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(CCPR) – 142nd session**

**Report on the Civil and Political Rights
of Young People in Turkey**

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Youth Organisations Forum

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About Youth Organizations Forum (GoFor)

The Youth Organizations Forum (GoFor) is a democratic, participatory, inclusive, transparent, rights-based, civil, and independent structure that works on the basis of universal values for the rights of young people in Turkey.

It aims to ensure the active participation of youth organizations in the processes of forming, implementing, and monitoring youth policies. GoFor advocates for the legal assurance and implementation of a youth policy based on universal principles through the coordination of public institutions and civil society.

To this end, GoFor supports the establishment of a national youth council as an advisory body that works with public institutions to ensure youth representation at national and international levels and to facilitate youth participation in policy-making processes. In line with this, GoFor serves as an umbrella organization that represents Turkey as the National Youth Council at the European Youth Forum, consisting of 57 member youth organizations that carry out rights-based work.

The main activities carried out by GoFor in line with its stated goals are:

- Creating a National Youth Policy in Turkey that is developed with civil participation and aligns with universal values,
- Establishing the National Youth Council mechanism to ensure the meaningful participation of youth and youth organizations in decision-making processes,
- Contributing to international youth policies on behalf of young people living in Turkey,
- Producing knowledge with a rights-based approach in the field of youth work in Turkey,
- Supporting youth organizations in Turkey technically, organizationally, and in terms of content,
- Strengthening the capacity of youth organizations in Turkey to work in a rights-based manner.

Introduction

Within the legal framework of international conventions and the reports written for their monitoring, youth are primarily considered and assessed as part of the 18+ population. However, as a group experiencing social, economic, and political transition, young people have different needs, problems, and demands compared to the rest of the population. Although youth is defined by age, and age limits vary across different countries, the experience of undergoing “transition” is shared globally. Therefore, due to the effects of transition, the young population over the age of 18 has different experiences in terms of access to rights compared to the rest of the 18+ population. Although the definition of youth and the related laws and policies are determined nationally and/or regionally (like in the EU or CoE), the issues and violations they experience due to the transition process carry unique characteristics to youth. Given that youth account for 16% of the world's population, are designated as a target group for the SDGs by the UN, and "youth rights" are on the UN agenda, it is believed that examining international agreements from a youth perspective would contribute to adapting and implementing these agreements to meet today's needs. This report aims to contribute to the ICCPR Human Rights Committee Turkey report by examining current conditions in Turkey from a youth perspective and addressing the experiences of young people. Although the report will present discussions and information limited to the Turkey experience, it aims to bring the situation of youth to the forefront as an alternative perspective/model. This report aims to provide specific information on the implementation of Articles 1-27 of ICCPR, including with regard to the previous recommendations of HRC.

Discrimination against young people

- Young people endure numerous sorts of discrimination based on their age. These discriminations stem from economic, social, and political structural factors. Article 58 of the Constitution is the most prominent public example of structural factors that hinder the recognition of young people as autonomous individuals due to their age and reinforce these barriers. Article 58 of the Constitution

Turkish Republic Constitution Article 58 - Protection of Youth¹

ARTICLE 58- The State shall take measures to ensure the education and development of the youth into whose keeping our independence and our Republic are entrusted, in the light of positive science, in line with the principles and reforms of Atatürk, and in opposition to ideas aiming at the destruction of the indivisible integrity of the State with its territory and nation. The State shall take necessary measures to protect youth from addiction to alcohol and drugs, crime, gambling, and similar vices, and ignorance.

The relevant article does not define young people as autonomous individuals. Instead, it foresees that the state will take necessary measures to protect youth from "bad habits." Article 17 of the UN International Covenant on Civil and Political Rights (ICCPR) ensures protection against arbitrary or unlawful interference with one's privacy, family, home, or correspondence. Excessive state intervention in young people's lifestyles or personal choices can pose a threat to privacy and individual freedoms. If measures taken for the protection of youth are interpreted too broadly, leading to infringements on individual freedom, this could be seen as a violation of privacy. Therefore, any constitutional article regarding youth should be framed in alignment with their participation and demands.

¹ Constitution of the Republic of Turkey, p. 49-50. https://www.anayasa.gov.tr/media/7258/anayasa_eng.pdf

Young People's Social Participation

- Prejudices and stereotypes developed against young people create barriers to young people's social participation. Qualitative and quantitative research involving youth has illustrated and described instances of discrimination they experience due to their age. These examples are often drawn from their daily experiences and practices, demonstrating how age-related biases affect their opportunities and interactions in various aspects of life.
- Some youth groups face multiple forms of discrimination due to both their age and socio-economic status. For example, young women experience gender-based discrimination as a result of being both young and female. This situation manifests in various forms of public harassment (such as comments on their clothing) or violence against women (e.g., femicide of young women).² Similarly, young LGBTI+s individuals may face social exclusion due to their age and also contend with discriminatory attitudes such as homophobia and transphobia based on their sexual orientation or gender identity. Young immigrants may face deprivation of certain opportunities due to their age and also be vulnerable to forms of discrimination such as racism and xenophobia based on their ethnic background or immigrant status. These intersectional experiences of discrimination not only violate young people's civil rights but also serve as barriers to their political and economic participation.

Discrimination in Work Life

- Structural discrimination faced by young people in the context of economic participation can be traced through the unequal and insecure conditions of their involvement in the labor force. Young people are often seen as the group receiving the lowest wages, working in the most insecure jobs, and experiencing the highest turnover rates. This situation is particularly pronounced for groups experiencing intersectional

² Ferhat Kentel, "Türkiye'de Bir Arada Yaşarız Araştırması Kutuplaşan Toplumda Bir Arada Yaşama Kapasitesi" (We Live Together in Turkey: Capacity for Coexistence in a Polarized Society) (Bayetav Yayınları: İzmir, 2022), p. 59. <https://www.bayetav.org/tr/blog-detay/arastirmalar/bir-arada-yasariz-arastirmasi-11>

discrimination, such as young women, young immigrants, and young LGBTI+'s, who face multiple layers of discrimination.

