

ARC and DCR comments on the EASO Country of Origin Information Report on Turkey, November 2016

10th January 2017

Asylum Research Consultancy (ARC) and the Dutch Council for Refugees (DCR) welcome the EASO Country of Origin Information (COI) publication on: [Turkey, Country Focus, November 2016](#) [hereafter the Turkey report].

We note that it was compiled at the request of both the European Parliament and the European Council in order to provide them with “general background information and more detailed information relevant for international protection status determination and for the assessment of the applicability of the safe country of origin concept to Turkey”.¹ This request forms part of EASO’s envisaged new role as the European Union Agency for Asylum [hereafter the EU Agency for Asylum] to assist the Commission in regularly reviewing the situation in third countries which are included in the common EU list of safe countries of origin as stipulated in the European Commission’s ‘Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010’ [from now on proposed regulation].²

Under Article 11 (2) of the proposed regulation “The Agency shall, at the request of the Commission, provide it with information on specific third countries which could be considered for inclusion in the common EU list of safe countries of origin”.³ Article 48 intends for “civil society organisations and relevant competent bodies operating in the field of asylum policy” to “maintain a close dialogue” with the EU Agency for Asylum through the “exchange of information and sharing of knowledge” via the Consultative Forum in order to “assist the Executive Director and the Management Board in matters covered by this Regulation”.⁴ Consequently, we hope that this commentary and its recommendations by two active members of EASO’s current Consultative Forum will be taken into account when drafting such

¹ EASO, [Turkey, Country Focus](#), November 2016, Introduction, page 13

² See European Commission, [Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation \(EU\) No 439/2010](#), 4 May 2016

³ European Commission, [Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation \(EU\) No 439/2010](#), 4 May 2016, Article 11 (2)

⁴ European Commission, [Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation \(EU\) No 439/2010](#), 4 May 2016, Article 48 (1) and 48 (2)

country reports in future. This is of particular importance given the current lack of consultation on the Terms of Reference, drafting and quality review process of EASO COI products by civil society and other relevant bodies, especially in light of EASO's enhanced role as "a centre for gathering relevant, reliable, accurate and up-to-date information on countries of origin" as stipulated in the proposed regulation.⁵

With this context in mind, ARC and the DCR would like to emphasise ECRE's previously made recommendation in relation to the EU Agency for Asylum's envisaged role of publishing 'Common Analysis on country of origin information' and expand it to also relate to COI reports produced to assist a country to be included in the common EU list of safe countries of origin.⁶ We therefore urge EASO and the future EU Agency for Asylum to **establish an Independent Expert Panel on Country of Origin Information to advise the EU Agency for Asylum and the Executive Director on matters of methodology, review the quality of COI reports and other COI products of the EU Agency for Asylum and provide advice to the Executive Director prior to the adoption and revision of common analysis or when submitting COI reports to the European Commission. The Independent Expert Panel should consist of academic country-specific experts, COI researchers, representatives of the judiciary, expert NGOs and UNHCR, and be appointed by the Executive Director, following a public call for expression of interest.**

Our comments are based on an initial reading of the Turkey report and present some general observations and recommendations. Given the legislative and political changes and developments that have occurred following the attempted coup in Turkey on 15th July 2016, we focused mainly on chapter '6. The attempted military coup'. The following sections were also assessed as they included COI in relation to the post-attempted coup situation in Turkey:

- 1. State structure > 1.4 Administration
- 2.1 Political parties > 2.1.3 Nationalist Movement Party, MHP
- 3. Rule of law and state protection > 3.1 General overview
- 3.2 Law enforcement and security forces > 3.2.1 Police
- 3.3 Judiciary > 3.3.2 Capacity and judicial integrity
- 5. Human Rights Situation > 5.1 Legal context and institutional framework
- 5. Human Rights Situation > 5.2 General situation

⁵ See European Commission, [Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation \(EU\) No 439/2010](#), 4 May 2016, Article 8 (1)

⁶ See ECRE, [ECRE Comments on the Commission Proposal for a Regulation on the European Union Agency for Asylum and repealing Regulation \(EU\) No 439/2010 COM\(2016\) 271](#), July 2016, 2. *Assessment of the situation in countries of origin and guidance on its application in asylum procedures*, page 10

- 5. Human Rights Situation > 5.2.1 Freedom of speech and expression
- 5. Human Rights Situation > 5.2.2 Freedom of assembly and association
- 5. Human Rights Situation > 5.3 Detention
- 5. Human Rights Situation > Specific Groups > 5.4.2 Journalists and media

This commentary is purely an assessment of the methodology used to compile the Turkey report and the COI contained in it. It does not represent our views on the concept of 'Safe Countries of Origin' in general nor specifically in relation to Turkey.

