

**An Advocates of Silenced
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**REPORT:
WOMEN'S AND CHILDREN'S RIGHTS ARE
UNDER ATTACK IN TURKEY**



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INTRODUCTION

Oppressive attitude of the Turkish government has been becoming harsher as the time goes. A process of targeting dissident groups, especially the Hizmet Movement, started in 2013 and the government became even stricter than one can expect since July 15, 2016 when the so-called attempted coup occurred. The Movement has been the main group targeted by the President Recep Tayyip Erdogan. It is unfortunately true that vulnerable groups have suffered more than others in this process. Women and children have been affected by Erdogan's and the government's measures disproportionately. This paper lists below some statements taken from the most important human rights organizations working about the recent events taking place in Turkey.

1. GENERAL SITUATION IN TURKEY

1.1. Human Rights Watch, *World Report 2018*, 18 January 2018¹

Many decrees adopted contained measures that undermine human rights safeguards and conflict with Turkey's international human rights obligations.

There were widespread reports of police beating detainees, subjecting them to prolonged stress positions and threats of rape, threats to lawyers, and interference with medical examinations.

1.2. United Nations, *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on his mission to Turkey*, 7 June 2017²

The state of emergency decrees adopted in the aftermath of the coup attempt are far-reaching and give authorities wide discretionary powers to derogate from human rights obligations, without providing adequate channels for judicial review and appeal.

1.3. United States Department of State, *Country Reports on Human Rights Practices for 2016*, 3 March 2017³

Other human rights problems included prison overcrowding compounded by the influx of tens of thousands of new prisoners after the coup attempt. The government fired more than 3,000

¹ Human Rights Watch, *World Report 2018 - Turkey*, 18 January 2018, available at: <https://www.hrw.org/world-report/2018/country-chapters/turkey> [accessed 25 January 2018]

² UN Human Rights Council, *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on his mission to Turkey*, 7 June 2017, A/HRC/35/22/Add.3, available at: <http://www.refworld.org/docid/59394c904.html> [accessed 25 January 2018]

³ United States Department of State, *2016 Country Reports on Human Rights Practices - Turkey*, 3 March 2017, available at: <http://www.refworld.org/docid/58ec8a7113.html> [accessed 25 January 2018].

members of the judiciary, creating an atmosphere of fear that further limited judicial independence and complicated or delayed court proceedings.

The vast majority were accused of ties to the Gulen movement, as opposed to direct participation in the coup attempt itself. Under the state of emergency, detainees could be held without charge for up to 30 days. There were numerous accounts of persons waiting beyond 30 days to be formally charged.

1.4. Amnesty International, *Amnesty International Report 2016/17*, 21 February 2017⁴

Widespread torture and other ill-treatment of suspects accused of taking part in the coup attempt was reported in its immediate aftermath. In July, severe beatings, sexual assault, threats of rape and cases of rape were reported, as thousands were detained in official and unofficial police detention. Military officers appeared to be targeted for the worst physical abuse but holding detainees in stress positions and keeping them handcuffed behind their backs, and denying them adequate food and water or toilet breaks were reported to have taken place on a far wider scale. Lawyers and detainees' relatives were often not informed that individuals had been detained until they were brought for charge.

2. PERSECUTIONS AGAINST WOMEN AND CHILDREN ESPECIALLY THE SUPPORTERS OF THE HIZMET MOVEMENT:

2.1. Human Rights Watch, *World Report 2018*, 18 January 2018⁵

There remained high rates of child labor and large numbers of child refugees and asylum seekers not attending school, with a particularly precarious situation for non-Syrians. As of the latest available update, nearly half-a-million Syrian refugee children are currently enrolled in school, but at least 380,000 remain out of school. Lack of access to full protection is compounded by exploitative labor conditions and poverty.

2.2. Journalists and Writers Foundation, *Women's Rights Under Attack*, 27 September 2017⁶

In addition, women belonging to the above marginalized groups face economic hardship, exclusion and violence, humiliating and degrading treatment in places where persons are deprived of their liberty, including in healthcare facilities, especially during pregnancy, childbirth and the postpartum period². Tens of thousands of women, including housewives, journalists, teachers, academics, physicians, health care professionals and businesswomen, have been detained in the aftermath of the attempted coup, for allegedly having links to the Hizmet movement. Credible evidence indicates that many of the detained women in the aftermath of the coup attempt have been routinely subjected to torture and ill-treatment. Many of them appear to have also been sexually assaulted.

Women speaking out on abuses face threats, intimidation, persecution and imprisonment. Women human rights defenders, journalists and other women activists continue to face

⁴ Amnesty International, *Amnesty International Report 2016/17 - Turkey*, 21 February 2017, available at: <https://www.amnesty.org/en/countries/europe-and-central-asia/turkey/report-turkey/> [accessed 25 January 2018].

