's major human rights issues since the attempted coup, drawing repeated and widespread criticism from human rights groups from around the world as well as international organizations. One opinion<sup>2</sup> released by the UN Working Group on Arbitrary Detention (WGAD) in October 2020 said that widespread or systematic imprisonment of individuals with alleged links to the movement may amount to crimes against humanity.

Media reports revealed in August 2022 that the Turkish government rejected<sup>3</sup> a request for an official visit of the WGAD. The reports also revealed that the working group has been trying to schedule a visit to the country since November 2016, amidst the mass detention campaign that was launched in the aftermath of the failed July 2016 coup attempt.

<sup>1</sup> Turkey Rights Monitor, Solidarity with OTHERS, <https://www.solidaritywithothers.com/news/categories/turkeyrightsmonitor>

<sup>2</sup> "Opinions adopted by the Working Group on Arbitrary Detention at its eighty-eighth session, 24-28 August 2020," UN Human Rights Council, September 2020, [https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/Opinions/Session88/A\\_HRC\\_WGAD\\_2020\\_51\\_Advance\\_Edited\\_Version.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/Opinions/Session88/A_HRC_WGAD_2020_51_Advance_Edited_Version.pdf)

<sup>3</sup> "Erdoğan gov't has not been receptive to UN visit on arbitrary detentions in Turkey for years," Nordic Monitor, August 25, 2022, <https://nordicmonitor.com/2022/08/erdogan-govt-has-not-been-receptive-to-un-visit-on-arbitrary-detention-in-turkey-for-years/>

The mass detention practice has also epitomized the problems with the country's overly broad and vague anti-terror legislation, which allowed for the incrimination of individuals based on questionable or absurd evidence such as union memberships, bank accounts, newspaper subscriptions, and communications with other members of the group without having to point to any actual violence or criminality. The investigations that led to these detentions also violated the legal principle of non-retroactivity as the Gülen-affiliated labor unions, financial institutions, and media outlets were operating in the country legally up until their closure in the aftermath of the coup attempt.

In November, the UN Human Rights Committee released an opinion<sup>4</sup> on the detention of a teacher named Mukadder Alakuş on charges of links to the Gülen movement, which found her detention in violation of several articles of the UN's International Covenant on Civil and Political Rights.

The abusive nature of the detention of allegedly Gülen-linked individuals was also illustrated in the case of Sedat Laçiner, a jailed professor of international relations whose incarceration was prolonged<sup>5</sup> through a four-month-long disciplinary punishment he was given on the day of his release.

## IMPRISONMENT OF PEOPLE WITH SIGNIFICANT HEALTH PROBLEMS

The authorities maintained their practice of denying release to inmates suffering from severe health problems, especially those incarcerated on politically motivated grounds. In some instances, prisoners were denied release despite medical reports that found them unfit to remain behind bars.

The Council of Forensic Medicine (ATK), an agency of medical expertise operating under the jurisdiction of the Ministry of Justice, issued a number of questionable reports in the cases of some of the prisoners in question, which were then used by courts to reject requests for release.

One such report was produced about Aysel Tuğluk, a jailed Kurdish politician, where the ATK found<sup>6</sup> her fit to remain in prison despite acknowledging the fact that she displayed symptoms of cognitive impairment caused by dementia. Tuğluk was hospitalized<sup>7</sup> after a worsening of her situation in September. After reiterating its stance in a few more reports, the institution finally admitted<sup>8</sup> in October that Tuğluk was unfit to stay behind bars. She was released soon afterward.

Another ATK report said<sup>9</sup> that Yusuf Özmen, a man with end-stage cancer imprisoned due to his alleged links to the Gülen movement, was healthy enough to remain in prison.

Şebnem Korur Fincancı, a prominent human rights advocate and doctor of forensic medicine, said<sup>10</sup> in March that the ATK's status as the sole authority to determine whether sick inmates are fit to remain behind bars poses a serious problem.

Below is a list of prisoners who were reported as being incarcerated despite severe health problems:

1. Abdo Baran
2. Abdullah Aslan

<sup>4</sup> "Views adopted by the Committee under article 5 (4) of the Optional Protocol, concerning communication No. 3736/2020," Human Rights Committee, November 15, 2022, <https://www.drqokhangunes.com/wp-content/uploads/2022/11/BM-IHK-Mukadder-Alakus-Karari-EN.pdf>

<sup>5</sup> "Professor, jailed for 6 years, given disciplinary punishment on day of release," Turkish Minute, July 29, 2022, <https://www.turkishminute.com/2022/07/29/led-for-6-years-given-disciplinary-punishment-on-day-of-release/>

<sup>6</sup> "Turkey's Council of Forensic Medicine says in controversial report ailing Kurdish politician fit to remain in prison," Turkish Minute, February 17, 2022, <https://www.turkishminute.com/2022/02/17/keys-council-of-forensic-medicine-says-in-controversial-report-ailing-kurdish-politician-fit-to-remain-in-prison/>

<sup>7</sup> "Kurdish politician Aysel Tuğluk hospitalized," Bianet English, September 9, 2022, <https://bianet.org/5/97/266960-kurdish-politician-aysel-tugluk-hospitalized>

<sup>8</sup> "Adli Tıp 'cezaevinde kalamaz' raporu verdi, Aysel Tuğluk tahliye edilecek," Bold Medya, October 26, 2022, <https://boldmedya.com/2022/10/26/adli-tip-cezaevinde-kalamaz-raporu-verdi-aysel-tugluk-tahliye-edilecek/>

<sup>9</sup> "End-stage cancer inmate fit to remain in prison, says Turkish Council of Forensic Medicine," Turkish Minute, March 24, 2022, <https://www.turkishminute.com/2022/03/24/stage-cancer-inmate-fit-to-remain-in-prison-says-turkish-council-of-forensic-medicine/>

<sup>10</sup> "Forensics council shouldn't be only decision-maker in ill inmates' cases, medical union chair says," Turkish Minute, March 29, 2022, <https://www.turkishminute.com/2022/03/29/ensics-council-shouldnt-be-only-decision-maker-in-ill-inmates-cases-medical-union-chair-says/>

3. Abdullah Ece
4. Adem Erdođdu
5. Ahmet Zeki Özkan
6. Ali Osman Köse
7. Ali Osman Ünal
8. Aysel Tuđluk
9. Bazo Yılmaz
10. Bekir Güven
11. Civan Boltan
12. Ehetin Kaynar
13. Emre Abalak
14. Gülden Aşık
15. Hakan Kanat
16. Hayri Karaş
17. İsa Yaşar
18. Kazım Avcı
19. Kemal Mutlum
20. Mehmet Emin Özkan
21. Mehmet Sait Demiröz
22. Mehtap Şentürk
23. Meryem Karateke
24. Mustafa Özcan Çay
25. Nusret Muđla
26. Suna Halis
27. Şahin Adanur
28. Şemsettin Kargılı
29. Şerife Sulukan
30. Şükrü Tuđrul Özşengül
31. Tacettin Başer
32. Tahir Gürdal
33. Ünal Üneş
34. Veysel Atasoy
35. Veysel Tıkaç
36. Vural Avar
37. Yusuf Bekmezci
38. Yusuf Özmen
39. Zülfü Yıldırım

Among these, Yusuf Bekmezci, Turgay Deniz, İsa Yaşar, Şahin Adanur, Nusret Muđla, Hayri Karaş, Abdo Baran, Abdullah Ece, Bekir Güven, Mehmet Sait Demiröz, Şükrü Tuđrul Özşengül, Zülfü Yıldırım, Bazo Yılmaz, Tacettin Başer, Veysel Atasoy, Ali Osman Ünal, Ehetin Kaynar, Kemal Mutlum, Emre Abalak, Tahir Gürdal, and Vural Avar lost their lives while they were still imprisoned or shortly after their belated release.

#### IMPRISONMENT OF PREGNANT OR POST-PARTUM WOMEN

The year also saw the arrest of pregnant and post-partum women, which the authorities carried out in flagrant disregard of Turkey's own laws stipulating the postponement of sentences for women who are pregnant or have given birth in the last 18 months.

In some cases, the victims were released shortly after their imprisonment, seemingly thanks to the widespread outcry on social media.

Below is the list of women who were reportedly arrested in spite of their pregnancy:

- Aslı Ünlü
- Ceyda Nur Eroğlu
- Eda Nur Akkaya
- Emine Coşkun
- Sevda Ersoy

Below is the list of women who were reported as being arrested despite having given birth within the last 18 months:

- Sevim Yıldırım
- Reyhan Abdi
- Sümeyye Aydın

## ARBITRARY DENIAL OF PAROLE

In recent years, new regulations introduced into Turkey's laws on the execution of sentences brought greater discretionary powers to prison parole boards, which relied on them to deny parole to eligible prisoners on increasingly arbitrary grounds such as "not displaying remorse." The practice appears to target political prisoners more frequently, such as the alleged members of the Gülen movement and those jailed over their involvement in pro-Kurdish politics and has drawn criticism from rights defenders who accused prison parole boards of acting like courtrooms.

Below is the list of eligible prisoners who were reported as being denied parole throughout the year:

1. Mukaddes Kubilay
2. Yusuf Köksal
3. Gülser Yıldırım<sup>11</sup>
4. Nesip Yapıcı

## ECTHR JUDGMENTS

Throughout the year, the European Court of Human Rights (ECtHR) delivered a number of judgments that faulted Turkey over the unjustified imprisonment of individuals.

These included:

- A judgment on the pre-trial detention of former Amnesty International Turkey chair Taner Kılıç<sup>12</sup>,
- Four judgments (June<sup>13</sup>, September<sup>14</sup>, October<sup>15</sup>, and December<sup>16</sup>) concerning the mass pre-trial detention of a total of 529 judges and prosecutors after the July 2016 coup attempt, and
- A judgment on the imprisonment of former judges Metin Özçelik and Mustafa Başer<sup>17</sup> due to their rulings in 2014 to release political prisoners.

The Strasbourg court also delivered a judgment<sup>18</sup> in July 2022, stating that Turkey failed to comply with a previous ruling for the release of civil society leader Osman Kavala.

<sup>11</sup> After initial reports of denial of parole, Yıldırım was released in October, four months after she had become eligible.

