

Turkey

Submission to the United Nations Universal Periodic Review

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Submitted By:

International Alliance for peace and development

<https://iapd.international/en/>



International Alliance for Peace and Development

The IAPDA seeks to promote for peace and sustainable development all over the world. The IAPDA works to counter hatred, violence and extremism and to work side by side with the UN mechanism and other affective institutions all over the world.. The association is based on international human rights conventions adopted by the UN General Assembly, as well the recommendations and commentaries of the international bodies established by these conventions or any other mechanism based on the UN charter

Summary

Since Turkey's last Universal Periodic Review by the Human Rights Council in 2015, it received 278 recommendations, it accepted 215 recommendations and refused 65 recommendations. Although it accepted recommendations on certain issues, it continues to violate these issues

Following a coup attempt in 2016, the government imposed a state of emergency allowing rule by decree. Turkish authorities dismissed over 150,000 public officials due to alleged coup links, with courts jailing over 64,000 more on terrorism charges. An April 2017 referendum approved an executive presidency with weakened judicial and parliamentary checks. Over 150 journalists and media workers, as well as 9 parliamentarians of the pro-Kurdish opposition party, are behind bars

Turkey ranks 109th out of 126 countries, according to the World Justice Project's (WJP) 2019 Rule of Law Index , an international report on the rule of law.¹

As part of the International Alliance for Peace and Development commitment to uphold the values of peace and its concern for human rights and non-violence issues, this intervention presents some of the violations committed by Turkey since its last review and recommendations as an attempt to address these violations

Violation on Freedom of expression

At its second Universal Periodic Review (UPR) in 2015, Turkey accepted a number of recommendations on the right to freedom of expression, however turkey is still using violations against freedom of express.call on Turkey to reverse the decision and release the journalists. Imprisonment for journalism not only silences the journalists, but it also deprives Turkish citizens of their right to access pluralistic views on issues that can directly affect their lives

¹ World justice project , 2019

https://worldjusticeproject.org/sites/default/files/documents/WJP_RuleofLawIndex_2019_Website_reduced.pdf

- Till now turkey arrested around hundredths of journalists since trial to coup in 2016 ,Journalists NazlıIlicak, Ahmet Altan, Mehmet Altan, FevziYazici, YakupSimsek and SukruTugrulOzsengul received life sentences at the hearing in Istanbul, after being found guilty of taking part in the unsuccessful coup attempt in 2016. They received additional 15-year terms for allegedly committing crimes on behalf of the Gülen movement, which is classified as a terrorist organization by Turkey. The court decision condemning journalists to life in prison for their work, without presenting substantial proof of their involvement in the coup attempt or ensuring a fair trial, critically threatens journalism and with it the remnants of freedom of expression and media freedom in Turkey²
- In addition to Turkish authorities have prosecuted 80 authors and shut down 18 periodicals and 29 publishing houses under the ongoing state of emergency imposed after the 2016 failed coup, Among those 80 authors, three are being tried for the books they have written, while the remaining 77 are being prosecuted for being members of terrorist organizations, or for having affiliations or links with such organizations due to their newspaper articles or social media posts.³
- Civil society representatives, as well as the general population, widely practised self-censorship, deleting social media posts and refraining from making public comments for fear of dismissal from their jobs, closure of their organizations or criminal prosecution. Thousands of criminal prosecutions were brought, including under laws prohibiting defamation and on trumped-up terrorism-related charges, based on peoples' peaceful exercise of their right to freedom of expression. Arbitrary and punitive lengthy pre-trial detention was routinely imposed.⁴
- On 29 April 2019, marks two years since the Turkish government blocked access to the online encyclopedia website, Wikipedia, in Turkey.On 29 April 2017, the Turkish government banned access to all language versions of the Wikipedia website under Turkish

²Reliefweb , 16/2/2018 ,<https://reliefweb.int/report/turkey/turkey-life-sentences-journalists-are-unprecedented-assault-free-speech-say-un-and>

