



Submission for the UN Universal Periodic Review

World Affairs Council and Advocates of Silenced Turkey

Once open a time, the Republic of Turkey was lauded by insiders and outsiders for constituting a powerful model for democratization. In New Turkey, however, silence against the regime’s draconian laws, mass imprisonment, and frequent violations of universal human rights has become the sole norm. “Advocates of Silenced Turkey” is a group of lawyers, judges, academics, journalists, and hundreds of activists who cherish democratic ideals and universal human rights. We, as the Advocates, have made it our mission to champion the rights of Silenced Turkey until universal human rights and democratic governance are established and sustained as the utmost priorities of the Republic of Turkey. ¹

Turkey: Women’s Rights Violations

¹ <https://silencedturkey.org/>

Over half a million people has been investigated on terror and coup linked charges according to an official statement by the Turkish Justice Minister on January 18, 2019 and nearly hundred thousand people got arrested. Women and children have become especially vulnerable and these unlawful arrests have created tremendous violations on women's rights. The Current situation in Turkey illustrates intentional violation of domestic legislation and the international agreements. There are more than 10,000 women and over 700 children (0-6 age) in Turkish prisons incarcerated as prisoners of conscience, mostly has links to Gulen movement or is ethnically Kurdish.² Propositions set forward in UN Women's 2018-2021 strategic plan which supports the implementation of the Beijing Declaration and Platform for Action and the 2030 Agenda for Sustainable Development, along with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is violated by Turkey, who is one of the 185 countries that are parties to the Convention. Dozens of human tragedies in Turkey have been reported as a result of the government witch-hunt against the Gülen movement following the coup attempt last year. Recep Tayyip Erdoğan accused the Gülen group of masterminding the coup attempt and launched a widespread purge aimed at cleansing sympathizers of the movement from within state institutions, dehumanizing its popular figures and putting them in custody. The movement denies any involvement.

Duty of States

Turkey routinely targets human rights and liberties, defenders and suppresses dissent. Individuals allegedly linked to the Hizmet Movement suffer disproportionate multi-faceted discrimination, in particular as regards to equal

² <http://sethemfree.com/wp-content/uploads/2017/10/Womens-Rights-Under-Attack.pdf>

access to political participation, health, education, employment, and justice because of current practice as well as the laws enacted. The government has resorted to intentional methods and practices of violence that are particularly harmful and dehumanizing with the intention of causing humiliation, fear, and terror.

Turkey has agreed to CEDAW, Article 2 to pursue all appropriate means a policy of eliminating discrimination against women by adopting necessary legislative measures and refraining from engaging in any act or practice of discrimination. It has also agreed to repeal all national penal provisions which constitute discrimination against women.

However, that is far from reality. Women are arrested when police fail to locate their lawfully married spouses and are jailed as they were visiting their imprisoned husbands, leaving the children stranded in the ensuing chaos. Turkey has been exercising extensive news censorship. Government has shut off hundreds of media outlets and arrested as many journalists. As a result, it has become extremely difficult to report on the events surrounding the attempted coup, the dismissals, suspensions and human rights abuses. TurkeyPurge is one of the few media outlets to bring to the public up-to-date news and information, giving a voice to the victims.

Reported on TurkeyPurge, 5-months pregnant woman B.D. was detained as police failed to locate husband in Samsun, Turkey. B.D., already a mother of three, was detained after a police raid at her home. Police had initially come for B.D.'s husband, wanted over alleged ties to the Gulen movement. B.D.'s

three children were reportedly left under their 75-year-old grandmother's care.

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On January 2017, Nagihan Gökçek, who is a mother of five, drives to Sincan prison in Ankara to visit her husband, Abdullah. When she enters the prison, she is detained, and her children left alone in the car for hours. A video shows one of her children opening the car door in the prison parking lot, showing his brothers crying inside. In tears, he says, "We are five brothers, left alone. We have a disabled brother. I commend those people to God's punishment." One of her children has Downs' Syndrome. Later that day a relatives pick up the children from the cold car in the prison parking lot.⁴