<sup>12</sup> "ECHR: Pretrial detention of Amnesty Turkey chair breached the Convention," The Arrested Lawyers Initiative, May 31, 2022, <https://arrestedlawyers.org/2022/05/31/echr-pretrial-detention-of-amnesty-turkey-chair-breached-the-convention/>

<sup>13</sup> "Turkey's post-coup detention of judges and prosecutors lacked 'reasonable suspicion': ECtHR," Turkish Minute, June 28, 2022, <https://www.turkishminute.com/2022/06/28/rkeys-post-coup-detention-of-judges-and-prosecutors-lacked-reasonable-suspicion-ecthr/>

<sup>14</sup> "Turkey's post-coup detention of judges and prosecutors was unlawful: ECtHR," Turkish Minute, September 6, 2022, <https://www.turkishminute.com/2022/09/06/post-coup-detention-of-judges-and-prosecutors-was-unlawful-ecthr/>

<sup>15</sup> "ECtHR rules against Turkey over post-coup detention of judges and prosecutors," Turkish Minute, October 18, 2022, <https://www.turkishminute.com/2022/10/18/turkey-over-post-coup-detention-of-judges-and-prosecutors/>

<sup>16</sup> <https://hudoc.echr.coe.int/eng#%20>

<sup>17</sup> "AIHM, Hakimler Metin Özçelik ve Mustafa Başer'in haksız tutuklandığına karar verdi: Türkiye'yi tazminata mahkum etti," Bold Medya, September 13, 2022, <https://boldmedya.com/2022/09/13/aihm-hakimler-metin-ozcelik-ve-mustafa-baserin-haksiz-tutuklandigina-karar-verdi-turkiyeyi-tazminata-mahkum-etti/>

## ENFORCED DISAPPEARANCES

### THE CASE OF YUSUF BİLGE TUNÇ

No news emerged throughout the year about Yusuf Bilge Tunç, a former public sector worker who was dismissed from his job by a post-coup state of emergency decree-law and who was reported missing in August 2019. Tunç's disappearance followed the same pattern of dozens of individuals with supposed links to the Gülen movement who went missing<sup>19</sup> after the coup in that family members complained that the police and prosecutors were consistently reluctant to investigate leads that might have led to his whereabouts, taking weeks to even carry out a crime scene investigation in Tunç's vehicle.

In March 2022, the ECtHR released<sup>20</sup> a controversial judgment about Tunç's case, rejecting the family's claims that Turkish authorities had failed to carry out an effective investigation into his disappearance.

### OTHER INCIDENTS

In January, reports indicated<sup>21</sup> that a 17-year-old minor in Diyarbakır was briefly forced into a vehicle by a group of unidentified individuals who introduced themselves as police officers and who coerced the minor to become an informant for the authorities. Rights groups and media reports have in recent years revealed several such incidents of brief abduction that either took place in predominantly Kurdish provinces or in other parts of the country targeting people involved in pro-Kurdish politics.

Another report in June said<sup>22</sup> that a person identified with the initials S.O. was abducted at an airport in İzmir by a group of people who introduced themselves as intelligence officers. The victim was unofficially interrogated under torture and mistreatment and was coerced into becoming an informant for the state. He was ultimately released in a village near the airport where he was abducted.

Towards the end of the year, reports revealed<sup>23</sup> that a man named Savaş Çelik was held in unofficial detention for three months after being handed over to Turkish authorities in Lebanon and rendered to Turkey. Çelik was reportedly interrogated under heavy physical torture during that time.

## FREEDOM OF ASSEMBLY AND ASSOCIATION

### DETENTION OF PEOPLE OVER THEIR PARTICIPATION IN GATHERINGS

Throughout the year, the police, gendarmerie, and other security forces regularly intervened in peaceful gatherings to express dissent. For purposes of brevity, Turkey Rights Monitor only reports those that end in detentions even though all of these interventions amount to a breach of the freedom of assembly as protected under Turkey's Constitution as well as international human rights treaties to which Turkey is a party.

According to Turkey Rights Monitor data, security forces detained people in at least 240 such demonstrations, detaining at least 5313 participants. Most of these protesters were released the same day or within the next few days, while a few of them were subsequently arrested by a court pending trial.

The magnitude of the detentions was particularly greater in celebratory or commemorative times susceptible of galvanizing anti-government sentiments, such as International Women's Day, the International Day for the

<sup>18</sup> [https://twitter.com/ECHR\\_CEDH/status/1546425352200896512?s=20](https://twitter.com/ECHR_CEDH/status/1546425352200896512?s=20)

<sup>19</sup> "Enforced Disappearances: Turkey's Open Secret," Solidarity with OTHERS, August 2021, [https://www.solidaritywithothers.com/files/ugd/b886b2\\_7d4a63ba24e94698baeea31f3e2af67e.pdf](https://www.solidaritywithothers.com/files/ugd/b886b2_7d4a63ba24e94698baeea31f3e2af67e.pdf)

<sup>20</sup> "ECtHR rejects application on Turkish gov't failure to find Yusuf Bilge Tunç," Turkish Minute, March 18, 2022, <https://www.turkishminute.com/2022/03/18/hr-rejects-application-on-turkish-govt-failure-to-find-yusuf-bilge-tunc/>

<sup>21</sup> "20 Ocak 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), January 20, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/20-ocak-2022-gunluk-insan-haklari-raporu/>

<sup>22</sup> "1 Temmuz 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), July 1, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/1-temmuz-2022-gunluk-insan-haklari-raporu/>

<sup>23</sup> "24-26 Aralık 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), December 26, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/24-26-aralik-2022-gunluk-insan-haklari-raporu/>

Elimination of Violence Against Women, the LGBT pride week, and Newroz, a cultural spring festival highly significant for the Kurdish community.

Some of the interventions also involved disproportionate use of force by law enforcement as well as mistreatment in subsequent police custody.

## PROSECUTION OF PEOPLE OVER THEIR PARTICIPATION IN GATHERINGS

In trials concerning protests and demonstrations that prompted criminal prosecution, Turkish courts sentenced a total of 57 people to imprisonment and/or paying monetary fines.

## LOCAL AUTHORITIES' ARBITRARY BLANKET BANS ON GATHERINGS

Provincial and district governors continued their practice of imposing blanket bans on all outdoor gatherings, citing national security, public order, and even COVID-19. While these bans have almost become an integral part of public life in certain predominantly Kurdish provinces, governorates in other parts of the country also resorted to the measure in apparent anticipation of scheduled or spontaneous gatherings deemed likely to draw sizeable crowds and to harbor significant criticism of the government and its policies.

Local authorities issued 131 such bans, amounting to a total of 1099 days.

Below is a list of such bans recorded by Turkey Rights Monitor:

<b>Date</b>	<b>Governor's Office</b>	<b>Duration (days)</b>
January 3	Van	15
January 4	Hakkari	15
January 9	Tunceli	15
January 12	Van	15
January 13	Elazığ	15
January 17	Diyarbakır	15
January 28	Batman	1
January 28	Van	15
February 3	İstanbul	1
February 3	Hakkari	15
February 18	Hakkari	15
February 27	Van	15
March 4	Kocaeli	1
March 7	İstanbul	1
March 14	Van	15
March 26	Diyarbakır	10
March 26	Şanlıurfa	15
March 29	Van	15
March 31	İstanbul	15
April 2	Mardin	15
April 3	Hakkari	15
April 13	Van	15
April 19	Hakkari	15
April 24	İstanbul	1
May 3	Hakkari	15
May 9	Eskişehir	1
May 9	Adana	15
May 10	Eskişehir	15
May 10	Batman	15
May 10	Rize	5
May 11	Gaziantep	1
May 13	Van	15
May 13	Tunceli	7

May 15	Kocaeli	1
May 17	Muş	1
May 17	Kocaeli	1
May 22	İstanbul	1
May 26	Bursa	1
May 26	Bursa	7
May 28	Van	15
May 30	Bitlis	1
May 30	Kocaeli	1
June 6	Adana	1
June 6	Mersin	1
June 7	Ankara	1
June 9	Bursa	7
June 11	Çanakkale	4
June 12	Van	15
June 12	İzmir	2
June 18	Gaziantep	1
June 21	Muğla	1
June 22	İstanbul	1
June 22	Eskişehir	15
June 23	Muğla	1
June 24	İzmir	3
July 2	Hakkari	15
July 14	Giresun	1
July 14	Van	1
July 18	Mardin	17
July 18	Hakkari	15
July 21	Tunceli	1
July 25	Mersin	15
August 1	Mardin	15
August 10	Batman	10
August 11	Balıkesir	1
August 11	İstanbul	30
August 16	Mardin	15
August 16	Hakkari	15
August 23	Muğla	4
August 24	Mersin	1
August 30	Adana	1
August 30	Mardin	1
August 31	Mardin	15
September 1	Hakkari	15
September 3	İstanbul	1
September 8	Muğla	5
September 13	İzmir	7
September 13	Şırnak	15
September 16	Hakkari	15
September 21	Şanlıurfa	1
September 25	İstanbul	1
September 27	Mersin	1
October 5	Van	8
October 14	Adana	1
October 14	Mardin	1
October 14	Hakkari	15
October 19	Muş	15
October 19	Diyarbakır	1
October 20	Adıyaman	10
October 20	Şanlıurfa	3
October 20	Gaziantep	7

October 20	Tunceli	4
October 20	Bitlis	15
October 20	Şırnak	2
October 20	Bingöl	15
October 20	Elazığ	7
October 23	Şanlıurfa	15
October 27	Mersin	1
October 31	Bursa	1
October 31	Hakkari	15
November 2	Şırnak	5
November 14	Mardin	15
November 15	Hakkari	15
November 16	İstanbul	1
November 17	Tunceli	5
November 20	Elazığ	15
November 20	Bingöl	15
November 20	Van	9
November 20	Şanlıurfa	15
November 20	Bitlis	15
November 21	Diyarbakır	7
November 22	Şırnak	7
November 23	Batman	8
November 24	Tunceli	15
November 25	İstanbul	1
November 25	Gaziantep	7
November 25	Kilis	7
November 25	Osmaniye	1
November 25	Bursa	1
November 25	Tunceli	1
November 29	Mardin	15
December 1	Siirt	15
December 5	Bursa	1
December 11	Diyarbakır	1
December 13	Şırnak	7
December 15	Hakkari	15
December 17	İstanbul	1
December 17	Kahramanmaraş	10
December 19	Muş	13
December 30	Mardin	15
December 30	Siirt	15

## ATTACKS ON CIVIL SOCIETY

Turkish courts also convicted a number of people over their involvement in civil society organizations. Many of the cases concerned NGOs established by the Kurdish community. Similarly to Kurdish political organizations, these NGOs frequently face terrorism-related charges over their purported links to the outlawed Kurdistan Workers' Party (PKK). The indictments often fail to point to individual involvement in armed violence and rather rely on Turkey's overly broad anti-terror legislation that enables authorities to interpret social affiliation as membership in a terror group and speech as terrorist propaganda.

