

Federal Office for Migration and Refugees

Briefing Notes Summary

Group 62 – Information Centre for Asylum and Migration

Türkiye – July to December 2024

31 December 2024

01 July 2024

Allegations of abuse against Istanbul police

According to media reports, on 27.06.24 a group of ten plainclothes police officers abused a male and a female lawyer in the organised crime department of Istanbul's main police station when the lawyers tried to provide legal assistance to their clients, who are said to have previously experienced violence at the station as well.

The two lawyers suffered injuries and filed a complaint against the officers at Istanbul's Çağlayan Court. In addition to the claim for assault, the male lawyer also filed a claim for theft, as money had been stolen from his colleague's wallet. According to their statements, neither lawyer had been given access to their two clients. One client has since been released. The fate of the other client is not known.

Human rights groups regularly accuse the Turkish judiciary of granting impunity to law enforcement officials accused of involvement in incidents of disproportionate use of force, misconduct, ill-treatment and torture, despite sometimes extensive evidence.¹

Arrest warrant for YouTuber

After two people discussed Sharia law on the video portal YouTube on 14.06.24, the Istanbul Public Prosecutor's Office issued an arrest warrant against Diamond Tema, a Turkish YouTuber with Albanian roots, on 16.06.24. According to the Presidential Office and the Minister of Justice, Yılmaz Tunç, Tema is being investigated for incitement to hatred and insulting religious values. Tema had offended the religious feelings of the population with his statements about the Prophet Mohammed, they said.

Tema, who describes himself as agnostic, had a discussion with the national-conservative influencer Asrin Tok on 14.06.24. During the discussion, Tok stated that he considered Sharia law to be a better system than democracy. The marriage of the Prophet Muhammad to his wife Aisha was also discussed in the conversation. According to some Islamic sources, Aisha was six years old when she was engaged to Muhammad and nine years old when the marriage was consummated. According to media reports, the treatment of the topic triggered death threats against Tema and his family. In response, Tema uploaded further videos to YouTube to explain that he had not committed any offence, had not used any insults and had merely quoted hadiths from recognised hadith collections.

Tema is currently in Albania and only wants to return to Turkey when the situation has calmed down, the reports said.²

08 July 2024

Ban on Pride parade in Istanbul

According to media reports, several hundred people participated in a LGBTIQ Pride march in Istanbul on 30.06.24 despite a ban. The governor of Istanbul had banned a Pride parade on 30.06.24 on the grounds that "illegal groups" wanted to hold a protest march without permission. The governor's office then declared that the area around Taksim Square and some metro stations had been closed on 30.06.24. According to press reports, police broke up the protest after ten minutes; 15 participants were temporarily detained and released the same evening.

According to a Rainbow Europe Map for 2023 published by ILGA, the global umbrella organisation of lesbian, gay, bisexual, trans and intersex organisations, Türkiye ranks 48th out of 49 countries in terms of human rights for LGBTIQ people.³

Anti-Syrian riots in Türkiye

During riots in the Turkish city of Kayseri on 30.06.24, shops, houses and cars belonging to Syrians were burnt down. According to press reports, xenophobic slogans were shouted during the riots. On 01.07.24, Syrian businesses were also attacked in other cities and provinces, such as Hatay, Gaziantep and Bursa. The riots broke out after a video allegedly showing a Syrian man sexually abusing a seven-year-old Syrian girl in Melikgazi, a township of Kayseri, surfaced on the internet. The authorities announced that the alleged perpetrator had been arrested and the girl had been taken into state guardianship.

Interior Minister Ali Yerlikaya stated that the people who had gathered in Kayseri and caused the unrest had acted illegally and in a way that was not in keeping with "our human values". President Erdoğan also condemned the violence and xenophobia. In addition, the Kayseri Chief Public Prosecutor's Office said an investigation was underway into the incident and the social media users who shared provocative posts during the incident.

In this matter, Minister Yerlikaya announced on 05.07.24 that 855 people had been taken into custody in Kayseri and 1,065 people throughout Türkiye. A total of 41 people were arrested and 187 were placed under judicial control measures. Of those arrested, 468 had criminal records for 50 different offences, including theft, looting, sexual abuse and smuggling.

According to press reports, a 17-year-old Syrian was fatally stabbed by three people in Antalya on 02.07.24. According to the police, the alleged perpetrators were minors with criminal records and it is being investigated whether there was a racist motive. Furthermore, according to media reports, all the personal data of Syrian refugees in Türkiye, such as names, addresses, passport details and phone numbers, were leaked on a widely used messaging app during the night of 05.07.24. The Ministry of the Interior confirmed the data leak and the disclosure of the personal data of more than 3.3 million Syrian refugees on 05.07.24. According to the Directorate General for Migration Management, the disclosure constitutes a serious breach of privacy and security, and action is being taken against it. A 14-year-old person has been arrested in connection with this incident. The person had offered to pass on the information to interested parties via their social media account, the Directorate General said.⁴

15 July 2024

Broadcasting licence for Açık Radyo revoked

According to media reports, the Supreme Radio and Television Council (RTÜK) revoked the broadcasting licence of the independent radio station Açık Radyo (Open Radio) on 03.07.24 because it had referred to the Armenian genocide in one of its broadcasts and had subsequently not complied with a five-day broadcasting ban.

