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from the COI-CMS

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Contents

1 Country-specific notes 1
2 Political situation 3
3 Security situation 18
3.1 Gülen or Hizmet movement . . . 24
3.2 Terrorist groups: PKK - Partiya Karkerên Kurdistan (Kurdistan Workers' Party) 45
3.3 Terrorist groups: MLCP - Marksist Leninist Komünist Parti (Marxist-Leninist Communist Party) . . . 50
3.4 Terrorist groups: DHKP-C - Devrimci Halk Kurtuluş Partisi-Cephesi (Revolutionary People's Liberation Party-Front) . . . 53
3.5 Terrorist groups: so-called IS - Islamic State (alias Daesh) . . . 55
3.5.1 Islamic State - Khorasan Province (ISKP) . . . 60
4 Rule of Law / Judiciary 62
5 Security authorities 83
6 Torture and inhuman treatment 89
6.1 Abductions and enforced disappearances at home and abroad . . . 95
7 Corruption 100
8 Non-governmental organisations (NGOs) 105
9 Ombudsperson and the National Institution for Human Rights and Equality 111
10 Military service 113
10.1 Recruits of Kurdish origin in the army . . . 117
10.2 Alternative military service / conscientious objection / desertion . . . 119
11 General human rights situation 125
12 Freedom of expression and the press / Internet 129
13 Freedom of assembly and association 150
13.1 Opposition . . . 158
14 Prosecution of foreign nationals for offences committed abroad 183
15 Conditions of detention 185
16 Death penalty 202
17 Religious freedom and religious minorities 203
17.1 Alevis . . . 215
17.2 Christians and Jews . . . 220
17.3 Atheists, agnostics and other non-religious groups of people . . . 225
18 Ethnic minorities 227
18.1 Kurds . . . 232
18.2 Roma . . . 247
19 Relevant population groups 250
19.1 Women . . . 250
19.2 Children and minors (up to 18) . . . 263
19.2.1 Refugee children and refugee minors . . . 272
19.3 Sexual minorities (LGBTIQ+) . . . 276
20 Freedom of movement 286

21 Refugees 291
21.1 Internally displaced persons (IDPs) 305
22 Basic services / Economy 307
22.1 Social benefits / insurance 311
22.2 Unemployment benefit 313
22.3 Pension 314
23 Medical care 316
24 Treatment after return 320
24.1 Return assistance from the Austrian state 325
25 Imprint 328
25.1 Copyright 328
25.2 Privacy Notice 328
25.3 Published Versions 329

1 Country-specific notes

Last modification 2025-08-06 10:29

Country-unspecific note:

About the content:

Effects of the earthquakes in February 2023: The severe earthquakes in the south-east of the country in February 2023 had multiple consequences. Among other things, they affected the supply and security situation, freedom of expression and assembly, the position of the opposition and the general political situation, especially in view of the then upcoming parliamentary and presidential elections at the time. Relevant effects, including examples, are sometimes dealt with in a separate, designated paragraph in the respective chapters or sub-chapters.

Reference is only made to the **judicial reform strategies** when reforms have actually been at least cast in legal texts.

Gülen and Hizmet movement: In Turkey, state representatives and the general public use the abbreviation 'FETÖ', sometimes the full name 'Fetullahçı Terör Örgütü', which translates as 'Fetullahist Terror Organisation'. As the Gülen or Hizmet movement is not classified as a terrorist organisation either in Austria or in other member states of the European Union (nor in the USA), which would have direct consequences, e.g. for the asylum procedure if the opposite were the case, the abbreviation 'FETÖ' is not used and should be avoided. The abbreviation 'FETÖ' only appears in the report where it is clear from the context that it is used by institutions or representatives of the Turkish state.

HDP/ DEM Party: In this version of the country information and the following, the abbreviations HDP and DEM Party will be used in parallel for a transitional period. - Background: In 2023, the 'Peoples' Democratic Party, Halkların Demokratik Partisi' - HDP, which is considered pro-Kurdish, decided not to participate as such in the parliamentary elections in spring 2023 in view of the ban proceedings against it, but to run its candidates on the list of the 'Green Left Party, Yeşil Sol Parti' - YSP. In the autumn, the HDP was renamed 'Halkların Eşitlik ve Demokrasi Partisi' (Peoples' Emancipation and Democracy Party - Peoples' Party for Equality [note: also translated as 'emancipation'] and Democracy). As the corresponding abbreviation HEDEP was rejected by the Court of Cassation because it was too reminiscent of the once-banned Kurdish party HADEP, the abbreviation was changed to DEM Party without having to change the full name.

Roma: Especially in the related subchapter, the term 'Roma' is used as a generic term to refer to a number of different groups without denying the specificities of these groups, including **Dom** and **Abdal**.

Terrorist groups: TAK - Teyrêbazên Azadiya Kurdistan (Freedom Falcons of Kurdistan): This sub-chapter has been cancelled as, on the one hand, no more activities have been recorded in recent years and, on the other hand, it can be assumed that the TAK will also be disbanded in the course of the dissolution of the PKK.

PKK: The Kurdistan Workers' Party - PKK officially disbanded on 12 May 2025. The political, security-related and legal implications of the dissolution of the PKK were not foreseeable when this overall update of the country information on TURKEY was completed at the beginning of July 2025. This includes with regard to the handover of weapons - when, where and under whose supervision this will take place; whether the return or integration of PKK fighters, but also of PKK supporters, will be possible; what the future of the leading cadres and, not least, that of Öcalan himself will look like and legally, whether, for example , charges, ongoing proceedings, court cases and sentences handed down in connection with membership of or support for the PKK as a terrorist organisation will be dropped or overturned, including the question of a (partial) amnesty.

The form:

As in all country information, the country is mentioned in square brackets in the reference to national state institutions. For reasons of stringency, this is also done if the country is already clear from the source name. - For example: 'ÖB - Austrian Embassy - Ankara [Austria]…'

If there are a large number of authors or editors, the number of the former is usually limited to two or three and indexed with the abbreviation 'et al.'.

Abbreviations are written out at least once, ideally the first time they are mentioned in the body text of each (sub)chapter. The language of the full name is based on the abbreviation used. For example, in the case of political parties (AKP, CHP, HDP etc.), the original Turkish name is given alongside the German translation, while in the case of Kurdish organisations such as the PKK or the TAK, the full name is given in Kurdish (version: Kurmanji).

Turkish proper names are spelt almost exclusively according to Turkish spelling. Exceptions are the spellings of Istanbul or Izmir, which should correctly be spelt İstanbul and İzmir in Turkish, as 'İ or i' on the one hand and 'I or ı' on the other represent different sounds or phonemes. (For the pronunciation of Turkish letters, see for example: https: //www.grammatiken.de/tuerkische-grammatik/tuerkisches-alphabet-lernen-aussprache.php).

The converted lira amounts in euros in brackets represent the exchange rate at the respective time, unless otherwise stated. This means that the quoted amount in lira, if it has not changed in the meantime, may represent a significantly lower euro nominal value at the time of publication of this report due to the devaluation of the lira.

Editorial deadline:

Source documents that appear after the editorial deadline are only taken into account in exceptional cases. This explains why source documents are sometimes not cited even though they were published before the publication date of the country information. In addition, the editorial deadline varies depending on the chapter. For example, the chapters on the security situation and political situation are the last to be updated in the overall process, as this is where short-term events or changes are most likely to occur, in contrast to the status of 'medical care' or 'basic services', for example.

The editorial deadline for the last chapter - Political situation - was 9 July 2025.

2 Political situation

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In recent years, the political situation in Turkey has been characterised by the consequences of the attempted coup on 15 July 2016 and the state of emergency that was subsequently declared, a ‘permanent election campaign’ and the fight against terrorism. The government is currently under pressure due to the difficult economic situation and the high number of refugees and migrants. A significant proportion of the population is dissatisfied with President Erdoğan and the ruling Justice and Development Party (AKP) and disillusioned after its renewed victory in the presidential and parliamentary elections in May 2023, which is also reflected in the success of the CHP (Republican People’s Party - Cumhuriyet Halk Partisi) in the local elections in March 2024. The main reasons for this are the loss of purchasing power caused by high inflation, the increasing impoverishment of parts of the population, setbacks in democracy and the rule of law and the progressive undermining of secularism. Young people in particular are frustrated. Society is highly polarised, largely due to the divisive identity politics pursued by President Erdoğan (ÖB Ankara 4/2025, p.4f .; cf.Migrationsverket 9/4/2024, p.8f).

Action against the opposition party CHP

After a tough election campaign and political disputes and unexpected victories for the CHP in the local elections, a new policy of dialogue emerged in spring 2024, illustrated by mutual visits between representatives of the ruling AKP, including President Erdoğan, and the largest opposition party, the CHP (FES 11/7/2024). However, around six months later, this development was reversed. It began with the arrest of the CHP mayor of Istanbul’s Esenyurt district, Ahmet Özer, in October 2024 on charges of supporting the PKK. A government trustee was appointed in his place. Further dismissals of CHP mayors followed in January and February 2025. The largest wave of arrests took place in March 2025, when arrest warrants were issued for more than 100 people in addition to Istanbul’s mayor İmamoğlu and the district mayors of Şişli and Beylikdüzü. This was due to investigations into corruption or support for the PKK (TM 9/7/2025; cf.FES 28/3/2025, AlMon 23/3/2025, Bianet 23/3/2025, Spiegel 13/1/2025). As of 9 July 2025, according to the CHP, 16 of its mayors were in custody and one was under house arrest (TM 9/7/2025).

At the beginning of June 2025, the Ministry of the Interior removed five CHP mayors from office due to corruption investigations. In addition, an investigation was opened against the CHP party leader Özgür Özel for allegedly insulting and threatening an Istanbul prosecutor general at a rally (L’essentiel 5/6/2025; cf.AP 5/6/2025). And at the beginning of July, the President’s Office applied for the parliamentary immunity of 61 CHP MPs to be lifted, including that of party leader Özgür Özel (TM 7/7/2025a). For further examples and details, see: Freedom of assembly and association / Opposition.

In view of the arrest of the mayor of Istanbul, Ekrem İmamoğlu, experts speak of a coup on the part of the government, a so-called ‘executive coup’, which emphasises the image of growing

authoritarianism in Turkey (Güney/ORF 20/3/2025), or of the end of 'competitive authoritarianism', meaning that Turkey is on the threshold of a transition to a consolidated dictatorship (Schenkkan/FH 26/3/2025). In its resolution of 9 April 2025, the Parliamentary Assembly of the Council of Europe expressed 'its deep concern about these decisions, which appear politically motivated and aim to intimidate the opposition, stifle pluralism, and limit freedom of political debate.' (CoE-PACE 9/4/2025, pt.3). The European Parliament also 'believes that the attacks against İmamoğlu are a politically motivated move to prevent a legitimate challenger from running in the upcoming election and that the current Turkish authorities are pushing the country further towards a fully authoritarian regime with these measures' (EP 7/5/2025; p.23).

The position of the largest opposition party is aggravated by the internal conflict that has broken out. - In a lawsuit, dissatisfied CHP members are accusing party leader Özel of vote-buying at the party congress in November 2023. In the event of a conviction, Özel would presumably be replaced by former party leader Kemal Kılıçdaroğlu, who has never distanced himself from the current accusations against Özel coming from his surroundings. However, the majority of the CHP continues to back Özel. According to experts, a possible weakening of the CHP could reduce the risk of Erdoğan losing the next election (SRF 30/6/2025; cf.DW 27/6/2025). In addition, the pro-government press is also trying to play both CHP wings off against each other. They claim that Kılıçdaroğlu and his wing have become victims of internal party intrigues. The result is fierce disputes that divide the party's supporters into two camps (DW 27/6/2025).

Dissolution and disarmament of the PKK

Since autumn 2024, the main focus has been on the discussions surrounding the settlement of the 40-year conflict between the Turkish state and the Kurdistan Workers' Party (PKK). - In October 2024, the leader of the Nationalist Movement Party (MHP), Devlet Bahçeli, made the surprising proposal that in return for the option of a (possible) release of imprisoned PKK leader Abdullah Öcalan, he should call for an end to the PKK's decades-long struggle and its dissolution. At the time, President Erdoğan described the proposal as a 'window of historic opportunity'. On 28 December 2024, two MPs from the pro-Kurdish Peoples' Emancipation and Democracy Party (DEM Party), irri Süreyya Önder and Pervin Buldan, were allowed to visit Öcalan in his prison cell. The DEM Party announced that Öcalan was prepared to support a Kurdish-Turkish peace process and that he had also indicated his willingness to end the PKK's armed struggle. The DEM delegates held informational talks with other political parties, but also with the former co-chairs of the Peoples' Democratic Party (HDP), Selahattin Demirtaş and Figen Yüksekdağ, who have been imprisoned since 2016 and who expressed their support for a peace process (BAMF 13/1/2025, p.9f.; cf. DW 8/1/2025, FR 30/12/2024, HDN 13/1/2025, Zeit Online 29/12/2024).