⁵ Human Rights Watch, *Ibid.*

⁶ Journalists and Writers Foundation, *Women's Rights Under Attack*, 27 September 2017, available at: <http://jwf.org/wp-content/uploads/2017/05/Womens-Rights-Under-Attack.pdf> [accessed 27 January 2018].

unique challenges, driven by government-promoted discrimination against women and stereotypes about their so-called “appropriate role”, including frequent demeaning statements about women who do not adhere to traditional roles.

2.3. Stockholm Center for Freedom, *Jailing Women in Turkey*, 27 April 2017⁷

One woman was detained in a hospital immediately after the delivery of her baby before she had a chance to recover, while another was jailed as she was visiting her imprisoned husband, leaving her children stranded in a car parked in a lot under the care of the elder brother. A woman who lost her sanity under torture while in police detention was thrown back into prison, despite a diagnosis to that effect while she was jailed, because her husband, a journalist, remained at large. The government has jailed the wives of businessman who are seen as supporting the opposition to Turkey’s autocratic President Erdoğan in addition to seizing all their businesses and personal assets. That has taken a toll not only on jailed women but also on their children and family members.

The persecution of women through the abuse of the criminal justice system cuts across all age groups, from as young as 18 to over 80 years of age. Most of the recent detentions targeted a highly educated segment among women’s groups that includes professionals ranging from academics, doctors and teachers to judges and prosecutors. To name just a few: the president of Dicle University, Ayse Jale Sarac, and the head of the 2nd Chamber at Turkey’s Supreme Board of Judges and Prosecutors (HSYK), Nesibe Ozer, and Nazli Ilicak, a 72-year-old veteran journalist who had also previously served as a lawmaker in Parliament. None of them had any criminal record but now face criminal charges just because the government declared them to be terrorists and coup plotters overnight. These women victimized by Turkey’s repressive regime most certainly qualify as political prisoners.

In addition to imprisonment on false charges, these women were stripped of their right of easy access to health care, denied the provisions they requested and separated from their babies and children, in blatant violation of the Turkish government’s obligations under international conventions as well as the Turkish Constitution.

The widespread torture and ill-treatment of detainees and prisoners in Turkey in the aftermath of the failed coup of July 2015 has been well documented by reports from nongovernmental organizations as well as the United Nations and the Council of Europe. The Turkish government’s persecution and witch-hunt of critics and opponents of President Recep Tayyip Erdoğan have systematically and deliberately targeted vulnerable groups such as women and children in order to apply undue pressure on men who are forced to sign false confessions even though they have not committed any crime.

The abuse of women and children ranges from sexual abuse to physical torture and ill-treatment. Pregnant, elderly and sick women or women with babies were denied effective access to health care, their visitation rights were ignored and they were threatened with the persecution of other family members including their children. This inhumane treatment leaves a mark on many women and children that in some cases may have a permanent effect on their wellbeing and health.

⁷ Stockholm Center for Freedom, *Jailing Women in Turkey*, 27 April 2017, available at: <https://stockholmcf.org/wp-content/uploads/2017/04/Jailing-women-in-Turkey.pdf> [accessed 27 January 2018].

2.4. United States Department of State, *Country Reports on Human Rights Practices for 2016*, 3 March 2017⁸

Thousands of detainees taken into custody in the initial aftermath of the July 15 coup attempt were held in stadiums, meeting rooms, and other sites without cameras, where some were allegedly subject to mistreatment or abuse. Amnesty International (AI) alleged some detainees in Ankara and Istanbul were tortured and reported widespread use of stress positions, denial of food and water, detention in unsanitary conditions, in addition to beatings and rapes. On July 25, AI reported that an anonymous witness at the Ankara police headquarters gym described the following: "...650-800 male soldiers were being held in the Ankara police headquarters sports hall. At least 300 of the detainees showed signs of having been beaten. Some detainees had visible bruises, cuts, or broken bones. Around 40 were so badly injured they could not walk. Two were unable to stand. One woman who was also detained in a separate facility there had bruising on her face and torso." Bar Association representatives corroborated the allegations; in some cases before-and-after photos appeared to show evidence of beatings by security forces. Authorities restricted lawyers' access to the detainees as allowed under decrees passed during the state of emergency.

After the coup attempt, the government targeted family members to exert pressure on some wanted suspects. Under the state of emergency, the government cancelled the passports of family members of civil servants suspended from work as well as of those who had fled authorities. In some cases the government cancelled or refused to issue passports for the minor children of accused Gulenists who were outside the country, forcing family separation. In August police detained the wife of editor in chief Bulent Korucu of the now-closed Gulenist daily *Zaman* and its successor publication, *Yarina Bakis*.