Açık Radyo broadcasts from Istanbul and had already been subject to RTÜK sanctions on 22.05.24 due to a guest speaker's statement regarding the genocide in a programme on 24.04.24, Armenian Genocide Remembrance Day. The sanctions included a five-day broadcasting ban and a fine of 189,000 TL (approx. EUR 5,255; as of 15.07.24). The guest, a political scientist, explained in the programme that the commemoration of the Armenian genocide will be banned in Türkiye. He said that the Turkish government denied a deliberate policy of genocide and in its statements pointed out that the term had not been legally defined at the time. When announcing the revocation RTÜK explained that the guest speaker had openly used the term "genocide" during the interview and that the programme presenter had failed to correct him in accordance with the principles of responsible reporting. As a result, RTÜK found that the exchange had the potential to fuel hatred and enmity among the population.

The broadcaster then declared that it had taken legal action before an administrative court to challenge RTÜK's sanctions. Also the NGO Reporters Without Borders (RSF) criticised the Broadcasting Council's decision and called on it to uphold media pluralism. According to media reports, other international NGOs that campaign for press freedom, such as the International Press Institute (IPI), PEN International and Freedom House, have condemned RTÜK's decision as well. On 10.07.24 Açık Radyo announced on its website that an administrative court in Istanbul had stayed RTÜK's decision to withdraw its broadcasting licence. However, the proceedings against the broadcaster are still ongoing and RTÜK can apply for this decision to be annulled, the station said.⁵

Prison sentences for media professionals

According to a report published in the Turkish daily Birgün on 08.07.24, a total of 515 media professionals were prosecuted in the first six months of 2024. 36 of them were sentenced to prison terms or fines. In addition, 32 news websites were shut down and access to 3,747 news reports was blocked. According to Birgün, 41 media professionals are currently in prison.

Among the detainees are eight Kurdish journalists who were sentenced to six years and three months in prison on 03.07.24 because, according to the Fourth High Criminal Court in Ankara, they are alleged to have links to the PKK and were therefore convicted of membership of a terrorist organisation. In addition, on 10.07.24, the Turkish-Armenian journalist Hayko Bağdat, who lives in Germany, was sentenced in absentia to a 14-month suspended sentence for insulting President Erdoğan. Türkiye ranks 158th out of 180 countries in RSF's World Press Freedom Index, which is published annually on 03 May to mark World Press Freedom Day (cf. BN of 06.05.24).⁶

22 July 2024

Court of Cassation confirms prison sentences for alleged leaders of the 2016 coup attempt

According to media reports of 17.07.24 and 18.07.24, on 17.05.24 the Court of Cassation completed the appeal review for the generals and admirals convicted in connection with the coup attempt of 15.07.16. The verdicts of the 17th High Criminal Court in Ankara on 20.06.19 in the amount of 138 aggravated life prison sentences for 17 defendants, including the former commander of the Air Force, Akın Öztürk, who were tried as the main perpetrators and leaders of the coup attempt, were confirmed in a 757-page verdict. The Court of Cassation also decided to approve the sentences of the defendants for 416 years imprisonment each for 26 counts of attempted premeditated murder.

According to Justice Minister Yılmaz Tunç, a total of 705,172 people have been investigated for their suspected links to the Gülen movement in the course of the attempted coup since 2016. 125,456 people have been convicted and 13,251 of them are still in prison.⁷

Human rights situation in Kurdish-majority provinces

The Diyarbakir branch of the Turkish human rights organisation İnsan Hakları Derneği (İHD) published a report on human rights violations in eastern and south-eastern Türkiye on 17.07.24. The report covers the period from the beginning of January to the end of June 2024. According to the report, 3,895 rights violations occurred during this period. These include violations of the right to life, freedom of expression, freedom of assembly, prisoners' rights and the political rights of the Kurdish minority living in the affected regions. According to the report, at least 98 people, including minors, were mistreated by law enforcement officers. IHD stated that the authorities' restrictions on freedom of expression had led to the detention of 1,164 people, including 88 minors. Of those detained, 56 people were sentenced, including media professionals. The authorities also banned 56 public events and forcibly dispersed 34 gatherings.

According to IHD, three inmates died of illness in the prisons. The authorities had denied 116 inmates access to medical care. In addition, the political rights of the Kurdish minority have been restricted as the mayor of Hakkari, who was elected in the last local elections on 31.03.24 (cf. BN of 08.04.24), has been removed from office and four other mayors have been investigated by the authorities. Furthermore, travel bans were imposed on nine Kurdish mayors, IHD said.⁸

29 July 2024

Arrest of 73 suspected members of the Gülen movement

On 22.07.24, Interior Minister Ali Yerlikaya announced that the police had arrested 73 people in 16 provinces for alleged links to the Gülen movement.

Yerlikaya went on to say that those arrested included people who had been involved in the alleged infiltration of the police by the Gülen movement by stealing questions for the staff admission examination. Some people had been arrested due to evidence based on payphone recordings. The detainees were also identified as users of the messaging app ByLock, it was said.

According to media reports, the authorities are continuing to prosecute people for using ByLock, even though the European Court of Human Rights (ECtHR) ruled in a landmark judgement on 26.09.23 that the use of this app could not be considered evidence. The Court criticised the use of the encrypted app ByLock as arbitrary evidence and also found that the necessary guarantees for a fair trial were not met. Since January 2016, the app has no longer been available in Apple and Google's official app stores but its use prior to the attempted coup on 15.07.16 is still being used as evidence in court proceedings concerning the Gülen movement.

