

# Stockholm Center for Freedom's

## WRITTEN SUBMISSION

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Human Rights Committee (CCPR)  
Submission for the adoption of the list of issues

for the Republic of Türkiye  
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*A member of the Alliance Against Genocide*

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## 1. Introduction

The Stockholm Center for Freedom (SCF) with the presentation of this report seeks to provide the Human Rights Committee with information on Turkey, a State party to be examined by the Human Rights Committee during its 142<sup>nd</sup> session. This submission can be published on the committee's website.

SCF is a Swedish-based non-profit advocacy organization that promotes the rule of law, democracy and human rights with a special focus on Turkey. It was set up by a group of journalists who have been forced to live in self-exile in Sweden against the backdrop of a massive crackdown on press freedom in Turkey.

SCF is committed to serving as a reference source by providing a broader picture of rights violations in Turkey, monitoring daily developments, documenting individual cases of the infringement of fundamental rights and publishing comprehensive reports on human rights issues.

In this presentation SCF will focus on issues that were submitted for the "List of Issues Prior to Reporting" (LOIPR) but not sufficiently addressed by the Turkish government, as well as questions on major rights violations that happened since the submission of the LOIPR.

Turkey has been experiencing a deepening human rights crisis since 2016. With the aim of consolidating his one-man rule, President Recep Tayyip Erdoğan has been systematically undermining the fundamental pillars of Turkey's already imperfect democracy. These include amendments to the constitution that increased the power of the Turkish presidency, fundamentally eroded checks and balances on the executive as well as the rule of law, and increased executive control over the judiciary.

The May 2023 re-election of President Recep Tayyip Erdoğan and the victory of the ruling Justice and Development Party (AKP) in parliamentary elections consolidated his authoritarian rule in Turkey and increased pressure on perceived critics and political opponents.

Political and civil rights in Turkey have deteriorated to such an extent under President Erdoğan that the country was ranked 117th among 140 countries in the rule of law index published by the World Justice Project in October 2023<sup>1</sup>. Turkey ranked 137th in terms of constraints on government powers and 133rd in terms of fundamental rights.

According to the 2023 statistics announced by Síofra O'Leary, president of the European Court of Human Rights (ECtHR), Turkey topped the list of countries with

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<sup>1</sup> <https://worldjusticeproject.org/rule-of-law-index/global/2023/Turkiye/>

cases awaiting judgment with 23,397 applications, corresponding to 34.2 percent of the total<sup>2</sup>. It was followed by the Russian Federation, with 12,453 applications; Ukraine (8,737); Romania (4,171); and Italy, with 2,743 applications pending. Complaints related to arrests, prosecutions and dismissals in the public sector following a coup attempt in July, 2016 made up half the applications against Turkey.

The Grand Chamber of the ECtHR ruled in late September that Turkish courts' conviction of Yüksel Yalçınkaya, a teacher, of terrorism due to activities such as the use of a mobile phone application or having an account at a certain bank was unlawful, in a decision that could have far-reaching implications for thousands facing similar charges in Turkey<sup>3</sup>. The court faulted Turkey due to violations of three articles of the Convention on Human Rights: Article 6, which concerns the right to a fair trial; Article 7 on no punishment without law; and Article 11 on freedom of assembly and association.

In addition, the United Nations Working Group on Arbitrary Detention (WGAD) concluded that the arrest and detention of an individual with alleged ties to the faith-based Gülen movement was arbitrary and said such cases may constitute crimes against humanity<sup>4</sup>. According to figures released by Turkish Justice Minister Yılmaz Tunç, a total of 122,632 people have been jailed over alleged links to the movement since 2016 and 15,539 are still behind bars as part of the crackdown on the group<sup>5</sup>.

Turkish President Recep Tayyip Erdoğan has been targeting followers of the Gülen movement since the corruption investigations of December 2013, which implicated then-prime minister Erdoğan, his family members and his inner circle.

Dismissing the investigations as a Gülenist coup and conspiracy against his government, Erdoğan designated the movement as a terrorist organization and began to target its members. Erdoğan intensified the crackdown on the movement following the 2016 coup attempt that he accused Gülen of masterminding. Gülen and the movement strongly deny involvement in the abortive putsch or any terrorist activity.

