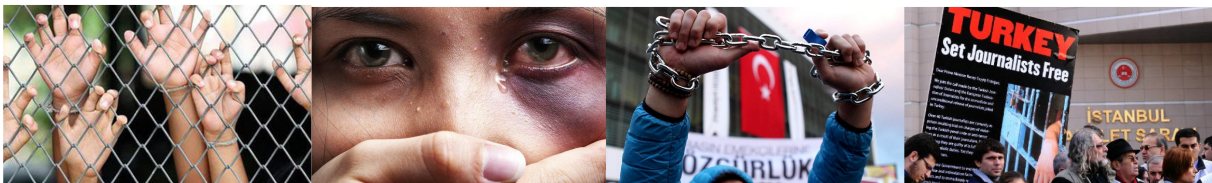


THE PERMANENT STATE OF EMERGENCY

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THIS PAMPHLET INCLUDES A SUMMARY OF OHCHR'S REPORT ON THE IMPACT OF THE STATE OF EMERGENCY ON HUMAN RIGHTS IN TURKEY



Routine extensions of the state of emergency in Turkey have led to profound human rights violations against hundreds of thousands of people – from arbitrary deprivation of the right to work and to freedom of movement, to torture and other ill-treatment, arbitrary detentions and infringements of the rights to freedom of association and expression, according to the the UN Human Rights Office.



According to OHCHR, the state of emergency has facilitated the deterioration of the human rights situation and the erosion of the rule of law in Turkey, and may have long-lasting implications on the institutional and socio-economic fabric of Turkey. The sheer number, frequency and lack of connection of several emergency decrees to any national threat seem to point to the use of emergency powers to stifle any form of criticism or dissent vis-à-vis the Government.

THE 18-MONTH LONG STATE OF EMERGENCY

Turkey's state of emergency has
been extended 6 times since its
imposition on 21 July 2016



OFFICE OF THE HIGH COMMISSIONER:

In the time between the imposition of the state of emergency on 21 July 2016 and the finalization of this report, 22 emergency decrees were promulgated, bypassing parliamentary scrutiny and circumventing the Constitutional Court's appeal procedure. Many of the decrees contain provisions that fall short of basic human rights safeguards and Turkey's obligations under international law.



THE PURGE OF CIVIL SERVANTS



PASSPORTS OF GULEN MOVEMENT MEMBERS REVOKED

Reports from civil society sources to OHCHR indicated that in July 2016 alone, 50,000 passports were cancelled in the aftermath of the coup attempt. The actual number could have surpassed 100,000 considering that the emergency decrees authorize the confiscation of passports of all individuals under investigation or prosecution as well as those of their spouses.

Decree 667 of 23 July 2016 provides for the cancellation of passports of individuals who are dismissed, subject to administrative action, and of those under criminal investigation or prosecution on the grounds of membership or connection or contact with the Gulen Movement.

HUNDREDS OF THOUSANDS OF CIVIL SERVANTS DISMISSED BY DECREES

The numbers are just staggering: 152 thousand individuals were purged as part of massive dismissals of civil servants and private sector employees that occurred on broad grounds of "link or connection with terrorist organizations", without describing the nature of such links. Moreover, most of these dismissals were executed on the basis of lists published as annexes to decrees, without individual notification and judicial review or the possibility thereof. These dismissals have affected a wide range of professionals, members of the armed forces, police officers, medical personnel, teachers and academics, and people working at all levels of the central and local governments.

Since the stated purpose of the emergency regime was to restore the normal functioning of the democratic institutions, it is unclear how measures such as the eviction of civil servants and their families from government institutions may contribute to this goal.



"What happened to my family was an enormous injustice. My wife, my brothers and sisters and several of our relatives were dismissed from their jobs because someone denounced me as a [Fethullah Gulen supporter] even though we'd had nothing to do with the coup, we'd never used ByLock, and neither of us was even arrested. ... We no longer feel safe here but we cannot leave because our passports were cancelled. We are stunned, sitting at home in silence and wondering how to pay the bills and feed our children."

- Account of a dismissed civil servant provided to OHCHR

THE PURGE OF THE JUDICIARY



LAWYERS PREVENTED FROM PERFORMING DUTIES

In total, some 570 lawyers were arrested, 1,480 faced some kind of prosecution, 79 were sentenced to long-term imprisonment. Additionally, recurring instances of threats against lawyers and a pattern of persecution of lawyers representing individuals accused of terrorism offenses has diminished people's right to counsel.



BAR ASSOCIATIONS SHUT DOWN PERMANENTLY

Approximately 34 bar associations were shut down on the ground of alleged affiliation to a terrorist organization.