According to media reports, the so-called "payphone investigations" are based on call recordings. The public prosecutor's office assumes that a member of the Gülen movement used the same payphone to call all of his contacts one after the another. If a suspected member of the movement appears in the call lists, it is assumed that the other numbers called immediately before or after this one also belong to people with Gülen connections.

According to media reports, the Turkish authorities ordered a total of 5,543 police operations relating to the Gülen movement between June 2023 and June 2024 and arrested 1,595 people with links to the Gülen movement.⁹

05 August 2024

Censorship of social media platforms

According to media reports, access to the social network Instagram was blocked on 02.08.24. The Information Technology and Communications Authority (BTK) did not give any reasons for the blockage. According to AFP news agency, President Erdoğan's communications director, Fahrettin Altun, is said to have levelled accusations of censorship against Instagram. On 31.07.24, he had accused Instagram of preventing people from posting condolence messages for Ismail Haniyeh, the chairman of the Hamas politburo who died in Tehran on 31.07.24., on the platform.

According to information allegedly provided to a news site by BTK employees, Instagram is said to have violated the so-called catalogue of offences. These offences include "insulting Atatürk" and "sexual abuse of children". According to a BTK employee, such content had been accessible on Instagram which was consequently blocked. According to press reports, around 57 million users are registered on Instagram in Türkiye.

A ruling by the Constitutional Court declaring certain powers of the Directorate of Presidential Communications, such as interference with freedom of expression and freedom of the press, invalid was removed from the Constitutional Court's website on 02.08.24. This caused opposition media to accuse the government of censorship. According to the Turkish Association for Freedom of Expression (İFÖD), the e-book platform Wattpad was banned on 12.07.24 by a decision of the 10th Criminal Court in Ankara. The ban, the detailed reasons for which were not disclosed by the authorities, has been in force since 16.07.24. The ban was preceded by criticism of conservative groups on social media of the content available on Wattpad. A founding member of the İFÖD publicly stated that it was not clear whether Wattpad had been blocked to protect children from harmful content or to protect public order in Türkiye.

According to the İFÖD, access to a total of 953,415 websites and domain names was blocked in Türkiye in 2023 as a result of 821,285 different decisions from 833 institutions and judicial authorities.¹⁰

12 August 2024

Instagram blocking lifted

According to media reports, the Information Technology and Communications Authority (BTK) lifted the ban on Instagram imposed on 02.08.24 (cf. BN of 05.08.24) on 10.08.24. The Minister of Transport and Infrastructure, Abdulkadir Uraloğlu, announced on 10.08.24 that Instagram representatives had agreed to comply with the authorities' demands.

According to Uraloğlu, the authorities had demanded that Instagram delete thousands of posts relating to gambling, drugs and child abuse. In addition, Instagram's parent company Meta had agreed to comply with Turkish law and ensure the removal of posts and content if they contained elements of certain criminal offences, such as insulting the founder of the state Atatürk, or terrorist propaganda. Meta denied having not been in compliance previously and stated that in the first half of 2024 it had already deleted around 2,500 posts at the request of the Turkish authorities.¹¹

Arrests of Kurdish wedding guests

According to press reports, the police arrested five people on 05.08.24 for allegedly singing Kurdish-language songs at a wedding in Osmaniye province, performing the folk dance "Halay", which is associated with the Kurdish minority, and decorating the wedding cars with yellow and red streamers.

Among those detained were the two co-chairs of the Osmaniye district's Equality and Democracy Party (DEM). The arrests follow recent police operations in the provinces of Istanbul, Aydın, Mersin, Ağrı, Siirt, Batman and Hakkari, in which more than 30 people were arrested on similar charges. According to press reports, a total of eleven people were arrested on 27.07.24 for allegedly carrying out "propaganda for terrorist organisations" at various weddings in Istanbul, as an Istanbul court described it. In Hakkari, wedding celebrations were raided on 28.07.24 because Kurdish songs were played and danced to. According to reports, an unknown number of musicians and wedding guests were arrested during the raids on the charge of "propaganda for a terrorist organisation".¹²

Removal of Kurdish-language traffic signs

According to press reports, on the instructions of the governor's office Kurdish-language road signs were once again removed in Diyarbakır province on 05.08.24. The Ministry of Interior had issued a directive on 26.07.24 stipulating that all traffic signs had to comply with the standards set by the Turkish General Directorate of Motorways (KGM). As a result, the governors of several eastern provinces ordered the removal of Kurdish-language road signs since they were non-incompliant with traffic marking standards. The KGM had ordered the removal of the Kurdish-language road signs on instructions of the ministry, but the local governments had reinstalled the signs first in Van and then in Diyarbakır, Batman and Mardin. The signs have now been removed a second time in Diyarbakır.

According to the deputy chairman of the Diyarbakır Bar Association, there are no legal obstacles preventing local governments from offering public services in different languages, and there have been warning signs in Kurdish in Diyarbakır for 15 years. The removal of road signs in Kurdish was preceded by attacks on those same road signs in Diyarbakır and Van. According to media reports, several people, including a 16-year-old, defaced pedestrian signs and pedestrian crossing signs written in Kurdish on 29.07.24. The sentence "Türkiye is Turkish and will remain Turkish" was written on one sign.¹³

19 August 2024

Suspected arrest and ill-treatment of six Kurdish youths

According to media reports, six Kurdish teenagers were arrested by the police in the city of Yüksekova in the province of Hakkari on 31.07.24. The youths told media representatives that they were mistreated by the police and kept in custody until 03:30 in the morning. According to their own statements, the youths were arrested because they had resisted the arrest of a friend during an identity check. They said they had been repeatedly hit on the head and insulted by police officers when they were questioned in a police car. One of the youths told a daily newspaper that he had been abandoned on a bypass road outside Yüksekova. After returning home, he went to the hospital and received a medical report documenting the assault.