- Due to their age, young people are often assumed to be inexperienced in the labor market, leading to difficulties in finding employment and, when they do find jobs, they often end up in low-wage or insecure positions. In the context of economic participation, this situation hinders young people from achieving stable income and making long-term career plans. According to TÜİK's Labor Force Statistics, data show that the unemployment rate for young people (aged 15-24) is approximately three times higher than that of adults.³ This disparity can be seen as an indication of discrimination against young people in accessing the job market.
- Additionally, certain groups of young people may encounter more specific forms of discrimination due to both their age and other aspects of their identity. For example, young women often face the challenge of not being taken seriously due to their age, as well as encountering gender-based biases in the workplace. Research has shown that young women may experience workplace harassment or discrimination in promotions.⁴ Young LGBT+'s might face discrimination and prejudice in the workplace due to both their age and their sexual orientation or gender identity. Similarly, young immigrants may struggle to find adequate opportunities in the labor market due to their age, and may also encounter discrimination based on their ethnic background or immigrant status, forcing them into low-wage, insecure jobs. These structural discriminations hinder young people's full participation in societal life and make it more difficult for them to fight for economic security and social equality.

³ TÜİK, "Employment, Unemployment and Wages," 2021
<https://data.tuik.gov.tr/Kategori/GetKategori?p=Istihdam,-Issizlik-ve-Ucret-108>

⁴ Sevinç Köse and Şener Uysal (2010), "Kamu Personelinin Yıldırma (Mobbing) Ve Boyutları Hakkındaki Düşünceleri Üzerine Bir Çalışma: Manisa Tarım İl Müdürlüğü Örneği" (A Study on Public Personnel's Views on Workplace Bullying (Mobbing) and Its Dimensions: The Example of Manisa Provincial Directorate of Agriculture), Celal Bayar Üniversitesi S.B.E.Sosyal Bilimler Enstitüsü Dergisi, Vol:8, No:1, pp. 261-276. Serap Palaz, Sultan Özkan, Necla Sarı, Fehim Göze, Nurdan Şahin, Ömrüye Akkurt, (2008), "İş Yerinde Psikolojik Taciz (Mobbing) Davranışları Üzerine Bir Araştırma: Bandırma Örneği" (A Study on Workplace Psychological Harassment (Mobbing) Behaviors: The Bandırma Example), "İş,Güç" Endüstri İlişkileri ve İnsan Kaynakları Dergisi, Vol: 10, No: 4, pp. 41-58.

Discrimination Based on Gender Identity

- One of the more visible forms of discrimination associated with multiple identities (intersectional discrimination) is related to gender identity. Research has observed that women and LGBTI+’s often prioritize their gender identity over their ethnic, religious, or cultural identities.⁵ In this context, they may also evaluate the discrimination they encounter based on their experiences as being young women or young LGBTI+’s.
- In the Bayetav study, participants explained their discriminatory attitudes and behaviors towards LGBTI+’s using arguments such as religious references, the perception that LGBTI+’s are "not normal," and the belief that they negatively impact society.⁶
- According to the Kaos GL LGBTI+’s Human Rights Report 2023, there has been an increase in violations against LGBTI+’s since 2020. The HRC report will address these violations in detail in the following sections. However, in the context of discrimination, it is crucial to highlight that LGBTI+’s, including young LGBTI+’s, are disregarded (not recognized) by the laws of the Turkish Republic.⁷
- In addition to being ignored and not-recognised, LGBTI+’s frequently encounter "hate speech" and "hate crimes." According to the "Hate Speech in the Media" project conducted by the Hrant Dink Foundation, LGBTI+’s are the most frequently targeted group and are subjected to hate crimes.⁸ In 2023, a total of 27 hate crime cases were reported on the "You Are Heard" website, run by the Kaos GL Association.⁹ According to Kaos GL’s report, 19 out of the 27 reported cases involved young people aged between 18 and 30. One of the cases involved a 17-year-old individual, while another involved a 16-year-old. Of the 27 cases, 9 involved hate speech, 7 involved physical assaults, 6 were discriminatory actions (such as being denied surgery), 4 were threats, and 1 was sexual harassment. Among these 27 cases, 11 took place in public spaces, 6 in homes, 3 on social media, 3 in schools, 1 at the entrance of an apartment, 1 in a workplace, 1 in a

⁵ Kentel, p. 57.

⁶ Kentel, p. 87.

⁷ Kaos GL, "Kaos GL LGBTI+’ların İnsan Hakları 2023 Raporu Bilgi Notu" (Kaos GL LGBTI+’s Human Rights 2023 Report Information Note), February 2024, p.4.

<https://kaosgldernegi.org/images/library/bilgi-notu-2023-rev-etkiniz.pdf>

⁸ Hrant Dink Foundation, "Medyada Nefret Söylemi ve Ayrımcı Söylem Raporu" (Report on Hate Speech and Discriminatory Discourse in the Media) (İstanbul, Hrant Dink Vakfı Yayınları, 2020).

<https://hrantdink.org/tr/asulis/yayinlar/72-medyada-nefret-soylemi-raporlari/2665-medyada-nefret-soylemi-ve-ayrimci-soylem-2019-raporu>

⁹ You are Heard website: <https://you-are-heard.org/tr/home-tr/>

hospital, and 1 in a grocery store. Only 2 of the 27 cases were reported to the police. None of these cases (reported to the police) were taken to court. It was reported that the police were indifferent and behaved in a humiliating manner during the reporting process.¹⁰

Migrant and Refugee Youth

- Young migrants and refugees are one of the topic groups that promote discriminatory discourse against young people. With the growth of anti-immigrant sentiment in recent years, migrant groups usually targeted by the media are mostly portrayed as "young refugee migrants." These "young refugee migrants" have been described both as a threat and as a "burden." Despite the fact that some of these young migrants have obtained Turkish citizenship, they are still subjected to labels such as "foreigner," "other," and "not one of us." Furthermore, their ethnic identities (for example, being Arab) also become a subject of discriminatory discourse.
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Young People and Autonomy

- The discrimination that young people encounter is mostly caused by systemic and structural issues. These structural problems create barriers to young people's participation in social, economic, or political life as autonomous subjects. Living as autonomous individuals is essential for young people to exercise their civil, political, and social rights.
- The state is expected to abstain from interfering with an individual's actions to protect negative rights, which are safeguarded by the ICCPR. However, protecting negative rights does not enable individuals to perform their rights to the fullest extent possible. Performing rights, such as the right to vote, marriage, or work, depend on the autonomy of the individuals. Autonomy is the cornerstone of individual freedom that enables