In a statement on 27 February 2025, Abdullah Öcalan called on his supporters to lay down their arms and disband the PKK (AlMon 27/2/2025; cf.Standard 27/2/2025, DW 27/2/2025). Öcalan had previously addressed actors in Europe, Rojava (Kurdish region in Syria) and Kandil (location of the PKK military leadership in Iraq) in which he formulated his views. At the same time, these actors signalled that they would recognise Öcalan's decision (DW 27/2/2025; cf.Standard 27/2/2025). On 1 March 2025, the Executive Council of the PKK declared its full support for the

implementation of Öcalan's call and announced a ceasefire. However, the organisation set conditions for the final laying down of arms and its self-dissolution and declared 'that a suitable political and legal framework is necessary for the success of this process'. The declaration also implicitly demanded the release of Öcalan (ANF 1/3/2025; cf.Zeit Online 1/3/2025, FAZ 1/3/2025). In turn, the Turkish government announced that it would not negotiate with the PKK and demanded that all Kurdish militias, including those in Iraq and Syria, lay down their weapons (Zeit Online 1/3/2025; cf.FAZ 1/3/2025).

On 12 May 2025, the PKK announced its dissolution and the end of the armed struggle after holding its 12th party congress from 5-7 May in northern Iraq (ICG 16/5/2025; cf.ANF 12/5/2025, BPB 16/6/2025, AlMon 12/5/2025). The government is pursuing an extremely cautious approach characterised by discretion. Little is known about the benefits for the Kurds, apart from better living conditions for Öcalan, who has been in solitary confinement on the prison island of İmralı since his arrest in 1999, and legal measures that would allow for reduced sentences or release for thousands of political prisoners jailed for 'terrorism' linked to the PKK. So far, there have been no cheers or declarations of victory from either side (AlMon 12/5/2025). However, the co-chair of the DEM party, Tülay Hatimoğulları, criticised after five weeks on 22 June that there were no tangible steps by the government towards democratisation or a peace process. She called for concrete measures, such as the immediate release of political prisoners - including Figen Yüksekdağ and Selahattin Demirtaş - the implementation of the judgements of the European Court of Human Rights (ECtHR) and the repeal of repressive laws, particularly in the context of the so-called Kobanê trials. Hatimoğulları emphasised that the current moment was an opportunity for negotiations, but not a guarantee (ANF 22/6/2025). The second co-chair of the DEM party, Tuncer Bakırhan, called for the Turkish state to respond with democratic reforms, including the recognition of the rights of the Kurdish language, the release of political prisoners and the restoration of political freedoms, in view of the first symbolic disarmament of PKK fighters announced for 11 July [note: after the editorial deadline]. Bakirhan also urged the swift formation of a parliamentary commission to oversee the reintegration of former fighters and regulate broader Kurdish issues through legislation (Rudaw 9/7/2025).

On 7 July 2025, a meeting was held between President Erdoğan and representatives of the DEM party, including the two parliamentarians Pervin Buldan and Mithat Sancar. Also present were the head of the National Intelligence Service (MİT), İbrahim Kalın, and the deputy chairman of the ruling AKP, Efkan Ala. Without disclosing any content, both sides reaffirmed their mutual willingness to move the process forward (TM 7/7/2025b). President Erdoğan said of the meeting: 'We have reaffirmed our will to realise our goal of a terror-free Turkey. We are entering a new era in which we will have more good news' (HDN 9/7/2025).

Social fault lines

Turkish society remains deeply divided along ethnic, political and religious fault lines. While the Kurdish issue is one of the fault lines (Kurds versus Turks), Turks are also divided politically (conservative nationalists versus modernists) and religiously (Sunni Islamists versus secularists). In recent years, the divisive discourse of the political elite has contributed to a further separation

and deep polarisation between the camp of Erdoğan's supporters and his opponents (BS 19/3/2024, p.18). This also has to do with the politics of so-called identities. Nationalist politicians, for example, propagate a 'proud Turkishness'. Islamic values are being given more and more weight. Kurds, whose culture and language have been suppressed for decades, are fighting for their existence (WZ 7/5/2023). In view of the outcome of the elections in spring 2023, the European Parliament (EP) also noted with regard to the socio-political conditions of the country that not only had 'far-right Islamist parties entered parliament as part of the ruling coalition' but the EP was 'concerned about the increasing weight of the Islamist agenda in legislation and in many areas of public administration, including through the growing influence of the Presidency of Religious Affairs (Diyanet) in the education system' and 'the increasing pressure from government bodies and Islamist and ultra-nationalist groups on the Turkish cultural sector' (EP 13/9/2023, pt.17).

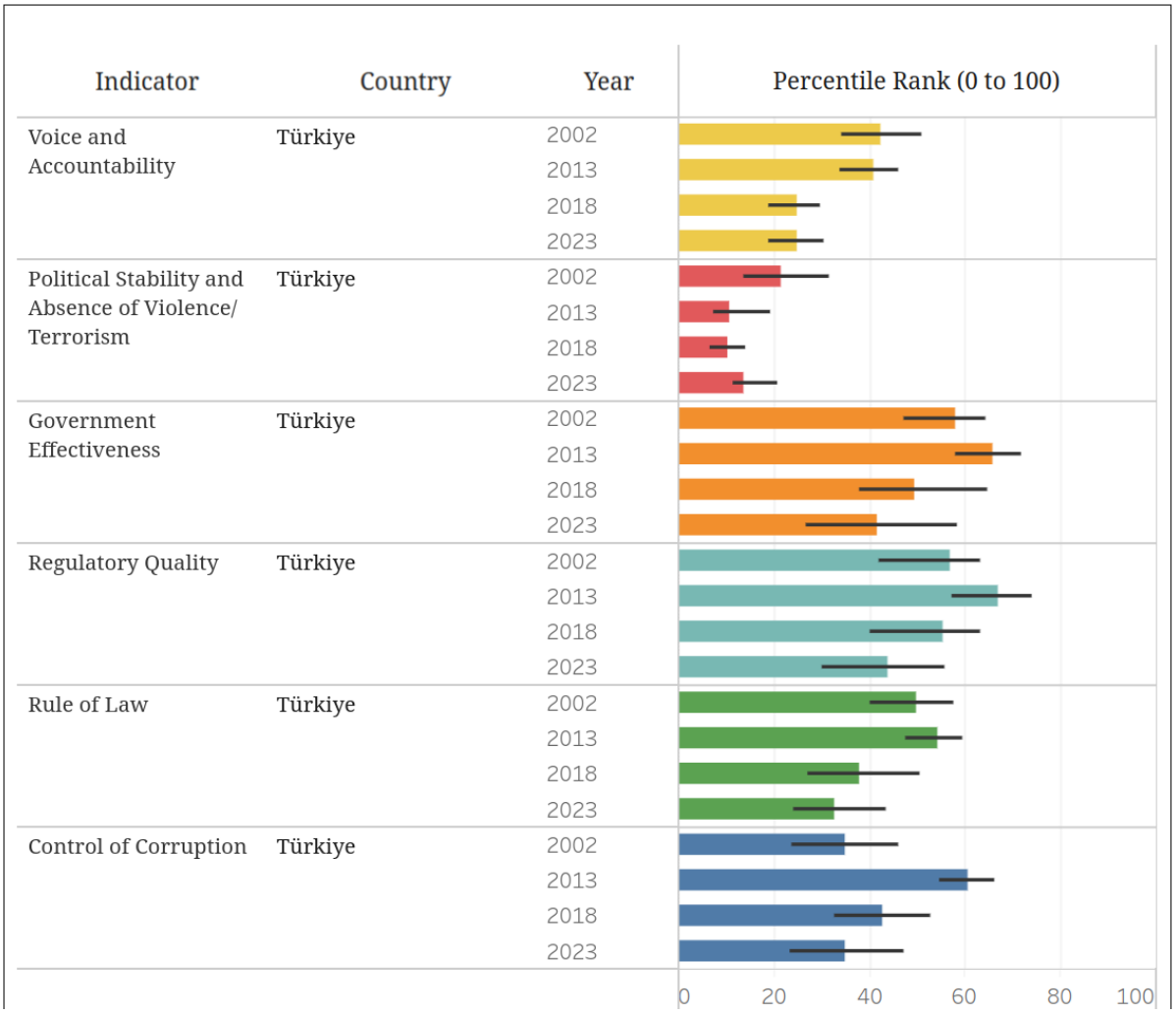
Authoritarian developments

President Recep Tayyip Erdoğan and his Justice and Development Party (AKP), which has ruled Turkey since 2002, have become increasingly authoritarian in recent years, consolidating their power through constitutional amendments and the imprisonment of opponents and critics. The AKP has responded to recent economic challenges and defeats in local elections by intensifying its efforts to suppress dissent and restrict public discourse. Freedom House now places Turkey in the 'not free' category (FH 29/2/2024). The functioning of democratic institutions continues to be severely impaired. The dismantling of democracy has continued and the structural deficits of the presidential system have not been remedied (EC 30/10/2024; cf.EP 13/9/2023, pt.9, WZ 7/5/2023).

Turkey is now categorised as a 'competitive authoritarian' regime (MEI 1/10/2022, p.6; cf.DE/Aydas 31/12/2022, Güney/ORF 20/3/2025, Esen/Gumuscu 19/2/2016), in which elections are held regularly but competition between political parties is not free and fair. Such regimes, which include Turkey, have ostensibly democratic elements: Opposition parties occasionally win or are about to win elections; there is fierce political competition; the press can publish different opinions and statements from opposition parties; and citizens can organise protests. A closer look, however, reveals cracks in the democratic façade: opponents of the government are suppressed by legal or illegal means, independent judicial bodies are controlled by officials close to the government, and freedom of the press and freedom of expression come under pressure. If these measures do not lead to a satisfactory outcome for the ruling party, members of the opposition face targeted violence or imprisonment - a reality that is becoming increasingly common for the Turkish opposition (MEI 1/10/2022, p.6; cf.Esen/Gumuscu 19/2/2016, Güney/ORF 20/3/2025).

The European Parliament concluded in May 2025, as similarly in September 2023, that 'as in previous years, the Turkish government continues to lack a clear political will to implement the necessary reforms to revitalise the accession process and remains guided by a deeply entrenched authoritarian understanding of a presidential system' (EP 7/5/2025, p.3; cf.EP 13/9/2023, p.21).

Worldwide Governance Indicators



Sources 1: WB 2024

Explanation*: The World Bank's WGI measures six comprehensive dimensions of governance - the longer the bars or higher the value, the better:*

- ***Voice and Accountability*** *(VA) - captures perceptions of the extent to which a country's citizens are able to participate in electing their government, as well as freedom of expression and association and free media.*
- ***Political stability and absence of violence/terrorism*** *(PV) - captures perceptions of the likelihood of political instability and/or politically motivated violence, including terrorism.*
- ***Government Effectiveness*** *(GE) - capturing perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressure, the quality of policy formulation and implementation, and the credibility of the government's commitment to these policies.*
- ***Regulatory Quality*** *(RQ) - capturing perceptions of the government's ability to formulate and implement sound policies and regulations that enable and encourage private sector development.*

- ***Ruleof Law (****RL) - captures perceptions of the extent to which stakeholders have confidence in and abide by societal rules, particularly the quality of contract enforcement, property rights, police and courts, and the likelihood of crime and violence.*
- ***Control of Corruption*** *(CC) - captures perceptions of the extent to which public power is exercised for private gain, including small and large forms of corruption and the 'capture' of the state by elites and private interests.*

Interpretation: *In the first few years after the AKP came to power, the indicators improved significantly. In the last ten years, with the exception of the dimension 'political stability and absence of violence/terrorism', they have all deteriorated again and in some cases are below the 2002 level.*

The presidential system

Turkey is a constitutional presidential republic and, according to the constitution, a democratic, secular and social constitutional state. Since the introduction of the presidential system of government on 9 July 2018, the head of state and head of government has been the president. The multi-party system that has existed since 1950 is enshrined in the constitution (AA 20/5/2024, p.5).

On 16 April 2017, 51.4% of the Turkish electorate votedin favour of the **constitutional amendment** initiated by the ruling Justice and Development Party (AKP) and supported by the right-wing nationalist Nationalist Movement Party (MHP) in favour of an executive presidential system (OSCE 22/6/2017; cf.HDN 16/4/2017). The joint observation mission of the Organisation for Security and Cooperation in Europe (OSCE) and the Parliamentary Assembly of the Council of Europe (PACE) criticised the uneven playing field in the referendum. Restrictions on fundamental freedoms due to the state of emergency had a negative impact. In the run-up to the referendum, journalists and opponents of the constitutional amendment were obstructed, arrested and in some cases physically attacked. Several high-ranking politicians and officials, including the president and the head of government, equated supporters of the No campaign with terror sympathisers or supporters of the July 2016 coup attempt (OSCE/PACE 17/4/2017).