According to press reports, the families and lawyers of the young people contacted the local police headquarters on the day of the arrest. They were told that the young people were not there and that there were no citizens at the station who had been arrested by police units.

According to media reports, three members of parliament from the Peoples' Emancipation and Democracy Party (DEM) submitted a parliamentary question to the government about the allegations on 01.08.24. The question pointed out that the young people had been left several kilometres outside the city with bloodstained clothing. The question further stressed that the youths' claim that they were taken away by the police, abused in a police car and not taken to a police station, indicated that legal procedures for arrests had not been followed.

On 02.08.24, the local branch of the DEM in Yüksekova organised a rally against the alleged police violence. One of the three DEM deputies stated at the rally that the ill-treatment of two youths had been confirmed by medical reports. However, according to him, the Ministry of the Interior and the Governor's Office stated that they had not been informed about the matter and that the police had not taken any such measures.¹⁴

26 August 2024

Three people arrested for listening to Kurdish music

According to media reports, three Kurdish construction workers were arrested in the city of Balıkesir on 21.08.24 for allegedly listening to Kurdish music in a park. The three men were approached by police officers in Atatürk Park who demanded to see their ID cards. The workers said that when they refused to hand over their ID cards, they were beaten by the police officers and taken into custody. Bystanders also joined in the attack on the Kurdish men. Furthermore, according to press reports, the detainees were denied the opportunity to receive medical reports documenting the injuries they had sustained. After being held overnight, the three men were taken to the Balıkesir courthouse on 22.08.24.

They are accused of "propaganda for a terrorist organisation" and "resisting the police" and have been ordered to be remanded in custody. On 23.08.24, a member of parliament from the DEM party submitted a parliamentary question about the incident in which she asked whether listening to music in Kurdish was prohibited.¹⁵

02 September 2024

Minors charged with insulting the president

According to media reports, the Istanbul public prosecutor's office on 18.08.24 brought charges against a 16-yearold girl for allegedly insulting President Erdoğan.

According to press reports, the minor had already been taken into custody on 12.05.24 after one of the president's bodyguards had accused her of insulting his convoy as it drove past a pedestrian crossing. In her statement, the teenager explained that she had not known that this vehicle had been part of the president's convoy. She denied any intention to insult the president or any other official.

After her one-day detention in May 2024, an Istanbul criminal court released the young woman under judicial supervision and ordered her to report to a police station once a week and banned her from leaving the country.

Throughout 2023, 972 minors were investigated under Articles 299 and 301 of the Turkish Penal Code relating to insulting the president and other public officials. According to official data from the Ministry of Justice, a total of 6,879 people were charged with allegedly insulting President Erdoğan or his government in 2023. Of these, 1,602 were convicted, 1,982 received suspended sentences and 1,774 were acquitted.¹⁶

09 September 2024

NGO reports on torture and ill-treatment

The human rights organisation İnsan Hakları Derneği (İHD) published its annual report on human rights violations for the year 2023 on 23.08.24.

According to the report, a total of 5,312 people were tortured or ill-treated by security forces in 2023. It also states that 348 people were tortured or ill-treated in police custody, while 733 people were subjected to such treatment

outside of detention centres. In addition, 16 people were tortured or ill-treated by so-called village guards or security guards. Furthermore, 594 detainees reported cases of torture or ill-treatment in detention centres.

According to the report, 3,487 people were beaten or injured during public protests when security forces intervened. This category represents the largest number of recorded assaults.

During the 80th session of the UN Committee against Torture (CAT) from 08.07. to 26.07.24, more than 40 NGOs submitted reports criticising torture and ill-treatment as well as the widespread impunity for security forces allegedly responsible for torture and ill-treatment as described in their reports. The reports accused Turkish authorities of using torture as a means of forcing confessions or intimidating political activists, media workers and members of the Kurdish minority. The reports on ill-treatment also refer to the conditions of detention. Inhumane conditions such as overcrowding in detention centres, denial of medical care and arbitrary solitary confinement to which political prisoners may be subjected are specifically addressed. In its fifth report on the situation in Türkiye dated 18.07.24, the CAT acknowledged and confirmed the statements made by the NGOs. The CAT report also outlines inadequacies in the legal framework concerning torture and ill-treatment. While the Turkish constitution explicitly prohibits torture, other offences are inadequately covered. As an example, the report cites the fact that the Turkish Criminal Code does not explicitly prohibit confessions extracted under torture.¹⁷

16 September 2024

Arrest of suspected members of the Gülen movement

According to media reports, a total of 34 people were arrested in 19 provinces on 05.09.24 for alleged links to the Gülen movement. The arrests took place across the country. Interior Minister Ali Yerlikaya stated that the detainees included people who were allegedly involved in the infiltration of the military by the Gülen movement as well as people who had used the messaging app ByLock, which the authorities have linked to the Gülen movement. The detainees also included people accused of secretly communicating with their contacts within the Gülen movement via payphones. Furthermore, people whose convictions relating to links with the Gülen movement had been confirmed by the Supreme Court of Appeal and who were still at large, were arrested.