¹⁰ Kaos GL, "2023 Nefret Suçları Raporu" (Kaos GL Hate Crimes Report), July 2024, <https://kaosgldernegi.org/e-kutuphane/insan-haklari-programi>

people to make independent choices. Negative rights protect this autonomy by requiring the state and others to refrain from interfering with personal actions, ensuring freedoms like speech and privacy. Positive rights (social rights), on the other hand, complement negative rights by providing the essential resources—like education and healthcare—that individuals need to exercise their autonomy effectively and participate fully in society. Individual autonomy can be fully actualised if individuals can be able to exercise their rights in a comprehensive and integrated manner.¹¹

- In the context of *autonomy*, young people represent one of the most vulnerable groups. As they are in a transitional phase of their life, they find themselves in a precarious position if their social rights are not adequately safeguarded by the state. Ensuring young people's fundamental needs under the umbrella of social rights (such as education, healthcare, and housing) can be understood as the responsibility of the state to provide these services. For instance, ensuring that young people have health insurance regardless of their employment status, access to free education, and adequate housing support, such as the provision of dormitories by the state, are critical measures.
- The state's responsibility to meet the basic needs of young people is inextricably linked to the country's welfare regime.¹² If the welfare regime divides the provision of basic needs (services) between the public and private sectors, those in need must "purchase" these services from the market if they are not provided by the state.¹³ When individuals (disadvantaged and vulnerable groups) are unable to acquire services from the market, their families, as well as civil society organizations that provide services, will become the key institutions that address their needs.
- Another aspect regulated by the welfare regime is the identification of the main *subject* of social policy. In some welfare regimes (such as in Northern Europe), the main subject of social policy is identified as the individual, while in others (such as in Southern Europe countries like Turkey), the subject is identified as the family.
- In this setting, young people in Turkey have two challenges in meeting their fundamental needs. First, Turkey's welfare regime fails to provide young people's basic requirements

¹¹ T.H. Marshall and Tom Bottomore. *Citizenship and Social Class*. Pluto Press, 1992. *JSTOR*, <https://doi.org/10.2307/j.ctt18mvns1>. Accessed 15 Sept. 2024.

¹² Laden Yurttagüler, "Autonomy and Young People", in *Youth Policies in Turkey in terms of Autonomy and Freedoms*, by Laden Yurttagüler, Burcu Oy and Yörük Kurtaran (Istanbul: Istanbul Bilgi University Publishing, 2014).

¹³ Gosta Esping-Andersen, *The Three World of Welfare Capitalism* (Oxford, England: Polity Press, 1989).

based on their entitlements attached with their citizenship rights. Although partial support is provided (such as free university education, partial housing opportunities, and partial healthcare services), these programs are not totally free and do not meet all needs. As a result, young people are forced to purchase services from the market to meet their needs. The precarious nature of youth employment and the condition of being "working poor" create a reliance on family support. Consequently, the family becomes the primary "safety net" for addressing young people's basic needs. Furthermore, Turkey's welfare system is centred around the family. Poverty support attempts to increase the welfare of the family while considering the young person within the family unit. As a result, the current welfare regime prevents young people from exercising their social rights as autonomous individuals. Young people can only access their basic rights if they are within and in alignment with their families. As discussed above, this situation creates a barrier to young people's access to and exercise of their civil and political rights. Young individuals, who are forced to act under the control or initiative of their families, may face restrictive measures.

- According to a study conducted by Bayetav, 55% of young people aged 18-32 state that everyone in their family is similar in terms of political views, preferences, and beliefs. In other words, 45% of young people have political views, lifestyles, and beliefs that differ from their families. In conservative families, this rate of dissimilarity is 36%.¹⁴ In this context, the question that should be asked is whether young people who differ from their families, especially those in conservative families, are able to find the free space to express themselves, make autonomous political choices, and choose the lifestyle they desire.
- Another problem is the social policy unit, which is structured from a family-centered rather than an individual-centered perspective. Choosing the family as the unit of social policy forces young people to rely on their families. The most current example of this may be seen in the "Bill on the Establishment of the Family and Youth Fund." The bill's two main goals are to "support young people who are getting married to strengthen the foundations of the family institution" as well as "prepare future generations for life in a healthy family environment and ensure the continuation of societal welfare." Unfortunately, the concept of youth presented in this manner portrays young people as

¹⁴ Kentel, p. 68.

extensions of the family institution, dismissing their individuality, free will, and the autonomy they develop as individuals.¹⁵ Furthermore, as Gofor stated in its accompanying briefing, whereas 6.2 million of Turkey's 12.3 million poor were born in or after 1997, tying young people's support to "marriage" creates a situation that fails to meet their true needs.

- The development of individual-centered policies in the context of social policy, as well as the state's assurance of their social rights, are prerequisites for young people exercising their civil and political rights.

Participation in public affairs (arts. 2, 3, 19, 21, 25 and 26)

Right to Vote and Political Participation:

According to the laws of the Republic of Turkey, young people (starting from the age of 18) have the equal voting and electing (candidacy) rights as the citizens over 30 years old. However, despite the legal equality on paper, the participation of young people in representation is quite limited compared to their proportion within the population.

- According to 2023 TÜİK data, Turkey's total population is 85,372,377. The population aged 18-30 is 16,800,658, which constitutes 20% of the total population.¹⁶ According to the Supreme Election Council, the number of domestic voters in 2023 is 60,904,499. Hence, the 18-30 age group comprises approximately 25% of the population with the right to vote and run for office.
- The percentage of young people within the population has not been reflected in the representation at the ballot box in general and local elections. In the 2023 general elections, only 5 out of the 600 elected MPs are young. While 18.6% of all candidates are from the 18-30 age group, only 0.206% of young candidates are elected, and elected young representatives constitute only 0.83% of all elected officials.

¹⁵ Gofor Info Note on the Draft Law on the Establishment of the Family and Youth Fund <https://go-for.org/aile-ve-genclik-fonu-kurulmasi-hakkinda-kanun-teklifine-iliskin-bilgi-notu/>

¹⁶ Gofor, "Gençlerin Politik Tercihleri Araştırması 2024" ("Research on the Political Preferences of Youth 2024"), March 2024, p.6.