Contrary to the claims of the ruling AKP party in favour of the new presidential system of government, the parliament has been weakened since its introduction, the separation of powers has been undermined, the judiciary has been politicised and the institutions have been crippled. Authoritarian practices also prevail (SWP 1/4/2021, p.2). Turkey's departure from parliamentary democracy and the transition to a presidential system in 2018 have accelerated the country's autocratisation process. - The executive is the biggest anti-democratic actor. The few remaining liberal-democratic actors and reformers in Turkey do not have enough power to reverse the current autocratisation of the country (BS 19/3/2024, p.38). In its resolution of 19 May 2021, the European Parliament expressed 'concern that the authoritarian interpretation of the presidential system is being consolidated' and 'that, following the amendment of the Constitution, power continues to be highly concentrated in the office of the President, not only to the detriment of the Parliament but also of the Council of Ministers itself, which is why there is no solid and effective separation of powers between the executive, legislative and judicial branches' (EP 19/5/2021,

p.20/Pt.55). In a further resolution of September 2023, the European Parliament declared itself 'deeply concerned about the continued excessive concentration of power with the Turkish President without an effective system of checks and balances, which has significantly weakened the country's democratic institutions; [and] emphasises that the lack of autonomy at several levels of government may result in a dysfunctional system due to the extreme dependence on the President for all types of decisions and the sole rule of one man' (EP 13/9/2023, pt.20; cf.EP 19/5/2021, pt.55).

Power of the President of the Republic

Executive power is concentrated in the hands of the president. He also has extensive legislative powers and far-reaching access to the judicial authorities (ÖB Ankara 28/12/2023, p.7; cf.EC 30/10/2024, p.19f).The legislative function of parliament is restricted by the frequent use of presidential decrees and presidential decisions. As a result, the political opposition has only very limited opportunities to influence the agenda of parliamentary debates. The lack of effective checks and balances and the inability of parliament to effectively monitor the office of the president mean that his political accountability is limited to the election period. The public administration, the courts and the security forces are under the strong influence of the executive. The presidency exercises direct authority over all important institutions and regulatory authorities (EC 30/10/2024, p.19f.; cf.EP 19/5/2021, p.20/pt.55).

Presidential decrees are generally not subject to parliamentary review and can only be overturned by the Constitutional Court (ÖB Ankara 28/12/2023, p.7) and only by a lawsuit filed by a group of MPs representing one fifth of the seats in parliament, currently by one of the two largest parliamentary groups (SWP 1/4/2021, p.9). Members of Parliament can only submit written questions to the Vice-President and ministers and are not authorised by law to officially question the President. Ordinary presidential decrees are not subject to parliamentary scrutiny (EC 30/10/2024, p.19). However, presidential decrees issued under the state of emergency must be submitted to parliament for approval (EC 8/11/2023, p.19).

The concentration of executive power in one person means that the President simultaneously assumes the powers of the Prime Minister and the Council of Ministers, both of which have been abolished by the new system (Art.8). Ministers are now no longer elected from the ranks of parliamentarians but from outside; they are appointed and dismissed by the president without the participation of parliament and thus reduced to the status of a political civil servant (SWP 1/4/2021, p.9). Under the presidential system, many regulatory authorities and the central bank are directly linked to the presidential office, undermining their independence (EC 12/10/2022,p.14). Several key institutions, such as the General Staff of the Armed Forces, the National Intelligence Service, the National Security Council and the Sovereign Welfare Fund, have been attached to the Office of the President (EC 29/5/2019, p.14). The Central Bank also remains under noticeable political pressure and lacks independence (EC 8/11/2023, p.10f., 65).

The president has the power to appoint and dismiss high-ranking government officials, define national security policy and take the necessary executive measures, declare a state of emergency; issue presidential decrees on executive matters outside the law, indirectly dissolve parliament

by calling parliamentary and presidential elections, draw up the government budget and appoint four out of 13 members of the Council of Judges and Prosecutors and 12 out of 15 judges of the Constitutional Court. If three-fifths of Parliament agrees, the latter may initiate a parliamentary investigation into alleged criminal offences committed by the president, vice-presidents and ministers in connection with their duties. The President may not issue decrees in areas reserved by the Constitution for the legislature. However, the president has the right to veto any law, although parliament can override such a veto with an absolute majority, while parliament can only apply to the Constitutional Court for the annulment of presidential decrees (EC 29/5/2019, p.14).

The centralisation of policymaking within the presidential system continues, which further prevents an inclusive, participatory and evidence-based system of policymaking. Overall, there is a lack of functional division of tasks and responsibilities between the various government institutions, leading to an 'over-centralisation' and inefficiency of public administration (EC 30/10/2024, p.80). The civil service system continues to be characterised by partisanship and politicisation. Combined with excessive presidential control at every level of the state apparatus, this has led to a general decline in the efficiency, capacity and quality of public administration (EP 19/5/2021, p.20, pt.57).

Monitoring by the Council of Europe

In April 2017, the Council of Europe initiated a parliamentary monitoring of Turkey as a member state in the course of the constitutional amendment that led to the establishment of the presidential system in order to identify possible undesirable developments. In its resolution of April 2021, PACE stated that the most serious problems included the lack of independence of the judiciary, the lack of sufficient guarantees for the separation of powers and checks and balances, the restriction of freedom of expression and media freedom, the misinterpretation of anti-terrorism legislation, the failure to implement judgements of the European Court of Human Rights (ECtHR), the restriction of the protection of human and women's rights and the violation of the fundamental rights of opposition politicians and (former) members of parliament, lawyers, journalists, academics and civil society activists (CoE-PACE 22/4/2021, p.1; cf.EP 19/5/2021, pp.7-14).

Presidential elections

The president is directly elected for a term of five years and can serve up to two terms, with the possibility (since the 2017 constitutional amendment) of a third term if early **presidential elections** are called during the second term. If no candidate receives an absolute majority of valid votes in the first round, a run-off election is held between the two candidates with the most votes (OSCE/ODIHR 15/5/2023, p.7). -On 10 March 2023, the president called early parliamentary elections for 14 May 2023 in accordance with the constitution and in agreement with all political parties (OSCE/ODIHR 15/5/2023, p.4 ; cf.PRT 10/3/2023).

As none of the four presidential candidates achieved the legally required absolute majority for the election on 14 May 2023, a second round was scheduled for 28 May 2023 between the

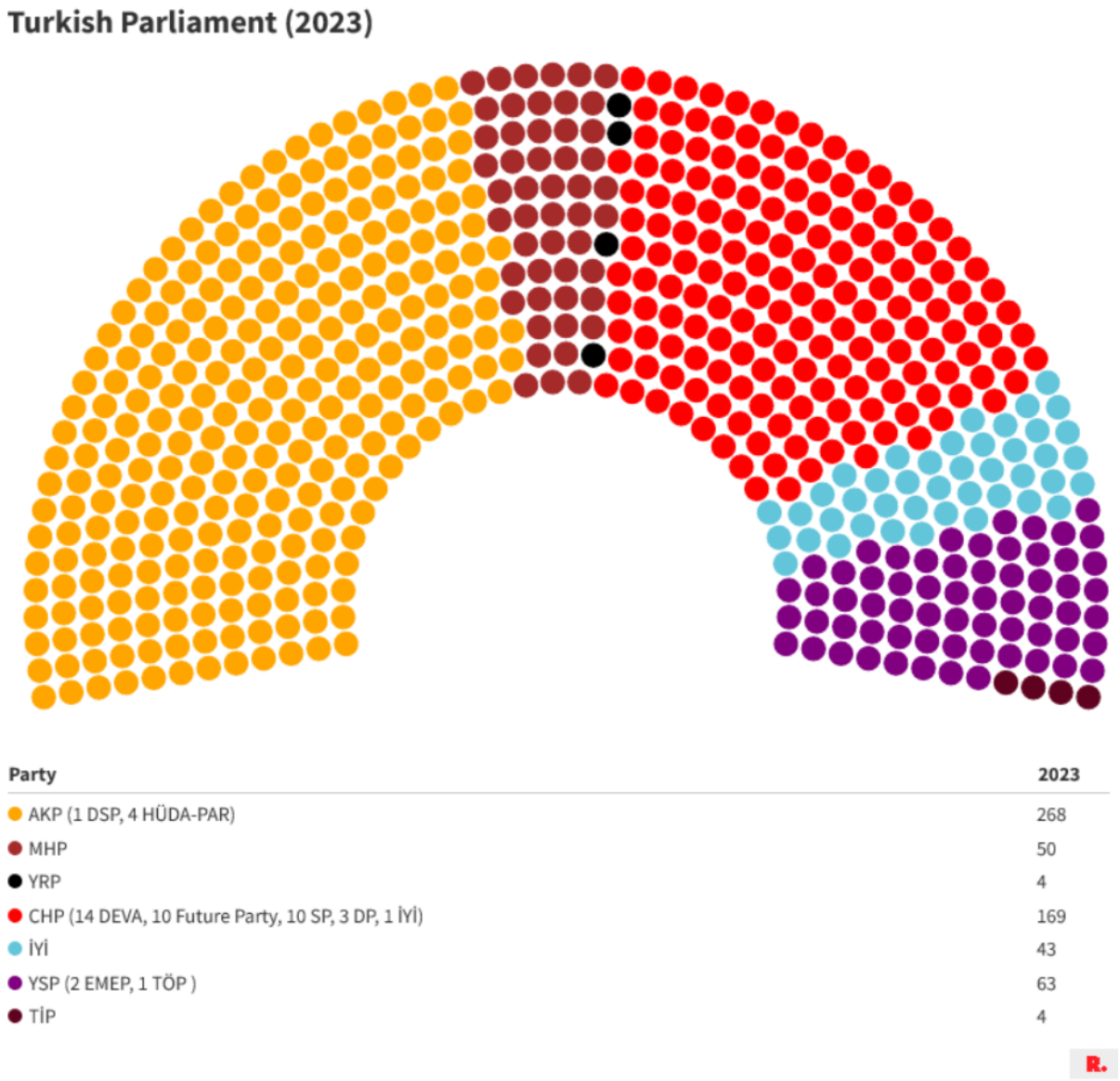
two leading candidates, incumbent Recep Tayyip Erdoğan and Kemal Kılıçdaroğlu, who was supported by the opposition (OSCE/ODIHR 29/5/2023, p.1). As in the first round, one-sided media coverage and the lack of a level playing field gave the incumbent an unfair advantage in the run-off election held on 28 May 2023. The election campaign was dominated by harsh rhetoric, inflammatory and discriminatory statements from both candidates as well as ongoing intimidation and harassment of supporters of some opposition parties (OSCE/ODIHR 29/5/2023, p.1). The 'highlight' in this regard was fake news from the incumbent Erdoğan. -During an election rally, he showed a video montage in which it appeared as if PKK leaders were singing the election campaign song of the largest opposition party CHP (Duvar 7/5/2023; cf.DW 23/5/2023) with Kılıçdaroğlu appealed to the PKK commander, Murat Karayilan: 'Let's go to the ballot box together' (ARD 28/5/2023; cf.DW 23/5/2023).Later, Erdoğan admitted the manipulation (ARD 28/5/2023; cf.DS 24/5/2023).This did not stop Erdoğan from once again claiming 'obvious collusion' between Kılıçdaroğlu and PKK terrorists in the Kandil Mountains immediately before the presidential run-off election (DS 24/5/2023).

In an environment where freedom of expression is restricted, both the private and public media failed to ensure editorial independence and impartiality in their coverage of the election campaign, which affected the ability of voters to make an informed choice (OSCE/ODIHR 29/5/2023, p.1). Incumbent Erdoğan won the run-off election with around 52%, while his challenger, Kılıçdaroğlu, won just under 48% (AnA 29/5/2023; cf.Politico 29/5/2023, taz 10/4/2023).

The parliament

The legal framework does not fully provide a solid legal basis for the organisation of democratic elections. The constitution, which was adopted under martial law, does not sufficiently guarantee the rights and freedoms that underpin democratic elections, as it focuses on prohibitions to protect the state and allows for legislation that imposes further unauthorised restrictions. Members of the 600-seat parliament are elected for a five-year term [previously four years] on the basis of a proportional representation system in 87 multi-member constituencies. Coalitions are allowed before the election, but parties running in a coalition must submit individual lists. In line with a long-standing recommendation of the OSCE and the Venice Commission of the Council of Europe, the legislative amendments of 2022 lowered the threshold for parties and coalitions to enter parliament from 10% to 7% (OSCE/ODIHR 15/5/2023 p.6f.).

In the parliamentary elections held at the same time as the first round of the presidential election, the 'People's Alliance' led by the AKP won an absolute majority of the 600 parliamentary seats with 49% of the vote. - The AKP won 268 (35.6%), the ultra-nationalist MHP 50 (10.1%) and the Islamist New Welfare Party - Yeniden Refah Partisi (YRP) five seats (2.8%). The opposition alliance 'Alliance of the Nation', led by the secular, social-democratic CHP, won 35%, with the CHP winning 169 (25.3%) and the nationalist İYİ Party 43 seats (9.7 %). From the alliance of several left-wing parties under the name 'Labour and Freedom Alliance' made it into parliament, the left-wing Green Party - Yeşil Sol Parti (YSP) with 61 (8.8%) and the 'Workers' Party of Turkey'-Türkiye İşçi Partisi (TİP) with four deputies (TRT 2023; cf.BBC 22/5/2023).