According to press reports, 20 suspected members of the Gülen movement were arrested in eleven different provinces on 28.08.24. According to Interior Minister Yerlikaya, the suspects were also arrested for using ByLock and payphones and for allegedly infiltrating the military as presumed members of the Gülen movement.¹⁸

23 September 2024

Newspaper report on the creation of forged UYAP documents

As the news website Serbestiyet reported on 19.09.24, it may happen that people smugglers create fake legal documents which are later displayed on UYAP, Türkiye's national judicial information system. This method shall permit the manipulation of asylum applications of Turkish nationals seeking refuge in Europe.

According to Serbestiyet, some smugglers openly advertise their services on social media platforms such as TikTok and Facebook. They offer comprehensive packages containing forged indictments, arrest warrants and invented persecution stories for fees of up to 6,000 US dollars. The documents falsified by the smugglers are then shown in UYAP in the proceedings of the refugees from Türkiye, the news website said. Turkish law firms interviewed by Serbestiyet confirmed that these forged documents appear authentic and official. Examples of forged documents include membership cards of a pro-Kurdish party (HDP), official medical certificates of assaults, search warrants, arrest warrants and indictments. A video shared by a smuggler interviewed by Serbestiyet showed more arrest warrants and other legal documents that had been uploaded to UYAP. According to Serbestiyet, it remains unclear whether these are forged documents or whether they have already been used in official proceedings.

The report says that some smugglers also offer fictitious stories about persecution in connection with the Kurdistan Workers' Party (PKK), the Gülen movement, LGBTIQ identities or persecution due to the Alavi belief. According to the report, they offer "complete asylum files with valid reasons for asylum procedures" on TikTok or Facebook. They also advertised that they already had hundreds of references from the US, Canada, Europe and the UK.

The article goes on to say that the smugglers organise the refugees' departure from Türkiye and provide them with forged documents abroad. One of the smugglers reports that the refugees first travel to Serbia or Bosnia and

Herzegovina. From there, the people are driven to the EU in lorries. Once in the EU, they have to hand themselves in to the police and apply for asylum. The refugees can then use the falsified documents to substantiate their alleged reasons for seeking asylum.

No specific information is available on the frequency with which such forged court documents appear. The smugglers contacted by Serbestiyet said that thousands of people had already made use of this method in 2024 alone. However, this unspecified figure given by the smugglers cannot be verified.

Swiss media also reported similar incidents in connection with asylum applications from Turkish citizens in early 2024. Asylum seekers were given refuge in Switzerland by presenting forged arrest warrants issued by Turkish public prosecutors. A network of intermediaries, including public prosecutors in Türkiye who accepted bribes for issuing forged arrest warrants, were involved in the process. In these arrest warrants, applicants were portrayed as persecuted political activists or members of banned organisations such as the PKK.¹⁹

30 September 2024

Raid on Kurdish language centre, bookshop and educational cooperative

According to media reports, a Kurdish language centre called Mezopotamya Language and Culture Research Association (MED-DER), a Kurdish bookshop called Payîz Pirtûk and an educational cooperative for language and art called Anka in Diyarbakir were raided on 24.09.24. A total of 30 people were arrested in the course of investigations by the Diyarbakir Public Prosecutor's Office and other related arrests in Izmir and Mardin. Among those detained were some editors as well as co-chairs and employees of the institutions. Around the same time, the homes of employees were searched. According to press reports, no lawyers were present during the searches and the detainees were initially unable to gain access to legal counsellors as a 24-hour contact ban had been imposed. There are different reports regarding the release of the detainees. Seven or eight of the detainees are said to have been released by 27.09.24 after submitting their statements to the public prosecutor's office. The remaining detainees were taken to the court building in Diyarbakir on 27.09.24 for interrogation by the public prosecutor's office. In addition, over 500 books, textbooks, magazines and hard discs were confiscated. The Public Prosecutor's Office alleges that the content of the confiscated works is close to the ideology of the PKK and constitutes terror propaganda. MED-DER and Payiz Pirtûk stated that the books and newspapers were legal and could be purchased in Türkiye through normal channels. Secrecy orders were issued for the case files, restricting access to investigation details for legal counsel. The pro-Kurdish Peoples' Democracy Equality Party (DEM) criticised the authority's actions on the social network X as suppression of the Kurdish language and culture. It stated that the Kurdish people would not be prevented from preserving their mother tongue despite this policy.²⁰

07 October 2024

Documentary on dismissals following attempted coup in 2016 banned

According to reports in the media, the governor's office of Antalya province has banned a documentary film from being shown at a film festival by the name of Free Orange in the city of Antalya. The film portrays the fate of people caught up in the wave of dismissals following the attempted coup on 15.07.16.

The documentary, which is entitled Kanun Hükmü (English: "The Decree"), has been subject to censorship since its release in 2023 and was to be shown at the Free Orange Film Days which began in Antalya on 03.10.24.

According to the governor's office, the film may not be shown during the film festival because it undermines national unity and solidarity and among some sectors of the public it would stir up hate and animosity towards others on the basis of their different characteristics. The governorate has also cited a decision by the committee for the evaluation and classification of cinema films at the ministry of culture and tourism to the effect that the commercial distribution and showing of the film's content is incompatible with the principles of public order, the protection of the mental health of minors and adolescents and the constitution. The governor's office further accused the documentary of exploiting the "so-called victims" and asserted that the "distortion" of the facts in the documentation was aimed at destroying Türkiye's image and shaking public confidence in judicial decisions.