³Ahval, 29/5/2018,<https://ahvalnews.com/freedom-speech/freedom-expression-turkey-jeopardy-pen-warns>

⁴AMENSTY international ,2018 <https://www.amnesty.org/en/countries/europe-and-central-asia/turkey/report-turkey/>

law No. 5651, otherwise known as the Internet Act, which provides measures for online restrictions and blockings in the face of threats to national security. The Turkish authorities reported that they imposed the ban after Wikipedia refused to take down an article alleging Turkish government support for terrorist groups in Syria

- turkey's ban on Wikipedia has severely curtailed the rights to freedom of expression and access to information – and not just for people living in Turkey. Its population of 80 million have been cut off from accessing the wealth of information and participating in free information exchange through the site, while internet users outside of Turkey have lost access to important information and perspectives of people inside of Turkey through Wikipedia. according to Twitter reports , Turkey makes more requests for content removal on the platform than any other country in the world.⁵

After all these violations, it is clear that Turkey is violating article 19 on freedom of opinion and expression in the International Covenant on Civil and Political Rights which it is a party

Torture and other ill-treatment

Despite the Turkish Constitution's ban on torture and public pledges by successive government to end torture. Turkey's obligations under numerous international conventions, including the European Convention for the Protection of Human Rights and Fundamental Freedoms, the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment were emphasized.

In the first week of April 2019, the Turkish authorities arrested a Palestinian man named Zaki Hassan Mubarak and another man, Samer Shaaban, allegedly for spying for the UAE and their association in some way with the killing of Saudi journalist Jamal Khashoggi. Access to classified information may be used in military and political espionage. And in 28 April Palestinian Ambassador in Turkey said that the

⁵ Article 19, 29/4/2019 <https://www.article19.org/resources/turkey-two-years-without-wikipedia-2yearswithoutwiki/>

Palestinian detainee in Turkish prisons Zaki Mubarak was killed in mysterious circumstances. and his family said that he was assassinated by the Turkish authorities directly after he was tortured⁶ It was confirmed that he was tortured after autopsy, which showed signs of killing by Turkish authorities, including the presence of prominent fractures of the rib cage near the heart, and other fractures of the leg and arms, as well as the presence of traces confirming the restriction behind the arms

In 2017 three Turkish men including a school principal are at risk of torture after being abducted and extradited from Malaysia. International school headteacher Turgay Karaman, academic Ismet Ozcelik and businessman Ihsan Aslan are believed to have been targeted over suspected links to a US-based cleric accused of leading an attempted coup against Recep Tayyip Erdogan⁷

Violations of minority rights

The Turkish authorities exercise a number of policies that are characterized by intransigence against minorities, including:

-The imposition of the state language on minorities: the Turkish language is the main one. Kurds in Turkey occupy the largest proportion of minorities in the country and are present in all governorates of Turkey. However, the Kurdish language is banned in Turkey both in public and private areas

- **discrimination:** In Turkey, where Diyarbakir, a city in eastern Turkey with a Kurdish majority, is located, the authorities are cracking down on them by discriminating against them, which extends to their license plates with a number of 21, leading to their suspension within the scope of the inspection and the practice of racism against them. The number of prisoners has increased to 1154 Kurds, including 402 prisoners in critical condition, 11 cases Suicide among women 211 prisoners are subjected to bad transactions and torture in prisons

-In mid-March 2019, a Kurdish activist was killed in prison after being arrested, accused of having links with the Workers' Party. In January

⁶ The national , 2 /5/2019 , <https://www.thenational.ae/world/mena/turkey-spy-claims-against-palestinian-man-were-farcical-his-family-says-1.856276>

⁷ Independent ,12/5/2017 <https://www.independent.co.uk/news/world/asia/turkey-coup-attempt-erdogan-gulen-hizmet-movement-crackdown-malaysia-arrests-extradited-karaman-a7733276.html>