Citizens, including children, were charged with insulting Turkish leaders and denigrating Turkishness.

The government's response to the July 15 coup attempt heavily affected children's education, with more than 39,000 teachers and educators suspended or fired by the end of the September for alleged links to the Gulen movement or PKK. The government used its state of emergency powers to close 1,284 schools on July 27; many additional closures followed over the succeeding months. Approximately 6,000 teachers were reinstated in late November; however, when the 2016-17 school year started in September, children in some school districts were either placed in overcrowded classrooms or unable to attend school. The closures disproportionately affected schools in the Southeast.

2.5. Amnesty International, *Amnesty International Report 2016/17*, 21 February 2017⁹

Freedom of expression deteriorated sharply during the year. After the declaration of a state of emergency, 118 journalists were remanded in pre-trial detention and 184 media outlets were arbitrarily and permanently closed down under executive decrees, leaving opposition media severely restricted. People expressing dissent, especially in relation to the Kurdish issue, were subjected to threats of violence and criminal prosecution. Internet censorship increased. At least 375 NGOs, including women's rights groups, lawyers' associations and humanitarian organizations, were shut by executive decree in November.

⁸ United States Department of State, *Ibid.*

⁹ Amnesty International, *Ibid.*

2.6. Amnesty International, *Annual Report 2015/16*, 24 February 2016¹⁰

In the six months to March, the Minister of Justice gave permission for 105 criminal prosecutions for insulting President Erdoğan under Article 299 of the Penal Code. Eight people were remanded in pre-trial detention. Prosecutions under the provision, which carries a sentence of up to four years' imprisonment, continued throughout the year. In September, a 17-year-old student was convicted of "insult" for calling the President "the thieving owner of the illegal palace". He received a suspended sentence of 11 months and 20 days by a children's court in the central Anatolian city of Konya.

2.7. Human Rights Watch, *World Report 2017*, 12 January 2017¹¹

Using state of emergency powers, in November the government suspended by decree the activities of 370 nongovernmental associations, among them a children's rights group, three lawyers' associations with a human rights focus, and women's rights and humanitarian organizations in the southeast.

2.8. United Nations Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), *Concluding observations on the seventh periodic report of Turkey*, 25 July 2016¹²

The Committee is concerned about allegations that women in detention are subjected to sexual violence and torture and that many such cases are not adequately investigated or prosecuted. The Committee, drawing attention to the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), recommends that the State party ensure adequate conditions and protection from violence and abuse for women in detention. It recommends that the State party establish independent monitoring and oversight mechanisms, as well as independent complaint mechanisms, for example by installing closed complaints boxes, and enable detainees to correspond confidentially with outside judicial and complaints bodies.

3. NEWS STORIES REFERRING TO THE SITUATION OF WOMEN AND CHILDREN IN TURKEY

3.1. *Crackdown: Prison conditions worsen in post-coup Turkey*, 7 September 2017¹³

In addition to prison conditions and rights violations, inmates in Turkey must also pay for water and gas usage while incarcerated. Extra food, books, phone calls, trips to the hospital, and bathroom supplies are all added to inmates' prison bills. As a result, some women with minimal financial resources cannot afford basic hygienic items such as sanitary pads (which they are not provided), Guveren said.

¹⁰ Amnesty International, *Amnesty International Report 2015/16 - Turkey*, 24 February 2016, available at: <http://www.refworld.org/docid/56d05b0f29.html> [accessed 25 January 2018]

¹¹ Human Rights Watch, *World Report 2017 - Turkey*, 12 January 2017, available at: <http://www.refworld.org/docid/587b583111.html> [accessed 27 January 2018]

¹² United Nations Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), *Concluding observations on the seventh periodic report of Turkey*, CEDAW/C/TUR/CO/7, 25 July 2016.

¹³ "Crackdown: Prison conditions worsen in post-Coup Turkey." *IRIN*, 7 September 2017, www.irinnews.org/investigations/2017/09/06/crackdown-prison-conditions-worsen-post-coup-turkey.

3.2. *So far away from the sky*, 16 July 2017¹⁴

“560 small children live with their mothers in Turkish prisons – in unsustainable circumstances.” President Recep Tayyip Erdogan has had around 17,000 women arrested since 15 July last year on suspicion of membership in a terrorist organization and involvement in the coup attempt. Among them are many scientists, teachers and journalists. It is, above all, the elite of the country, whom the strong man in Ankara puts into his completely overcrowded prisons. More and more of them together with their babies.