Sources 2: Duvar 18/5/2023

The newly elected National Assembly also includes representatives of several small parties that were on the lists of the AKP, CHP and YSP. As of May 2023, four of the AKP's 268 seats are held by the Kurdish-Islamist Free Cause Party, Hür Dava Partisi - HÜDA-PAR, and one seat by the Democratic Left Party, Demokratik Sol Parti - DSP. Of the 149 seats held by the CHP, 14 belong to the Democracy and Progress Party, Demokrasi ve Atılım Partisi - DEVA [of former Minister of Economy Ali Babacan], ten to the Future Party, Gelecek Partisi - GP [of former Prime Minister Ahmet Davutoğlu] and a further ten to the Islamic-conservative Bliss Party, Saadet Partisi -SP and three to the Democratic Party, Demokrat Parti - DP. Via the CHP list, the İYİ Party, which otherwise stood as an independent candidate, gained one seat in addition to its 43 seats. The Labour Party, Emek Partisi - EMEP, and the Social Freedom Party, Toplumsal Özgürlük Partisi - TÖP, received one of the YSP mandates via the lists of the Left-Green Party [note: the number of YSP of 63 in the graph does not correspond to the official election result of 61 mandataries]

(Duvar 18/5/2023, cf.BIRN 19/5/2023), which, with the remaining 58 YSP seats, results in the official 61 parliamentarians (BIRN 19/5/2023).

One month before the election, the HDP withdrew its candidacy as a party due to the ban proceedings against it, which have been ongoing since 2021, and placed its candidates on the list of its allied minor party YSP for the elections (taz 10/4/2023; cf.AJ 11/5/2023).

The parliamentary elections took place in the midst of considerable **polarisation** and intense competition between the governing and opposition parties, which represented different political programmes for shaping the future of the country. During the election campaign, freedom of association and assembly were generally respected, with some notable exceptions. YSP representatives consistently faced pressure and intimidation directed at their campaign events and supporters, leading to systematic arrests. For example, on 10 April 2023, the Diyarbakır Public Prosecutor General launched an investigation into all speeches made at a YSP election event to determine whether any speeches contained 'terrorist propaganda'. In addition, several other cases of interference with freedom of expression were observed, targeting opposition parties, candidates and supporters (OSCE/ODIHR 15/5/2023, pp.1, 13).

The **Peoples' Democratic Party - HDP**, which was threatened with closure due to the ongoing ban proceedings before the Constitutional Court, took part in the parliamentary elections on 14 May 2023 under the lists of the Left-Green Party - YSP. On 27 August 2023, the HDP suspended its activities at its fourth extraordinary congress and decided to continue its political struggle under the umbrella of the YSP. The YSP in turn held its fourth major congress on 15 October 2023 and changed its name to the Peoples' Equality and Democracy Party - Halkların Eşitlik ve Demokrasi Partisi - HEDEP (Bianet 16/10/2023; cf.FES 7/12/2023, p.6). The Court of Cassation decided not to authorise the abbreviation HEDEP because it was too similar to the banned predecessor party HADEP (FES 7/12/2023; cf.Bianet 24/11/2023). On 11 December 2023, HEDEP changed its abbreviation to **DEM Party** after the Court of Cassation demanded a change due to the similarity with the closed Party for People's Democracy (HADEP). The full new name of the party was not changed. The word 'democracy' in the party name was used to form the abbreviation (Duvar 11/12/2023; cf.TM 11/12/2023).

Local elections

Local elections were held in Turkey on 31 March 2024. These were significant because 20% of all employees in Turkey live in Istanbul alone and more than half of the country's exports and imports are handled there. In addition, Istanbul and the capital Ankara, together with the cities of Izmir, Adana, Muğla and Antalya, account for almost half of the country's economic output (DW 1/4/2024). - For the first time since it was founded in 2001, President Erdoğan's Islamic-conservative AKP party was only the second-strongest force with 35.5%. The opposition CHP achieved 37.7% nationwide. It won in 21 cities and 14 large towns, including Istanbul, Ankara, Izmir, Bursa, Adana and Antalya. It also took over some former AKP strongholds in Anatolia. In south-east Turkey, the pro-Kurdish DEM party, successor to the HDP, won ten provinces (BPB 22/5/2024; cf.DW 1/4/2024, Jacobin 23/4/2024). The CHP became the leading party in the country again for the first time since 1977. It expanded its government control

from 22 to 35 provinces. In the Kurdish regions, the AKP's defeat was even more pronounced. For example, it lost Muş and Ağri to the DEM party (Jacobin 23/4/2024). The election also showed that Fatih Erbakan's New Welfare Party (Yeniden Refah Partisi - YRP) has emerged as an Islamic-conservative party that represents an alternative for the AKP base (FES 11/7/2024, p.4). The YRP became the strongest party in the province of Şanliurfa (Jacobin 23/4/2024). According to experts, the tense economic situation was decisive for the AKP's poor performance. In the 2023 parliamentary and presidential elections, Erdoğan's AKP was still able to give many electoral gifts to pensioners and the economy. This time, this was no longer possible given the empty state coffers (DW 1/4/2024).

Interventions in local democracy

In September 2016, the government passed a decree allowing it to appoint 'trustees' in place of elected mayors, deputy mayors or members of local councils who had been suspended on terrorism charges. This decree was applied again after the 2024 elections and into 2025 (DFAT 16/5/2025, p.23).

With regard to local self-government, the government maintained pressure on opposition mayors, including through administrative and judicial means. The practice of removing mayors and replacing them with trustees remains a serious concern as, according to the European Commission, it undermines local democracy and deprives voters of their preferential representation (EC 30/10/2024, p.19).

For details on the persecution of opposition parties and members of parliament by the judiciary and the removal of mayors and the installation of government trustees, see the subchapter: Freedom of assembly and association / Opposition.

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3 Security situation

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Current situation in view of the formal dissolution of the PKK

The official dissolution of the PKK on 12 May 2025 is an important step towards ending the armed conflict. The ceasefire that was declared in the course of the dissolution has the potential to ease the security situation in Turkey. However, it remains uncertain whether all PKK-affiliated groups will support the decision to disband or whether there will still be violent incidents. The declaration of 12 May 2025 initially only concerns the Kurdistan Workers' Party (PKK) and its military units. The sister parties in Iraq, Syria and Iran, however, have not been dissolved [as of early July 2025] (FES 16/6/2025; cf.DIF 13/5/2025).

According to sources, the dissolution will have far-reaching political and security consequences for the region, including for neighbouring Iraq and Syria. According to sources familiar with the negotiations between the PKK and the Turkish government, there are still some unresolved

issues (Majalla 11/5/2025). - The Kurdish region in Syria (Rojava), for example, remains a central point of contention between the Turkish government on the one hand and the PKK and the Syrian-Kurdish PYD (Democratic Union Party - Partiya Yekîtiya Demokrat) on the other, as the Turkish government has always regarded the PYD, YPG (People's Defence Units - Yekîneyên Parastina Gel) and the SDF (Syrian Democratic Forces) as offshoots of the PKK. The PKK, on the other hand, sees Rojava as its ideological and strategic project (BPB 16/6/2025). The when and where as well as the supervision of the handover of weapons, the possible return of the PKK fighters and the future of the leadership cadres remain open [as of early July 2025]. According to reports, the Turkish secret service MİT will monitor the handover of weapons at locations in Turkey, but also in Syria and Iraq. PKK fighters who have not committed any crimes are to be allowed to return without prosecution, while leaders are to be allowed to go into exile in third countries (TM 15/5/2025). The PKK is mainly based in northern Iraq, which is why the involvement of both the central government in Baghdad and the Kurdistan Regional Government (KRG) in Erbil is essential for the success of disarmament, demobilisation and reintegration efforts. Both the KRG authorities and Baghdad have offered to support the next steps. They could take on certain tasks in the collection and destruction of weapons, the verification of compliance with agreements, and the resettlement and reintegration of members into civilian life (ICG 16/5/2025).

Actors of the security threat

The government believes that the security of the state is threatened by several actors: namely by the **Gülen movement**, which Turkey has declared a terrorist organisation, by the **PKK**, which is also listed as a terrorist organisation in the EU [note: now dissolved], by organisations affiliated with the PKK from a Turkish perspective, such as the YPG (Yekîneyên Parastina Gel - People's Defence Units) in Syria, by the **Islamic State** (ISIS) (AA 20/5/2024, p.4; cf.USDOS 12/12/2024, Crisis 24 25/8/2023, EC 30/10/2024, p.38) and by other terrorist groups, such as the left-wing extremist **Revolutionary People's Liberation Party-Front - DHKP-C** and the **Marxist-Leninist Communist Party (MLCP)** (AA 3/6/2021, p.16; cf.USDOS 12/12/2024, Crisis 24 25/8/2023, EC 30/10/2024, p.38).

See the subchapters on the aforementioned: Security situation / Gülen or Hizmet movement-Security situation/ Terrorist groups:MLCP - Marksist Leninist Komünist Parti (Marxist-Leninist Communist Party)Security situation / terrorist groups:DHKP-C - Devrimci Halk Kurtuluş Partisi-Cephesi (Revolutionary People's Liberation Party-Front)Security situation / Terrorist groups: so-called IS - Islamic State (alias Daesh)Security situation/ Terrorist groups: so-called IS - Islamic State (alias Daesh) / Islamic State - Khorasan Province (ISKP).

Peak of terrorist attacks and armed uprisings 2015-2017

From the summer of 2015 to the end of 2017, Turkey had to cope with one of the deadliest series of terrorist attacks in its history, primarily by the PKK and its alleged offshoot, the TAK (Kurdistan Freedom Falcons - Teyrêbazên Azadîya Kurdistan), ISIS and, to a lesser extent, the DHKP-C (Revolutionary People's Liberation Party Front - Devrimci Halk Kurtuluş Partisi- Cephesi - DHKP-C) (SZ 29/6/2016; cf.AJ 12/12/2016). Since the collapse of the ceasefire between the Turkish government and the PKK in July 2015, the Turkish armed forces have carried out security

operations in several provinces in the south-east of the country. Infantry, artillery and armoured units as well as the Turkish Air Force were involved in these operations (DFAT 16/5/2025, p.10; cf.BICC 2/2025, p.32f).

This in turn worsened the civil rights situation, especially for the Kurdish population in the south-eastern regions of Turkey, especially as a result of a very broadly defined anti-terror law. The new legal situation served as the primary basis for imprisonment and restrictions on political rights. There have also been repeated reports of torture and expulsions of Kurds. In December 2016, Amnesty International even accused Turkey of expelling the Kurdish population from the south-east of the country and of disproportionality in the fight against the PKK (BICC 2/2025, p.323). The actions of the Turkish security forces at the time were also criticised by the institutions of the European Union. - The European Commission expressed concern about the disproportionate destruction of private and communal property and infrastructure by heavy artillery, such as in Cizre (EC 9/11/2016, p.28). In spring 2016, the European Parliament 'expressed its utmost alarm at the situation in Cizre and Sur/Diyarbakır and condemned the fact that civilians were being killed and wounded and deprived of water, food and medical supplies […] and the fact that some 400,000 people had become internally displaced' (EP 14/4/2016, p.11, para.27). However, the Turkish Constitutional Court rejected a lawsuit related to the deaths of several people who were killed during the curfews imposed in 2015 and 2016 in the Cizre district in the Kurdish-majority southeastern province of Şırnak. The Supreme Court declared that Article 17 of the constitution on the 'right to life' had not been violated (Duvar 8/7/2022b). Rather, according to the Constitutional Court, the lethal force used by the police was necessary to ensure safety in the city (TM 4/11/2022). *On the human right 'right to life', see also the chapter: General human rights situation and on the topic of internally displaced persons the subchapter: Refugees / internally displaced persons (IDPs).*

Developments until the dissolution of the PKK

Between 2016 and 2023, the level of violence gradually increased throughout northern Iraq and northern Syria, where the escalation between the Turkish security forces and the People's Defence Units - YPG (the Syrian sister organisation of the PKK) intensified. The escalation within Turkey, on the other hand, decreased significantly during this period (ICG 8/1/2024). The clashes in Turkey continued in 2023 and 2024, albeit at a slower pace than in previous years (DFAT 16/5/2025, p.10f.). The ongoing efforts in the fight against terrorism have reduced terrorist activities and improved the security situation (EC 30/10/2024, p.58).

The security forces' measures against the PKK have disproportionately affected Kurdish communities. Authorities impose curfews of varying duration in certain urban and rural areas and establish special security zones in some areas to facilitate operations against the PKK, restricting access for visitors and, in some cases, residents (USDOS 22/4/2024, pp.24, 42, 68).