- In the local elections held on March 31, 2019, for positions such as mayor, metropolitan mayor, municipal council member, and provincial general council member, data from the Supreme Election Council indicates that voters aged 18-29 make up 24.21% of the total electorate. Candidates in the same age group represented 14.45% of all candidates. Among these young candidates, 6.9% were elected, and elected young representatives constituted 5.08% of all elected officials.
 - In the local elections held on March 31, 2024, data from the Supreme Election Council shows that candidates aged 18-29 represent 15.99% of all candidates. This reflects a 1% increase in the proportion of young candidates compared to the 2019 local elections. For the 2024 local elections, the proportion of young candidates among metropolitan mayoral candidates is 5.99%, among municipal mayoral candidates is 10.96%, and among municipal council candidates is 16.73%, which is relatively high compared to other positions.
 - The rate of young people's participation in political parties is also low compared to their proportion in the population. According to research conducted by GoFor in collaboration with Konda, only 5% of young people were members of political parties in 2024. This is a decrease from 9% reported in a 2013 study by Konda in collaboration with Istanbul Bilgi University. In a 2021 study, the membership rate of young people in political parties was 9.8%.¹⁷ Over the past decade, the participation of young people in political parties, which are key institutions in institutional politics, has significantly decreased.
 - As mentioned above, although there are no legal barriers to young people's participation in formal political processes, they encounter structural obstacles. In particular, the financing of politics and the conditions for participating in political parties create barriers (a "glass ceiling") that prevent young people from participating in "formal political mechanisms."
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¹⁷ Gofor, "Gençlerin Politik Tercihleri Araştırması 2024" ("Research on the Political Preferences of Youth 2024), March 2024, p. 35.

Non-formal political participation

The following sections will discuss violations and cases related to young people's non-formal political participation across various areas outlined in the ICCPR, ranging from freedom of expression to freedom of assembly, association, and organization. Although these areas are listed according to the provisions in the ICCPR, it is clear that without freedom of expression, it is impossible to have meaningful assembly or participation in decision-making. Similarly, the inability of citizens to express their demands in the public sphere (whether in physical public spaces or online) through meetings or demonstrations constitutes a barrier to both assembly and participation in decision-making. Although the report is organized in sections to facilitate contributions to the ICCPR Human Rights Committee report, it is recommended that the assessment be carried out in a comprehensive way.

Freedom of Expression (Article 19)

- Recent research has highlighted that social media platforms have emerged as the primary spaces (sources) where young people obtain information and express themselves in the public sphere.¹⁸ Social media has become a crucial area where young people gather information about the world, form opinions, and engage in discussions if they choose to participate. According to studies, YouTube is the leading platform for young people to seek information.¹⁹ Social media allows young people to express their thoughts and draw attention to topics that are important to them, beyond conventional themes. Furthermore, social media platforms have become spaces where young people organize, respond to social events, and reach out to decision-makers. Especially during

¹⁸ Ondřej Bárta, Georg Boldt, Anna Lavizzari, Meaningful Youth Political Participation in Europe: Concepts, Patterns and Policy Implications (Paris: Council of Europe and European Commission, 2021), <https://pjp-eu.coe.int/documents/42128013/47261953/PREMS+149821+GBR+2600+Study+on+Youth+political+participation+WEB+16x24+%281%29.pdf/d2ecb223-edda-a9d2-30f7-c77692a086bd> ; Laden Yurttagüler and Eren Pultar, New forms of youth political participation Statistical survey, May 2023, <https://pjp-eu.coe.int/documents/42128013/223741253/New+forms+of+youth+political+participation+May+2023+final.pdf/f5f645a3-87d0-068c-a64f-7e16d304ac53?t=1684313970716> ; Tomaz Dezelan, Young people's participation in European democratic processes, March 2023, [https://www.europarl.europa.eu/RegData/etudes/STUD/2023/745820/IPOL_STU\(2023\)745820_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2023/745820/IPOL_STU(2023)745820_EN.pdf)

¹⁹ Laden Yurttagüler and Eren Pultar, New forms of youth political participation Statistical survey, May 2023, <https://pjp-eu.coe.int/documents/42128013/223741253/New+forms+of+youth+political+participation+May+2023+final.pdf/f5f645a3-87d0-068c-a64f-7e16d304ac53?t=1684313970716>, p. 9 and p. 20-21.

the Covid-19 pandemic, social media transformed into fundamental discussion and socialization arenas for young people, serving as alternative public spaces.²⁰

- However, there are continuous official actions in Turkey that may violate freedom of expression on social media and have a direct impact on young people. The principal barriers and violations concern the usage of social media. The Republic of Turkey has arbitrarily limited or blocked access to social media platforms. Although similar activities have occurred in a variety of circumstances, two cases are particularly noteworthy. In one instance, during the February 6 earthquake, Twitter (now known as X) was arbitrarily restricted using bandwidth throttling without a court order.²¹ Another arbitrary action was the access restriction imposed by the Information and Communication Technologies Authority (BTK) on August 2, 2024.²² Additionally, the banning (or controlling) of street interviews and the requirement for YouTube programs to be subject to RTÜK (Radio and Television Supreme Council) oversight have been brought into discussion.²³
- Another issue restricting young people's freedom of expression is the legal sanctions they may face when expressing themselves on social media platforms. One of the most prominent legal repercussions related to freedom of expression is the allegation of "insulting the president." The Law on Insulting the President is covered by Article 299 of the Turkish Penal Code (TCK), which falls within the section "Crimes Against the Nation and the State and Final Provisions," specifically "Crimes Against the Symbols of State Sovereignty and the Dignity of State Organs," and has been in effect since 1961. According to this law, a person found guilty of insulting the President faces imprisonment for one to four years. If the offence is done in public, the penalty increases by one-sixth. Prosecution for this offence requires the Minister of Justice's authorisation.
- According to the report prepared by Fikret İlkiz, there were 6,270 cases in 2018, 13,990 cases in 2019, and 9,773 cases in 2020 related to "insulting the president." Of these,