Below is a list of people who were convicted over their participation in civil society organizations:

- Yıldız Damla
- Mehmet Şerif Camcı
- Meryem Soylu

- Zahit Çiftkuran
- Mehmet Hafız Şık

In April, the authorities launched<sup>24</sup> a legal process to close the We Will Stop Femicide Platform (Kadın Cinayetlerini Durduracağız Platformu), accusing it of “illegal and immoral activities.” A major women’s rights group, the platform is instrumental in reporting incidents of violence against women and compiling data on femicides.

In October, Ankara prosecutors demanded<sup>25</sup> the dismissal and replacement of the executives of the Turkish Medical Association (TTB), after chairperson Şebnem Korur Fincancı was arrested for urging an investigation into the Turkish military’s alleged use of chemical weapons in northern Iraq. The TTB’s human rights-related declarations had previously prompted verbal attacks from President Recep Tayyip Erdoğan.

## FREEDOM OF EXPRESSION AND MEDIA

The year 2022 saw no softening in the climate of fear and censorship surrounding the press and social media in Turkey. In the 2022 edition<sup>26</sup> of the World Press Freedom Index published by Reporters Without Borders, Turkey ranked 149<sup>th</sup> out of 180 countries.

In a regional study conducted in western Turkey and published at the beginning of the year, nearly 85 percent of journalists confirmed<sup>27</sup> applying self-censorship to avoid judicial repercussions. Faruk Bildirici, a well-known media ombudsman, published an article in February in which he said<sup>28</sup> that court reporters were reluctant to regularly cover trials concerning the Gülen movement due to self-censorship.

In January, President Erdoğan issued<sup>29</sup> a presidential decree threatening to punish media outlets over content “incompatible with national and moral values.”

In May, the ruling party unveiled<sup>30</sup> a bill that stipulates prison sentences of up to three years for “spreading fake news on the internet,” in what rights groups interpreted as a new attack on free speech on the internet. After being approved by a parliamentary commission in June, the bill was ultimately signed into law by the president in October, despite an urgent joint opinion<sup>31</sup> by the Venice Commission of the Council of Europe calling on Turkish authorities not to enact it.

## RIGHTS VIOLATIONS AND HARASSMENT AGAINST MEMBERS OF THE PRESS

Members of the press continued to face detention, arrest, abusive prosecution, and jail terms on account of their journalistic work or their public, televised, or online commentary. Those who stood trial often faced absurd charges such as terrorism, inciting hatred and enmity, denigrating the state, insulting government officials or high-ranking bureaucrats, and, under the social media legislation mentioned above, spreading false or misleading information online.

<sup>24</sup> “Turkish authorities start legal process to close down the We Will Stop Femicide Platform,” Turkish Minute, April 14, 2022,

<https://www.turkishminute.com/2022/04/14/turkish-authorities-start-legal-process-to-close-down-the-we-will-stop-femicide-platform/>

<sup>25</sup> “Prosecutors seek removal of doctors’ union management after chairperson’s arrest,” October 28, 2022,

<https://www.turkishminute.com/2022/10/28/oval-of-doctors-union-management-after-chairpersons-arrest/>

<sup>26</sup> <https://rsf.org/en/index?year=2022>

<sup>27</sup> “Survey: More than 70 percent of journalists struggle to make ends meet,” Bianet English, January 10, 2022,

<https://bianet.org/5/100/256023-survey-more-than-70-percent-of-journalists-have-difficulties-making-ends-meet>

<sup>28</sup> “Court reporters reluctant to cover Gülen-linked trials, media ombudsman says,” Turkish Minute, February 22, 2022,

<https://www.turkishminute.com/2022/02/22/court-reporters-reluctant-to-cover-gulen-linked-trials-media-ombudsman-says/>

<sup>29</sup> “Erdoğan threatens to punish Turkish media over ‘harmful content’,” Turkish Minute, January 30, 2022,

<https://www.turkishminute.com/2022/01/30/gan-threatens-to-punish-turkish-media-over-harmful-content/>

<sup>30</sup> “Turkey foresees three years in jail for ‘fake news’ in digital censorship bill,” Ahval News, May 27, 2022, <https://ahvalnews.com/turkey-social-media/turkey-foresees-three-years-jail-fake-news-digital-censorship-bill>

<sup>31</sup> “Türkiye – Urgent Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on the draft amendments to the Penal Code regarding the provision on “false or misleading information” – Issued pursuant to Article 14a of the Venice Commission’s Rules of Procedure,” Venice Commission, October 7, 2022, <https://venice.coe.int/webforms/documents/?pdf=CDL-PI%282022%29032-e>

The vindictive nature of these sham trials was clearly visible in the case of Abdurrahman Gök, a photojournalist who in June was sentenced<sup>32</sup> by a Diyarbakır court to one year, six months, and 22 days in prison on charges of disseminating terrorist propaganda for taking photos of the fatal shooting of a university student by the police during Newroz celebrations in 2017.

Media workers also suffered threats and physical assaults, usually in presumable connection with their reporting.

The Committee to Protect Journalists (CPJ) announced<sup>33</sup> in December that the number of jailed journalists in Turkey rose from 18 to 40 in 2022.

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## DETENTIONS, ABUSIVE PROSECUTIONS, ATTACKS

Turkey Rights Monitor data shows that at least 93 members of the press were detained throughout the year over their professional activities, while 112 members of the press who were on trial for their work were convicted.

In addition, Turkey Rights Monitor reported seven incidents in which journalists received threats and 17 incidents in which they suffered physical attacks. Some of these attacks were perpetrated by police officers as the reporters were covering the news. Güngör Arslan, a local journalist based in the province of Kocaeli, was shot dead<sup>34</sup> in his office in February, after reporting on a corruption allegation.

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## STIFLING OF JOURNALISM IN THE TURKISH-CONTROLLED NORTHERN CYPRUS

Turkey's crackdown on press freedom was also extended to Turkish-occupied northern Cyprus when the Turkish Cypriot authorities launched<sup>35</sup> an investigation into columnist Ali Kışmır, demanding up to 10 years in prison over an article in which he criticized the Turkish government's interference in the affairs of the Turkish Cypriots. Another Turkish Cypriot journalist, Şener Levent, was sentenced<sup>36</sup> to one year in prison by an Ankara court on charges of insulting Turkey's president due to a cartoon published in a Cypriot newspaper where Levent was editor-in-chief at the time. The conviction came despite the fact that Levent was previously acquitted by Turkish Cypriot courts of the same charge.

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## HARASSMENT AND INTIMIDATION AGAINST JOURNALISTS LIVING IN EXILE

Several incidents that occurred in 2022 also made it very clear that even journalists pursuing their profession from abroad were not entirely safe. Ahmet Dönmez, a Sweden-based exiled journalist known for his outspoken criticism of the Turkish government, was assaulted<sup>37</sup> by two men in broad daylight in Stockholm. Dönmez was seriously injured as a result of the attack, which took place in March.

Another exiled journalist, Cevheri Güven, was targeted<sup>38</sup> by the pro-government Sabah daily which published secretly taken photos of him and his home in Germany in September.

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<sup>32</sup> "Photojournalist who captured murder of Kurdish student in 2017 sentenced for terror propaganda," Turkish Minute, June 30, 2022, <https://www.turkishminute.com/2022/06/30/tojournalist-who-captured-murder-of-kurdish-student-in-2017-sentenced-for-terror-propaganda/>

<sup>33</sup> "Record number of jailed journalists globally, Turkey among top offenders: CPJ," Turkish Minute, December 14, 2022, <https://www.turkishminute.com/2022/12/14/ord-number-of-jailed-journalists-globally-turkey-among-top-offenders-cpi/>

<sup>34</sup> "19-21 Şubat 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TIHV), February 21, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/19-21-subat-2022-gunluk-insan-haklari-raporu/>

<sup>35</sup> "Turkish Cypriot journalist faces 10 years in jail over article criticizing Ankara," Duvar English, February 24, 2022, <https://www.duvarenglish.com/turkish-cypriot-journalist-ali-kismir-faces-10-years-in-jail-over-article-criticizing-ankara-news-60458>

<sup>36</sup> "Turkish Cypriot opposition journalist sentenced to jail for 'insulting Erdoğan'," Ahval News, April 26, 2022, <https://ahvalnews.com/insulting-president/turkish-cypriot-opposition-journalist-sentenced-jail-insulting-erdogan>

<sup>37</sup> "Critical Turkish journalist living in exile in Sweden brutally attacked," Turkish Minute, March 19, 2022, <https://www.turkishminute.com/2022/03/19/ritical-turkish-journalist-living-in-exile-in-sweden-brutally-attacked/>

<sup>38</sup> "Investigative journalist reporting from exile targeted by pro-Erdogan daily," Turkish Minute, September 22, 2022, <https://www.turkishminute.com/2022/09/22/reporting-from-exile-targeted-by-pro-erdogan-daily/>

The next month, the same newspaper published<sup>39</sup> a secretly taken photo of Abdullah Bozkurt, another journalist living in Sweden.

A month later, the daily revealed<sup>40</sup> the home address of Sweden-based journalist Levent Kenez. These publications were a direct attack on the journalists' safety as both countries are home to sizeable Turkish migrant communities with a significant proportion of support for the Turkish government.

In November, President Erdoğan held a joint press conference with Sweden's prime minister where he openly demanded<sup>41</sup> the extradition of Bülent Keneş, another journalist who also lives in the Nordic country, referring to him as a "terrorist" on account of his Gülen links. Erdoğan put forward Keneş's extradition as a precondition for lifting his veto on Sweden's accession to NATO. A few days after the joint press conference, Turkey's state-run TRT Haber news station broadcasted<sup>42</sup> footage of Keneş's home in Stockholm.