Following the failed coup, the Turkish government declared a state of emergency and carried out a massive purge of state institutions under the pretext of an anti-coup fight. More than 130,000 public servants, including 4,156 judges and prosecutors, as well as 24,706 members of the armed forces were summarily removed from their jobs for alleged membership in or relationships with "terrorist organizations" by emergency decree-laws subject to neither judicial nor parliamentary scrutiny.<sup>6</sup>

According to Freedom House, Turkey remained "not free" with a score of 30/100 in 2023. The right group's yearly report revealed that Turkey has steadily declined over the past decade and referred to Turkey's new "disinformation law" as contributing to the declining internet freedoms in the country<sup>7</sup>.

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<sup>2</sup> <https://www.echr.coe.int/documents/d/echr/annual-report-2023-eng>

<sup>3</sup> <https://hudoc.echr.coe.int/eng?i=001-227636>

<sup>4</sup> <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session96/A-HRC-WGAD-2023-29-Turkiye-Advance-Edited-Version.pdf>

<sup>5</sup> <https://stockholmcf.org/122632-jailed-over-alleged-gulen-links-since-coup-attempt-in-2016-justice-minister/>

<sup>6</sup> <https://stockholmcf.org/turkeys-crackdown-on-the-gulen-movement-2023-in-review/>

<sup>7</sup> <https://freedomhouse.org/country/turkey/freedom-net/2023>

According to human rights watchdogs, Turkish courts systematically accept bogus indictments and detain and convict without compelling evidence of criminal activity individuals and groups the Erdoğan government regards as political opponents. Among these are journalists, opposition politicians, activists and human rights defenders.

A summary of the most important developments in the area of human rights in Turkey during the past year can be found in SCF's annual report "Human Rights in Turkey: 2023 In Review"<sup>8</sup>

## 2. Article 15 Conviction due to any act that did not constitute a criminal offence at the time it was committed

In paragraph 77 of the second periodic report submitted under article 40 of the International Covenant on Civil and Political Rights Turkish government claims that "*The principal law on combating terrorism in Türkiye is ATL no.3713. The Law defines concept of terrorism, terrorist offender, acts constituting terrorist crime and regulates the procedures for investigation, prosecution, proceedings and execution of sentences for terrorist crimes in a **clear, comprehensible and foreseeable way** in accordance with the Constitution and ICCPR.*"<sup>9</sup>

Yet, in cases in which individuals are accused of membership in an armed terrorist organization due to their alleged links to the Gülen movement, the Turkish government frequently considers acts committed before the movement was declared a terrorist organization by the Turkish courts to be "evidence."

The first court decision declaring the Gülen movement an "armed terrorist organization" was made<sup>10</sup> by the Erzincan High Criminal Court on June 16, 2016 with rulings no 2016/74 and 2016/12). Yet, Turkish courts consider certain records, including payphone records, banking activities, and cable tv subscription data dating before that date to be evidence of wrongdoing.

On May 3, 2021 Turkey's gendarmerie command dismissed<sup>11</sup> 223 of its staff members based on payphone records. According to reports<sup>12</sup> by pro-government media outlets,

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<sup>8</sup> <https://stockholmcf.org/human-rights-in-turkey-2023-in-review/>

<sup>9</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FTUR%2F2&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FTUR%2F2&Lang=en)

<sup>10</sup> <https://www.hurriyet.com.tr/gundem/yargi-kararinda-ilk-feto-silahli-teror-orgutu-40146433>

<sup>11</sup> <https://www.indyurk.com/node/354596/haber/jandarma-genel-komutanliginda-223-ihrac-kamu-gorevinden-cikarilanlarin-11i-15>

<sup>12</sup> <https://www.sabah.com.tr/gundem/2021/vernment-05/17/tskda-feto-temizligi-29-bin-444-tsk-personeli-ihrac-edildi>

thousands of military members are currently under investigation as part of the “payphone investigations.” Currently 3,310 military members have been placed on leave of absence and 1,632 have been suspended pending investigations.

The so-called “payphone investigations” are based on call records. The prosecutors assume that a member of the Gülen movement used the same payphone to call all his contacts consecutively. Based on that assumption, when an alleged member of the movement is found in call records, it is assumed that other numbers called right before or after that call also belong to people with Gülen links. Receiving calls from a payphone periodically is also considered a red flag.

Yet, even if the call records were to be considered legal evidence, the records date back years, to the time before the Gülen movement was declared an “armed terrorist organization.”

In the cases of some former military cadets<sup>13</sup>, suspects investigated based on payphone records were underage at the time of the alleged crimes.