We conclude that the information included on the post-coup developments and situation is very limited and does not encompass the significant legislative and political changes that have been set in motion by the Turkish authorities nor does it adequately address the scale of the purge against anyone perceived as or to actually be associated with the Gulen movement or to be perceived as being in opposition to the current Turkish government.

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A. General observations and recommendations

1. Methodology

1.1. Terms of Reference

1.1.1. The Terms of Reference for this Turkey report cover the pertinent issues necessary for an assessment whether a country can be designated as a 'safe country of origin' as stipulated in the EU Asylum Procedures Directive.⁷

1.1.2. Whilst it is appreciated that the attempted coup in Turkey in July 2016 added a layer of research to the first draft Turkey report, which has mainly been presented in chapter '6. The attempted military coup', no 'Terms of Reference' have been included specific to that particular section. It is considered that this has led to notable omissions in the COI included. For example, no COI is included on those actually associated or perceived to be associated with the Gulen movement or those perceived as being in opposition to the current Turkish government. We therefore suggest that when major changes to a country occur during the process of EASO drafting a COI report, that additional Terms of Reference be prepared.

1.2. Review process

1.2.1. It is a positive development that an academic, with expertise on Turkey, reviewed a draft version of the Turkey report. As stated in previous commentaries we made on EASO COI reports⁸, we too would have welcomed the opportunity to submit our comments in advance of the report's final publication. It is interesting to note however that the academic was not approached to contribute or review the Terms of Reference. We think that the independent reviewer(s) should be given the opportunity to review the ToR as well as the draft report.

1.3. Reference period

⁷ See Council of Europe, [Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection](#), 26 June 2016, Article 37 (1), Article 38, and Annex I

⁸ See for example Asylum Research Consultancy (ARC)/Dutch Council for Refugees (DCR), [ARC and DCR comments on the EASO Country of Origin Information Reports on Pakistan: Security Situation, July 2016 and Afghanistan: Recruitment by armed groups, September 2016](#), 19 October 2016, pages 1 and 3

- 1.3.1. The initial collecting of information and drafting of the report took place between April and July 2016. An ‘extended’ cut-off date for research (15 September 2016) was added following the attempted coup in Turkey. This is a positive development. It is further welcomed that one additional report included post cut-off date was clearly identified, namely the November 2016 European Commission’s ‘Communication on EU Enlargement Policy’ report⁹.
- 1.3.2. However, it remains unclear whether this ‘extended’ cut-off date for research was only meant in relation to information included in chapter ‘6. The attempted military coup’ or whether research was conducted on the other issues covered in the report, but no information was deemed useful for inclusion.
- 1.3.3. Additional sources have been found at footnotes 734, 736, 752, 760 and 768, in chapter ‘6. The attempted military coup’ that were published post-cut-off date and where no mention is made to that effect. Furthermore, in two instances, footnotes 736 and 752, additional useful information was included in the footnote, where it can be easily overlooked, instead of the main body of the text [emphasis added]:

EASO Turkey report

(734) EC, Declaration by the High Representative on behalf of the EU on the latest developments in Turkey Press release, **8 November 2016**. [...]

(736) EC, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2016 Communication on EU Enlargement Policy, COM(2016) 715 final, 9 November 2016, p. 15. **The recommendations of the Commissioner are, amongst others, to ‘immediately start repealing the emergency decrees’, ‘to revert to the situation before the state of emergency as a matter of urgency’ and ‘render much more transparent the criteria to be retained to prove membership of FETÖ/PDY and other terrorist organisations’. Council of Europe Commissioner for Human Rights, Memorandum on the human rights implications of the measures taken under the state of emergency in Turkey, (CommDH(2016)35), 7 October 2016. [...]**

(752) Platform24, Journalists in State of Emergency – 16, 5 September 2016; The Guardian, Stop the press: Turkey’s crackdown on its media goes into overdrive, 29 August 2016. **As of 5 November 2016, 21 journalists had been released after being held as part of the coup [sic] probe under the State of Emergency, and 142 journalists were still in jail. Platform24, Journalists in State of Emergency – 27, 5 November 2016. [...]**

(760) Guardian (The), Turkish schools reopen after purge of teachers suspected of coup links, **19 September 2016**. [...]

(768) Hürriyet Daily News, CHP urges fair trial, cites 1 million sufferers in post-coup process, **20 September 2016**.

- 1.3.4. It is strongly recommended that for any future EASO reports the cut-off period be either extended to cover all issues addressed, or that specific mention is made that the ‘extension’ only applies to a particular section of the report.