JUDGES & PROSECUTORS DISMISSED DUE TO ALLEGATIONS

Over 4,200 judges and prosecutors were dismissed through executive orders of the High Council of Judges and Prosecutors while the Constitutional Court dismissed two judges. The arrest, dismissal and arbitrary transfer of judges and prosecutors to other courts has undermined the independence of the judiciary., increasing executive control over the branch.

“I saw on TV that there was a new list of judges suspended. Someone called from my department and said that he had received a list from HSYK and I understood that I had been suspended. I saw on TV that they were interrogating judges. I did not go to work that day and from then on I also decided to hide. I did not believe that anything would be done according to the established procedures.”

- Former Judge Interviewed by OHCHR

THE DETERIORATING CONDITION OF TURKISH CIVIL SOCIETY



**1,719
ORGANIZATIONS
PERMANENTLY CLOSED**

**166
MEDIA
OUTLETS**

**69
SCHOOLS
AND
COLLEGES**

**104
NGOs**



"The University was closed. They blamed it as if it was affiliated to the Gülen movement. I don't know why they did this. So I started to look for a job. My insurance was affiliated with the XXX University so no other university wanted to give me a job. Around 500 staff including academics were working in that university. Out of four members of my department, three are arrested. In September 2016, they arrested 60 colleagues. My life was in danger, so I decided to go abroad."

-University instructor interviewed by OHCHR

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THE DOWNFALL OF WOMEN'S AND CHILDREN'S RIGHTS

MOTHERS AND BABIES SUBJECTED TO ILL-TREATMENT IN DETAINMENT

OHCHR documented the use of different forms of torture and ill-treatment in custody, including severe beatings, threats of sexual assault and actual sexual assault, electric shocks and waterboarding. Based on accounts collected by OHCHR, the acts of torture and ill-treatment generally appeared to aim at extracting confessions or forcing detainees to denounce other individuals.

Mothers and children exposed to torture and ill-treatment practices face serious risks of health complications, stunting and even death. Their situation may amount to torture, cruel, inhuman or degrading treatment. Due to stress, many women report being mentally unwell and unable to breastfeed or to look after their children who are imprisoned with them. OHCHR recalls that, according to the Bangkok Rules, the State should ensure that children held with their imprisoned mothers are never treated as prisoners, and that the environment in which children are detained is as close as possible to conditions outside prisons. A comprehensive individual assessment for each child should be made considering the best interests of the child, and non-custodial measures should be preferred for pregnant women and those with dependent children.



MOTHERS, FATHERS, AND BABIES ARRESTED

On the basis of numerous interviews and credible reports, OHCHR identified a particularly alarming pattern of detaining women just before or immediately after giving birth. OHCHR estimates that approximately 600 women with young children were being held in detention in Turkey as of December 2017. In almost all cases, they were arrested as “associates” of their husbands - who were the Government’s primary suspects for connection to terrorist organizations - without separate evidence supporting charges against them. There are at least 50 cases of women who had given birth just prior to or just after being detained or arrested. Moreover, NGOs brought to the attention of OHCHR at least six cases of women who were detained while they were visiting their spouses in prison. They were either detained together with their children or violently separated from them.

They took me to the police station, terrorism unit ... They called the prosecutor and told him on the phone, “we have got a wife of a terrorist”. ... Then the police officer started threatening to take off my clothes and that they would show me to the detained men soldiers. He put his hands under my t-shirt and started to take it off. ... I was numb, silent.”

-Wife of a man suspected of being part of the Gulen Movement, interviewed by OHCHR

CENSORSHIP AND VIOLATIONS OF FREEDOM OF SPEECH



MORE THAN 100,000 WEBSITES BANNED

Through emergency decrees, some 166 media outlets, including publishing houses, newspapers and magazines, news agencies, television stations and radios were liquidated. The closing down of media outlets was accompanied by the confiscation of all their assets without compensation.

Over 100,000 websites were reportedly blocked in Turkey in 2017, including a high number of websites and satellite TVs in Kurdish. Wikipedia was blocked due to a content criticizing the involvement of the Government of Turkey in the conflict in the Syrian Arab Republic. Turkey was reportedly the country that submitted the highest number of requests to Twitter to censor individual accounts.

JOURNALISTS AND INTELLECTUALS IMPRISONED FOR CRITICISM

OHCHR received reports on the arrest and detention of approximately 300 journalists on the grounds that their publications contained apologist sentiments regarding terrorism or other “verbal act offenses”, or for “membership” in terrorist organizations.

In January 2016, a group of 1,128 academics from 89 Turkish universities, along with 355 international academics, released a petition calling on the Government of Turkey to “put an end to violence inflicted against its citizens” in the South-East. By December 2017, 380 academics who had signed the petition had been dismissed from their universities and barred from public service. The trials of these academics started on 5 December 2017. At least 146 academics from public and private universities in Istanbul would face individual and separate trial hearings for “spreading terrorist propaganda.”



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