Similarly, Turkish courts consider having an account at Bank Asya, a now-closed financial institution that was among Turkey’s largest commercial banks, to be evidence of wrongdoing in certain cases despite the fact that the alleged acts were committed before the movement that the bank was affiliated with was declared a terrorist organization.

In September 2023 the Strasbourg court delivered a landmark judgment faulting Turkey over the conviction of former teacher Yüksel Yalçınkaya due to his alleged links to the faith-based Gülen movement, which was demonstrated through his labor union membership, banking transactions and use of the ByLock messaging application.

In its Yalçınkaya judgment, the European court accused Turkey of violating three articles of the European Convention on Human Rights, including Article 7 governing the legal principle of no punishment without law.<sup>14</sup>

As the above case demonstrates, the Turkish government has on various occasions used acts that were at the time of commission not considered crimes as evidence with which to convict individuals on terrorism-related charges.

### 3. Article 26 Equality before the law

In paragraph 45 of the second periodic report Turkish government cites Article 2 of Law no.5275 on Execution of Sentences and Security Measures, which states that

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<sup>13</sup> <https://stockholmcf.org/turkey-orders-detention-of-42-former-military-cadets-over-suspected-gulen-links/>

<sup>14</sup> <https://hudoc.echr.coe.int/eng?i=001-227636>

*“rules regarding the execution of sentences and security measures shall be implemented without distinction as to the race, language, religion, sect, nationality, color, sex, birth, philosophical belief, national or social origin, political or other opinion or thought, economic power or other public status of prisoners and without granting privilege to anyone.”<sup>15</sup>*

But there have been credible reports that prison parole boards known as “administrative observation boards” discriminate against prisoners convicted on terrorism charges. According to the Turkish Penal Code, people convicted of membership in a terrorist organization are eligible for parole after serving two-thirds of their sentence. However, many political prisoners and especially journalists are still waiting to be paroled despite having served the required amount of time.

In violation of the Turkish constitution prisoners were required to disclose their political beliefs and repent for their “crimes.” Between 2021 and 2023 the release of a total of 384 prisoners eligible for parole was postponed, according to data from the Human Rights Association (İHD).<sup>16</sup>

Prisoners have reported to the İHD that the boards’ decisions were heavily influenced by political bias and often involved demands for expressions of “remorse.”

Nuray Çevirmen, a member of the İHD’s Central Executive Board, stated that nearly all rights of prisoners are now controlled by these boards. “Releases are being delayed for various periods: three months, six months, and even up to a year,” Çevirmen said.

Highlighting the overreach of the boards, Çevirmen added, “They are acting like courts. However, when a person is sentenced by a court, they receive a definite prison term. What’s written in the court document should stand. Yet, the boards behave as though they have the authority to alter the terms.”

The İHD also reported that the reasons cited by these boards for delaying releases often include trivial or arbitrary grounds such as not meeting with an imam, not consulting a psychologist, not borrowing books from the library, or not participating in social activities.

According to Çevirmen, complaints filed regarding these boards are also left unanswered: “We send these complaints to the parliamentary Human Rights Committee and even the Turkish Human Rights and Equality Institution [TİHEK], but there is hardly any follow-up. TİHEK responds by saying prisoners must file their own complaints, which is unrealistic since their communications are often confiscated,” she said.

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<sup>15</sup>[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FTUR%2F2&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FTUR%2F2&Lang=en)

<sup>16</sup><https://stockholmcf.org/384-prisoners-denied-parole-in-turkey-over-the-last-3-years/>



According to opposition MP and human rights defender Ömer Faruk Gergerlioğlu, political prisoners who do not even have a disciplinary sanction on their records are being denied parole on unsubstantiated grounds while people convicted of premeditated murder are released the moment they become eligible for parole.<sup>17</sup>

#### 4. Article 19 Everyone shall have the right to freedom of expression

Journalism is still associated with terrorism in Turkey, and journalists face an ongoing campaign of judicial harassment, driven by the authorities' intention to thwart critical reporting, which is exacerbated by a lack of prosecutorial and judicial independence and impartiality. In most trials, the evidence is typically made up of social media posts, news stories, articles and TV broadcasts.

In addition to imprisonment, the Turkish government muzzles the press in a variety of ways, including eliminating media outlets, overseeing the purchase of media brands by pro-government conglomerates and using regulatory authorities to exert financial pressure. Turkish officials are also continuing their verbal attacks on journalists.