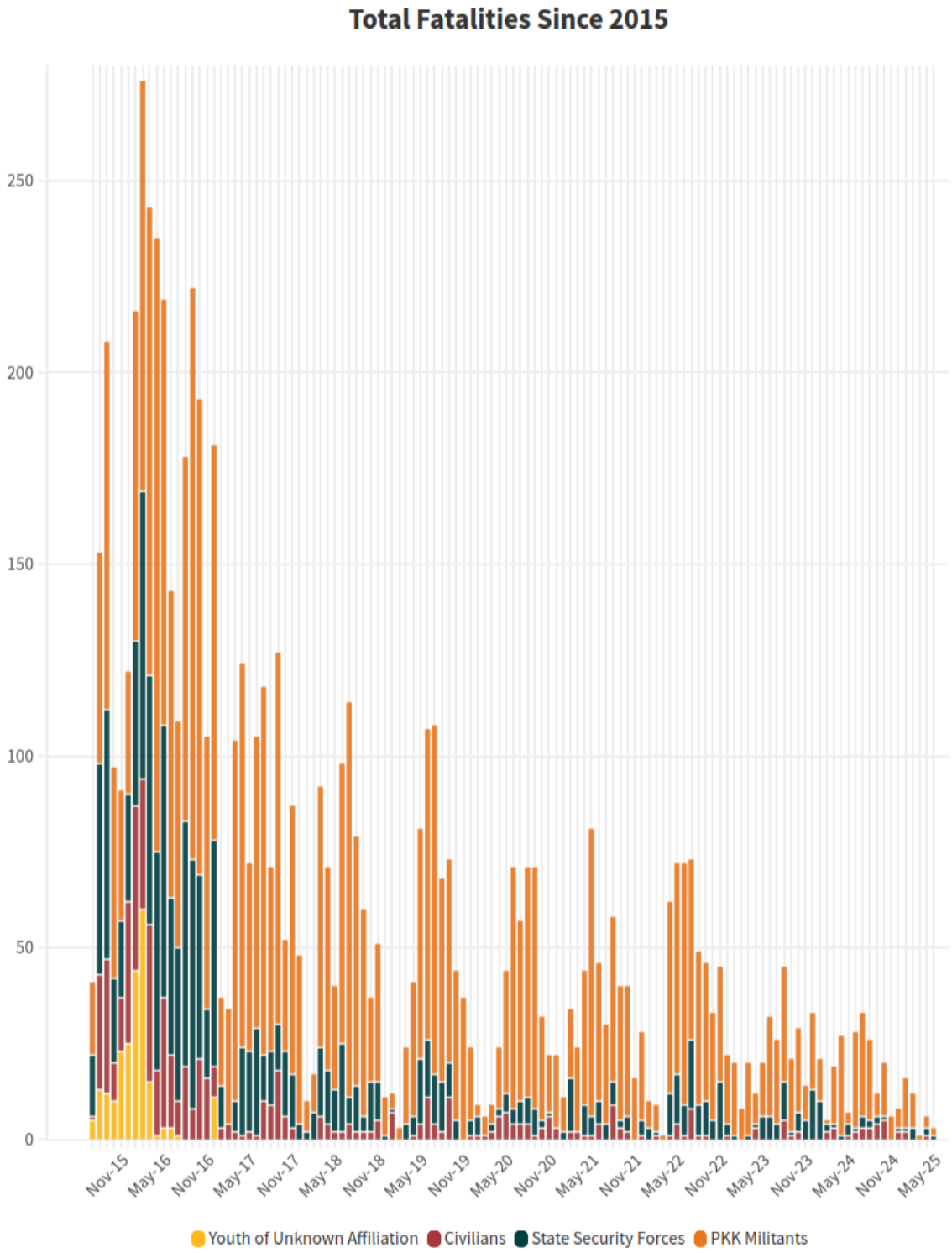
Casualties

According to the Turkish Human Rights Association (İHD), 242 people were killed in armed clashes in 2023, 173 of them armed fighters, 69 members of the security forces, but no civilians

(İHD/HRA 23/8/2024, p.2). This was significantly fewer than in the 2022 İHD census, when 122 members of the security forces, 276 armed militants and nine civilians were killed(İHD/HRA 27/9/2023a).

The International CrisisGroup (ICG) counted 7,227 (4,851 PKK fighters, 1,501 security forces - mostly soldiers [1,065], but also 304 police officers and 132 so-called village guards - 649 civilians and 226 unidentifiable persons) between the resumption of fighting on 20 July 2015 and 4 June 2025. The number of fatalities in the PKK conflict in Turkey peaked in the winter of 2015-2016. At that time, the conflict was concentrated in a number of Kurdish-majority neighbourhoods in south-eastern Turkey. In these districts, PKK-affiliated youth militias had set up barricades and trenches in an attempt to gain control of the area. The Turkish security forces regained control of these urban centres in June 2016. Since then, the number of casualties has gradually decreased. - Since the formal dissolution of the PKK, clashes have decreased significantly. - While 16 deaths were recorded in January and 12 in February, the monthly death toll has fallen to single digits since March 2025 [see chart] (ICG 5/6/2025).

Turkey continued its actions against the PKK despite the ceasefire declared by the group. According to an official announcement by the Ministry of Defence, a total of 26 'terrorists' were neutralised in Iraq and Syria in March 2025 (AP 6/3/2025; cf.ORF 13/3/2025). Two PKK were killed in northern Iraq at the end of May (ICG 6/2025).



Sources 3: ICG 5/6/2025

In October 2023, the Turkish parliament approved a presidential memorandum extending the **deployment of the Turkish army in Iraq and Syria** for a further two years. The memorandum, which emphasises the 'increasing risks and threats to national security due to the ongoing conflicts and separatist movements in the region', was adopted with 357 votes in favour and 164 against. The main opposition party, Republican People's Party (CHP), and the pro-Kurdish

Peoples' Equality and Democracy Party (HEDEP), now renamed the Peoples' Equality and Democracy Party (DEM Party), were among the opponents of the memorandum, reiterating their negative stance from two years ago (HDN 18/10/2023; cf.AlMon 17/10/2023). As part of the mandate, which first came into force in 2014 and was extended several times, Turkey carried out several ground attacks in Syria and Iraq (AlMon 17/10/2023).

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3.1 Gülen or Hizmet movement

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Divergent assessments of the Gülen movement

The Gülen movement is a religious movement that emerged in Turkey in the 1960s based on the preachings of Muslim cleric Fethullah Gülen, a former radical Islamist preacher who died in exile in the United States in October 2024. The movement, also known as Cemaat ('community') or Hizmet ('service'), developed into a civil society movement involving religious, educational and social organisations. Its opponents, including former followers, express concerns about the sectarian, secretive and undemocratic nature of the movement (DFAT 16/5/2025, p.20). Fethullah Gülen was the charismatic centre of the globally active network (Dohrn/BPB 27/2/2017), with supporters in 140 countries (DFAT 16/5/2025, p.20). While Gülen was regarded by his followers as a spiritual leader who promoted a tolerant Islam that emphasised altruism,

modesty, hard work and education (BBC 21/7/2016) and was portrayed as a passionate advocate of interfaith and intercultural exchange, critics described Gülen as an Islamist ideologue who ruled over a strictly organised economic and media empire and whose movement sought to overthrow Turkey's secular order (Dohrn/BPB 27/2/2017).

Strength and presence of the Gülen movement

The Gülen movement is not a clearly defined organisation. It is not possible and never was possible to become an official member. Before it was banned, the movement was a loose collection of religious, educational and social organisations. The diffuse organisational form of the movement makes it difficult to determine its exact size. Around 2010, it was estimated that between eight and ten million people in Turkey were involved in the Gülen movement in one way or another (MBZ 2/2025a, p.45). Because the Gülenists in Turkey were destined to a covert existence, it was impossible to determine the current size of this movement in the country (MBZ 31/8/2023, p.41). Experts' estimates of the number of members vary widely. - For example, the Carnegie Endowment for International 2013 cites a figure of three million sympathisers (CEIP 24/10/2013), while the expert Caroline Tee estimates the number of loyal supporters before 2016 at half a million to two million (MBZ 2/2025a, p.45).

Although the movement was not openly involved in parliamentary politics, it was extremely influential. In addition to schools, study centres and religious discussion centres, it ran businesses and media, including a news agency, a publishing house and several television stations. Since the early 1970s, the Gülenists have used their networks to place followers in important government positions, including in the police, the judiciary and the intelligence services (DFAT 16/5/2025, p.20). The presence of Gülenists in the civil service comprised between 1.5% and 11.3% of all civil servants, depending on the sector. The presence of Gülenists in the education sector was particularly striking, where they influenced about 18% of all private dormitories and 11% of all private schools. Among senior bureaucrats (before the coup attempt), the proportion of Gülenists in the judiciary appears to have reached 30% and in the police 50% (MIT-CIS 18/3/2019).

Historical cooperation between the Gülen movement and the AKP government

For decades, Gülen and President Erdogan were politically aligned and membership of the Gülen movement was not a crime. Membership of the Gülen movement was indirectly promoted by the AKP due to the close relationship between Erdoğan and Gülen (DFAT 16/5/2025, p.20). Until a few years ago, both had similar goals: to push back the political power of the military and to help pious Anatolians rise in society (HZ 20/7/2016). The two leaders were united by their opposition to the secular, Kemalist forces in Turkey. They both had the goal of transforming Turkey into a country characterised by Turkish nationalism and strong, conservative religiosity. Although Gülen himself did not enter politics, he supported the Justice and Development Party (AKP) when it was founded and later came to power, also by mobilising his supporters to this end (MEE 25/7/2016). Gülen supporters held many positions in the Turkish state apparatus, which they used to their own advantage and which the ruling AKP tolerated (DW 13/7/2018). Erdoğan, in turn, used the bureaucratic expertise of the Gülenists to run the country and then to push the

military out of politics. After the military was disempowered, the power struggle began (BBC 21/7/2016). The alliance between the AKP and the Gülen movement reached its climax during the constitutional referendum of 12 September 2010, which changed the composition of the judiciary and ultimately broke the secularist control over the judiciary. The two, AKP and Gülenists, cooperated especially in the Ergenekon and Sledgehammer trials, which jailed hundreds of active and retired military officers, redefining the military's power of command (Taş 16/5/2017, p.4). Manipulated evidence, secret witnesses and much more during the investigations often formed the basis of the show trials organised by the Turkish police and public prosecutors since 2007 (Qantara 30/9/2013). In particular, the 2008 law on anonymous witnesses was utilised primarily by the Gülen movement. The police, the public prosecutor's office and the special courts together were able to initiate any case they wanted and bring about the desired decision. The AKP supported this situation in every way (Mezopotamya 2/8/2022). The investigations were carried out by a small group of Gülen supporters in the police and lower ranks of the judiciary, supported by the Gülen-affiliated media (Jenkins/CACI-SRSP 15/4/2014; cf.Cagaptay n.d, p.31), which at the same time portrayed Prime Minister Erdoğan as a democrat fighting against the elites and a nefarious 'deep state' (Cagaptay n.d, p.31f). The Gülen movement had thus succeeded in establishing a state within the state by infiltrating the security forces as well as the judiciary and the administration. The movement's influence within the judiciary, covered by the ruling AKP, ensured that the misdemeanours of its supporters, e.g. manipulation of evidence in proceedings to persecute political opponents, went unpunished (Qantara 30/9/2013; cf.Jenkins/CACI-SRSP 15/4/2014). According to Turkey specialists such as Gareth Jenkins, the evidence - including confessions - that a conspiracy group of Gülen supporters was behind cases such as Ergenekon, Sledgehammer and the Izmir spy ring is now so extensive that it is irrefutable (Jenkins/CACI-SRSP 15/4/2014).

Gradual criminalisation by the state: from criminal association to terrorist organisation

In December 2013, there was an open political rift between the AKP and the Gülen movement when Gülen-affiliated prosecutors and judges began corruption investigations against Erdoğan's family (then prime minister) and cabinet ministers (AA 24/8/2020, p.4; cf.DFAT 16/5/2025, p.20). Erdoğan then accused Gülen and his supporters of trying to bring down the AKP government through corruption investigations, as several officials and business leaders with links to the AKP were affected and investigations led to the resignations of AKP ministers (MEE 25/7/2016). As a result, the government transferred the prosecutors, police officers and judges involved in the investigations (BPB 1/9/2014) and also began suspending, transferring, dismissing or prosecuting tens of thousands of suspected supporters of the Gülen movement in various state institutions in several waves from the end of 2013. The government also prosecuted journalists under the pretext of supporting the Gülen movement and broke up media groups, banks and other private companies by appointing trustees and expropriating some of them (AA 24(8(2020, p.4 ; cf.DFAT 16/5/2025, p.20).

A Turkish court issued an arrest warrant for Fethullah Gülen in December 2014. The indictment accused the Gülen movement of being a criminal organisation. At the same time, the police took action against suspected Gülen supporters in the media (Standard 20/12/2014). The security

forces carried out a large-scale raid across the country against journalists and alleged opponents of the government in the police force (DW 14/12/2014). On 27 May 2016, President Erdoğan announced that the Gülen movement would be registered as a **terrorist organisation** on the basis of a decision by the National Security Council on 26 May 2016 (HDN 27/5/2016). In mid-June 2017, the Court of Cassation defined the Gülen movement as an armed terrorist organisation. This decision also defined the criteria for membership of this organisation (UKHO 1/2/2018, p.8; cf.Sabah 17/6/2017).

Links to organisations of the Gülen movement

In the past, the Gülen movement in Turkey comprised various institutions such as schools, student houses, hospitals and cultural and charitable organisations. The outstanding quality and reputation of these institutions attracted both committed Gülenists and those who did not belong to the movement. Therefore, in the past, millions of people in Turkey were connected to the Gülen movement in one way or another. Given this past scope of the Gülen movement, it was not always clear how the Turkish authorities decided which Gülenists to take action against (MBZ 31/8/2023, p.42). Consequently, it is quite possible that someone may have studied at a Gülen organisation, worked for it, or had an account at Asya Bank (considered the Gülen movement's house bank) without being a Gülenist in the ideological sense. Such a person can nevertheless be associated with the Gülen movement and consequently get into personal trouble with the authorities. Conversely, in some cases, wealthy actual or alleged Gülenists have been able to avoid personal problems with the authorities by bribing officials. This practice is known as FETÖ Borsası (literally 'FETÖ Exchange'). By paying bribes or handing over a company, a (suspected) Gülenist could have his forced professional resignation cancelled or be removed from the wanted list. There have also been cases of AKP politicians who had links to the Gülen movement but escaped prosecution due to their political influence (MBZ 2/3/2022, pp.36, 38).