²⁰ Tomaz Dezelan, *Covid-19 impact on youth participation and youth spaces*, November 2022, <https://pjp-eu.coe.int/documents/42128013/72351197/The+impact+of+the+covid-19+pandemic+on+youth+spaces.pdf/9bfe2c91-6cc1-2fdf-4d3f-7197b350fd7d>

²¹ Sözcü, "Twitter'a 9,5 saat erişim engeli"(9.5-hour access ban on Twitter), 09.February.2023, <https://www.sozcu.com.tr/twitter-ve-tiktoka-erisim-engellendi-wp7584907>

²² Euronews, "Türkiye'de Instagram Erişime kapatıldı," (Instagram has been blocked in Turkey) <https://tr.euronews.com/2024/08/02/turkiyede-instagram-erisime-kapatildi>

²³ Medyascope, "RTÜK'ten sokak röportajı hamlesi: "Dezenformasyona yol açıyor"" (RTÜK Takes Action on Street Interviews: 'Leads to Disinformation'), 08.August.2024, <https://medyascope.tv/2024/08/08/rtukten-sokak-roportaji-hamlesi-dezenformasyona-yol-aciyor/>

4,603 cases resulted in acquittals. According to a report by Doğruluk Payı, as of 2022, the number of defendants had reached 16,753.²⁴ The reports do not provide a separate assessment for individuals aged 18-30. However, given that this age group constitutes about one-fifth of the population, the likelihood of them being defendants in these cases is quite high. Indeed, Fikret İlkiz's study specifically evaluates individuals under 18 years of age. According to the report, in 2018, 2,775 people were convicted, including 35 who were under 18. In 2019, 4,291 people were convicted, with 55 under 18. In 2020, 9,773 people were convicted, including 74 aged 12-15 and 170 aged 15-18.²⁵

- In addition to the charge of "insulting the president," Article 216 of the Turkish Penal Code is also relevant. This article defines the offenses of "inciting the public to hatred and enmity," "degrading a section of the public," and "insulting religious values," and prescribes penalties of 1 to 3 years in prison for these crimes.
- Although detailed data on convictions for the related offense is not available, a recent case provides a significant example. Dilruba Kayserilioğlu, age 33, was detained under the charge mentioned above due to statements made during a street interview on a YouTube channel. After being held in custody for 17 days, she was released on August 29 and her trial is ongoing. Ironically, Kayserilioğlu's interview criticized the arbitrary closure of Instagram.²⁶
- In addition to the lawsuits initiated by the government against young people, defamation cases also present serious obstacles to their self-expression. Defamation lawsuits are one of the tools frequently used by individuals directly or indirectly associated with the government or power to deter opposing parties. These cases often result in financial penalties and impose significant burdens on citizens. Although detailed demographic information on these cases is not available, it is unlikely that they do not affect the group constituting one-fifth of the population.

²⁴ Doğruluk Payı, "Recep Tayyip Erdoğan döneminde Cumhurbaşkanına hakaret davalarında sanık sayısı bir önceki döneme göre 19 katına çıktı.", (During the presidency of Recep Tayyip Erdoğan, the number of defendants in cases of insulting the president increased 19-fold compared to the previous period.)

<https://www.dogrulukpayi.com/bulten/2018-yilinda-cumhurbaskanina-hakarettten-kac-kisi-sanik-oldu>

²⁵ Fikret İlkiz, "Davacı: Tek Adam Dava: Cumhurbaşkanına Hakaret Davalı: Anayasal Özgürlükler", (Plaintiff: The Single Ruler Case: Insulting the President Defendant: Constitutional Freedoms)

<https://chp.org.tr/yayin/cumhurbaskanina-hakaret-ve-turkiye-raporu/Open>

²⁶ BBC News, "Dilruba Kayserilioğlu hakkında 'Cumhurbaşkanına hakaret' suçlamasıyla dava açıldı", ("A lawsuit was filed against Dilruba Kayserilioğlu for 'insulting the resident.')

<https://www.bbc.com/turkce/articles/erkm88kvxkyo>

- As discussed above, on one hand, there is an increasing trend of regulation and control over social media platforms. On the other hand, there are emerging risks of legal actions and/or penalties that young people may face when expressing themselves.
- One additional aspect to note in the context of freedom of expression is the threats and violations experienced by young journalists. Reporters Without Borders frequently documents and highlights violations against journalists in Turkey. Although there isn't detailed demographic data, it can be observed that many journalists, particularly those working as reporters and those early in their careers, are often younger and thus more susceptible to rights violations.²⁷
- An attention-grabbing case that has recently emerged involves İsmail Arı, a 28-year-old reporter for Birgün newspaper, who has received over ten death threats in the past two years. Despite filing a complaint with the prosecutor's office, he has not seen any results.²⁸ Although this case appears to pertain to journalism (professionally), it is important to note that a young reporter like Arı is more vulnerable and susceptible to similar threats and violations.

Right to Assembly and Association (Article 21 and 22)

- In the past decade in Turkey, the right to assembly and association has increasingly faced public obstacles and violations. Despite limitations on this right, peaceful demonstrations are constitutionally guaranteed.²⁹ Especially after 2015 and 2016, public demonstrations have been largely prohibited.³⁰ These prohibitions and obstacles have had a direct impact on the participation of young people.
- According to the Amnesty International report, in 2023, numerous actions were obstructed and the rights to protest and assembly were violated in Turkey, ranging from the Pride March to resistance against tree cutting in Akbelen Forest. Unlawful force was used against participants in protest and assembly actions, including the use of water

²⁷ RSF, “RSF and 18 international organizations urge EU to do more regarding press freedom in Turkey”, <https://rsf.org/en/recherche?text=turkey>

²⁸ Committee to protect Journalists, “Turkey urged to act on death threats against journalist İsmail Arı”, <https://cpj.org/tr/2023/10/turkiyeli-yetkililerden-gazeteci-ismail-arinin-aldigi-olum-tehditlerine-dair-harekete-gecilm-esi-istendi/>

²⁹ OHCHR, “The right to hold a peaceful assembly in Turkey”, <https://uprdoc.ohchr.org/uprweb/downloadfile.aspx?filename=7217&file=EnglishTranslation>

³⁰ Human Rights Foundation of Turkey, “Briefing Note on Freedom of Assembly and Association in Turkey”, <https://en.tihv.org.tr/alternative-shadow-reports/briefing-note-on-freedom-of-assembly-and-association-in-turkey/>

cannons and tear gas at close range, and they were subjected to mistreatment. Many of the participants in these actions were young people. Therefore, it can be said that the rights of young people to protest and assemble were violated.