The documentary attracted international attention when it was censored for the first time at the 2023 Orange Film Festival in Antalya, ultimately leading to the cancellation of the 60th Golden Orange Film Festival in September

2023. Back then, the decision to remove the documentary from the festival provoked criticism among people who had lost their jobs on account of a legal decree and also among activists. The festival was cancelled after the Turkish ministry of culture and tourism withdrew its support and accused the festival's organisers of allowing so-called terrorist propaganda. Sponsors duly followed suit.

The documentary was also banned and censored by the local authorities in other towns and cities, despite the fact that the constitutional court had ruled that the bans imposed by local authorities infringed the right to freedom of expression, awarding director Nejla Demirci TRY 13,500 (approx. EUR 359 as per 07.10.24) in damages.²¹

14 October 2024

Prison term for dismissed mayor affirmed

According to reports in the media, on 09.10.24 the Supreme Court of Appeals affirmed the prison term of nine years and four and a half months imposed on the former Kurdish mayor of Diyarbakir, Adnan Selçuk Mızraklı.

Mızraklı, a member of the pro-Kurdish Peoples' Democratic Party (HDP), which now goes by the name of the Peoples' Equality and Democracy Party (DEM), was elected mayor of Diyarbakir on 31.03.19 and subsequently removed from office by the interior ministry on 19.08.19. The ministry stated that he was dismissed because he was under investigation on suspicion of terrorism. Mızraklı was subsequently replaced by a trustee. On 21.10.19 he was arrested and charged with membership of an armed terrorist organisation. Mızraklı has been in custody since 22.10.19.

The decision by the Third Chamber of the Supreme Court of Appeals was the second decision to be made by this court with regard to Mızraklı: New proceedings were instituted against him after the Supreme Court of Appeals overturned a lower court's verdict in December 2022. At the time, the Supreme Court of Appeals declined to uphold Mızraklı's conviction on the grounds that the charges against the former mayor had not been investigated sufficiently.

In March 2020, the Ninth High Criminal Court in Diyarbakır found Mızraklı guilty of membership of a terrorist organisation and sentenced him to nine years and four and a half months in prison. In a retrial with recourse to new witness statements, Mızraklı was again sentenced to nine years and four and a half months in prison for membership of a terrorist organisation in November 2023. Mızraklı appealed to the Supreme Court of Appeals, which this time affirmed the verdict.

Mızraklı's lawyers have announced their intention to contest this verdict before the Constitutional Court, stating that if this court also ruled against Mızraklı, they would bring Mızraklı's case before the European Court of Human Rights, as they consider it to constitute a violation of his fundamental rights.

His party, the DEM, denounced the decision of the Supreme Court of Appeals as a "judicial coup" and declared it "null and void".²²

21 October 2024

Fethullah Gülen dies in the USA

It has been reported in the press that the Islamic preacher and leader of the Gülen movement, Fethullah Gülen, died in a hospital in the USA at the age of 83 on 20.10.24. He is said to have suffered from dementia, diabetes and kidney failure. He had lived in Pennsylvania, USA since 1999.

Gülen was accused by the Turkish government under president Erdoğan of having been behind the attempted coup of 15.07.16. His movement was classified in Türkiye as a terrorist organisation. Fethullah Gülen always denied any involvement in the coup. The Turkish authorities continue to clamp down on suspected supporters of the movement. The Turkish justice minister stated in July 2024 that a total of 705,172 individuals had been investigated for suspected links to the Gülen movement since the attempted coup in July 2016. He said that as per July 2024, 13,251 people were either being held on remand or serving prison sentences handed down in trials relating to the Gülen movement.²³

Arrests of suspected members of the Gülen movement

According to reports in the media, on 08.10.24 the chief public prosecutor's office in Ankara issued arrest warrants for 39 people for alleged links to the Gülen movement, including serving and former military officers and former military cadets.

The suspects are accused of having communicated with their contacts within the Gülen movement via pay phones or so-called pre-paid landlines at locations such as kiosks, grocery stores and markets in various districts of Ankara. The so-called "pay phone investigations" are based on recordings of telephone conversations. The chief public prosecutor is proceeding on the assumption that a supporter of the Gülen movement used the same pay phone to call all of his contacts one after the other. When a suspected supporter of the movement appears in the call logs, it is assumed that other numbers which were called directly before or after this call also belong to people with links to the Gülen movement. The authorities do not have the actual contents of the relevant calls at their disposal, however.²⁴

Force 5.9 earthquake in Malatya province

It has been reported in the press that an earthquake of force 5.9 occurred on 16.10.24, with Malatya as its epicentre. According to urban development minister Murat Kurum in neighbouring Elazığ province, over 20 buildings were seriously damaged and 517 buildings suffered minor damage in the earthquake. In Malatya there are said to be 18 buildings with minor damage. Interior minister Ali Yerlikaya stated that no-one had been killed, but 187 people had sustained minor injuries. 43 of those injured were treated as in-patients at nearby hospitals.

Malatya was also hit in the earthquake on 06.02.23. In this earthquake, more than 53,000 people died in Türkiye alone, including over 1,000 in Malatya. According to the Turkish Disaster and Emergency Management Authority (AFAD), 120,000 people are still living in containers in Malatya province.²⁵

28 October 2024

PKK attack on state aerospace company

According to reports in the press, armed actors carried out an attack on the state aerospace company Turkish Aerospace Industries (TUSAŞ) on the outskirts of the capital, Ankara, on 23.10.24. Five people died in the attack and 22 were injured. The two attackers were killed by security personnel.