Turkey was ranked 158th out of 180 countries in the 2024 World Press Freedom Index by Reporters Without Borders (RSF).<sup>18</sup>

Turkey's Anti-Terror Law No. 3713 leads to the harsh punishment and imprisonment of journalists. As indicated in UN rapporteurs joint letter<sup>19</sup> to the Turkish government, speech-based offenses contained in Turkey's counterterrorism legislation and other related laws risk unnecessarily and disproportionately limiting the exercise of the right to freedom of expression and the legitimate activities of journalists.

According to Media and Law Studies Association (MLSA), as of August 1, 2024, there are at least 21 journalists in Turkish prisons.<sup>20</sup>

According to opposition MP Zeynep Oduncu, a total of 515 journalists faced prosecution in Turkey in the first six months of 2024, with 36 of them receiving prison sentences or substantial fines.<sup>21</sup>

Turkey banned access to 219,059 URLs in 2023, according to the Free Web Turkey 2023 Internet Censorship Report.<sup>22</sup> The censored URLs include 14,680 news articles, predominantly covering allegations of corruption and misconduct. Notably, these

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<sup>17</sup> <https://stockholmcf.org/purge-victim-suffering-from-celiac-disease-denied-parole-despite-eligibility/>

<sup>18</sup> <https://rsf.org/en/country-t%C3%BCrkiye>

<sup>19</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26050>

<sup>20</sup> <https://www.mlsaturkey.com/tr/cezaevindeki-gazeteciler-ve-medya-calisanlari-listesi>

<sup>21</sup> <https://stockholmcf.org/515-journalists-prosecuted-in-turkey-in-past-6-months-report/>

<sup>22</sup> <https://stockholmcf.org/turkey-blocked-over-219000-urls-in-2023-report/>



articles often implicated public officials and individuals with close ties to the ruling Justice and Development Party (AKP).

The report details the scope of censorship in 2023, presenting a comprehensive list of blocked digital materials. It reveals that 197,907 domain names, 14,680 news articles, 5,641 social media posts, 743 social media accounts and 38 reviews on Google Maps were blocked. Additionally, 33 Google search results, nine mobile applications, five Google Drive files, two email addresses and one Google document were also blocked.

Among topics, alleged corruption and misconduct were the most censored, with 5,881 articles blocked. Crimes against women and children followed with 2,256 articles, and organized crime with 1,733 articles. Corruption and misconduct articles often named public officials (3,192 articles) and individuals close to the AKP (1,133 articles) and President Recep Tayyip Erdoğan and his family (646 articles).

#### 5. Article 7 No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment

In paragraph 45 of the second periodic report Turkish government cites it *“adopted a “zero tolerance against torture” policy since 2003, and introduced a comprehensive set of legislation and other measures in order to prevent, investigate, prosecute and punish all acts of torture and ill-treatment.”*

Yet, there is an enormous gulf between Turkey’s constitutional provisions for the protection of human rights and the grim reality on the ground. The country has experienced a marked resurgence of torture and ill-treatment in custody since a coup attempt on July 15, 2016. Lack of condemnation from higher officials and a readiness to cover up allegations rather than investigate them have resulted in widespread impunity for the security forces.

The UN Committee Against Torture in July published its findings on several countries which were reviewed in its latest session, expressing alarm at allegations that torture and ill-treatment continue to occur in Turkey, including beatings and sexual assault by law enforcement officers.<sup>23</sup>

According to 2023 Country Report on Human Rights Practices of the U.S. Department of State, in Turkey “government agents engaged in threats and mistreatment of

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<sup>23</sup> <https://www.ohchr.org/en/press-releases/2024/07/un-committee-against-torture-publishes-findings-cote-divoire-ecuador#:~:text=The%20Committee%20recommended%20that%20the%20State%20party%20ensure%20that%20people,assisted%20by%20counsel%20without%20delay.>

persons while in custody. Individuals with alleged affiliation with the PKK or the Gulen movement were more likely to be subjected to mistreatment or abuse.”<sup>24</sup>

According to the Directorate General of Prisons and Detention Houses, Turkish prisons are holding 51,320 more prisoners than their overall capacity. The official data revealed that Turkish prisons are holding 341,294 people, although they can safely accommodate only 289,974.<sup>25</sup>

In December 2023 the ECtHR faulted Turkey for the poor prison conditions suffered by eight people who were given less than three square meters of living space in overcrowded prisons in the aftermath of the coup attempt.<sup>26</sup>

## 6. Article 9 No one shall be subjected to arbitrary arrest or detention

In a joint letter UN rapporteurs accused<sup>27</sup> the Turkish government of engaging in the systematic practice<sup>28</sup> of state-sponsored extraterritorial abductions and forcible returns to Turkey, with at least 100 Turkish nationals from multiple states including Afghanistan, Albania, Azerbaijan, Afghanistan, Cambodia, Gabon, Kosovo, Kazakhstan, Lebanon and Pakistan removed to Turkey.