The Turkish government accuses the Gülen movement of being behind the attempted coup on 15 July 2016, in which more than 250 people were killed. Although there are numerous indications of involvement, the government in Ankara has so far failed to provide clear evidence (DW 13/7/2018). Fethullah Gülen himself condemned the attempted coup and denied any involvement (MBZ 2/2025a, p.45). The Gülen movement is dubbed 'Fetullahçı Terör Örgütü - (FETÖ)', 'Fetullahist Terror Organisation', by Turkey, usually in combination with the name 'Paralel Devlet Yapılanması (PDY)', which means 'Parallel State Structure' (AA 20/5/2024, p.4 ; cf.UKHO 1/2/2018, p.6). The EU still does not classify the Gülen movement as a terrorist organisation and is of the opinion that Turkey must provide substantial evidence to persuade the EU to change this assessment (Standard 30/11/2017; cf.Presse 30/11/2017). The USA does not consider the Gülen or Hizmet movement to be a terrorist organisation either (TM 2/6/2016).

Extent of persecution

Many of the people arrested after the attempted coup in 2016 are said to have been tortured in custody. Amnesty International and Human Rights Watch documented cases of beatings, forced positions, denial of food, water and medical care, mock executions, sexual assaults and rape.

The torture was usually perpetrated by police officers, often during interrogations in informal detention centres and sometimes under the supervision of police doctors. Victims included judges, prosecutors, police officers, soldiers and other officials. Detainees were also subjected to other human rights violations, including denial of access to or choice of lawyers and detention for long periods without charge. In 2019, there were credible reports of the disappearance and torture of suspected Gülen supporters who were former employees of the Ministry of Foreign Affairs (DFAT 16/5/2025, p.21).

According to media reports on the eighth anniversary (2024) of the attempted coup in July 2016, 705,172 people associated with the Gülen movement have since been prosecuted. 125,456 people have been convicted and 104,448 acquitted. There are 13,251 Gülen members in prison, including 10,365 convicted persons. 61,796 people are still under investigation. 23,052 are in proceedings before lower courts. 357,205 investigations were concluded without charges being brought. 1,634 alleged Gülen members were sentenced to severe life sentences in 289 proceedings in connection with the coup attempt, a further 1,366 received life sentences and 1,891 are serving prison sentences of varying lengths (TR-Today 15/7/2024; cf.TM 10/4/2021). In December 2023, the Court of Cassation (Supreme Court of Appeal) confirmed the aggravated life imprisonment in 77 cases. Of a total of 469 convictions, the court confirmed 430, while 39 were acquitted (Duvar 19/12/2023; cf.TM 19/12/2023).

In the course of the massive persecution following the failed coup attempt in July 2016, more than 540,000 people were (temporarily) arrested (SCF 5/10/2020). Almost 23,900 members of the army (TR-Today 15/7/2024), including 150 of the 326 generals and admirals, 4,145 judges and prosecutors (SCF 5/10/2020), 40,000 police officers (TR-Today 15/7/2024) and more than 5,000 academics were dismissed. Over 160 media outlets, more than 1,000 educational institutions and almost 2,000 NGOs were closed without due process (SCF 5/10/2020). 150,000 public servants, including academics, were dismissed (MEI 20/10/2022, p.2; cf.SCF 5/10/2020). Since July 2016, the government has confiscated or appointed administrators for around 1,000 companies accused of having links to the Gülen movement, most recently also in 2025. Since 2016 (until 2023), assets worth around USD 50 billion have been confiscated from suspected Gülen supporters (DFAT 16/5/2025, p.21).

Immediately after the death of Fethulla Gülen on 20 October 2024, the Turkish authorities made it clear that they would continue their fight against the Gülen movement unabated. As early as 21 October 2024, Foreign Minister Hakan Fidan announced that the government would not let up in its fight against the Gülen movement (MBZ 2/2025a, p.45f). The Ministry of Defence called on Gülen supporters to surrender immediately (Duvar 22/10/2024). The systematic prosecution of suspected Gülen supporters therefore continues. The so-called ‘purge’ measures aim to remove these individuals from all relevant institutions (BAMF 4/11/2024b, p.4; cf.TM 3/12/2024). The arrests are carried out in waves and can extend across the entire country. Information from third parties that a named person belongs to or is close to the Gülen movement is often enough to initiate criminal prosecution. Austrian citizens and Turkish nationals residing in Austria are also affected (ÖB Ankara 28/12/2023, p.29). In July 2024, Justice Minister Yerlikaya cited the number of 9,738 people who were arrested in 6,025 operations within a year (HDN 15/7/2024;

cf.AnA 17/7/2024), with the courts ordering the detention of around 1,500 people and imposing judicial supervision measures on 1,750 released persons (TM 26/5/2024; cf.BAMF 29/7/2024, p.10).

Due to the sheer number, only the most extensive operations against alleged Gülen members since autumn 2024 [last partial update of the country information] are listed here ***as examples****, note it is not just about the number, but also about the type of accusations and groups of people. - Examples from further back can be found in older versions of the country information on Turkey:*

In mid-October **2024**, 13 people with links to the Gülen movement were arrested in Manisa, and at the same time the General Prosecutor's Office in the capital Ankara announced that 12 out of 33 suspects arrested in connection with the infiltration of the Turkish Land and Air Forces chose to cooperate with the authorities and identified 133 people as members of the Gülen movement (DS 16/10/2024). Interior Minister Yerlikaya announced in mid-November that 459 suspects had been arrested in operations in 66 provinces. According to the minister, the suspects were also involved in the Gülen movement's propaganda [official diction of the source: 'terror group'] on social media and communicated with each other via public phones, a method often used to avoid detection. They also used ByLock, according to the Interior Minister (DS 19/11/2024; cf.SCF 19/11/2024). There were several waves of arrests in December 2024: 24 suspects were arrested on 10 December. 21 of them were allegedly involved in the manipulation of public personnel selection examinations in 2012. Another suspect, allegedly the accountant of the city of Konya, was arrested as a user of ByLock, while two other suspects are being investigated for staying in Gülen student residences and using the ByLock app (DS 10/12/2024). On 18 December, according to the interior minister, 41 alleged Gülen members were arrested in nine provinces as part of an alleged secret network in the army or the authorities, who also had ongoing links to high-ranking fugitive Gülen officials (DS 18/12/2024). And on 24 December, 31 Gülen suspects were arrested in the province of Izmir (DS 24/12/2024).

The arrests of alleged Gülen members or supporters continued in **2025**. - On 7 January, it was reported that 22 of 37 wanted suspects were arrested. They were allegedly part of a company network that finances the Gülen movement. According to the authorities, they were identified through statements made by former Gülen members who had cooperated with the authorities, as well as through financial investigations and examinations of digital evidence seized during previous investigations. The suspects had sent cash via couriers to Gülen members imprisoned for their links to the group as well as to their families (DS 7/1/2025; cf.SCF 10/1/2025, TM 10/1/2025). On 10 January, the Interior Minister announced the arrest of a further 63 people in operations in 38 provinces (SCF 10/1/2025; cf.TM 10/1/2025), and on 14 January the arrest of a further 110 suspects in 23 provinces who are said to belong to the academic and military network of the Gülen movement (DS 14/1/2025; cf.SCF 14/1/2025). On 18 January, the Ministry of the Interior announced the arrest of 47 suspects in 23 provinces as part of the 'KISKAÇ-35' operations (TC-İB 18/1/2025) and on 24 January 2025 the arrest of 71 suspects in 23 provinces as part of the 'KISKAÇ-36' operations (TC-İB 24/1/2025; cf.DS 24/1/2025, SCF 24/1/2025). On 21 February 2025, the police arrested a total of 353 people, including ten civil servants suspected of belonging to the Gülen movement. The suspects were arrested during raids in 31

cities. According to the interior minister, they are accused of using a kebab restaurant chain to raise money for the Gülen movement (DS 21/2/2025; cf.SCF 21/2/2025, C8 22/2/2025). During operations in 27 provinces between 19 and 27 March, 73 people were arrested. Of these, 48 were detained, 16 were released under judicial supervision and the rest were under further investigation. Interior Minister Yerlikaya said those detained were suspected of keeping in touch via payphones, using the encrypted messaging app ByLock and disseminating content from the Gülen movement on social media. Some people were also accused of being part of the alleged 'military and current structures' of the Gülen movement or of supporting it financially (TM 4/4/2025; cf.TC-İB 4/4/2025). On 5 May, the Ankara police announced the arrest of 33 alleged Gülenists, 20 of whom worked in public institutions. The suspects were allegedly responsible for recruiting new members and checking their loyalty (DS 5/5/2025; cf.Hürriyet 5/5/2025). In the first half of May, 225 suspects were arrested in further operations in 47 provinces, mainly in Gaziantep. On 10 May 2025, four more alleged Gülen members were arrested, with the authorities claiming that it was a group that organised trips by young Turks to countries in the Balkans (Albania, North Macedonia, Bosnia and Montenegro), where they were indoctrinated and recruited in courses (DS 11/5/2025; cf.TR-Today 11/5/2025, TC-İB 6/5/2025). On 16 May 2025, the Ministry of the Interior announced the arrest of a further 101 people during raids in 27 provinces. The detainees were accused of making contact with members of the movement via payphones, supporting the movement financially and spreading propaganda on social media (TC-İB 16/5/2025; cf.SCF 16/5/2025). And on 23 May 2025, raids were carried out simultaneously in 36 provinces against suspected members of the Gülen movement, with 56 military personnel being taken into custody (BAMF 26/5/2025, p.9; cf.DS 23/5/2025). And in mid-June, 56 people were arrested within two days, with the focus on dismantling the movement's secret infrastructure, its recruitment efforts among young people and its escape aid rings that facilitated illegal border crossings (SCF 17/6/2025). In the second half of June, a major wave of arrests took place in which almost 250 people were detained in over 40 provinces, including 163 active military personnel including several officers and 21 active and former police officers (SCF 24/6/2025; cf.BIRN 24/6/2025, TM 24/6/2025).

Dangers for legal representatives

Lawyers of alleged Gülen members run the risk of being suspected of having links to the Gülen movement themselves (MBZ 18/3/2021, p.40f.). In September 2020, 47 lawyers were arrested for allegedly supporting Gülen members through their legal advice (AlMon 16/9/2020; cf.ICJ 14/9/2020). *See also chapter:*Rule of Law / Judiciary.

Persecution of non-Gülen members as Gülenists

Sometimes 'non-Gülenists' are branded as Gülen members or supporters and treated as such by the authorities. In this case, opposition members, trade union activists, journalists and academics who criticise the government could come into consideration (MBZ 2/2025a, p.50). For example, the lawyer Dilek Ekmekçi was prosecuted and remanded in custody on suspicion of being a member of the Gülen movement. Among other things, she had made critical comments about the sexual abuse of minors in state institutions (MBZ 2/2025a, p.50; cf.MLSA 24/10/2024,

Agos 31/1/2025). At the end of January 2025, the court decided to release Ekmekçi after 152 days in prison. However, she was sentenced to one year and 13 months for 'knowingly and intentionally supporting an illegal organisation' and banned from leaving the country (MLSA 31/1/2025; cf.Agos 31/1/2025).