2018, Kurdish MP Lilly Govin was arrested for criticizing a Turkish operation against Kurdish militants in northern Syria and was sentenced to a long prison term and has declared a hunger strike and the court still refuses to release her despite the acquisition of immunity against arrest, in 25 March 2019 four Kurdish inmates have committed suicide within one week in protest of the solitary confinement imposed on the jailed Kurdistan Workers' Party (PKK) leader Abdullah Öcalan.⁸

Arrest , arbitrary detention

Although Turkey has accepted the recommendations of countries in its last periodic review of the recommendations of arbitrary detention, it continues to practice more arbitrary detention , and such acts are contrary to Article 9 of the International Covenant on Civil and Political Rights

The total number of detainees in prison awaiting trial or awaiting trial increased from more than 26,000 in July 2016 to more than 70,000 in March 2018. In many cases individuals were held in pre-trial detention without any evidence to be taken Participated in known criminal acts.

Alparslan Altan was detained on July 16, 2016, a day after the failed putsch, and was arrested by an Ankara court four days later. The judge remained in pre-trial detention until January 2018, when he was indicted. A prosecutor demanded an 11 year and three-month prison sentence for Altan over links to the Gülen movement

A total of 2,431 judges and prosecutors have been arrested in Turkey following the 2016 failed coup attempt and another 4,424 have been dismissed from their jobs.⁹

Turkey's Violations of Human Rights in Cyprus

The Turkish invasion and occupation has added a major humanitarian dimension ,due to the flagrant violation on the part of Turkey of international conventions for the protection of human rights and international humanitarian law. Not only has Turkey flouted international law as codified in the Genocide Convention, but she has also disregarded the UN Charter, UN resolutions, the UN International Covenants on

⁸ Turkey purge, 25 March 2019, <https://turkeypurge.com/4-kurds-commit-suicide-in-turkish-prisons-in-a-week-report>

⁹Ahval , 16/4/2019 <https://ahvalnews.com/echr-turkey/turkeys-detention-highest-court-judge-unlawful-echr>

Human Rights, the Hague Regulations, the 1949 Geneva Conventions (setting minimum standards of treatment of soldiers and civilians in time of armed conflict and during occupation thereafter) and the European Convention on Human Rights and its Protocols.¹⁰

In May 2014, the European Court of Human Rights (ECHR) ordered the Turkish government to pay 90 million euros (\$124 million) to Cyprus over human rights abuses committed during and after Turkey's invasion of the island in 1974. In response, Turkey said it was not bound by the ruling¹¹

- In 23 February 2019, foreign ministry of Cyprus says Turkish forces in the breakaway north are throwing up new impediments for Greek Cypriots living in a village abutting a British military base. The foreign ministry said that a new fence erected along a rural road in Strovilia blocks farmers from reaching their fields.¹²

Recommendations for action by the state under review

International Alliance for peace and development calls on the government of Turkey to:

- call for the development of a mechanism that could effectively address the lack of political will to conform to international standards on freedom of expression.
- Refrain from censoring social and conventional media and ensure that freedom of expression is safeguarded in all forms.
- Amend the Internet Law in order to guarantee the free exercise of freedom of expression, among others, by ensuring that the Telecommunications Authority cannot block websites without judicial authorization.
- The Turkish authorities must stop discriminatory practices in Diyarbakir in order to stop the economic crisis experienced by the Kurds
- Turkey should respect the law .
- Turkey must stop torture in prisons, and Implement the Optional Protocol to the Convention against Torture and Other Cruel,

http://www.kypros.org/Cyprus_Problem/Turkish-Atrocities.html¹⁰
Hellenic News, 12/6/2018 <https://hellenicnews.com/tribunal-chair-says-cypriots-greeks-entitled-to-turkish-compensation/>¹¹

Abc News, 23/2/2019 , <https://abcnews.go.com/International/wireStory/cyprus-accuses-turkish-forces-violation-border-61262283>¹²

Inhuman or Degrading Treatment or Punishment through the creation of a national preventive tasked with carrying out regular and ad-hoc unannounced visits to all places of detention.