The armed wing of the PKK, the People's Defence Forces (HPG), claimed responsibility for the attack on 25.10.24. In the accompanying statement, it was asserted that the attack was not linked to the possibility of new peace negotiations between Türkiye and the PKK, which is currently being intimated in Turkish political circles together with allusions to the prospect of release for Abdullah Öcalan, the imprisoned leader and founding member of the PKK. Rather, the attack is said to be intended as a "warning against the genocidal practices and massacres in Kurdistan and the isolationist course pursued by the Turkish government." The statement also alleges that weapons manufactured by TUSAŞ, such as drones, are responsible for the deaths of people in the Kurdish territories. According to reports in the media, Türkiye has been carrying out reprisal attacks on suspected PKK positions in Syria and northern Iraq since 23.10.24²⁶.

Turkish nationals repatriated from Kenya on allegations of links to Gülen movement

Following reports in international media on 18.10.24 concerning the suspected abduction of four Turkish nationals in Kenya, on 21.10.24 the Kenyan foreign ministry stated that on the said date four Turkish nationals had been deported from Kenya to Türkiye on request from the Turkish government.

According to reports in the press, seven people in all were abducted in Nairobi on 18.10.24 due to suspected links to the Gülen movement. Three of the abducted, including a British national, were reportedly released, and according to a report in the press four of the abducted were at a police station in Ankara as per 23.10.24. According to reports in the media, the individuals concerned were abducted by the Turkish intelligence service Millî İstihbarat Teşkilâtı (MIT) on 18.10.24 and some were interrogated in Kenya before being transferred to Türkiye. The four people reported as being held in Ankara are refugees registered with the United Nations High Commissioner for Refugees (UNHCR), which should protect them from being forcibly returned to Türkiye.

It was reported in the press on 23.10.24 that officers of the counter-terrorism unit (TEM) at the police authority in Ankara were contacting the families and lawyers of those abducted and informing them about their whereabouts.

According to reports in the media, since the attempted coup of 15.07.16 the MIT is said to have carried out operations abroad to forcibly repatriate more than 100 individuals with suspected links to the Gülen movement. Among the most recent cases is that of a Turkish businessman who disappeared in Tajikistan in September 2023 and subsequently turned up in police custody in Türkiye in the following month.

A report on transnational repression which was published in 2023 by the NGO Freedom House, which champions the safeguarding of liberal democracies, Türkiye is the second most frequent perpetrator of transnational repression worldwide. The Turkish government applies various measures against its critics abroad, including spying by diaspora organisations which support the Turkish government.²⁷

Ruling by European Court of Human Rights on unfair trials

The European Court of Human Rights (ECHR) ruled on 22.10.24 that Türkiye had violated the rights of ten judges and public prosecutors to a fair trial. The court found that the Turkish Council of Judges and Prosecutors (HSYK) had neglected to uphold adequate procedural safeguards, such as formal hearings, rules on the presentation of evidence and a detailed statement of the grounds for its decisions relating to the ten complainants, thus undermining the complainants' rights to a fair trial.

The case of "Şişman and others v. Türkiye" concerned ten judges and public prosecutors who were involuntarily relocated to other towns and cities or, in one instance, demoted in the same town. These relocations took place between 2014 and 2015 on the basis of a series of rulings by the HSYK. The Turkish government disputes the ECHR's jurisdiction on the grounds that the complainants did not expressly submit a request for access to a court in the course of the domestic trial. The government further maintains that the complainants were dismissed for alleged membership of the Gülen movement in the aftermath of the attempted coup on 15.07.16, and argues that this justifies the exclusion of a judicial review on grounds of national security. The ECHR rejected these arguments, emphasizing that the HSYK cannot be regarded as a court on account of the procedural irregularities in the trial.²⁸

04 November 2024

Four CHP and DEM mayors dismissed

According to reports in the media, two mayors elected in this year's local elections in cities in the south-east of Türkiye (Mardin, Batman and Halfeti, an administrative district in Şanlıurfa province) and a mayoress belonging to the pro-Kurdish Peoples' Equality and Democracy Party (DEM) were dismissed from office by the government on 04.11.24 and replaced by trustees. According to the interior ministry, they are suspected of terrorism.

Prior to this, it emerges from reports in the press that Ahmet Özer, who represented the Republican People's Party (CHP) as the mayor of the Istanbul borough of Esenyurt, was arrested at his home on 30.10.24 and replaced by a trustee. Özer was also elected in the local election on 31.03.24. He is accused by the public prosecutor's office of being a member of the PKK. He has allegedly had links to the PKK and to leading PKK members for almost a decade. The evidence against him is said to include surveillance recordings and financial transactions.

Both the CHP and the DEM, which has described Özer's arrest as a "political coup", protested against the mayor's arrest, which they consider to be politically motivated.²⁹

11 November 2024

48 femicides in October 2024

In its monthly report on violent crimes against women, the We Will Stop Femicide Platform, a Turkish women's rights organisation, stated on 05.11.24 that a total of 48 women had been killed by men in Türkiye in October 2024. Of the 48 murdered women, the report reveals that 24 were killed by their husbands or boyfriends, three by their former spouses, six by acquaintances and 11 by relatives. In addition, ten women were reportedly killed for wishing to make decisions about their own lives. This category concerns situations such as requests for divorce, rejecting reconciliation with their life partners or rejecting a proposal for marriage or a romantic relationship.