⁹ See European Commission, [Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2016 Communication on EU Enlargement Policy, COM\(2016\) 715 final](#), 9 November 2016

1.4. Presentation of COI

1.4.1. As our previous responses to EASO consultations and comments on EASO Work Plans have indicated, we are particularly interested in the EASO COI methodology.¹⁰ We are pleased to note that the Turkey report does not ‘draw conclusions’ (as provided for in the COI Methodology report), or include distinct ‘summary’ or ‘analysis’ sections but clearly sets out its aim as “providing an objective and neutral information base (without assessment or policy recommendations) that will allow for more informed policy discussions”.¹¹

1.4.2. However, unlike more recent EASO COI reports, the Turkey report often summarises several reports in one sentence, making it unclear what information is EASO analysis, and what is a summary of COI, and also continues not to present the COI as direct quotes, with the exception of the November 2016 European Commission’s ‘Communication on EU Enlargement Policy’ report. To exemplify:

EASO Turkey report

[...] 3.2 Law enforcement and security forces

3.2.1 Police [...]

Abuse of power [...]

Human rights organisations report allegations of torture and abuse, especially of persons in police custody but not in a place of detention, and during demonstrations and transfers to prison, where such practices are more difficult to document (182). [...]

(182) FIDH/EuroMed Rights, High-Level Solidarity Mission to Turkey 20-24 January 2016, February 2016, p. 7; HRFT, Alternative report to the United Nations Committee Against Torture For Its Consideration of the 4th Periodic Report of Turkey, March 2016, pp. 1, 12-13; HRFT, Police Violence Targeted Human Rights Defenders and Peace Activists in İzmir, 2 February 2016; HRW, World Report 2016 - Turkey, 27 January 2016; US DoS, Country Reports on Human Rights Practices for 2015 -Turkey, 13 April 2016. [...]

In this instance, the sources are summarised as ‘alleging’ that torture has occurred whilst the actual reports actually document that torture and ill-treatment took place. See for example:

➤ [HRW, World Report 2016 - Turkey, 27 January 2016](#)

[...] Renewed Violence in the Southeast [...]

The breakdown in 2015 of the government-initiated peace process with Abdullah Öcalan, the imprisoned leader of the armed Kurdistan Workers’ Party (PKK), was accompanied by an increase in violent attacks, armed clashes, and human rights abuses in the second half of the year. The

¹⁰ See Asylum Research Consultancy/Dutch Council for Refugees, [Comments on the EASO Country of Origin Information report methodology](#), November 2012

¹¹ See EASO, [Turkey, Country Focus](#), November 2016, Introduction, page 13

latter included violations of the right to life, arrests of non-violent protesters and activists on terrorism charges, and ill-treatment of detainees. [...]

➤ [FIDH/EuroMed Rights, High-Level Solidarity Mission to Turkey 20-24 January 2016, February 2016](#)

[...] Torture and ill-treatment in detention

The Diyarbakır Bar association and other local human rights and lawyer associations reported to have met victims of torture and ill-treatment while in detention and to have lodged complaints on their behalf to the public prosecutor, which have yet to be investigated. The Şırnak local branch of the Human Rights Association (IHD) received 24 allegations of torture and directly gathered testimonies from detainees. They denounced that the prosecutor and judges did not take any measure to investigate these allegations. The Mesopotamian Lawyers Association reported cases of physical attacks, sexual harassment and even rape by security forces on detained protesters in Erzurum and Diyarbakır.

The father of a victim met during the mission explained that when he examined the body of his son at the morgue he noted that it presented marks of burns and rips as if he had been attacked by a dog and burnt with chemicals. Human rights organisations denounced that other corpses were found with eyes removed or ears cut off [...]

➤ [Human Rights Foundation of Turkey, Alternative report to the United Nations Committee Against Torture For Its Consideration of the 4th Periodic Report of Turkey, March 2016](#)

[...] II. ISSUES REGARDING ARTICLE 2

5. Issue on the allegations of torture or ill-treatment in unofficial places of detention (para.1): There has been a significant increase in cases of torture and other forms of ill treatment in places described as unofficial places of detention experienced in Turkey as police vehicles, home, workplace, confined areas, streets, areas of demonstrations and so forth since the Committee's last Concluding Observations. Although the Government of Turkey has stated in its Follow Up Report (CAT/C/TUR/CO/3/Add.1) that the requisite steps were taken, neither legislation nor new measures have been adopted in order to prevent these incidents. [...]