Criteria for persecution by the judiciary

Human rights observers have expressed concern that the Turkish government has not published clear criteria for linking individuals to the Gülen movement (DFAT 16/5/2025, p.20; cf.AA 20/5/2024). - As early as 3 September 2016, the daily newspaper Milliyet published a non-exhaustive 'list of sixteen criteria' that serves as a guideline for dismissal from state functions and for criminal prosecution. Individuals who fulfil the listed criteria to varying degrees are subjected to official procedures and labelled as 'terrorists' - followed by their arrest or imprisonment. According to the government, the aim of drawing up such a list was to 'distinguish the guilty from the innocent' (JWF 1/1/2019, p.10). As a rule, the presence of one of the following criteria is sufficient to initiate criminal prosecution as a suspected Gülenist: The use of the encrypted communication app 'ByLock'; cash deposits at Bank Asya after 25 December 2013 (until its closure in 2016) or other financial institutions of the so-called 'parallel structure'; subscription to the news agency Cihan or the newspaper Zaman; donations to charities associated with Gülen structures (AA 20/5/2024, p.6f .; cf.MBZ 2/3/2022, p.38, JWF 1/1/2019, p.11, Statewatch/Turkut/Yıldız 11/2021, p.10f.), such as the once largest aid organisation in the country 'Kimse Yok Mu' (JWF 1/1/2019, p.11); the attendance of one's own children at schools associated with the Gülen movement; contacts with groups/organisations/companies associated with Gülen, including employment relationships and participation in religious gatherings of the Gülen movement (AA 20/5/2024, p.7; cf.JWF 1/1/2019, p.11, Statewatch/Turkut/Yıldız 11/2021, p.10f.). Other criteriainclude: support for the Gülen movement in social media, repeated visits to Gülen movement websites and being named by credible witness statements, confessions by third parties or simply as a result of denunciations (JWF 1/1/2019, p.11; cf.Statewatch/Turkut/Yıldız 11/2021, p.10f.). As a rule, a conviction requires the coincidence of several of these indications, whereby the Court of Cassation has specified that a certain degree of attachment of the person to the organisation must be proven for membership of an armed terrorist organisation (AA 20/5/2024, p.7). In May 2019, the Court of Cassation ruled that neither a defendant's newspaper subscription (SCF 6/8/2019) nor his child's enrolment in a Gülen school was sufficient for a conviction (AA 20/5/2024, p.7; cf.SCF 6/8/2019). *See the ECtHR judgement of 3 December 2024 below for an example of the criteria!*

According to their own statements, the Turkish authorities differentiate between

different degrees of severity of involvement in the Gülen movement. In March 2020, the 16th Criminal Chamber of the Constitutional Court, which is responsible for appeals in all Gülen cases, declared that there are seven levels of involvement: The first level consists of people who (financially) support the Gülen movement out of good intentions. The second layer consists of a loyal group of people who worked in Gülen organisations and were familiar with the ideology of the Gülen movement. The third group consisted of ideologues who adopted the Gülen ideology

and spread it in their environment. The fourth group were inspectors who supervised the various forms of services provided by the Gülen movement. The fifth group consisted of officials who were responsible for creating and implementing the policies of the Gülen movement. The sixth group formed the elite circle that maintained or still maintains contact between the different segments of the organisation, but could also dismiss people from their positions. The seventh group consists of seventeen people who were selected directly by Fethullah Gülen and are at the top of the Gülen movement (MBZ 18/3/2021, p.38f .). While practically anyone with a Gülen background can be prosecuted under criminal law, suspected Gülenists in the security apparatus, such as the military and gendarmes, are particularly targeted. People who have held leading positions in Gülen institutions such as the Gülen schools, Fatih University in Istanbul and the daily newspaper Zaman also tend to attract negative attention from the authorities (MBZ 2/3/2022, p.38).

The Turkish authorities' decision to prosecute alleged Gülen members or not seems to be very arbitrary (MBZ 2/3/2022, p.39). Moderate judges tend to differentiate between 'passive' and 'active' Gülen members, while hardliners make no distinction regarding the criteria of alleged support or membership in the Gülen movement. As a result, the outcome of the criminal proceedings is arbitrary, particularly with regard to the severity of the sentence (MBZ 18/3/2021, p.41). One of the factors contributing to this unpredictability is the fact that the authorities neither use objective criteria nor apply them consistently (MBZ 2/3/2022, p.39). Even people who were not Gülenists, such as opposition politicians, human rights activists and left-wing trade unionists, were accused of having links to the Gülen movement (MBZ 31/8/2023, p.43).

On the occasion of Fethullah Gülen's death on 20 October 2024, people who publicly expressed their condolences were prosecuted for supporting terrorism. The editor-in-chief of the Yeni Asya newspaper, Kazım Güleçyüz, was arrested for expressing his condolences on the platform 'X' with the words: 'Allah rest his soul' (DTJ 28/10/2024; cf.NaT 24/10/2024). The Istanbul Chief Public Prosecutor's Office ordered the arrest of a total of 15 suspects, four of whom were actually arrested for praising Gülen on social media after his alleged death (NaT 24/10/2024).

The relatives of high-ranking Gülenists are particularly at risk of attracting the attention of the authorities (MBZ 2/2025a, p.52). For example, in addition to Selahaddin Gülen, a nephew of Fetullah Gülen, who was already taken from Kenya to Turkey by the National Intelligence Service MİT in 2021, Asiye Gülen, a niece of Fetullah Gülen, and her husband were also arrested in Istanbul in June 2023 (MBZ 31/8/2023, p.45). And in mid-July 2023, Istanbul police and the MİT secret service arrested Selman Gülen, another nephew of Fetullah Gülen who was wanted by the authorities, the former's wife, Nur Gülen, and her parents (DS 14/7/2023). In general, family members of suspected Gülen supporters have been affected, including by travel bans and/or passport confiscations, the freezing of assets and dismissal from public service (DFAT 16/5/2025, p.21). However, there have also been several cases of families who had a Gülen supporter in their ranks without the relatives having any problems with the Turkish authorities (MBZ 2/3/2022, p.41).

To identify alleged Gülen members, the law enforcement authorities use **surveillance software** that identifies suspects based on 78 main and 253 secondary criteria, the so-called **'FETÖ-Meter'** (TM 5/3/2021). These criteria are grouped into four categories, namely: those that relate directly to the core area of the profiled person's private life; those that relate to the person's professional life (from the cadet period onwards); those that relate to the profiled person's social environment and affiliation; those that relate to the profiled person's relatives (Statewatch/Turkut/Yıldız 11/2021). The criteria include, for example, data on educational background, kinship and wealth. Suspicious characteristics are, for example, service in a NATO representation abroad or a doctorate. In the case of military personnel, holding their own wedding outside of buildings owned by the military is considered a suspicious factor because it is assumed that this served to conceal the identities of the wedding guests (TM 5/3/2021). The FETÖ-Meter initially collected intelligence data from all areas of the army as well as from ministries and authorities in order to track down possible infiltrators (from the authorities' point of view). Among other things , the investigators used the tool to examine around one million mobile phone numbers registered to former and serving naval officers and allegedly discovered that 1,500 of them were users of the encrypted messenger app 'ByLock'. The account information of officers at the now-defunct Bank Asya was also used for identification (DS 12/9/2018). The FETÖ-Meter also inspired other government agencies to adopt a similar policy, such as the Social Security Institution (SGK), which has been labelling suspected Gülen sympathisers in its database with the 'Code 36' for four years. The labelling is automatically visible to any potential employer, leading to fears among those considering hiring one of these individuals (TM 5/3/2021; cf.DFAT 16/5/2025, p.21). Those laid off lose their income and social benefits, including access to health insurance and pension benefits (DFAT 16/5/2025, p.21).

There is a **social stigma** attached to being a Gülen member, which is why many citizens distance themselves from them, and acquaintances within the social circle of Gülen members break off contact (MBZ 31/8/2023, p.44f.). This attitude is not always based on hatred and dislike, but is a form of self-protection for fear of being prosecuted if they are associated with people from the Gülen movement (MBZ 2/3/2022, p.41). As a result, alleged or actual Gülen members have also lost their jobs or have been unable to find (new) employment (MBZ 31/8/2023, p.46). The 'FETÖ metre' was also used as an instrument, especially in the army, to dismiss people. Dismissals even occurred due to a relationship (spouse, sibling) with an alleged Gülen member who, for example, had an account at Asya Bank or was an alleged ByLock user (Statewatch/Turkut/Yıldız 11/2021, pp.21-26). In the official announcement of March 2022, it was already made clear that all persons who had been forcibly released due to (alleged) links to terrorism were registered in a social security database, Sosyal Güvenlik Kurumu (SGK). This registration made it difficult for dismissed employees to find a new job. When they applied for a new job, potential employers in both the public and private sectors could view the registration via an SGK portal. They were often not inclined to hire people with such a registration (MBZ 2/2025a, p.51f.). There have been reports in the past that unemployed Gülen members are condemned to the informal economy on the streets or to a life of self-sufficiency in their ancestral village (MBZ 18/3/2021, p.43).

Judgements of the ECtHR and the Turkish supreme courts

On 23 November 2021, the **European Court of Human Rights (ECtHR**) issued a ruling on 427 Turkish judges and public prosecutors, including members of the Court of Cassation and the Council of State [Supreme Administrative Court], who had been dismissed from public service and arrested on suspicion of belonging to the Gülen movement. According to the ECtHR judgement, their detention was arbitrary and therefore unlawful. Turkey was therefore ordered to pay damages of EUR 5,000 per person. The main issue in the proceedings was whether the representatives of the judiciary in question could be remanded in custody at all, as Turkish law does not permit this for members of the judiciary, with the exception of the direct commission of a criminal offence, which the Turkish government invoked. The ECtHR rejected this reasoning as absurd, as membership of an organisation cannot be a 'flagrante delicto' offence (BAMF 6/12/2021, p.14). And in early September 2022, the ECtHR ruled that the pre-trial detention of 230 judges and public prosecutors following the failed coup in 2016 was unlawful and that Turkey must pay each applicant 5,000 euros in damages. In the case of 209 complainants, the pre-trial detention did not take place in a legally prescribed procedure, while in the case of the remaining 21 complainants, the suspicious facts did not constitute grounds for the imposition of pre-trial detention (TM 6/9/2022).

On 25 June 2024, the **ECtHR** ruled *(Duymaz and others v. Turkey)* that the pre-trial detention of 314 persons following the failed coup in July 2016 violated Article 5 of the European Convention on Human Rights, as there were no grounds for reasonable suspicion that the persons concerned had committed a criminal offence. The ECtHR stated on the basis of the court documents that the majority of the applicants were identified as users of the messaging app ByLock. Some were suspected of being associated with the Gülen movement based on testimonies or accounts with the Gülen-affiliated Bank Asya, and some based on possession of Gülen-affiliated publications and/or US one-dollar notes with an 'F' serial number denoting the first letter of the first name 'Fetullah', while others were suspected based on their employment with and/or membership in Gülen-affiliated institutions and organisations. However, the ECtHR has clarified several times that such activities or circumstances are not sufficient to prove that someone has committed a crime. - The court also ordered Ankara to pay 5,000 euros in damages as well as costs and expenses (TM 25/6/2024; cf.ECHR 25/6/2024).

On 3 December 2024, in two separate collective judgments *(Kesler and others v. Turkey / Sert and others v. Turkey)*, the **ECtHR** again condemned the arrest and pre-trial detention of a total of 379 people following a failed coup attempt in 2016 due to their alleged links to the Gülen movement. The ECtHR found that there were insufficient grounds for their detention. The applicants were charged with membership of a terrorist organisation for using the ByLock messenger app, holding accounts with Bank Asya, Gülen-related publications and US one-dollar notes with a serial number 'F' (allegedly for 'Fethullah') and/or their employment with and/or membership of institutions and organisations, all of which are considered by the Turkish government to be linked to the Gülen movement. In addition, testimonies indicating links to the movement, social media postings, attending or holding religious gatherings, communicating with senior leaders of the Gülen movement, facilitating communication between Gülen members, staying in Gülen-affiliated houses and carrying out various other activities on the alleged orders

of the movement were also used as criminal evidence against the applicants by the Turkish courts. The ECtHR ruled that Turkey violated Article 5 of the European Convention on Human Rights as there were insufficient grounds for ordering and maintaining pre-trial detention in the cases of all 379 applicants. The ECtHR ruled that Turkey must pay 363 of the 379 applicants 5,000 euros each in compensation for non-material damage and for costs and expenses. - With the latest decision, the ECtHR found that Turkey had violated the rights of a total of 2,732 people in 62 different applications in connection with the rights violations following the coup attempt. Turkey was ordered to pay a total of 12,563,538 euros in non-material damages and costs in these cases (TM 3/12/2024; cf.ECHR 3/12/2024a, ECHR 3/12/2024b).

On 11 February 2025, the **ECtHR** ruled that Turkey had violated the right to a fair trial of 120 judges and prosecutors in three different cases. The judgements - Olcay and others v. Turkey, Benli and others v. Turkey - the Benli case concerned six judges and senior inspectors of the High Council of Judges and Prosecutors (HSYK) and of the Ministry of Justice - and Tosun and others v. Turkey - concerned the dismissals of judges both before and after the coup attempt in 2016. The judges concerned were not given any legal recourse to challenge their dismissal, which prompted them to bring their case before the ECtHR. The ECtHR unanimously ruled that the judges had a legitimate claim to challenge their dismissal and that the denial of judicial review affected their fundamental rights and violated Article 6 § 1 (right of access to a court). The court ordered Turkey to pay 3,000 euros in damages to each applicant (TM 11/2/2025; cf.Politurco 11/2/2025).

On 21 June 2022, six years after the failed coup in Turkey, the **Court of Cassation** (i.e. Supreme Court of Appeal) acquitted 71 former military students who had been sentenced to life imprisonment for their involvement in the attempted coup (Spiegel 23/6/2022; cf.Bianet 22/6/2022).

In February 2024, the **Council of State** (Administrative Court) decided that 450 judges and public prosecutors who had been forcibly dismissed at the time should be reinstated. President Erdoğan publicly expressed his displeasure and described the decision of the Supreme Administrative Court as ‘unacceptable’. Following this decision, the Council of Judges and Prosecutors (HSK) launched a new investigation into 387 judges and prosecutors (HDN 19/2/2024; cf.MBZ 2/2025a, p.51).

On 22 January 2025, the **Constitutional Court** ordered the retrial of former teacher Hasan Sarıcı, who had been dismissed from office by government decree following the attempted coup in 2016 and sentenced to six years in prison for membership of the Gülen movement. Sarıcı’s conviction before the First High Criminal Court in Kırklareli was based on his membership in a Gülen-affiliated trade union, financial transactions at Bank Asya and a subscription to the newspaper Zaman. The high court cited violations of constitutional rights and insufficient evidence as reasons for the retrial order. In addition to finding procedural gaps, the Constitutional Court emphasised that Sarıcı’s alleged activities did not constitute a crime at the time of his conviction. Accordingly, the court could not establish a direct link between Sarıcı’s actions and an alleged active participation in criminal activities. The Constitutional Court emphasised that clear

evidence of intent and active participation in organisational activities was required for criminal liability (BAMF 3/2/2025, p.9; cf.SCF 22/1/2025). In its reasoning, the High Court found that there was no concrete evidence as to whether the applicant knew that the Gülen movement was a terrorist organisation before it was classified as such, meaning that Sarıcı could not reasonably foresee that he would be held criminally liable (YŞ 23/1/2025).