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## IMPUNITY IN THE KHASHOGGI CASE

In March, a Turkish prosecutor who was in charge of the investigation into the 2018 murder of Saudi journalist Jamal Khashoggi inside the Saudi consulate in İstanbul, asked<sup>43</sup> the court to dismiss the case and transfer it to Saudi Arabian authorities. The move, which came amid a diplomatic rapprochement between the Turkish and Saudi governments, drew criticism from international human rights groups such as Amnesty International and RSF.

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## DENIAL OF ENTRY TO FOREIGN JOURNALISTS

In August, Greek journalist Evangelos Areteos was detained<sup>44</sup> by customs police in İstanbul upon his arrival from Brussels. Areteos was questioned and ultimately deported. The next month, Turkish customs police prevented<sup>45</sup> the entry of Italian journalist Giuseppe Acconcia.

## CURTAILING FREE SPEECH IN PUBLIC AND ONLINE

Other than members of the press, at least 255 people were detained during the course of the year for exercising their right to freedom of expression. Of these detentions, 150 were ordered over social media commentary.

As with media workers, these detainees also frequently faced ridiculous charges such as dissemination of terrorist propaganda, inciting the public to hatred and enmity, denigrating the state or the values of the public, or insulting government officials or senior bureaucrats. Insulting the president, which is defined by Turkey's laws as a criminal offense punishable by imprisonment of up to four years, was a frequently used grounds for criminal pursuit, representing 68 of the detentions. At least 25 people were convicted of the crime in 2022.

## CRACKDOWN ON BROADCASTING

The Radio and Television Supreme Council (RTÜK), a government agency responsible for regulating television and radio stations as well as streaming platforms, frequently sanctioned government-critical television channels, usually for their political content. Turkey Rights Monitor reported 42 such sanctions that

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<sup>39</sup> "Pro-Erdoğan daily targets yet another journalist in exile, reveals his home address," Turkish Minute, October 10, 2022, <https://www.turkishminute.com/2022/10/10/rgets-yet-another-journalist-in-exile-reveals-his-home-address/>

<sup>40</sup> "Pro-Erdoğan daily targets yet another Turkish journalist living in exile," Turkish Minute, November 2, 2022, <https://www.turkishminute.com/2022/11/02/yet-another-journalist-in-exile/>

<sup>41</sup> "Erdoğan labels journalist in exile a 'terrorist,' demands his extradition from Swedish PM," Turkish Minute, November 8, 2022, <https://www.turkishminute.com/2022/11/08/journalist-in-exile-a-terrorist-demands-his-extradition-from-swedish-pm/>

<sup>42</sup> "Turkey's public broadcaster targets journalist in exile in Stockholm," Turkish Minute, November 18, 2022, <https://www.turkishminute.com/2022/11/18/keys-public-broadcaster-targets-journalist-in-exile-in-stockholm/>

<sup>43</sup> "Turkish prosecutor asks to pass Khashoggi case to S.Arabia: report," Turkish Minute, March 31, 2022, <https://www.turkishminute.com/2022/03/31/kish-prosecutor-asks-to-pass-khashoggi-case-to-s-arabia-report/>

<sup>44</sup> "27-29 Ağustos 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), August 29, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/27-29-agustos-2022-gunluk-insan-haklari-raporu/>

<sup>45</sup> "1-3 Ekim 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), October 3, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/1-3-ekim-2022-gunluk-insan-haklari-raporu/>

were imposed throughout the year. The sanctions usually involved monetary fines and/or temporary broadcast bans.

## ONLINE CENSORSHIP

Turkish courts regularly imposed censorship on online content including websites, news articles, opinion pieces, social media posts, YouTube videos, blogs, and forum pages. This censorship mostly targeted URLs with political content, specifically news reports covering allegations such as corruption, bribery, misconduct, fraud, or nepotism implicating government officials and high-ranking bureaucrats or their inner circle. The courts often cited protection of personal rights or the right to be forgotten, despite obvious public interest in the contents of the allegations.

In the case of pro-Kurdish media outlets such as the Etkin news agency (ETHA) or Jinnews, the courts regularly ordered the censoring of entire websites, citing national security reasons. As the news outlets responded to the censorship by moving their websites to new domains, the courts immediately delivered new judgments extending the access bans to these new domains as well.

According to Turkey Rights Monitor data, Turkish courts ruled to block access to at least 734 news reports, 25 tweets, and 47 web pages in 2022.

## FREEDOM OF MOVEMENT

While the Turkish government's post-coup policy of massive passport cancellations and arbitrary travel bans on dissidents has relatively decreased in intensity in recent years, some incidents that took place in 2022 demonstrated that the issue is still far from being completely resolved.

In March, Turkey's authorities prevented<sup>46</sup> opposition MP and prominent human rights defender Ömer Faruk Gergerlioğlu from leaving Turkey due to a travel ban that was implemented despite his parliamentary immunity. As a result, Gergerlioğlu was prevented from attending a conference in Berlin. The next month, another opposition MP, Kemal Bülbül, was similarly prevented<sup>47</sup> from traveling abroad to attend an event. In December, the authorities imposed<sup>48</sup> a travel ban on opposition MP Zeynel Özen at the instructions of the Interior Ministry.

The German newspaper Der Tagesspiegel reported<sup>49</sup> in October that Turkish authorities were refusing to allow more than 120 German citizens, many of whom are Turkish or Kurdish Germans, to leave Turkey on politically motivated grounds.

## FREEDOM OF RELIGION

In 2022, the Turkish government took no steps aimed at granting equal religious freedoms to the Alevi community whose places of worship (*cemevi*) are still denied official recognition.

## HUMAN RIGHTS DEFENDERS

Human rights advocacy in Turkey remained a risky endeavor in 2022 as the governing authorities and the judiciary continued their attacks on civil space.

Turkish authorities continued the imprisonment of Osman Kavala in clear disregard of an outstanding ECtHR order for his release. In February, the Committee of Ministers of the Council of Europe decided<sup>50</sup> to launch

<sup>46</sup> "Opposition lawmaker prevented from leaving Turkey due to travel ban," Turkish Minute, March 4, 2022,

<https://www.turkishminute.com/2022/03/04/position-lawmaker-prevented-from-leaving-turkey-due-to-travel-ban/>

<sup>47</sup> "22 Nisan 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), April 22, 2022,

<https://tihv.org.tr/gunluk-ih-raporlari/22-nisan-2022-gunluk-insan-haklari-raporu/>

<sup>48</sup> "24-26 Aralık 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), December 26, 2022,

<https://tihv.org.tr/gunluk-ih-raporlari/24-26-aralik-2022-gunluk-insan-haklari-raporu/>

<sup>49</sup> "Turkish gov't refuses to allow more than 120 German citizens to leave Turkey: report," Turkish Minute, October 12, 2022,

<https://www.turkishminute.com/2022/10/12/refuses-to-allow-more-than-120-german-citizens-to-leave-turkey-report/>

infringement proceedings against Turkey for its failure to comply with the ECtHR order. In April, an İstanbul court sentenced<sup>51</sup> Kavala to life in prison on charges of attempting to overthrow the government by purportedly financing the 2013 anti-government Gezi Park protests.

The Human Rights Association (İHD) was also in the crosshairs of the authorities, suffering several police raids on its offices and the detention of at least five of its current and former members and executives. Öztürk Türkdoğan, the İHD's chairman, was indicted<sup>52</sup> in January on charges of having links to terrorism and insulting the interior minister, due to an article published on the organization's website. Another executive, Eren Keskin, was indicted<sup>53</sup> in December due to her social media posts. Fırat Akdeniz, a member of the İHD, was sentenced<sup>54</sup> in March to six years, three months in prison on terrorism-related charges on account of his attendance at press conferences and the testimony of a secret witness.

Prominent human rights defender Şebnem Korur Fincancı was also targeted for her outspoken advocacy. In March, Ankara prosecutors launched<sup>55</sup> an investigation against her due to her appearance on the YouTube channel of an exiled journalist.

The pressures against Fincancı intensified in October when she publicly called for an investigation into allegations that the Turkish armed forces used chemical weapons in its fight against the PKK in northern Iraq. Charged with spreading terrorist propaganda and denigrating the state, Fincancı was detained and arrested towards the end of the month. In November, Ankara prosecutors indicted<sup>56</sup> her, demanding up to seven-and-a-half years in prison.

Nuriye Gülmen, an academic and activist known for her protests against the mass dismissal of public sector workers in the aftermath of the July 2016 coup attempt, was sentenced<sup>57</sup> to 10 years in prison on terrorism-related charges.

## JUDICIAL INDEPENDENCE AND RULE OF LAW

Turkey ranked<sup>58</sup> 116<sup>th</sup> among 140 countries in the 2022 edition of the World Justice Project's Rule of Law Index, with a score worse than Russia and Belarus in the Eastern Europe and Central Asia group.

The bogus indictments and abusive prosecutions that are referred to in the previous sections testified to the continuing executive control over the judiciary and the ruling elite's instrumentalization of the justice system to stifle dissent, intimidate critics, and control access to information.

## INCIDENTS OF JUDICIAL OR PROSECUTORIAL MISCONDUCT

The Constitutional Court issued several controversial rulings bringing into question its independence as well as its effectiveness as a domestic remedy:

- The court found<sup>59</sup> the five-year-long pre-trial detention of Kurdish politician Figen Yüksekdağ a "proportionate" measure.