The UN rapporteurs asked the Turkish government to provide further information about its operations in coordination with authorities in those countries for the abduction, arbitrary arrest, detention, enforced disappearance or torture of people affiliated with the Gülen movement.

In its response, the Turkish government accused the Gülen movement of manipulating the UN with false allegations instead of providing further information about illegal operations<sup>29</sup>.

Yet, in its 2022 yearly activity report Turkish National Intelligence Agency (MİT) confirmed that it conducted operation for the forcible return of more than 100 individuals with alleged links to the Gülen movement.

“... [M]ore than 100 members of the [Gülen movement] from different countries were brought to Turkey as a result of the [agency’s] increased operational capacity abroad,” MİT’s 2022 report said.<sup>30</sup>

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<sup>24</sup> <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/turkey/>

<sup>25</sup> <https://stockholmcf.org/turkish-prisons-at-18-percent-overcapacity-report/>

<sup>26</sup> <https://hudoc.echr.coe.int/fre?i=001-229320>

<sup>27</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25209>

<sup>28</sup> <https://correctiv.org/en/top-stories-en/2018/12/06/black-sites/>

<sup>29</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35335>

<sup>30</sup> <https://stockholmcf.org/turkeys-intelligence-agency-confirms-abduction-of-more-than-100-people-with-alleged-links-to-gulen-movement/>

In a number of cases<sup>31</sup> the UN Working Group on Arbitrary Detention (WGAD) concluded<sup>32</sup> that the arrest, detention and forced transfer to Turkey of Turkish nationals were arbitrary and in violation of international human rights norms and standards.

In an opinion<sup>33</sup> on the summary extradition of Arif Komiş, 44, Ülkü Komiş, 38, and their four children from Malaysia to Turkey in August 2019, WGAD expressed concern “over the pattern that all these cases follow and recalls that under certain circumstances, widespread or systematic imprisonment or other severe deprivation of liberty in violation of the rules of international law may constitute crimes against humanity.”

In a similar case, WGAD concluded that the arrest, detention and forced transfer to Turkey of six Turkish teachers by Kosovar and Turkish state agents in Kosovo on March 29, 2018 was arbitrary and in violation of international human rights norms and standards. Kosovar authorities have indicted three individuals involved in that case.

The Parliamentary Assembly of the Council of Europe (PACE) in its first resolution condemning all forms of transnational repression as a growing threat to the rule of law and human rights revealed the tactics of countries including Turkey to suppress their critics abroad.<sup>34</sup> According to the resolution, the Turkish government’s tactics rely on “renditions, abuse of extradition proceedings, Interpol Red Notices and anti-terror financing measures, and co-opting other States to deport or transfer persons unlawfully.”

In its 2023 Turkey Country Report on Human Rights Practices, the U.S. Department of State said the Turkish “government engaged in a worldwide effort to apprehend suspected members of the Gulen movement. There were credible reports the government exerted bilateral pressure on other countries to take adverse action against specific individuals, at times without due process.”<sup>35</sup>

A report<sup>36</sup> by Freedom House on global transnational repression also revealed the intensity, geographic reach and suddenness of the Turkish government’s campaign targeting dissidents abroad, noting that Turkey has become number one among countries that have conducted renditions from host states since 2014.