The murders sparked demonstrations, in particular in a number of towns and cities on 05.10.24, at which protesters demanded an end to violence against women and called on the government to take measures against such violence. According to the We Will Stop Femicide Platform, at least 295 women were killed in the first nine months of 2024

and at least 1,499 women were killed from 2020 to September 2024. In addition, according to information from the ministry for labour, social and family affairs, between January 2013 and July 2024 more than 1.4 million women claimed to have been exposed to domestic violence and to have sought help from state centres for the prevention of violence (ŞÖNİM).³⁰

Ban on showing film "Queer"

It has been reported in the media that the global streaming provider and film distributor MUBI has cancelled a film festival which was planned to take place in Istanbul from 07.11. to 10.11.24 in protest at the local authorities' ban on showing the film "Queer". The film is about a homosexual relationship between two men.

According to reports in the press, the government of the municipal district of Kadiköy banned the film from being shown because it included provocative content and thus posed a threat to social peace. MUBI declared that the ban represented a restriction of artistic freedom and freedom of expression.³¹

18 November 2024

Singer charged for performing Kurdish song

According to reports in the media on 14.11. and 15.11.24, the public prosecutor's office in Istanbul has charged a Kurdish folk singer with spreading propaganda for the PKK. The charge relates to a Kurdish song which the defendant sang at an event in Belgium in 2012. The song, entitled "Koçgiri Başladı Harba" (Koçgiri began the struggle), is about an uprising by Kurdish and Alevi groups against the emerging Turkish Republic in 1921. The present government is of the view that this song glorifies violence and implicates solidarity with the PKK.

At a hearing on 14.11.24 the defendant denied that he had any links with the PKK and any intention to propagate the organisation's message. He also asserted that the event in Belgium was a cultural event. The public prosecutor's office argued, however, that the song text in conjunction with the images shown during the performance propagated the ideology of the PKK. The public prosecutor found that the limits of the freedom of expression had been overstepped by promoting violence and terrorism. The process was adjourned until 18.02.25.³²

Journalist arrested

It was reported in the press on 08.11.24 that the journalist Furkan Karabay had been arrested in Istanbul. The reason for his arrest was a post on the social network X in which Karabay listed the names of the public prosecutors involved in investigations into Ahmet Özer, who represented the Republican People's Party (CHP) as the mayor of the Istanbul borough of Esenyurt, and reported on the investigations. Özer was arrested on 30.10.24 (cf. BN of 04.11.24).

The court in Istanbul held that Karabay's post targeted public officials who are involved in fighting terrorism. It further found that he had slandered a civil servant and knowingly disseminated misleading information to the public.

In his testimony before the court, Karabay denied the accusations, stating that the public prosecutors' names had been published by various media and CHP leader Özgür Özel himself had mentioned the name of the chief public prosecutor.

Organisations championing the freedom of the press, including the Media and Law Studies Association and Freedom House, have denounced Karabay's arrest, as has the largest opposition party, CHP. The representative of Reporters Without Borders (RSF) in Türkiye stated that Karabay's remand in custody was tantamount to anticipatory punishment.

Karabay was previously arrested on 28.12.23, after reporting about alleged corruption and bribery in the trial of a person from the Sarallar criminal organisation. On the basis of his reporting, Karabay was accused of having marked a counter-terrorism official as a target for terrorist groups. Karabay was released on 08.01.24, following a ruling by the 7th criminal court in Istanbul.³³

25 November 2024

Suspected Gülen supporters arrested

According to reports in the media, a total of 459 people who are accused of having links to the late cleric Fethullah Gülen were arrested in a large-scale police operation spanning 66 provinces on 19.11.24. The Turkish interior minister, Ali Yerlikaya, has stated that the suspects have been charged with various offences, including propaganda for the Gülen movement on social media, contact with persons within the movement and accommodating refugees. The arrests represent one of the largest operations against suspected Gülen supporters since the failed coup attempt in 2016, for which the Turkish government holds the cleric and his network responsible.³⁴

02 December 2024

Suspected PKK supporters arrested

Following the arrest of over 400 people on suspicion of links to the Gülen movement on 19.11.24 (cf. BN of 25.11.24), a further 231 people were arrested in 30 provinces on 27.11.24. They are accused of having funded or having spread propaganda for the banned Kurdistan Workers' Party (PKK), which is classified as a terrorist organisation. Among those detained are twelve journalists and writers, including the 74 year-old poet and writer Hicri İzgören. Various journalists' associations called for a protest rally, which took place on the same day in Diyarbakır, in the predominantly Kurdish south-east of the country.³⁵

23 December 2024

Arrests and investigations following critical comments after death of Kurdish media representatives in Syria

According to reports in the media, nine people, including seven journalists, were arrested on 22.12.24 after a protest rally in remembrance of the Kurdish media representatives Nazım Daştan and Cihan Bilgin, who died in Syria. The demonstration's organisers included the journalists' association Dicle Fırat (DFG), which champions the interests of Kurdish media representatives in Türkiye. Five other detained journalists were subsequently released subject to conditions imposed by a court.

According to Turkish media, arrest warrants had been issued for the journalists killed in Syria, on the charge of membership of the Kurdistan Workers' Party (PKK), which is classified as a terrorist organisation. The chief public prosecutor's office in Istanbul has launched an investigation into the president of the Istanbul Bar Association, İbrahim Kaboğlu, and members of the association's governing board, over their assertion that targeted attacks on journalists in conflict regions constitute a violation of international humanitarian law and the Geneva Convention. The chief public prosecutor's office is accusing them of "propaganda for an illegal organisation" and "propagating misleading information in public".³⁶

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