- One of the significant violations occurred in the context of the Pride Marches. According to Amnesty International's report, despite broad bans, numerous Pride Marches were held in at least six provinces and four districts across the country. During the Pride Marches, at least 224 people were arbitrarily detained, including spectators, children, lawyers, journalists, university students, human rights defenders, and foreigners.³¹ According to Kaos GL's 2023 report on LGBTI+'s human rights, the freedom to assemble was breached for 333 people. The violations were known to be the result of limits on Pride March participation. Although the number of young people involved in the Pride March is not specified, it has been observed that the bulk of Pride March attendees are young individuals. As a result, young people confront difficulties while advocating for LGBTI+ rights.³²
- According to Amnesty International's report, environmental activists in Akbelen Forest faced mistreatment. Young people constitute a significant group in the joint struggle of local residents and environmental activists. As a result of the intervention, at least 50 activists were detained and later released; however, some were subjected to travel restrictions, and three individuals were banned from entering the Milas district.³³
- The 8 March Night March is another example of a restricted demonstration. Since 2003, the night marches held on Istanbul's Istiklal Avenue have faced increasing restrictions and prohibitions in recent years. Women have gathered on the periphery of Taksim to overcome these obstacles, but they have faced mistreatment by law enforcement. Although there is no specific data on the ages of the women participating, observations

³¹ Amnesty International Report 23/24, p. 73.

<https://www.amnesty.org.tr/public/uploads/files/Yillik%20Rapor%202023%20-%20Dünyada%20İnsan%20Hakların%20Durumu.pdf>

³² Kaos GL, "KAOS GL LGBTI+'ların İnsan Hakları 2023 Raporu Bilgi Notu", ("KAOS GL LGBTI+'s Human Rights 2023 Report Briefing Note), February 2024, p. 7.

<https://kaosgldernegi.org/images/library/bilgi-notu-2023-rev-etkiniz.pdf>

³³ Amnesty International Report 23/24, p. 73.

<https://www.amnesty.org.tr/public/uploads/files/Yillik%20Rapor%202023%20-%20Dünyada%20İnsan%20Hakların%20Durumu.pdf>; Oksijen Gazetesi, "Akbelen'de ağaçlar gitti ama toprak için direniş devam ediyor", (In Akbelen, the trees are gone, but the resistance for the land continues.)

<https://gazeteoksijen.com/turkiye/akbelende-agaclar-gitti-ama-toprak-icin-direnis-devam-ediyor-187330>; İklim Haber, "Akbelen'deki Nöbetli Direniş 3. Yılında Dayanışma için Herkesi İkizköy'e Bekliyor!", (Akbelen's Watchful Resistance in Its 3rd Year: Welcoming Everyone to İkizköy for Solidarity)

<https://www.iklimhaber.org/akbelendeki-nobetli-direnis-3-yilinda-dayanisma-icin-herkesi-ikizkoye-bekliyor/>

and visual materials suggest that young women have also been subjected to these restrictions and mistreatment.³⁴

- The "1000 Youth Movement for Palestine" is an initiative in Turkey aimed at ending trade with Israel. During a demonstration organized by the movement on Istiklal Avenue in April, 43 young people, including 1 child, were detained. While 38 individuals were released, 5 continue to face charges and are being held in custody. The mistreatment by police during the event was recorded by cameras. The Interior Minister has noted that actions have been taken against the two police officers involved in the mistreatment.³⁵

Freedom of Association (Article 22)

- ICCPR Article 22 guarantees freedom of association. According to GoFor's 2024 report, while 27% of young people are members of some organization, 73% are not. The highest level of organization is found in student clubs, with 12%, followed by associations-foundations- initiatives at 8%, trade unions at 4%, and professional chambers at 2%. GoFor emphasizes that young people tend to prefer service-providing CSOs over advocacy-oriented ones.
- When asked why they do not join CSOs, 7% of young people responded that they fear being "labelled", 1% fear neighborhood and community pressure, 5% believe these organizations do not bring about social change, 7% think these organizations serve personal interests rather than the community, 48% are not interested, and 27% say they do not have time. Special attention should be given to the concerns about being "labelled" and fear of "neighborhood pressure."
- Since 2018, the Republic of Turkey has required associations to provide a complete list of their members. One of the ongoing discussions over the past four years is about a proposed law that would make it mandatory for CSOs to provide a complete list of their volunteers (Volunteering Law).³⁶ Therefore, the fear of "being labelled" is based on the current practices of the state. An important discussion to add is related to "public sector

³⁴ BBC, "8 Mart yürüyüşü: Polisin engellemesine rağmen kadınlar Cihangir'de bir araya geldi.", (March 8th March: Despite Police Blockade, Women Gathered in Cihangir) <https://www.bbc.com/turkce/haberler-turkiye-60669033>

³⁵ Artı Gerçek TV, "Filistin İçin Bin Genç' eyleminde şiddet uygulayan iki polis açığa alındı." (Two Police Officers Suspended for Using Violence at the 'One Thousand Youth for Palestine' Protest)

<https://artigercek.com/guncel/filistin-icin-bin-genc-eyleminde-siddet-uygulayan-iki-polis-aciga-alindi-300088h>

³⁶ Emre Erdoğan, Pınar Uyan-Semerçi, Nurhan Yentürk, Laden Yurttagüler, *Türkiye 'de Gönüllülük: Deneyimler, Sınırlılıklar ve Yeni Açılımlar* (İstanbul: İstanbul Bilgi Üniversitesi Publishing, 2020)

employment interviews." Currently, in order to secure a job in the public sector, candidates must pass not only written exams but also oral interviews. Young people relate "being labelled" to success in these public sector interviews and/or being selected. As a result, membership in CSOs is perceived as a potential obstacle to finding a job. This situation constitutes a violation of both the Discrimination Article and the Equal Access to Public Services Article of the ICCPR.