As can be seen in the Table 1 above the percentage of the applicants who had been tortured even just only in outdoors in terms of unofficial detention places reached its peak in 2013 with 48%. In 2014, it was slightly over the average of the last three years except 2013 (15% in 2011, 22 % in 2012, and the average is 19 %). In 2015 it is %42. Considering the current political atmosphere of Turkey, 2015 has also closed up 2013, which will be assessed below in light of the new period of state of emergency in Turkey [...]

The representation of "Sports Hall" as centres of torture during the military coups has been historically significant worldwide. In the beginning of 2016, on the 15th day of curfew that has been imposed in Silopi district of Şırnak province where Kurds are residing. Here, inhabitants were forced to leave their houses and sent to the Sports Hall of Silopi. More than hundreds of people were detained at the Hall and most of the young people were exposed to torture¹⁴. Mehmet Ernal (1987) is one of these people who were kept at the hall on 05 January 2016. He reported that he was punched and kicked to head, eyes, and rib. Tennis rockets were used as tools to beat him and also he was exposed to cold water where showers are located. There have been lots of incidents reported under the curfew areas including the places in front of their own houses, hospitals and in neighbourhood they live, have become the unofficial detention place where most of the citizens were exposed to torture or other forms of ill-treatment. [...]

➤ [US DoS, Country Reports on Human Rights Practices for 2015 -Turkey, 13 April 2016](#)

[...] c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit torture and other cruel, inhuman, or degrading treatment, but there were reports that some government officials employed them.

Human rights organizations continued to report allegations of torture and abuse, especially of persons who were in police custody but not in a place of detention, and during demonstrations and transfers to prison, where such practices were more difficult to document.

Prosecutors investigated allegations of abuse and torture by security forces during the year but rarely indicted accused offenders. The National Human Rights Institution (NHRI) is administratively responsible for investigating human rights violations, including allegations of torture, excessive use of force, or extrajudicial killings. Domestic human rights organizations claimed the NHRI's failure to follow through in investigating potential human rights violations deterred victims of abuse from filing complaints. Authorities regularly allowed officers accused of abuse to remain on duty during their trial.

Human Rights Watch (HRW) alleged in a report published in September that police abused detainees in August and September while responding to perceived security threats in the Southeast. It documented three cases in which police severely beat detainees, forced men to remain in kneeling positions for hours, and threatened them with torture and execution. In another case police detained a boy who had a severe gunshot wound and for several hours denied him medical treatment (see section 1.g.). Police in several parts of the country sometimes used disproportionate force to disrupt protests, often leading to injury (see section 2.b.).

Human rights groups alleged that although torture and mistreatment in police custody decreased following installation of closed-circuit cameras in 2012, police continued to abuse detainees outside police stations. On July 13, a media report included footage from security cameras showing police beating 24-year-old university student Tevfik Caner Ertay multiple times in 2013 during the Gezi Park protests before transporting him to a police station in the trunk of a police car. Ertay suffered multiple injuries, including a broken nose. Police perpetrators included some of the same officers later accused of killing fellow university student Ali Ismail Korkmaz (see section 1.d.).

Some human rights observers reported detainees often refrained from reporting torture and abuse because they feared retaliation or believed complaining to authorities would be futile. Human rights organizations documented cases of prison guards beating inmates and maintained those arrested for ordinary crimes were as likely to suffer torture and mistreatment as those arrested for political offenses, such as speaking out against the government. They also noted that some LGBTI persons, particularly gay men, were subject to police abuse and harassment on "moral" grounds (see section 6).

Through the first nine months of the year, the Ministry of Justice reported 98 investigations regarding allegations of torture, 26 of which resulted in indictments.

The HRA reported receiving hundreds of allegations of torture and excessive use of force, including 213 cases through September 21 that involved the alleged abuse of detainees. For example, on January 29, in Sirnak, police reportedly beat four citizens whom they had detained during raids of their homes.

The TNP reported that 383 officers were investigated or dismissed for a variety of disciplinary reasons, including rape, homicide, and other disciplinary issues like drug use, insubordination, and political engagement. The Ministry of Justice reported that

authorities conducted 510 investigations during the first nine months of the year into claims of excessive use of force and prepared indictments in 462 of them. [...]

Whilst we appreciate that the users of this Turkey report might prefer such an 'summary' approach, as our previous commentaries have highlighted, we continue to consider it better practice if source material is directly cited where possible, or at least that it is made clearer which position is attributable to which source and any divergences between the sources.

1.4.3. A previous suggestion of ours to include the page number and/or section heading of the original reports when citing sources has been implemented, although not consistently, throughout this Turkey report. When it has been included, in our view the user-friendliness and traceability of the COI included has been improved. However, we note that no hyperlinks have been included in the actual footnotes, as used to be the case in previous EASO COI reports. Instead the user needs to access the 'Bibliography' section, which makes it very cumbersome to trace the original source material.