<sup>50</sup> "CoE submits Kavala case to ECtHR for review, launching infringement procedure against Turkey," Turkish Minute, February 2, 2022, <https://www.turkishminute.com/2022/02/02/submits-kavala-case-to-ecthr-for-review-launching-infringement-procedure-against-turkey/>

<sup>51</sup> "Turkey sentences Erdoğan critic Kavala to life in prison," Turkish Minute, April 25, 2022, <https://www.turkishminute.com/2022/04/25/turkey-sentences-erdogan-critic-kavala-to-life-in-prison/>

<sup>52</sup> "Turkish human rights defender charges with alleged terror links," Ahval News, January 22, 2022, <https://www.ahvalnews.com/turkey-terror-charges/turkish-human-rights-defender-charged-alleged-terror-links>

<sup>53</sup> "16 Aralık 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), December 16, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/16-aralik-2022-gunluk-insan-haklari-raporu/>

<sup>54</sup> "Fırat Akdeniz from Human Rights Association sentenced to 6 years in prison," Bianet English, March 23, 2022, <https://bianet.org/english/law/259485-firat-akdeniz-from-human-rights-association-sentenced-to-6-years-in-prison>

<sup>55</sup> "Medical union chair faces complaint for speaking to exiled journalist on YouTube program," Turkish Minute, March 17, 2022, <https://www.turkishminute.com/2022/03/17/ical-union-chair-faces-complaint-for-speaking-to-exiled-journalist-on-youtube-program/>

<sup>56</sup> "Turkey seeks up to 7.5 years for top doctor over chemical weapons remarks," Turkish Minute, November 25, 2022, <https://www.turkishminute.com/2022/11/25/key-seeks-up-to-7-5-years-for-top-doctor-over-chemical-weapons-remarks/>

<sup>57</sup> "Dismissed academic gets 10 years in prison on terrorism charges," Turkish Minute, May 25, 2022, <https://www.turkishminute.com/2022/05/25/ssed-academic-gets-10-years-in-prison-on-terrorism-charges/>

<sup>58</sup> <https://worldjusticeproject.org/rule-of-law-index/global/2022/Turkey/Open%20Government/>

- The court ruled<sup>60</sup> in a case that it is lawful to arrest suspects even if the incriminating testimony of a secret witness is the only piece of evidence against the individual.
- The court found<sup>61</sup> no violation of the right to life in the fatal police shooting of Ethem Sarısülük during the Gezi Park protests of 2013.
- The court found<sup>62</sup> no violation of rights in the cases of two Kurdish mayors who were removed from office and replaced by government-appointed trustees in 2015 and 2016.

Similarly, the Council of State (*Danıştay*), the country's highest administrative court, ruled<sup>63</sup> that the president acted within his rights when he issued a presidential decree announcing Turkey's withdrawal from the İstanbul Convention, an international treaty on combating violence against women, without parliamentary procedure.

In August, the Supreme Court of Appeals (*Yargıtay*), the country's last instance for reviewing verdicts issued by criminal courts and civil justice, said<sup>64</sup> in a ruling that it is lawful for criminal courts to interpret account movements at Bank Asya, a bank that was shut down over its affiliation with the Gülen movement, as evidence of terrorism. The court delivered the verdict despite acknowledging that the bank was a legally operating financial institution until its closure.

In another incident revelatory of the absurd evidential basis that characterizes the sham trials concerning the Gülen movement, Denizli prosecutor Burhan Bölükbaşı launched<sup>65</sup> an investigation into a man simply for attending the funerals of two allegedly Gülen-linked individuals.

Enver Altaylı, a former intelligence officer imprisoned over his alleged Gülen links, fainted during a hearing in August. The presiding judge of the İstanbul court overseeing the trial refused<sup>66</sup> to place Altaylı's health condition on record.

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## THE İMAMOĞLU TRIAL

In November, columnist Barış Terkoğlu revealed that Hüseyin Zengin, a judge who previously presided over the trial of İstanbul mayor Ekrem İmamoğlu, was "advised" to imprison him for more than two years and to ban him from politics. A popular opposition figure, İmamoğlu was standing trial for allegedly insulting election officials in 2019. Judge Zengin was reassigned to another court by a presidential decree in June and the columnist claimed that the reassignment came after he disclosed to some of his colleagues his intention to opt for a more lenient sentence. Terkoğlu's column was immediately censored by the courts.

A few days later, the prosecutors in charge of the investigation into İmamoğlu demanded a prison sentence of at least 15 months, which would see him banned from politics. In December, the court delivered<sup>67</sup> its judgment sentencing him to two years, seven months, and 15 days in prison. If upheld, the conviction will see İmamoğlu banned from politics and unable to compete in elections. İmamoğlu was considered a viable presidential candidate to run for president in May 2023 and his trial served as a vivid illustration of the way Turkey's judiciary is weaponized towards political ends.

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<sup>59</sup> "Top court finds no rights violation in lengthy pretrial detention of Kurdish politician," Turkish Minute, February 1, 2022, <https://www.turkishminute.com/2022/02/01/court-finds-no-rights-violation-in-lengthy-pretrial-detention-of-kurdish-politician/>

<sup>60</sup> "Turkey's top court says secret witness testimony enough evidence for arrest," Turkish Minute, February 19, 2022, <https://www.turkishminute.com/2022/02/19/rkeys-top-court-says-secret-witness-testimony-enough-evidence-for-arrest/>

<sup>61</sup> "Turkey's top court says 'Ethem Sarısülük's right to life not violated,'" Bianet English, March 4, 2022, <https://bianet.org/english/law/258629-constitutional-court-says-ethem-sarisuluk-s-right-to-life-not-violated>

<sup>62</sup> "Turkey's top court finds no rights violation in cases of 2 dismissed mayors," Turkish Minute, March 31, 2022, <https://www.turkishminute.com/2022/03/31/keys-top-court-finds-no-rights-violation-in-cases-of-2-dismissed-mayors/>

<sup>63</sup> "Turkey's top court says Erdoğan had right to withdraw from women's treaty," Turkish Minute, July 19, 2022, <https://www.turkishminute.com/2022/07/19/ys-top-court-says-erdogan-had-right-to-withdraw-from-womens-treaty/>

<sup>64</sup> "Yargıtay'dan bir garip karar: Bank Asya'ya para yatırmak hem suç hem değil," Bold Medya, August 19, 2022, <https://boldmedya.com/2022/08/19/yargitaydan-bir-garip-karar-bank-asyaya-para-yatirmak-hem-suc-hem-degil/>

<sup>65</sup> "Man faces investigation for attending funerals of Gülen followers," Turkish Minute, October 27, 2022, <https://www.turkishminute.com/2022/10/27/investigation-for-attending-funerals-of-gulen-followers/>

<sup>66</sup> "Eski istihbaratçı Altaylı duruşma sırasında bayıldı, hakim durumu kayıtlara geçirdi," Bold Medya, August 21, 2022, <https://boldmedya.com/2022/08/21/eski-istihbaratci-altayli-durusma-sirasinda-bayildi-hakim-durumu-kayitlara-gecirdi/>

<sup>67</sup> "İstanbul mayor gets prison sentence, political ban in insult trial verdict," Turkish Minute, December 14, 2022, <https://www.turkishminute.com/2022/12/14/tanbul-mayor-gets-prison-sentence-political-ban-in-insult-trial-verdict/>

## ASSAULTS ON LAWYERS AND MEMBERS OF THE JUDICIARY

Turkish authorities continued their practice of targeting lawyers on account of the identity of their clients. At least 19 lawyers were detained and at least 40 lawyers faced new investigations throughout the year. In November, an İstanbul court sentenced<sup>68</sup> 19 lawyers to a total of 146 years in prison on terrorism-related charges.

The Board of Judges and Prosecutors (HSK) disbarred at least 25 judges and prosecutors due to their alleged ties to terrorism.

Nimet Demir, a judge who cast a dissenting vote against the transfer of the murder trial of Saudi journalist Jamal Khashoggi to Saudi Arabia, decided<sup>69</sup> to quit the legal profession after he was replaced by the HSK.

## IMPUNITY

In at least seven instances, Turkish prosecutors declined to prosecute prison guards or police officers accused of physical assault or torture. These included the case of Garibe Gezer, a prisoner who died in December 2021 in a Kocaeli prison following reports that she was heavily tortured. The authorities claimed that Gezer had committed suicide. Prosecutors dismissed<sup>70</sup> the case despite available video footage showing Gezer's mistreatment at the hands of prison guards.

Prosecutors were not the only ones contributing to the climate of impunity. In several cases where such allegations were prosecuted, courts acquitted or gave overly lenient sentences to defendants. In January, an İstanbul court acquitted<sup>71</sup> 12 defendants and imposed a suspended fine on one other who stood trial for a videotaped mob attack on Barbaros Şansal, a prominent critic of the government. In April, a Diyarbakır court acquitted<sup>72</sup> a police officer who caused the death of a 5-year-old boy in 2019 with an armored vehicle he was driving. In December, an Adana court handed down<sup>73</sup> a five-month prison sentence on two prison guards who were accused of torture. The guards were convicted for inflicting "simple bodily harm" and their sentence was later converted into a monetary fine.

## KURDISH MINORITY

### BACKGROUND

Since the breakdown of peace talks between the Turkish government and the PKK in 2015, the authorities have been carrying out an intense and relentless crackdown on the Kurdish political movement.

The Peoples' Democratic Party (HDP), which appears to represent the largest portion of Kurds who are opposed to the ruling party, has been at the center of this persecution, with government officials and senior bureaucrats repeatedly accusing the party of being the "political wing" of the PKK. Almost all of the HDP's elected mayors in the Kurdish-majority provinces have been removed from office by the Interior Ministry and replaced by government-appointed trustees, in clear violation of the Kurdish electorate's voting rights.

The summary ouster of mayors was soon followed by criminal investigations at courts, typically on account of the mayors' and other HDP members' purported ties to the PKK. For instance, former HDP co-chairs

<sup>68</sup> "Turkish court sentences 19 lawyers to a total of 146 years in prison on terror charges," Turkish Minute, November 11, 2022, <https://www.turkishminute.com/2022/11/11/ces-19-lawyers-to-a-total-of-146-years-in-prison-on-terror-charges/>

<sup>69</sup> "Dissenting judge in Khashoggi trial to quit profession after demotion," Turkish Minute, June 20, 2022, <https://www.turkishminute.com/2022/06/20/ting-judge-in-khashoggi-trial-to-quit-profession-after-demotion/>

<sup>70</sup> "Turkish prosecutor declines to pursue case of inmate who was tortured and found dead in prison," Turkish Minute, November 28, 2022, <https://www.turkishminute.com/2022/11/28/urkish-prosecutor-declines-to-pursue-case-of-inmate-who-was-tortured-and-found-dead-in-prison/>

<sup>71</sup> "Turkish court acquits 12 over attack on outspoken fashion designer," Turkish Minute, January 7, 2022, <https://www.turkishminute.com/2022/01/07/urkish-court-acquits-12-over-attack-on-outspoken-fashion-designer/>

<sup>72</sup> "Court acquits police officer who hit and killed 5-year-old with armored car in SE Turkey," Turkish Minute, April 1, 2022, <https://www.turkishminute.com/2022/04/01/urk-acquits-police-officer-who-hit-and-killed-5-year-old-with-armored-car-in-se-turkey/>

<sup>73</sup> "16 Aralık 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), December 16, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/16-aralik-2022-gunluk-insan-haklari-raporu/>

Selahattin Demirtaş and Figen Yüksekdağ have been imprisoned since November 2016. The abusive prosecutions also targeted Kurdish media outlets, most notably the Mezopotamya news agency, which is often the sole source of information reporting human rights abuses taking place in Turkey's predominantly Kurdish southeast.