- One of the key platforms for young people's organization and self-expression is "university clubs." They often provide a platform for students to engage in various activities, discuss ideas, and advocate for causes they care about. According to the GoFor research, 27% of young people are involved in organizations. Among these, university clubs represent 12%.
- However, with the university disciplinary regulations introduced in [year], student clubs (organized young people) have been placed under the control of university administrations. The university's oversight includes decisions on whether clubs can be established, whether they can operate, and whether their activities are subject to disciplinary measures based on the regulations. Consequently, the freedom of expression and assembly of young people in universities is subjected to arbitrary treatment by university administrations that violates fundamental rights (e.g., Article 19).
- This report proposes the removal of the requirement for university clubs to obtain permission from university administrations for their establishment, as well as the elimination of administrative controls. Additionally, it suggests that disciplinary regulations should not be used as a punitive measure against freedom of expression within universities.
- The proportion of youth-focused and/or youth-led Civil Society Organizations (CSOs) compared to all civil sector organizations unfortunately cannot be precisely determined. Both the Directorate General of Relations with Civil Society (STİGM) and the General Directorate of Foundations have not separately classified youth organizations.³⁷ However, as of September 11, 2024, this situation has changed for STİGM. Detailed figures will only be available in future reports. Nevertheless, according to the Participation Rights report prepared by STGM, youth constitute 40% of the target group

³⁷ STGM, Participation Right Report, <https://www.stgm.org.tr/sites/default/files/2024-01/sto-rapor1-web.pdf>, p. 60.

for civil society organizations in Turkey.³⁸ It is unclear whether the organizations mentioned here are youth-led.

- Organizations working in the field of youth can be classified into those that provide services to young people, and those that advocate on youth-related issues - those that seek to be involved in decision-making mechanisms. Organizations that provide services to young people may engage in activities ranging from offering various trainings to develop their capacities to meeting their basic needs. On the other hand, youth advocacy organizations make recommendations and criticisms regarding public policies on youth issues.
- CSOs' criticisms of public policies frequently put organisations under pressure and create barriers to freedom of association. One prevalent practice that organisations encounter is being subjected to public inspections more frequently than required by routine procedures.
- Another issue concerns the grants received by associations. Following the enactment of the “Law on the Prevention of Terrorism Financing” in 2021, especially youth organizations working on advocacy have been classified as “dangerous organisations” based on their funding sources and subjected to extraordinary levels of scrutiny.³⁹
- Another issue that affects youth organisations is their access to resources. As noted in STGM's “Right to Participation” report, “It is also worth emphasizing that there are significant problems related to the resources allocated to CSOs by public institutions in Turkey. Firstly, the total amount of financial resources (grants) allocated by public institutions is unknown. A significant portion of this funding is provided through project-based calls for proposals by public institutions such as the Directorate General for Relations with Civil Society, the Ministry of Youth and Sports, and Development Agencies. However, the uncertainty in the selection process of CSOs benefiting from these resources, the lack of public disclosure regarding the organizations awarded grants, and the lack of information about the activities carried out through grant programs indicate that the principles of transparency and accountability in the use of these resources are not sufficiently implemented.”⁴⁰

³⁸ STGM, Participation Right Report, <https://www.stgm.org.tr/sites/default/files/2024-01/sto-rapor1-web.pdf>, p. 63.

³⁹ Amnesty International Report, <https://www.amnesty.org.tr/icerik/turkiye-terorun-finansmaninin-onlenmesi-hakkinda-kanun-simdiden-sivil-toplum-uzerinde-caydirici-etki-varatti>

⁴⁰ STGM, Participation Right Report, p. 109.

- In addition to the sources mentioned above, recent news regarding the National Agency, which was specifically established for young people and youth organisations, is also quite concerning. According to the news reports, the National Agency has distributed resources to GONGO (Government-Organized Non-Governmental Organizations) youth organizations. No denial has been issued regarding the news."⁴¹
- Advocacy-oriented youth civil society organizations face discrimination when accessing public resources and are labeled as “dangerous” by the government due to the resources they develop through their own efforts. Indeed, according to the needs analysis report conducted with youth organizations by GoFor, which will be published in November 2024, only 17.8% of the organizations participating in the research can benefit from public resources.⁴²
- Finally, one of the significant risks faced by youth organizations working in advocacy is being targeted by various groups. According to the Gofor Needs Analysis report scheduled for release in November 2024, 34.7% of youth organizations reported being targeted due to their activities. Additionally, 44.6% of these organizations practice self-censorship to avoid being targeted. The lack of action from public authorities to protect their rights when they are targeted is noted as a significant problem.⁴³
- Participation in CSOs is crucial not only for the social engagement of youth but also for their involvement in decision-making processes. In this context, the national youth council, which allows youth to independently and autonomously participate in decision-making and policy-making processes, holds particular importance. The national youth council must be independent, recognized by the government and also not organized by the government. Through the national youth council, youth and youth CSOs can be included in structural decision-making processes and have an impact on the creation of policy documents.

⁴¹ Gazete Duvar, “Ulusal Ajans'tan TÜGVA ve TÜRGEV'e milyonlarca liralık hibe” (National Agency Grants Millions of Liras to TÜGVA and TÜRGEV), 01.September 2022.

<https://www.gazeteduvar.com.tr/ulusal-ajanstan-tugva-ve-turgeve-milyonlarca-liralik-hibe-haber-1579536>

⁴² Gofor, Youth Organisations Need Assessment Report 2024, to be published. <https://go-for.org/yayinlar/#>

⁴³ Gofor, Youth Organisations Need Assessment Report 2024, to be published. <https://go-for.org/yayinlar/#>

Access to Justice (Article 14)