1.4.4. Surprisingly, some prominent annual human rights reports, such as the U.S. Department of State 'Country Reports on Human Rights Practices for 2015' and Freedom House's 'Freedom in the World 2016' report were referenced as "n.d." i.e 'no date' when in fact the actual dates of publication can be easily Googled or found via www.ecoi.net: The U.S. Department of State's 'Country Reports on Human Rights Practices for 2015: Turkey' was published on 13 April 2016, whilst the Freedom House's 'Freedom in the World 2016: Turkey' chapter was published on 7 March 2016.

2. Format

2.1.1. In order to increase user-friendliness of the Turkey report it is recommended that both the 'Contents' link directly to the relevant sections within the report and that internal-hyperlinks are activated.

B. Observations and recommendations with regards to the COI included in relation to the July 2016 attempted coup

1. Referencing

1.1. It has been observed that some sources have either the wrong or no paragraph/page number included in the footnote. See for example [emphasis indicates the correct referencing]:

EASO Turkey report

[...] (290) EC, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2016

Communication on EU Enlargement Policy, COM(2016) 715 final, 9 November 2016, p. 16. **[should be 'pages 3 and 16']** [...]

(296) EC, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2016 Communication on EU Enlargement Policy, COM(2016) 715 final, 9 November 2016, p. **. **[should be 'p. 4']** [...]

(428) EC, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2016 Communication on EU Enlargement Policy, COM(2016) 715 final, 9 November 2016, p. **. **[should be 'p. 17']** [...]

(456) EC, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU Enlargement strategy, COM(2015) 611 final, 10 November 2015, pp. 6, 28-30. **[should be 'p. 17']** [...]

(497) EC, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2016 Communication on EU Enlargement Policy, COM(2016) 715 final, 9 November 2016, p. **. **[should be 'p. 16']** [...]

- 1.2.** In some occasions generalised statements were made without any direct reference. For example, in the sections of chapter 3.2 presented below, readers were suggested instead to consult section '6.2 The aftermath of the attempted coup'. However, limited specific COI about the treatment of police officers, judges, and journalists, as well as about the overcrowded prisons is included in section 6.2. For additional COI found in the public domain on the targeting of these particular groups and detention conditions consult section *C. Additional COI recommended in relation to the July 2016 attempted coup* in this commentary.

EASO Turkey report

[...] 3.2 Law enforcement and security forces

3.2.1 Police

Structure and capacity [...]

In the aftermath of the failed coup of July 2016, thousands of policemen were detained or removed from their positions. See 6.2 The aftermath of the attempted coup. [...]

3.3.2 Capacity and judicial integrity

Integrity

Independence [...]

In the aftermath of the failed coup of July 2016, scores of judges were suspended or jailed. See also 6.2 The aftermath of the attempted coup [...]

5.3 Detention [...]

The attempted coup and the state of emergency has aggravated the situation in prisons as tens of thousands of people accused of links with terrorism were arrested [...]

(see further 6.2 The aftermath of the attempted coup [...])

5.4.2 Journalists and media

Media and journalists linked to Fethullah Gülen have been particularly targeted. On 6 September 2016, two journalists have been acquitted in the framework of Erdogan's decision to drop cases on allegation of insulting the president (see also 5.2.1 Freedom of speech and 6.2 The aftermath of the attempted coup). [...]

- 1.3. In some occasions generalised statements were made without any direct reference. For example in one particular instance the events that took place in the evening of 15th July 2016 were presented without any reference.

EASO Turkey report

[...] 6. The attempted military coup

6.1 The events of 15-16 July 2016

On 15 July 2016, in the evening, a faction of the Turkish army launched an attempt to topple President Erdoğan. Two major bridges over the Bosphorus in Istanbul were closed, while armoured units were seen moving through the city. International airports of both Istanbul and Ankara also fell under the control of the plotters. In the sky over Ankara, fighter jets and helicopters were reported, and gunfire was heard. The prime minister announced that an attempt to overthrow the government by part of the military was under way. The chief of staff of the Turkish military, General Hulusi Akar, and several other highest military commanders were arrested and taken hostage by the coup plotters, and later rescued. After soldiers stormed its building, the state-run TRT announced that Turkish Armed Forces had ‘completely taken over the administration of the country to reinstate constitutional order’ and to protect democracy. A new constitution was to be prepared; curfew and martial law were imposed across the country. Later in the night, the parliament and presidential buildings were bombed and the Intelligence (MİT) headquarters was fired upon by helicopters. [...]