As mentioned earlier, Turkey's overly broad anti-terror laws, coupled with the well-documented executive control over the judiciary, allowed for a large-scale incrimination of people involved in Kurdish political networks, regardless of whether they were actively involved in the armed violence. On the contrary, in most of the trials whose contents were made available to the public, the charges against defendants were typically based on their speeches, attendance in non-violent events, and social media commentary, which were interpreted by prosecutors as well as courts as evidence of their purported ties to terrorism.

## MASS DETENTIONS AGAINST KURDISH POLITICAL NETWORKS

The mass detention operations often targeted the HDP and the Democratic Society Congress (DTK), an umbrella organization for Kurdish political networks. At least 1677 people were detained throughout the year.

## HATE SPEECH AND HATE CRIMES

The highly inflammatory and jingoistic rhetoric adopted by the ruling elite and the pro-government media that conflated Kurdish dissent with terrorism undermined intercommunal coexistence and led to an increase in hate crimes against Kurds. In 2022, Turkey Rights Monitor recorded a total of 18 such physical or verbal assaults against Kurds.

## OTHER MINORITIES

Religious minorities suffered incidents of vandalism, such as two Armenian minority schools in İstanbul that were spray-painted<sup>74</sup> with racial symbols in April and a Jewish cemetery in İstanbul that was vandalized<sup>75</sup> by unidentified assailants in July.

The government continued to deny official recognition to Alevi places of worship (*cemevi*), perpetuating a discriminatory policy that has been in effect for decades. Cemevis in Ankara<sup>76</sup> and Adana<sup>77</sup> were vandalized. In August, Selami Sarıtaş, an Alevi community leader, was physically assaulted<sup>78</sup> in front of his house in İstanbul. A few days later, houses belonging to members of the Alevi community in a village in Balıkesir were reportedly spray-painted<sup>79</sup> with racist symbols and threatening messages.

The LGBT community continued to face discrimination and undue obstruction by authorities as well as hate speech and hate crimes. Trans women Günay Özyıldız<sup>80</sup> and İpek Ağmaz<sup>81</sup> were murdered. Turkey Rights Monitor reported one incident in which LGBT people were mistreated in prison, one incident in which a trans woman was tortured in police custody, one incident in which three trans women were physically assaulted by neighborhood guards (*bekçi*), and at least three incidents in which members of the LGBT community were physically assaulted by unidentified individuals.

<sup>74</sup> "9-11 Nisan 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey, April 11, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/9-11-nisan-2022-gunluk-insan-haklari-raporu/>

<sup>75</sup> "Jewish cemetery in İstanbul desecrated by vandals," Turkish Minute, July 15, 2022, <https://www.turkishminute.com/2022/07/15/emetary-in-istanbul-desecrated-by-vandals/>

<sup>76</sup> "Largest attacks on Türkiye's Alevis in decades raise concerns," Bianet English, August 1, 2022, <https://bianet.org/english/religion/265261-largest-attacks-on-turkiye-s-alevis-in-decades-raise-concerns>

<sup>77</sup> "5-7 Kasım 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), November 7, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/5-7-kasim-2022-gunluk-insan-haklari-raporu/>

<sup>78</sup> "Alevi leader attacked in İstanbul in apparent hate crime," Turkish Minute, August 8, 2022, <https://www.turkishminute.com/2022/08/08/ader-attacked-in-istanbul-in-apparent-hate-crime/>

<sup>79</sup> "23 Ağustos 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey (TİHV), August 23, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/23-agustos-2022-gunluk-insan-haklari-raporu/>

<sup>80</sup> "Trans woman murdered in front of apartment in Aegean İzmir," Duvar English, January 17, 2022, <https://www.duvarenglish.com/trans-woman-murdered-in-front-of-apartment-in-aegean-izmir-news-60149>

<sup>81</sup> "30 Nisan-5 Mayıs 2022 Günlük İnsan Hakları Raporu," The Human Rights Foundation of Turkey, May 5, 2022, <https://tihv.org.tr/gunluk-ih-raporlari/30-nisan-5-mayis-2022-gunluk-insan-haklari-raporu/>

## PRISON CONDITIONS

In recent years, Turkey's prisons have been widely reported as being overcrowded, unsanitary, and marred with systematic mistreatment of prisoners.

Justice Ministry data released in April showed<sup>82</sup> that the number of inmates in prisons, which have the capacity to safely hold 271,823 people, had reached a record high of 314,512 by the end of March. In December, new data announced by the Directorate General of Prisons and Detention Houses showed<sup>83</sup> that prisons were holding 49,518 more prisoners than their overall capacity, representing an overcapacity of 15.9 percent.

## DENIAL OF HEALTHCARE AND MEDICATION

One recurring theme in reports coming out of prisons was prison administrations' consistent negligence and insensitivity in the face of prisoners' health problems. This was even more apparent in the cases of political prisoners, particularly those incarcerated on account of their links to the Gülen movement or as part of investigations into the Kurdish political groups.

Prison administrations frequently coerced prisoners to carry out their hospital visits in handcuffs and to undergo arbitrary and overly intrusive mouth searches during their transfers. Those who objected to the practice were prevented from visiting the hospital. Turkey Rights Monitor reported 169 such incidents in which prisoners were denied access to hospital care.

## UNDUE ISOLATION OF PRISONERS

Another abusive practice was the isolation of prisoners in one-person cells over arbitrarily launched disciplinary investigations or without justification.

As with denial of medical care, this was also more frequent in the case of political prisoners such as Enver Altayır<sup>84</sup>, a former intelligence officer imprisoned on conviction of links to the Gülen movement, and Alparslan Kuytul<sup>85</sup>, the leader of a religious group who was arrested following his outspoken criticism of the government. Reports on the practice also involved details about the restriction of visitation or communication rights, confirming the abusive nature of the isolation.

According to Turkey Rights Monitor data, at least 53 such isolations were reported throughout 2022.

## ABUSES BY PRISON ADMINISTRATIONS AND OFFICIALS

As mentioned in the previous sections, prison administrations also weaponized their authority to restrict inmates' communications and visitation rights. At least 27 disciplinary sanctions involving such restrictions were given over arbitrary reasons such as inmates' verbal objections, complaints, and protests.

## REFUGEES AND MIGRANTS

Turkey is home to at least 4 million refugees and irregular migrants, most notably from Syria and Afghanistan. While Syrians are typically granted temporary protection status, the nationals of other countries seem to be unable to regularize their status or have their asylum cases reviewed on an individual basis.

<sup>82</sup> "Number of inmates in Turkish prisons hits record high of 314K at end of March," Turkish Minute, April 9, 2022, <https://www.turkishminute.com/2022/04/09/umber-of-inmates-in-turkish-prisons-hits-record-high-of-314k-at-end-of-march/>

<sup>83</sup> "Turkish prisons at 16 percent overcapacity: report," Turkish Minute, December 6, 2022, <https://www.turkishminute.com/2022/12/06/rkish-prisons-at-16-percent-overcapacity-report/>

<sup>84</sup> "Former intel official held in solitary confinement for being 'dangerous inmate': daughter," Turkish Minute, March 18, 2022, <https://www.turkishminute.com/2022/03/18/mer-intel-official-held-in-solitary-confinement-for-being-dangerous-inmate-daughter/>

<sup>85</sup> "Lawyer for arrested Furkan Foundation leader says client under psychological pressure in prison," Turkish Minute, August 9, 2022, <https://www.turkishminute.com/2022/08/09/awyer-for-arrested-furkan-foundation-leader-says-client-under-psychological-pressure-in-prison/>

In recent years, migrants have become one of the major issues in the country's political debate. The economic downturn, coupled with the ever-increasing number of foreigners, has given a certain impetus to more anti-migrant segments of the opposition. While the government has not adopted a major political change, it seems unable to ignore the growing public discontent. In April, President Erdoğan announced<sup>86</sup> that his government was working on plans to ensure the "dignified" return of Syrian refugees to their homeland, implying a resettlement of Syrians to areas in northern Syria that are under the control of the Turkish military or Turkey-backed armed groups.

Although government officials maintain that the repatriation of Syrian refugees will be strictly carried out on a voluntary basis, several reports in recent years have accused security forces of using mistreatment to coerce migrants to sign voluntary return documents. In April for instance, the İzmir Bar Association reported<sup>87</sup> that some 100 Afghan migrants who were detained at a migrant removal center in the province were subjected to torture and forced to sign voluntary return papers. In October, Human Rights Watch reported<sup>88</sup> that Turkish authorities arbitrarily arrested, detained and deported hundreds of Syrian refugees to Syria between February and July 2022.

Though not the target of public and opposition grievances about migration, the Uyghurs in Turkey have also been at an increased risk of deportation under increasing political pressure from China. In March, reports indicated that the authorities denied<sup>89</sup> citizenship to some Uyghur refugees on the grounds that they posed risks to the national security and social order.

## HATE SPEECH AND HATE CRIMES

The growing anti-migrant sentiment and hateful rhetoric fueled by opposition figures have paralleled a surge in the number of hate crimes targeting migrants in the country. Turkey Rights Monitor recorded 25 such attacks throughout the year, which resulted in at least seven deaths.

## PUSHBACK OF MIGRANTS AT TURKISH-GREEK BORDERS

In recent years, several reports have documented that the Greek authorities' summary pushback of migrants at the land and sea borders with Turkey became systematic. In April, Human Rights Watch released a report<sup>90</sup> which revealed that Greece uses migrant auxiliaries in executing the pushbacks. In August, the Turkish coast guard announced<sup>91</sup> that in the first seven months of 2022, they rescued nearly 10,000 irregular migrants that were pushed back by Greece into Turkey's territorial waters.

These pushbacks have at times led to human tragedy. In February, the Turkish authorities announced<sup>92</sup> having discovered the frozen bodies of at least 19 migrants near the Greek border, accusing Greece of stripping the migrants of their clothes in the winter cold and forcing them back across the border.

For Turkish nationals fleeing their own country to avoid politically motivated pursuits, these pushbacks have typically resulted in their immediate arrest upon their forcible return to Turkey. The victims were most frequently those under investigation, on trial, or convicted due to their Gülen movement or their involvement in Kurdish politics.