- As discussed in the points above, young people face lawsuits in cases of violations of their freedom of expression. These lawsuits, within the context of the ICCPR, not only lead to violations of freedom of expression but also create infringements on the right to access justice.
- Firstly, since young people have limited economic means and are often dependent on their families, their access to legal assistance is restricted. As a result, their rights and needs are not adequately considered in legal processes.
- Additionally, if they are university students, their education is disrupted.⁴⁴ The treatment faced by Boğaziçi University students has not only interrupted their education but also turned prolonged detention (house arrest) into a form of punishment.
- Unfortunately, there is insufficient data on the access to justice, ongoing cases, or the support needs of young people aged 18-30 who are defendants, convicts, or detainees.
- Another group experiencing human rights violations in accessing justice is incarcerated and convicted student youth. According to a report prepared by CISST, student prisoners face economic difficulties, such as costs for exam registration fees, travel expenses to and from exams, and educational materials. According to the "Regulation on Scholarships and Loans," prisoners who continue their education in prison are ineligible for state scholarships or loans. According to General Circular 46/1 on the "Education and Rehabilitation Procedures and Other Provisions for Young and Adult Prisoners and Detainees," prisoners who cannot cover university registration and exam fees or travel expenses can apply to Social Assistance and Solidarity Foundations in their province or district. However, it is not known how many of these applications are successful. The General Directorate of Prisons and Detention Houses has not shared statistical information on this matter in 2022, as in previous years. Furthermore, it is observed that all applications made by political prisoners have been met with negative responses.⁴⁵

⁴⁴ Amnesty International, "Tutuklu Boğaziçi Üniversitesi protestocularını serbest bırakın!" ("Release the Detained Boğaziçi University Protesters!"), <https://www.amnesty.org.tr/icerik/tutuklu-bogazici-universitesi-protestocularini-serbest-birakin>

⁴⁵ CISST, "Yıllık Hapishaneler Raporu 2022" (Annual Prisons Report 2022), p. 89. <https://cisst.org.tr/raporlar/hapishaneler-raporu-2022/>
Özge Akyüz, *Türkiye'de Öğrenci Mahpus Olmak* ("Being a Student Prisoner in Turkey") (İstanbul: CISST Publishing, 2021). <https://cisst.org.tr/kitaplar/turkiyede-ogrenci-mahpus-olmak/>

- “To ensure both access to justice and access to public services, prisoners who wish to continue their education should be granted the opportunity to receive scholarships from the state, and all relevant data should be shared with the public in accordance with the principle of transparency.”⁴⁶

Women's Rights

Violence Against Young Women

- Young women experience layered disadvantages regarding performing their rights and violations due to their age and gender. First of all, young women are experiencing violence more often than other age groups. Two years after Türkiye’s 2021 withdrawal from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, known as the Istanbul Convention, challenges in providing effective protection to women in Türkiye who report domestic violence are reflected in the high number of murders of women and girls.⁴⁷
- According to “The We Will Stop Femicide Platform,” an association campaigning against murders of women and girls and supporting families of victims, reported 205 femicides and 117 suspicious women deaths in the first 6 months of 2024. Based on the monitoring of the platform, the age groups of the murdered women are accordingly: 0-11 age 4%, 12-14 age 1%, 15-18 age 4%, 19-24 age 11%, 25-35 age 33%, 36-65 age 33%, 66+ age 4%, Unknown 10%.⁴⁸ The highest percentage is between the ages 19-35, young

⁴⁶ CISST, “Yıllık Hapishaneler Raporu 2022” (Annual Prisons Report 2022), p. 89.

<https://cisst.org.tr/raporlar/hapishaneler-raporu-2022/>

⁴⁷ Human Rights Watch Report, <https://www.hrw.org/world-report/2024/country-chapters/turkey#eea21f>. For a detailed report on violence against women in Turkey, see:

<https://www.hrw.org/report/2022/05/26/combating-domestic-violence-turkey/deadly-impact-failure-protect>

⁴⁸ The We Will Stop Femicide Platform, “In the first six months of 2024, 205 women were killed by men, and 117 women were found suspiciously dead”,

<https://kadincinayetlerinidurduracagiz.net/veriler/3113/2024-yilinin-ilk-6-ayinda-erkekler-tarafindan-205-kadin-oldu-ruldu-117-kadin-supheli-sekilde-olu-bulundu>.

women, with 44%. Compared to the previous year, the femicide among young people increased significantly from 35% in 2023 (annual report).⁴⁹

- Besides the physical violence, young women experience serious difficulties regarding access to reproductive and sexual health. According to kurtajhakkim.org and several research studies, young women experienced more severe difficulties in receiving public reproductive and sexual health services in the last 10 years. It is highlighted that young, lower-middles-class and limited-educated women experience severe problems due to their lack of access to reproductive health (such as unhealthy and under-the-counter services).⁵⁰ Access to reproductive and sexual health services is not an issue under the ICCPR. However, young women’s access is closely related to Art 26 (discrimination), Art 19 (access to information), and Art 25 (access to public services equally).

⁴⁹ The We Will Stop Femicide Platform, “2023 Annual Data Report”,

<https://kadincinayetleriniidurduracagiz.net/veriler/3088/2023-yillik-veri-raporu>

⁵⁰ <https://kurtajhakkim.org/arastirmalar/>; “Türkiye’de Cinsel Sağlık ve Üreme Sağlığı Durum Analizi Raporu” (Situation Analysis Report on Sexual and Reproductive Health in Turkey)

https://kurtajhakkim.org/kurtaj_folder/uploads/2024/02/turkiyede-cinsel-saglik-ureme-sagligi-durum-analiz-raporu.pdf; Kadınların Üreme Sağlığı Hizmetleri ve Kürtaj Deneyimleri Araştırma Raporu, 2021 (“Research Report on Women’s Reproductive Health Services and Abortion Experiences),

https://kurtajhakkim.org/kurtaj_folder/uploads/2024/02/ipsos-tapv-turkiye-csus-hizmetleri-arastirmasi-raporu.pdf; 6 İl Özelinde Cinsel Sağlık ve Üreme Sağlığı (CSÜS) Hizmetleri Araştırma Raporu (Research Report on Sexual and Reproductive Health (SRH) Services in 6 Provinces),

https://kurtajhakkim.org/kurtaj_folder/uploads/2024/02/ipsos-tapv-turkiye-csus-hizmetleri-arastirmasi-raporu.pdf; Yasal Ancak Türkiye’deki Kamu Hastanelerinde Kürtaj Hizmetleri - 2020 (Legal but Abortion Services in Public Hospitals in Turkey - 2020)

<https://gender.khas.edu.tr/sites/gender.khas.edu.tr/files/docs/2020-12/2020-kurtaj-arastirmasi-raporu.pdf>