It can only be assumed that this was written with the assumption that as this paragraph relates to ‘general facts’ it does not require referencing. However, considering the contradicting messages, the uncertainty about the situation on the ground and the rapidly changing sequence of events on the night of the attempted coup, references would have been welcomed. It also stands in stark contrast with point 1.5 where ‘over-referencing’ was observed.

- 1.4. In another instance, the COI presented without any reference could be traced back to an article by the New York Times:

EASO Turkey report

[...] 6. The attempted military coup [...]

6.2.5 Popular and political support

After the coup attempt, Erdoğan’s supporters gathered in Taksim Square (Central Istanbul) night after night to celebrate the failed coup [...]

- [The New York Times, Erdogan Seizes Failed Coup in Turkey as a Chance to Supplant Ataturk, 7 August 2016](#)

[...] **Night after night** since the coup attempt, **Mr. Erdogan’s supporters**, at his urging, **have gathered in Taksim Square in central Istanbul to celebrate having saved the nation**. Ottoman-era music blares, and vendors sell Turkish flags, T-shirts bearing Mr. Erdogan’s face and watermelon slices. To make it easier for people to attend, public transportation has been free. [...]

- 1.5. There were also examples of ‘over-referencing’. For instance the following sentences had respectively four and three sources referenced, whilst one or two would have been sufficient to corroborate the analysis made. This criticism also relates back to our point made at 1.3.2 above

where summarising several articles in one sentence makes tracing back to the original source so much more cumbersome.

EASO Turkey report

[...] 6. The attempted military coup

6.1 The events of 15-16 July 2016 [...]

The President's call was followed by thousands of supporters who marched in Istanbul and Ankara to oppose the coup, and in some cases confronted soldiers and tanks (694). [...]

Later in the night, and in the early hours of next day (16 July), troops involved in the coup started surrendering, while security forces were able to take back key installations and bases (700). [...]

(694) *Al Jazeera, Turkey timeline: Here's how the coup attempt unfolded, 16 July 2016; BBC, Turkey's coup attempt: What you need to know, 17 July 2016; New York Times, Erdogan Triumphs After Coup Attempt, but Turkey's Fate Is Unclear, 17 July 2016; The Guardian (UK), Turkey coup attempt: Erdoğan demands US arrest exiled cleric Gülen amid crackdown on army – as it happened, 16 July 2016. [...]*

(700) *Al Jazeera, Turkey timeline: Here's how the coup attempt unfolded, 16 July 2016; BBC, Turkey's coup attempt: What you need to know, 17 July 2016; The Guardian (UK), Turkey coup attempt: Erdoğan demands US arrest exiled cleric Gülen amid crackdown on army – as it happened, 16 July 2016. [...]*

- 1.6.** In the following examples sources were included in the footnotes that had no relation to the actual sentence they were cited for [strikethrough added to emphasise the point]:

EASO Turkey report

[...] 6. The attempted military coup

6.1 The events of 15-16 July 2016 [...]

It is estimated that more than 200 people died in the clashes and at least 1 440 were wounded (702). [...]

6.2 The aftermath of the attempted coup [...]

According to the prime minister, cited by a press report of 19 August 2016, 40,029 state employees have been detained since the night of the coup attempt, of whom 20,355 have been formally arrested. Of those in detention, 4,262 are awaiting a decision on whether they will be formally arrested or released. The overwhelming majority of those arrested are police officers and military staff, including 157 generals. Furthermore, 4 262 institutions have been closed (~~of which about 2 000 schools, 1 200 associations – clubs, trade groups, NGOs and 100 charities~~) (710).

The passports of 75 000 people had been cancelled to prevent them from leaving the country (711).

6.2.3 The media [...]

Twenty news websites, for the most part allegedly close to the Gülen movement, were shut down (743). [...]

6.2.5 Popular and political support [...]

During this rally, Erdoğan declared that if parliament approved the reintroduction of the death penalty he would enthusiastically sign it into law (765). [...]

(702) *Al Jazeera, Turkey timeline: Here's how the coup attempt unfolded, 16 July 2016; ~~BBC, Turkey coup arrests hit 6,000 as Erdogan roots out 'virus', 17 July 2016; New York Times, Erdogan Triumphs After Coup Attempt, but Turkey's Fate Is Unclear, 17 July 2016; The Guardian (UK), Turkey coup attempt: Erdoğan demands US arrest exiled cleric Gülen amid crackdown on army – as it happened, 16 July 2016. Hürriyet Daily News, 208 people killed by coup attempters: Turkey's PM, 18 July 2016; UN News Centre, UN human rights chief urges Turkey to uphold rule of law in response to attempted~~*

coup, 19 July 2016. [...]