<sup>86</sup> "Erdoğan, ally signal change of stance on return of Syrian refugees to their homeland," Turkish Minute, April 19, 2022, <https://www.turkishminute.com/2022/04/19/ogun-ally-signal-change-of-stance-on-return-of-syrian-refugees-to-their-homeland/>

<sup>87</sup> "Refugees from Afghanistan handed over to Taliban by force," Bianet English, April 19, 2022, <https://bianet.org/english/migration/260665-refugees-from-afghanistan-handed-over-to-taliban-by-force>

<sup>88</sup> "Turkey: Hundreds of Refugees Deported to Syria," Human Rights Watch, October 24, 2022, <https://www.hrw.org/news/2022/10/24/turkey-hundreds-refugees-deported-syria>

<sup>89</sup> "Turkey denies citizenship to some Uyghur refugees: report," Turkish Minute, March 18, 2022, <https://www.turkishminute.com/2022/03/18/key-denies-citizenship-to-some-uyghur-refugees-report/>

<sup>90</sup> "Their Faces Were Covered: Greece's Use of Migrants as Police Auxiliaries in Pushbacks," Human Rights Watch, April 7, 2022, <https://www.hrw.org/report/2022/04/07/their-faces-were-covered/greeces-use-migrants-police-auxiliaries-pushbacks>

<sup>91</sup> "Refugee pushbacks: Türkiye says rescued over 11,000 migrants in 7 months," Bianet English, August 19, 2022, <https://bianet.org/english/migration/266064-refugee-pushbacks-turkiye-says-rescued-over-11-000-migrants-in-7-months>

<sup>92</sup> "Migrant death toll at Greek border rises to 19: governor's office," Turkish Minute, February 3, 2022, <https://www.turkishminute.com/2022/02/03/governor-death-toll-at-greek-border-rises-to-19-governors-office/>

At least 10 incidents of pushback were reported throughout the year, with five of them leading to death and five of them leading to the arrest of Turkish citizens fleeing for political reasons.

## TORTURE AND ILL-TREATMENT

Throughout 2022 allegations of torture and ill-treatment in prisons and detention centers kept flowing at an almost regular pace. The climate of impunity surrounding these incidents showed no sign of dispersing.

In February, the Ankara Bar Association management's decision to prevent the publication of a report concerning alleged mistreatment at the Ankara Police Department of a number of people detained over suspected links to the Gülen movement prompted<sup>93</sup> the resignation of Rıza Türmen, a former judge at the ECtHR and head of the bar association's human rights committee, as well as six other lawyers. The public pressure subsequently led to the resignation of the bar association's president, Kemal Koranel, in March, and in October, the general assembly finally voted<sup>94</sup> to disclose the report. The controversy was a clear illustration of the climate of fear that weighs on those who are responsible for investigating and documenting allegations of torture.

Turkey Rights Monitor reported 111 alleged incidents of torture involving the police, gendarmerie, soldiers, or law enforcement officials, with 43 of them taking place in custody, and 251 taking place in prisons.

## TRANSNATIONAL REPRESSION

### BACKGROUND

Although a relatively new item, transnational repression has quickly become one of the major issues on Turkey's human rights record. Government officials have on several occasions openly confirmed their policy of pursuing critics living outside Turkey's borders and acknowledged the government's involvement in several incidents of abduction.

Mainly targeted at alleged members of the Gülen movement, the practice occasionally concerns Kurdish and other foreign-based dissidents as well. It consists of weaponizing Turkey's international significance and other countries' willingness to maintain close relations with Ankara as well as Turkey's access to international cooperation mechanisms such as Interpol to harass, intimidate, and, in some cases, capture critics living abroad.

In the case of small, poor, or aid-dependent countries with a significantly weak rule of law such as Kosovo<sup>95</sup> and Pakistan<sup>96</sup>, the victims were typically abducted or extrajudicially handed over to Turkey's intelligence operatives. In relatively stronger yet highly autocratic or corrupt nations such as Kazakhstan and Ukraine<sup>97</sup>, the victims were often detained and extradited by the host countries' authorities at Turkey's request.

The persecution is not limited to the non-democratic world. Turkish dissidents based in Europe and North America have suffered threats, physical attacks, and malicious pro-government media publications that put their lives at risk by revealing their home addresses.

While Turkey's red notice requests against dissidents are regularly thrown out by Interpol's internal review mechanisms on the grounds that they are politically motivated, the organization has been terribly

<sup>93</sup> "Lawyers resign from Turkish bar association over torture allegations," Ahval News, February 5, 2022,

[https://www.ahvalnews.com/turkey-torture/lawyers-resign-turkish-bar-association-over-torture-allegations?\\_cf\\_chl\\_tk=7YNI31rU\\_pFOy1YqAwzpPj4\\_Z98eM9brYB6qZgL.Csk-1690759402-0-gaNycGzNDqU](https://www.ahvalnews.com/turkey-torture/lawyers-resign-turkish-bar-association-over-torture-allegations?_cf_chl_tk=7YNI31rU_pFOy1YqAwzpPj4_Z98eM9brYB6qZgL.Csk-1690759402-0-gaNycGzNDqU)

<sup>94</sup> "Ankara Barosu Genel Kurulu oyçokluğuyla kabul etti: Gizlenen işkence raporları açıklanacak," Bold Medya, October 10, 2022,

<https://boldmedya.com/2022/10/10/ankara-barosu-genel-kurulu-oycokluguyla-kabul-etti-gizlenen-iskence-raporlari-aciklanacak/>

<sup>95</sup> "Turkey just snatched six of its citizens from another country," The Washington Post, April 1, 2018,

<https://www.washingtonpost.com/news/democracy-post/wp/2018/04/01/turkey-just-snatched-six-of-its-citizens-from-another-country/>

<sup>96</sup> "Pakistan government deports abducted Kaçmaz Family to Turkey," Stockholm Center for Freedom, October 14, 2017,

<https://stockholmcf.org/pakistan-government-deports-abducted-kacmaz-family-to-turkey/>

<sup>97</sup> "2 teachers working at schools linked to Gülen movement deported to Turkey from Ukraine," Stockholm Center for Freedom, January 6, 2021,

<https://stockholmcf.org/2-teachers-working-at-schools-linked-to-gulen-movement-deported-to-turkey-from-ukraine/>

unsuccessful, if not unwilling, to address Ankara's thousands of abusive entries in the Stolen and Lost Travel Document (SLTD) database<sup>98</sup> to mark its critics' passports as stolen or lost in an attempt to obstruct their international travel and to locate their whereabouts.

## ATTACKS ON FOREIGN-BASED CITIZENS

As mentioned in the section about press freedom, Sweden-based journalist Ahmet Dönmez was physically assaulted in broad daylight in Stockholm in March.

The pro-government Sabah daily, whose ownership has family ties with Turkey's president, published secretly taken pictures of journalists Cevheri Güven, Abdullah Bozkurt, and Levent Kenez as well as Murat Çetiner, a former police chief who lives in Sweden. The publications revealed the home addresses of Güven, Kenez, and Çetiner. A few days after being targeted by the newspaper, Çetiner's car was vandalized<sup>99</sup> by unidentified assailants.

Çetiner was also on the list of Turkish citizens whose extradition was put forward by the Turkish government as a precondition for greenlighting Sweden's accession to NATO. The list also included journalist Bülent Keneş, whom Erdoğan personally referred to as a "terrorist" during a joint press conference with the Swedish prime minister.

Another recurring theme in recent years was Turkey's espionage activities in Europe, which are mainly targeted at tracking down, harassing, and intimidating government critics. In April, German federal prosecutors indicted<sup>100</sup> a man who was arrested in Düsseldorf in September 2021, charging him with spying on dissidents on behalf of Turkey's National Intelligence Organization (MİT). The man was arrested in a hotel after an employee noticed that he was carrying a weapon. Two months later, the suspect admitted<sup>101</sup> in court to spying on members of the Gülen movement and the outlawed PKK.

In June, the Austrian interior ministry confirmed<sup>102</sup> that three Austrian Turks were detained on suspicion of spying on dissidents for Turkey's intelligence and were released pending trial after questioning.

In November, a German court handed down<sup>103</sup> a suspended prison sentence to a taxi driver for spying on Turkish dissidents for the MİT.

## ABDUCTIONS

In October, family members of Uğur Demirok, a Turkish businessman based in Azerbaijan, announced<sup>104</sup> that he had been missing for a month. Eyewitnesses said that they had seen Demirok being forced into a van by a group of masked individuals. Azeri authorities told the family that Demirok was taken to Turkey while Turkish authorities initially made contradictory statements. The next month, Turkey's state-run news agency confirmed<sup>105</sup> Demirok's abduction and rendition. He was arrested on terrorism charges a few days later.

<sup>98</sup> "After Spotlight on Red Notices, Turkey is Abusing Another Interpol Mechanism," Just Security, July 13, 2023, <https://www.justsecurity.org/87260/after-spotlight-on-red-notices-turkey-is-abusing-another-interpol-mechanism/>

<sup>99</sup> "Former Turkish police chief's car vandalized in Sweden after pro-Erdoğan daily targets him," Turkish Minute, November 4, 2022, <https://www.turkishminute.com/2022/11/04/chiefs-car-vandalized-in-sweden-after-pro-erdogan-daily-targets-him/>

<sup>100</sup> "Germany accuses alleged MİT agent of spying for Turkey, violating weapons law," Turkish Minute, April 14, 2022, <https://www.turkishminute.com/2022/04/14/rmany-accuses-alleged-mit-agent-of-spying-for-turkey-violating-weapons-law/>

<sup>101</sup> "Turkish suspect admits to spying on Gülen followers, PKK members in Germany," Turkish Minute, June 22, 2022, <https://www.turkishminute.com/2022/06/22/ish-suspect-admits-to-spying-on-gulen-followers-pkk-members-in-germany/>

<sup>102</sup> "3 Austrian-Turks detained on suspicion of espionage released pending trial, says Austrian interior ministry," Turkish Minute, July 29, 2022, <https://www.turkishminute.com/2022/07/29/ks-detained-on-suspicion-of-espionage-released-pending-trial-says-austrian-interior-ministry/>

<sup>103</sup> "Taxi driver gets suspended sentence for spying on Turkish dissidents in Germany," Turkish Minute, November 11, 2022, <https://www.turkishminute.com/2022/11/11/nded-sentence-for-spying-on-turkish-dissidents-in-germany/>

<sup>104</sup> "Geçtiği sokakta gizemli siyah transporter görüntüledi: Azerbaycan'daki Türk iş insanından bir aydır haber alınamıyor," Bold Medya, October 5, 2022, <https://boldmedya.com/2022/10/05/gectigi-sokakta-gizemli-siyah-transporter-goruntulendi-azerbaycandaki-turk-is-insanindan-bir-aydir-haber-alinamiyor/>

<sup>105</sup> "Businessman who went missing in Azerbaijan rendered to Turkey by MİT," Turkish Minute, November 12, 2022, <https://www.turkishminute.com/2022/11/12/inessman-who-went-missing-in-azerbaijan-rendered-to-turkey-by-mit/>

In March, an Ankara court handed down<sup>106</sup> a prison sentence of three years, four months to Selahattin Gülen, a teacher who was abducted from Kenya in 2021 due to his affiliation with the Gülen movement. The sentence was upheld in November by the top appeals court.