Another tragic case is Halime Gulsu. Gulsu was arrested on Feb. 20, 2018 for allegedly helping the Gülen movement in Mersin province. Few months later, Gulsu died in prison reportedly due to deprivation of the medication she took for lupus erythematosus. According to a *report* by online news outlet Kronos, Gülsu was not given her medication during 15 days of detention and afterwards in a Tarsus Prison cell that she shared with 21 people. Her health report was lost by prison officials. Due to health problems she was taken to Mersin City Hospital on April 25. But she was sent back to prison, where she went into a coma and died. Prison officials did not act despite calls for help from her cellmates.⁵

Social Protection

³ <https://turkeypurge.com/human-tragedies>

⁴ <https://turkeypurge.com/human-tragedies>

⁵ <https://kronos9.news/tr/cezaevinde-ihmal-sonucu-olen-halime-gulsunun-son-mektubu-ortaya-cikti/>

Agreed by the Turkish government, Article 11 Section 2 of CEDAW outlines that states are responsible of eliminating discrimination against women on the grounds of marriage or maternity. They are advised to provide necessary social protection services to protect mothers and children, special protection to women during pregnancy is also encouraged. Turkey has intentionally and routinely been violating this Article since 2016. In several cases, women were detained in the hospital immediately after the delivery of her baby and before they had a chance to recover.

Reported on TurkeyPurge, Halime Kaman gave birth on December 1, 2017 at an İstanbul hospital and was reportedly arrested by police. Kaman was held at İstanbul's Vatan Police Headquarter for almost a week before she was eventually arrested by an İstanbul court on December 21 over her alleged involvement in the Gülen group and coup chargers with her new born baby.⁶

According to human rights activist and Peoples' Democratic Party (HDP) deputy Ömer Faruk Gergerlioğlu, there are 700 babies in Turkish prisons and they have been living in extremely poor conditions. Avşin Usanmaz, a one-year-old baby with brain cancer, has been held in a prison in Mardin province with his imprisoned mother. Büşra Atalay, a Turkish woman who has previously been dismissed from her job over alleged Gülen links, lost her unborn child when she was detained. Atalay was detained by police at İstanbul Pendik Yüzyıl Hospital on Thursday over her alleged links to Turkey's Gülen group, which the Turkish government accuses of masterminding a coup attempt last year. Despite her doctor's objection, she was detained and interrogated by police for several hours during which she endured some bleeding and eventually lost her baby at her 24th week. According to several

⁶ <https://turkeypurge.com/human-tragedies>

Turkish media outlets and twitter users, Atalay was pregnant with twins and she therefore gave preterm birth to the second baby.⁷

Among thousands of innocent women who have become the main target of Erdogan's regime is H.G., still residing in Turkey. H.G has asked her identity to be kept confidential and told her story through an in person interview. After Erdogan's regime shut the down the institutions herself and her husband worked as teachers, they were left jobless. As pressure intensified from the government, their lives in Turkey became unbearable. H.G., her husband and two kids decided to leave Turkey and seek refuge elsewhere. Filled with hope, they started on a journey to cross the river between Turkey and Greece. However, things didn't go as planned and she witnessed the tragic death of her family members.

Recommendations

Human rights law is developed through international treaties and in customary international law. It is essential that countries abide by their promises since they provide stronger protections than national, state, or local laws. Women's human rights instruments include the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which advocates for the right to be free from discrimination, equal treatment, and freedom from violence. Following the failed attempt of July 2016, Turkey has experienced significant political changes and committed countless human rights violations. Two-year long state of emergency had far reaching effects on the country's society and institutions. It restricted the exercise of fundamental freedoms and

⁷ <https://www.omerfarukgergerlioglu.com/>

compromised judicial independence. Rule of law still remains highly questionable.

In this regard the following proceedings should effective immediately be implemented:

- Introduce comprehensive non-discrimination legislation.
- Ensure that no person is detained without probable cause; family members, legally married spouses, and relatives cannot be punished for someone else's "crime".
- Turkish authorities have to stop acting out of vengeance in post-coup operations and
- put an end to the purge, action should be taken only if there is concrete evidence
- Ensure that anti-terrorism laws are in line with international standards.
- Facilitate necessary conditions for pregnant women and mothers in prison, such as healthcare and adequate hygiene.
- Ensure the impartiality of the judiciary, remove the pressure and create an independent court system.
- Educate law enforcement and provide training on international human rights standards.