(710) The Guardian, Turkey's post-coup crackdown – in figures, 19 August 2016.

(711) The Guardian, Turkey's post-coup crackdown – in figures, 19 August 2016; Independent, Turkey coup attempt: Government cancels 50,000 passports as global concern grows over crackdown, 30 July 2016.

(743) HRW, Turkey: Protect Rights, Law After Coup Attempt, 18 July 2016; ~~Al, Turkey: Independent monitors must be allowed to access detainees amid torture allegations, 24 July 2016. [...]~~

(765) ~~New York Times, Erdogan Seizes Failed Coup in Turkey as a Chance to Supplant Ataturk, 7 August 2016; CNN, Turkey's Erdogan tells million-strong unity rally: I support death penalty, 8 August 2016.~~

- 1.7.** The following information was referenced with three sources, two of which had no relation to the actual sentence and one was in French. The information included was taken from the French article but no explanation was provided as to who provided the translation. It is recommended that if non-English sources are used in a predominantly English report and translated by the author, this be made clear in the footnote [strikethrough added to emphasise the point]:

EASO Turkey report

[...] 6. The attempted military coup [...]

6.1 The events of 15-16 July 2016 [...]

CHP invited the ruling party AKP members to join its anti-coup rally in Istanbul on 24 July (697). [...]

(699) ~~New York Times, Erdogan Triumphs After Coup Attempt, but Turkey's Fate Is Unclear, 17 July 2016; BBC, Turkey's coup attempt: What you need to know, 17 July 2016; Observatoire de la vie politique turque, Turquie: les enjeux de «l'après-coup d'Etat», by Jean Marcou, 20 July 2016.~~

2. Use of COI

- 2.1.1. In the following paragraph additional information found in the original source on the number of civil servant dismissals and suspensions would have been useful to include in the Turkey report:

EASO Turkey report

[...] 6. The attempted military coup [...]

6.2 The aftermath of the attempted coup [...]

According to the prime minister, cited by a press report of 19 August 2016, 40,029 state employees have been detained since the night of the coup attempt, of whom 20,355 have been formally arrested. Of those in detention, 4,262 are awaiting a decision on whether they will be formally arrested or released. The overwhelming majority of those arrested are police officers and military staff, including 157 generals. Furthermore, 4 262 institutions have been closed (of which about 2 000 schools, 1 200 associations – clubs, trade groups, NGOs and 100 charities) (710)

(710) The Guardian, Turkey's post-coup crackdown – in figures, 19 August 2016.

➤ [The Guardian, Turkey's post-coup crackdown – in figures, 19 August 2016](#)

[...] Tens of thousands of people have been dismissed from their posts in a purge of state and civic institutions. In addition to the sackings, almost 80,000 civil servants have been suspended, including thousands of teachers and academics. [...]

In our view it would have been useful for the Turkey report to have highlighted the divergence in numbers of those suspended and/or arrested according to different sources, and how this developed over time.

2.1.2. In the following paragraph a statement was made about figures of dismissals, suspension and arrests rising further in August and September 2016, despite only referencing two sources published early August [emphasis added]. This is despite such information being available in the public domain up to the cut off point for this report, 15 September 2016. For additional COI found in the public domain on statistics available in September 2016 see section [C. Additional COI recommended in relation to the July 2016 attempted coup](#) in this commentary.

EASO Turkey report

[...] 6. The attempted military coup [...]

6.2 The aftermath of the attempted coup [...]

Figures from other press sources indicate that these figures rose further in **August and September**. People affected by dismissal, suspension or arrest were governors, military staff, police, judges and other members of the judiciary, teachers at private and governmental schools, deans and professors at universities, ministry staff, Diyanet staff (the religious affairs directorate), journalists, employees of the Turkish airlines and football federation. (709) [...]

(709) BBC, *Turkey coup attempt: Who's the target of Erdogan's purge?*, 20 July 2016; *Observatoire de la vie politique turque, Turquie: les enjeux de «l'après-coup d'Etat»*, by Jean Marcou, 20 July 2016; BBC, *Turkey coup attempt: Police and officials purged*, 18 July 2016; AI, *Turkey: Human rights in grave danger following coup attempt and subsequent crackdown*, 18 July 2016; RFE/RL - Radio Free Europe/Radio Liberty: *Turkey Formally Charges 99 Generals, Admirals For Coup Attempt*, 20 July 2016; TRT, *Gülen-linked staff fired from Turkish Football Federation*, **3 August 2016**; *Hürriyet Daily News*, *1,500 more judges and prosecutors to be suspended from judiciary*, **9 August 2016**.