The European Court of Human Rights (ECtHR) ruled<sup>107</sup> in March that Azerbaijan violated the rights of four Turkish teachers, stating that their detention and deportation to Turkey amounted to “extrajudicial rendition.” The four teachers were arrested for alleged links to the Gülen movement upon their arrival in Turkey in 2017 and 2018. The ECtHR ordered Azerbaijan to pay each applicant 9,000 euros in non-pecuniary damages.

In May, former intelligence officer Ali Burak Darıcılı revealed<sup>108</sup> in a YouTube interview that Turkey’s intelligence services have bribed locals in Africa and Central Asia to secure the abduction of members of the Gülen movement who were then forcibly returned to Turkey. In November, Vice President Fuat Oktay announced<sup>109</sup> in a speech in parliament that more than 100 people with alleged links to the Gülen movement were forcibly returned to Turkey by the MİT, describing the operations as “intelligence diplomacy.”

## CROSS-BORDER MILITARY OPERATIONS

Several allegations emerged throughout the year regarding rights violations in areas of northern Syria that are controlled by Turkey’s armed forces or Turkey-backed militant groups.

In January, the Syrian media reported that Turkey’s proxy groups arrested<sup>110</sup> several civilians for protesting poor living conditions in the Turkish-occupied zone.

In April, reports on international media alleged<sup>111</sup> that Turkey was running secret prisons across Turkish-controlled northwestern Syria.

In August, opposition MP Hüseyin Kaçmaz claimed<sup>112</sup> that Turkey’s drone strikes in northern Syria had killed eight children within a month.

In November, Human Rights Watch accused<sup>113</sup> Turkey of disrupting the water supply to Syria and exacerbating an acute water crisis that was believed to have given rise to a deadly cholera outbreak in the region. The next month, the group said<sup>114</sup> in a statement that Turkish airstrikes in the region were inflicting damage on densely populated areas and critical infrastructure.

While Turkey does not have similar occupation zones in northern Iraq, the region is the scene of frequent clashes between the Turkish armed forces and PKK militants.

In July, the Iraqi government blamed<sup>115</sup> Turkey for artillery strikes that killed nine civilians and wounded 23 others at Zakho.

<sup>106</sup> “Teacher abducted from Kenya given 3-year prison sentence due to his Gülen links,” Turkish Minute, March 22, 2022, <https://www.turkishminute.com/2022/03/22/her-abducted-from-kenya-given-3-year-prison-sentence-due-to-gulen-links/>

<sup>107</sup> “ECtHR faults Azerbaijan for violating rights of 4 Turkish teachers illegally deported to Turkey,” March 10, 2022, <https://www.turkishminute.com/2022/03/10/hr-faults-azerbaijan-for-violating-rights-of-4-turkish-teachers-illegally-deported-to-turkey/>

<sup>108</sup> “Former intel official says MİT abducts Gülenists from Africa, Central Asia by paying bribes,” Turkish Minute, May 17, 2022, <https://www.turkishminute.com/2022/05/17/r-intel-official-says-mit-abducts-gulenists-from-africa-central-asia-by-paying-bribes/>

<sup>109</sup> “More than 100 people abducted thanks to ‘intelligence diplomacy’: Turkey’s vice president,” Turkish Minute, November 25, 2022, <https://www.turkishminute.com/2022/11/25/ore-than-100-people-abducted-thanks-to-intelligence-diplomacy-turkeys-vice-president/>

<sup>110</sup> “Turkish proxies arrest Syrians protesting poor living conditions in occupied zone,” Ahval News, January 9, 2022, <https://www.ahvalnews.com/afrin/turkish-proxies-arrest-syrians-protesting-poor-living-conditions-occupied-zone>

<sup>111</sup> “Erdogan’s secret prisons in Syria,” The Jerusalem Post, April 15, 2022, <https://www.jpost.com/international/article-704250>

<sup>112</sup> “Eight children killed, 24 wounded in Türkiye’s recent drone strikes in northern Syria,” Bianet English, August 24, 2022, <https://bianet.org/5/145/266245-eight-children-killed-24-wounded-in-turkiye-s-recent-drone-strikes-in-northern-syria>

<sup>113</sup> “Syria: Parties to Conflict Aggravate Cholera Epidemic,” Human Rights Watch, November 7, 2022, <https://www.hrw.org/news/2022/11/07/syria-parties-conflict-aggravate-cholera-epidemic>

<sup>114</sup> “Turkish strikes exacerbate humanitarian crisis, HRW says,” Turkish Minute, December 8, 2022, <https://www.turkishminute.com/2022/12/08/kish-strikes-exacerbate-humanitarian-crisis-hrw-says/>

<sup>115</sup> “9 civilians killed in northern Iraq in shelling blamed on Turkey,” Turkish Minute, July 20, 2022, <https://www.turkishminute.com/2022/07/20/9-civilians-killed-in-northern-iraq-in-shelling-blamed-on-turkey/>

In October, reports on the pro-Kurdish media claimed that Turkey had carried out a chemical attack on PKK militants, releasing video footage allegedly showing militants exposed to chemical weapons. The Turkish government denied the allegation. Leading human rights defender Şebnem Korur Fincancı was arrested after she called for an investigation into the allegation. Charged with spreading terrorist propaganda and denigrating the state, she faces up to seven-and-a-half years in prison because of her statement.

## ABUSIVE EXTRADITION REQUESTS

In April, Brazil's Supreme Court rejected<sup>116</sup> Turkey's request for the extradition of businessman Yakup Sağar on account of his links to the Gülen movement, saying there is no guarantee he will receive a fair trial if extradited.

In July, the Supreme Court of Sweden refused<sup>117</sup> Turkey's request to extradite a former school principal on the grounds that his actions do not constitute any elements of a crime under Swedish law. In December, the court similarly rejected<sup>118</sup> the request for the extradition of journalist Bülent Keneş, stating that the charges against Keneş are not crimes in Sweden and that there is a risk that the journalist would face persecution on the basis of his political beliefs in the case of extradition.

In November, US-based former football player Hakan Şükür revealed<sup>119</sup> in an interview that Turkey's president demanded his extradition from the US in exchange for the release of an American pastor who was imprisoned in Turkey.

## WOMEN'S RIGHTS

Turkey's withdrawal from the İstanbul Convention, an international treaty on combating violence against women, continued to be a major issue in the field of women's rights. In the first half of the year, the chief prosecutor at the Council of State made<sup>120</sup> calls for the cancellation of a 2021 presidential decree that concluded the withdrawal without parliamentary procedure.

As usual, police used disproportionate force to disperse women's rights protests around March 8 and November 25, detaining dozens of protesters.

In April, the authorities launched<sup>121</sup> a legal procedure aimed at ensuring the shutdown of the We Will Stop Femicide Platform (*Kadın Cinayetlerini Durduracağız Platformu*), accusing it of "illegal and immoral activities" and "damaging the Turkish family structure." The group is one of the few sources of information dedicated to documenting incidents of femicide and gender-based violence.

The platform reported<sup>122</sup> that in 2022 at least 334 women were murdered by men in Turkey, and 245 women lost their lives under suspicious circumstances. Several reports throughout the year indicated a tendency on the part of Turkish courts to hand down lenient or reduced sentences to men accused of murdering women or inflicting violence on them.

<sup>116</sup> "Brazilian court refuses to extradite Gülen-linked businessman to Turkey," Turkish Minute, April 6, 2022,

<https://www.turkishminute.com/2022/04/06/zilian-court-refuses-to-extradite-gulen-linked-businessman-to-turkey/>

<sup>117</sup> "Top Swedish court refuses to extradite Gülen-linked former principal to Turkey," Turkish Minute, July 18, 2022,

<https://www.turkishminute.com/2022/07/18/court-refuses-to-extradite-gulen-linked-former-principal-to-turkey/>

<sup>118</sup> "Sweden refuses to extradite journalist sought by Erdoğan," Turkish Minute, December 19, 2022,

<https://www.turkishminute.com/2022/12/19/eden-refuses-to-extradite-journalist-sought-by-erdogan/>

<sup>119</sup> "Ex-footballer says Erdoğan demanded his extradition in return for pastor Brunson's release," Turkish Minute, November 3, 2022,

<https://www.turkishminute.com/2022/11/03/erdogan-demanded-his-extradition-in-return-for-pastor-brunsons-release/>

<sup>120</sup> "Top prosecutor demands reversal of Turkey's İstanbul Convention withdrawal," Turkish Minute, April 28, 2022,

<https://www.turkishminute.com/2022/04/28/prosecutor-demands-reversal-of-turkeys-istanbul-convention-withdrawal/>

<sup>121</sup> "Turkish authorities start legal process to close down the We Will Stop Femicide Platform," Turkish Minute, April 14, 2022,

<https://www.turkishminute.com/2022/04/14/turkish-authorities-start-legal-process-to-close-down-the-we-will-stop-femicide-platform/>

<sup>122</sup> "We Will Stop Femicides Platform 2022 Annual Report," We Will Stop Femicide Platform, January 6, 2023,

<https://kadincinayetleriniDurduracagiz.net/veriler/3041/we-will-stop-femicides-platform-2022-annual-report>

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[www.solidaritywithothers.com](http://www.solidaritywithothers.com)

[info@solidaritywithothers.com](mailto:info@solidaritywithothers.com)

0032 497 32 45 50





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