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<sup>31</sup>[https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session88/A\\_HRC\\_WGAD\\_2020\\_47\\_Advance\\_Edited\\_Version.pdf](https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session88/A_HRC_WGAD_2020_47_Advance_Edited_Version.pdf)

<sup>32</sup>[https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session88/A\\_HRC\\_WGAD\\_2020\\_51\\_Advance\\_Edited\\_Version.pdf](https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session88/A_HRC_WGAD_2020_51_Advance_Edited_Version.pdf)

<sup>33</sup>[https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session88/A\\_HRC\\_WGAD\\_2020\\_51\\_Advance\\_Edited\\_Version.pdf](https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session88/A_HRC_WGAD_2020_51_Advance_Edited_Version.pdf)

<sup>34</sup> <https://stockholmcf.org/pace-reveals-turkeys-tactics-in-its-first-resolution-on-transnational-repression/>

<sup>35</sup> <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/turkey/>

<sup>36</sup> [https://freedomhouse.org/sites/default/files/2021-02/Complete\\_FH\\_TransnationalRepressionReport2021\\_rev020221.pdf](https://freedomhouse.org/sites/default/files/2021-02/Complete_FH_TransnationalRepressionReport2021_rev020221.pdf)

According to the report, Ankara's campaign has primarily targeted people affiliated with the Gülen movement, but the government has started applying the same tactics to Kurdish and leftist individuals living abroad.

The Freedom House report also indicated that the Turkish government has pursued its perceived enemies in at least 30 host countries spread across the Americas, Europe, the Middle East, Africa and Asia since a coup attempt in July 2016.

In 2023 alone Turkish government renditioned five Turkish nationals from Iraq<sup>37</sup>, Tajikistan<sup>38</sup> and Algeria<sup>39</sup>.

## 7. Article 3 Women and men should enjoy all civil and political rights equally

Rights violations against women in Turkey have continued to rise following its withdrawal from the Istanbul Convention, a Council of Europe treaty designed to prevent violence and domestic abuse against women.

In a move that attracted widespread criticism from several countries, international organizations and rights groups, Turkey withdrew from the Istanbul Convention, through a presidential decree issued by President Recep Tayyip Erdoğan on March 20, 2021.

Femicides and violence against women remain serious problems in Turkey, where women are killed, raped or beaten every day. Many critics say the main reason for the situation has been the policies of the Turkish government, which protects violent and abusive men by granting them impunity. According to the We Will Stop Femicide Platform (Kadın Cinayetlerini Durduracağız Platformu), at least 315 women were murdered by men and 248 women died under suspicious circumstances during 2023 alone<sup>40</sup>.

In addition, rights activists criticized courts handing down reduced sentences to perpetrators of gender-based violence on the grounds that they were "provoked," saying it created a culture of impunity. Article 29 of the Turkish Penal Code (TCK) has often been used to reduce sentences for men accused of such crimes on the grounds that the victim provoked the murder with her actions.

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<sup>37</sup> <https://stockholmcf.org/businessman-illegally-brought-to-turkey-from-iraq-arrested-over-gulen-links/>

<sup>38</sup> <https://stockholmcf.org/turkish-national-illegally-renditioned-from-tajikistan-detained-over-gulen-links/>

<sup>39</sup> <https://stockholmcf.org/turkey-abducts-two-alleged-gulen-followers-from-algeria/>

<sup>40</sup> <https://www.kadincinayetleriniurduracagiz.net/for-english>

## 8. Article 22 Right to form and join trade unions

Turkey is one of the 10 worst countries in the world for working people, according to the International Trade Union Confederation (ITUC). The Health and Safety Labor Watch (İSİG) recorded nearly 2,000 fatal work-related accidents in 2023 and 31,131 fatal accidents since the AKP came to power in November 2002.<sup>41</sup>

According to an ITUC report, the Turkish government imposed severe restrictions on civil liberties, and workers' rights were violated with police crackdowns on protests and the arbitrary arrest of union leaders.

Turkey was categorized as a country where there was “no guarantee of labor rights,” meaning that while a country’s legislation may spell out certain rights, workers effectively have no access to these rights and are therefore exposed to autocratic regimes and unfair labor practices.

In the aftermath of the abortive putsch of July 15, 2016 the Turkish courts started to consider membership in the Aktif Eğitimciler Sendikası trade union (Active Educators Union, Aktif Sen) as evidence of links to the Gülen movement. Moreover, membership in Aktif Sen was considered sufficient reason to dismiss public school teachers without due process with the claim that they were members of or had ties to a terrorist organization. The union itself was closed down by an emergency decree-law in 2016.

Yet, the union was founded under Turkish law and, in accordance with the relevant legal provisions, the membership dues of public-school teachers were paid by the Turkish government.

With actions like the ones mentioned above, in addition to Article 22, the Turkish government has also been violating Article 15 of the ICCPR.

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<sup>41</sup> <https://www.globalrightsindex.org/en/2022>