2.1.3. The cut-off date for the Turkey report was 15 September 2016. However, unfortunately most statistics included in the report were from mid-August [emphasis added]:

EASO Turkey report

[...] 6. The attempted military coup [...]

6.2 The aftermath of the attempted coup [...]

According to the prime minister, cited by a press report of **19 August 2016**, 40,029 state employees have been detained since the night of the coup attempt, of whom 20,355 have been formally arrested. Of those in detention, 4,262 are awaiting a decision on whether they will be formally arrested or released. The overwhelming majority of those arrested are police officers and military staff, including 157 generals. Furthermore, 4 262 institutions have been closed (of which about 2 000 schools, 1 200 associations – clubs, trade groups, NGOs and 100 charities) (710) [...]

6.2.2 The justice sector [...]

The Minister of Interior later announced that by **27 July [2016]** 1684 judges and prosecutors had been jailed (740). This number has risen to 2 131 as of 19 August 2016 (741). [...]

(710) *The Guardian, Turkey's post-coup crackdown – in figures, 19 August 2016. [...]*

(741) *The Guardian, Turkey's post-coup crackdown – in figures, 19 August 2016. [...]*

It is recommended that in future the latest statistics available shortly before the cut-off date be included in order to provide the most up-to-date picture possible.

For up-to date information on the purge, including articles and statistics on the extent of the post-coup purge by profession, see www.turkeypurge.com, which according to its founders, is a “small group of young journalists”, which was established “with the aim of tracking the extensive witch-hunt in Turkey”.¹²

Within the cut-off date for the Turkey report, the following article is an example of a source available containing the latest (official) figures on the purge of civil servants:

➤ [Associated Press, Turkey dismissed more than 40,000 civil servants, 2 September 2016](#)

The Turkish government announced Friday that nearly 43,000 people have been expelled from their jobs in public institutions for alleged ties to terror organizations endangering national security in the wake of an aborted coup in July [...]

Some 35,000 people have been detained for questioning and more than 17,000 of those have been formally arrested to face trial, including soldiers, police, judges and journalist

2.1.4.A very brief mention was made about the arrest of businessmen suspected of financing the Gulen movement and about the treatment of family members of journalists. However, no additional information was included about the targeting of other business owners or the general targeting of family members of anyone suspected of assisting or supporting the Gulen movement and/or perceived to be in opposition to the current government. For such information see section [C. Additional COI recommended in relation to the July 2016 attempted coup](#) in this commentary.

EASO Turkey report

[...] 6. The attempted military coup [...]

6.2 The aftermath of the attempted coup [...]

On 8 September, arrest warrants were issued for 114 businessmen, accused of financing the Gülen movement (713). [...]

6.2.3 The media [...]

On 3 September, police at Atatürk Airport seized the passport of Dilek DüNDAR, wife of former Cumhuriyet Editor-in-chief Can DüNDAR. This has raised concerns regarding the treatment of relatives of suspected journalists (754). [...]

(713) *Daily Shabah, Arrest warrants issued for 114 businessmen for financing Gülenist terror cult, 8 September 2016. [...]*

(754) *Platform24, Journalists in State of Emergency – 16, 5 September 2016. [...]*

¹² See TurkeyPurge, [Who We Are](#), Undated [Accessed: 1 December 2016]

3. Content

3.1.1. It is surprising to find a section on '6.2.5 Popular and political support' as it is unclear how the information included will assist in an assessment as to the applicability of the safe country of origin concept to Turkey.

3.1.2. The position of returnees, which is a topic included in the Terms of Reference, is not discussed in the report. We recommend that should no such information have been obtained, that then EASO explicitly mentions this in the report.

C. Additional COI recommended in relation to the July 2016 attempted coup

1. The Turkey report provides limited specific information on the latest statistics (available within the reference period for the report) on the scale of the government's purge, the deterioration in the rule of law, access to justice, and situation of detainees following the massive number of arrests, as well as the specific treatment of perceived or actual members or associates of the Gulen movement and their family members, perceived or actual opponents of the current government, ethnic minorities, government officials, civil servants, police officers, judges and prosecutors, teachers and academics, clerics, journalists and media professionals, business owners and family members of those targeted following the attempted coup.
2. ARC has recently published a '[Turkey Country Report](#)' which contains extensive COI up to 7th October 2016 on the main legislative and political developments, changes to the rule of law and access to justice, the human rights situation, and the targeting of particular sections of society under the purge, since the attempted coup.¹³ [N.B. An updated report will be published end of January 2017]

¹³ Asylum Research Consultancy (ARC), [Turkey Country Report](#), 15 December 2016