3.3. *What’s going on in Turkey’s prisons?*, 7 April 2017¹⁵

On March 31, Sezgin Tanrikulu, a deputy for the main opposition Republican People’s Party (CHP), brought up a harrowing allegation about a pregnant woman who was detained in Ankara and left to deliver her baby alone in the police station. In a written parliamentary question to the prime minister, seen by Al-Monitor, he demanded information on “reports that the woman gave birth alone, shouting and screaming in pain, without any doctor or nurse present and without even water to clean up, that people held in the adjacent room heard the screams that echoed in the police station throughout the night, that the police officers cared nothing ... and took the woman to a doctor only after she gave birth alone.”

The same day, another CHP deputy, Baris Yarkadas, drew attention to two other examples from what he said was “an explosion” of human rights violations in jails. Citing information from inmate families who had contacted him for help, Yarkadas said a prosecutor with both his wrists broken is held in solitary confinement in a jail near Ankara, with prison management ignoring requests to give him a cellmate who could help with his daily needs. In Istanbul, meanwhile, a woman has been incarcerated with her 8-month-old child, and the prison authorities refuse to accept even toys for the baby, he said.

3.4. *New mom jailed with baby for alleged ties to Turkey coup*, 15 May 2017¹⁶

A woman in Turkey who just gave birth was arrested at the hospital and thrown behind bars three days later — along with her newborn baby — as part of the country’s widespread purge of “Gülenists,” a report says. ... Officers had been patiently waiting at the door of the delivery room while doctors performed an elective C-section on the English teacher and successfully delivered the baby. ... They reportedly arrested Aydemir three days later and placed her in pretrial detention, along with the infant.

3.5. *Five Kids Left In Parking Lot When Turkish Mother Detained*, 26 January 2017¹⁷

A heart-wrenching video has shown that five kids, one of them disabled, were left in a parking lot of a prison when mother of the kids was detained as part of a post-coup crackdown in Turkey.

¹⁴ “Dem Himmel so fern.” *Die Rheinpfalz*, 16 July 2017, www.rheinpfalz.de/artikel/dem-himmel-so-fern/.

¹⁵ Bozarslan, Mahmut. “What’s going on in Turkey’s prisons?” *Al-Monitor*, 7 April 2017, www.al-monitor.com/pulse/originals/2017/04/turkey-outcry-grows-ill-treatment-in-prisons.html#ixzz55R7aBRoI.

¹⁶ Perez, Chris. “New mom jailed with baby for alleged ties to Turkey coup.” *New York Post*, 15 May 2017, nypost.com/2017/05/15/new-mom-jailed-with-baby-for-alleged-ties-to-turkey-coup/.

¹⁷ “Five Kids Left In Parking Lot When Turkish Mother Detained.” *The Globe Post*, 26 Jan. 2017, www.theglobepost.com/2017/01/23/five-kids-left-in-parking-lot-when-turkish-mother-detained/.

3.6. *German woman arrested in Turkey's post-Coup crackdown, 5 August 2016*¹⁸

Turkish security forces have reportedly arrested a German woman on suspicion of belonging to the Gulen movement. President Erdogan has accused the US-based cleric of orchestrating last month's failed coup.

3.7. *Women are being silenced in Turkey's crackdown, 19 July 2016*¹⁹

From the start of the coup attempt by military officials on Friday through to the government's crackdown in response, women's voices have been almost entirely absent.

Some women's groups say they are being specifically targeted. On Twitter, many women talking about the coup attempt are reporting an increase in harassment on the streets. Others are railing against misogynist language used by all sides, reducing women to pawns, or spoils of war.

Now, following the failed coup and the government's expected suppression of civil liberty groups, feminists are afraid that the tone set by the government will further spread to strip women of their rights.

CONCLUSION

Women and children have been affected most in any oppressive regime throughout history. This is not much different in today's Turkey which has been turning into a dictatorship recently. Women and children are the two of the most vulnerable groups influenced by the Turkish government's strict measures. This study has elaborated above how the situation of women and children were mentioned in different sources. In the light of all these one can conclude that women's and children's rights are under massive attack by the government of Turkey. Thus, all the authorities are called to take immediate action to prevent any more violation before irremediable incidents happen.

¹⁸ "German woman arrested in Turkey's post-Coup crackdown." *Deutsche Welle*, 5 August 2016, m.dw.com/en/german-woman-arrested-in-turkeys-post-coup-crackdown/a-19452344.

¹⁹ Ersoy, Pinar. "Women are being silenced in Turkey's crackdown." *Public Radio International*, 19 July 2016, www.pri.org/stories/2016-07-19/women-are-being-silenced-turkeys-crackdown.