ByLock and special payphones

ByLock is a mobile phone application for the encrypted, secure exchange of written and spoken messages. It is considered by the Turkish government to be one of the most important indications of support or proximity to the Gülen movement. According to the authorities, ByLock was also used by the Gülen movement to prepare for the attempted coup in July 2016 (BAMF 4/11/2024b, p.6). In September 2017, the Court of Cassation ruled that possession of ByLock was sufficient evidence to establish membership of the Gülen movement. Several people arrested for allegedly using ByLock were released after it was proven in December 2017 that hundreds of people were falsely accused of using the mobile application (EC 17/4/2018, p.8). Nevertheless, in June 2020, the Constitutional Court ruled in an appeal that the use of ByLock was sufficient proof of membership of the Gülen movement (Ahval 27/6/2020; cf.BAMF 4/11/2024b, p.6). However, the General Assembly of the Constitutional Court had previously stated in its decision of 20 June 2017 that a person's connection to the Gülen movement must be substantiated with evidence in the form of technical data if ByLock is used. The Constitutional Court assumes that ByLock is being used if a comparison of the user ID and entries from the telecommunications provider is positive (BAMF 4/11/2024b, p.6). Finally, in 2021, the Court of Cassation also laid down guidelines for the application of the ByLock criterion. This criterion can only be used against suspects if there is conclusive evidence that they used the application themselves and not someone else. Nevertheless, courts of lower instances have not adhered to this guideline on a case-by-case basis. As a result, the judgements against numerous individuals found guilty of belonging to the Gülen movement were later overturned either by the Court of Cassation or the Constitutional Court (MBZ 31/8/2023, p.23; cf.BAMF 4/11/2024b, p.7).

The United Nations Human Rights Council Working Group on Arbitrary Detention issued a statement in October 2019 stating that the use of ByLock falls under the right to freedom of expression. As long as the Turkish authorities would not openly explain how the use of ByLock amounts to criminal activity, arrests based on the use of ByLock would be arbitrary (TM 15/10/2019; cf.UNHRC 18/9/2019).

On 20 July 2021, the **ECtHR** ruled that the former police officer concerned, Tekin Akgün, had been wrongly detained on remand since 2016 for membership of the Gülen movement because the arrest was based solely on the use of ByLock. According to the judgement of the ECtHR, the Turkish court did not have sufficient information about ByLock to conclude that this messenger application was used exclusively by members of the Gülen movement for internal communication purposes. In the absence of any other evidence or information, the document in question, which merely stated that the applicant was a user of ByLock, could not in itself indicate that there was a reasonable suspicion that he actually used ByLock in a manner that could amount to

the offences alleged. The ECtHR thus found a violation of Article 5 § 1 (right to liberty and security), Article 5 § 3 (right to trial within a reasonable time or to release pending trial) and a violation of Article 5 § 4 (right to a prompt decision on the lawfulness of detention) of the European Convention on Human Rights (ECHR 20/7/2021, p.1).

In September 2023, the Grand Chamber of the European Court of Human Rights (ECtHR) once again ruled in a case (Yüksel Yalçınkaya v. Turkey) that the sentencing of a teacher to six years and three months in prison by a Turkish court for his links to the Gülen movement and thus as a member of a terrorist organisation was unlawful due to activities such as the use of ByLock or an account with Asya Bank. The ECtHR criticised Turkey's use of the encrypted messaging app 'ByLock' as evidence as far-reaching and arbitrary and without the necessary guarantees for a fair trial. In addition, the court pointed to significant procedural flaws in the trial, including the fact that it was not granted access to evidence and was not allowed independent examination of data (TM 26/9/2023SCF 23/7/2024; cf.SCF 23/7/2024, BAMF 29/7/2024, p.10). Nevertheless, alleged Gülen supporters continue to be arrested for the former use of Bylock or for holding an account at Asya Bank, as in July 2024 (BAMF 29/7/2024, p.10). In the case of Yüksel Yalçınkaya, the 2nd District Court in Kayseri overruled the ECtHR at the retrial of the case in September 2024 and convicted Yalçınkaya again on the same charges (TALI 15/9/2024; cf.HRW 16/1/2025).

Asya Bank

Bank Asya, which was run and supported by Gülen supporters, came under increasing pressure after the failed coup attempt and was placed under full state administration from 22 July 2016. In many cases, it was enough to have an account at Asya Bank to be charged with membership of the Gülen movement. However, many defendants were not convicted if there was no further evidence. However, the mere deposit of money in the Asya Bank after 25 December 2013 could lead to the suspension of civil servants from the civil service (ÖB Ankara 28/12/2023, p.29). In 2018, the Court of Cassation ruled that those who deposited money in the Asya Bank after Fethullah Gülen's appeal in early 2014 should be considered supporters and beneficiaries of the Gülen movement (DS 11/2/2018).

Gülen schools

The Gülen movement once ran schools around the world (BBC 21/7/2016). The closure of the schools posed (and still poses) major challenges for the Gülen movement, as they played an important role in financing and recruiting new followers. In order to prevent access by the Turkish state, many schools no longer declared themselves as Turkish institutions, but as local institutions. Through a mixture of political pressure and economic incentives, Turkey has tried to convince host countries to hand over Gülen schools, dormitories and universities to the Maarif Foundation (NZZ 14/2/2020), or to close them on the basis of bilateral agreements with the respective countries or transfer them to other owners (SCF 5/2/2019; cf.DS 31/7/2018). Whenever the Turkish government's interventions to close the Gülen schools do not prove successful, it endeavours to open its own schools via the Maarif Foundation (NZZ 14/2/2020).

In 2024, the Maarif Foundation reported that it operated 460 educational institutions with 50,000 students in 52 countries (Maarif 2024; cf.DS 5/1/2024).

Persecution abroad: extradition requests and abductions

Turkish nationals living abroad who are suspected of having links to the Gülen movement can be monitored and observed, especially if they are known and can be proven to support the Gülen movement. Surveillance can be carried out online or physically, including by persons acting for or on behalf of the Turkish state (DFAT 16/5/2025, p.22).

According to media reports, 1,774 extradition requests for 1,637 people were sent to 115 countries worldwide. 132 people were extradited or deported to Turkey (TR-Today 15/7/2024). There are credible reports that the government is attempting to use INTERPOL Red Notices to target certain individuals outside the country who are believed to have links to terrorism without evidence (USDOS 22/4/2024). According to the head of the INTERPOL department of the Turkish Ministry of the Interior, the International Criminal Police Organisation (INTERPOL) refused to issue a so-called Red Notice for persons with alleged links to the Gülen movement in 773 cases after INTERPOL had classified these applications as political (SCF 4/6/2021; cf.Ahval 5/6/2021). In June 2022 (as previously in May 2021), the European Parliament condemned the extradition by third countries or abduction of Turkish nationals for political reasons in violation of the rule of law and fundamental human rights (EP 7/6/2022, p.19, para.31).

The Turks Abroad Bureau (YTB) and the Turkish Co-operation and Coordination Agency (TİKA) have also been actively involved in covert intelligence operations around the world. The Directorate of Religious Affairs (Diyanet) is also involved in tracking down government critics among Turks abroad. Last but not least, state-funded private think tanks and organisations such as the Union of European-Turkish Democrats (UETD) and the Foundation for Political, Economic and Social Research (SETA) collect information on government critics [note: not only on Gülen members] (AST 1/9/2020).

Amnesty - rehabilitation - prison releases

The experiences of those released are not uniform. Some dismissed civil servants have been reappointed to high positions, others are successful in the private sector. There are legal mechanisms by which accused Gülen supporters can be politically rehabilitated or rehabilitated, especially if their links to the Gülen movement were minor or accidental, such as merely downloading the Bylock app. However, the relevant sources emphasised that these procedures are arbitrary, time-consuming and not always successful (DFAT 16/5/2025, p.22).

According to police reports from February 2022, 1,244 alleged supporters of the Gülen movement were granted **amnesty** in Ankara alone, as 19,856 additional Gülen members were identified based on the statements of suspects. In addition, the police in the capital identified a total of 4,780 previously unknown Gülen members (AnA 17/2/2022) on the basis of the information.

The number of imprisoned alleged Gülenists has fallen. - In November 2021, 22,340 Gülenists were still in custody or in prison. By July 2022, this number had already fallen to 19,252 and

shrank to 13,251 in mid-July 2024. This decline is due to the fact that more and more Gülenists have already served their prison sentences. The average sentence was 7.5 years, which could be reduced by a sixth with 'good behaviour'. In addition, the number of arrests fell from around 22,500 in 2021 to just over 9,600 in 2023 (MBZ 2/2025a, p.46f.).

See the subchapter: Torture and inhumane treatment / abductions and enforced disappearances at home and abroad.

On the issuing of passports, see the chapter: Treatment after return.

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3.2 Terrorist groups: PKK - Partiya Karkerên Kurdistan (Kurdistan Workers' Party)

Last modification 2025-08-06 13:32

Self-dissolution of the PKK and end of the armed struggle

'[…] ***Call for participation in the process for peace and a democratic society***

> *The decision of our Congress to dissolve the PKK and end the method of armed struggle creates a strong foundation for lasting peace and a democratic solution. The implementation of these decisions requires that Rêber Apo can lead and guide the process, that the right to democratic politics is recognised and that comprehensive, legally binding security is guaranteed. […]' [Translation of quote from the German version of the final communiqué of the 12th PKK Congress; note: Rêber Apo refers to Abdullah Öcalan].* (ANF 12/5/2025).

On 12 May 2025, after holding its 12th party congress from 5-7 May at two secret locations in northern Iraq, the PKK announced its dissolution and the end of the armed struggle (ICG 16/5/2025; cf.ANF 12/5/2025, BPB 16/6/2025). In line with Öcalan's February 2025 call for dissolution, the PKK emphasised in its declaration of 12 May that its 'historic mission' had been fulfilled: it had broken through the decades-long denial of the Kurdish question and put it permanently on the political agenda. The armed struggle is now considered obsolete; in future, the commitment to Kurdish rights should therefore be civil, democratic and equal (BPB 16/6/2025; cf.ANF 12/5/2025). According to the International Crisis Group, the voluntary dissolution was undoubtedly a difficult step for the PKK, but one that could not be interpreted as an explicit military defeat and therefore offered a somewhat face-saving way out of a deteriorating situation. As part of its new efforts to reach an agreement with the PKK, Turkey appears to have given the group a choice: Dissolution and possible positive steps by Turkey or rejection and continued military pressure - which continued even after the unilateral ceasefire by the PKK at the end of February 2025 following Öcalan's appeal (ICG 16/5/2025).

The questions regarding the handover of weapons remain open [as of early July 2025] - when, where, under whose supervision will it happen? - the possible return or integration of the PKK fighters and the future of the leadership cadres and of Öcalan himself (TM 15/5/2025; cf.TNA 21/5/2025).

See also the two chapters: Security situation and Political situation.

Structure and ideology

The Marxist-oriented Kurdistan Workers' Party (Partiya Karkerên Kurdistanê - PKK) is not only classified as a terrorist organisation in Turkey, but also by the USA and the EU (ÖB Ankara 4/2025, p.27; cf.EC 30/10/2024, p.38). The original aim of its struggle was to establish an independent Kurdish state. Since 1995, however, the organisation has been striving for autonomy and cultural rights for Kurds within Turkey and has shifted its demand for independence in favour of the demand for a system of self-government (DW 25/10/2024; cf.BMI-D 10/6/2025 p.259, ÖB Ankara 4/2025) including in northern Irak and northern Syria. To this end, the PKK utilised the armed struggle that its founder Abdullah Öcalan had already called for in 1984 (BMI-D 10/6/2025, p.259f.). According to the German Office for the Protection of the Constitution, the PKK has a strict hierarchical structure and is centred on its leadership. The structures in Europe are seamlessly integrated into the PKK organisation and implement the goals set by the PKK leadership without any room for independent decision-making (BMI-D 10/6/2025, p.261). It is assumed that the PKK had a membership base of around 60,000 people, including active

fighters, supporters and sympathisers (DW 25/10/2024). Despite his continued imprisonment in Turkey since 1999, Abdullah Öcalan remains the undisputed leader and symbolic figure within the PKK (BMI-D 10/6/2025, p.260).

Developments up to the formal self-dissolution of the PKK

Note: At the present time (early July 2025), it is not possible to assess whether and to what extent the information regarding (further) arrests of PKK members and supporters in Turkey and abroad and the action taken against their family members is still accurate, despite the dissolution of the PKK. The question of the self-dissolution of the KCK and the PKK sister organisations in Syria, Iraq (and Iran) and the action taken by the Turkish authorities against these organisations and their members and supporters also remains unclear.

An uprising led by the PKK between 1984 and a ceasefire in 2013 cost the lives of an estimated 40,000 people. A ceasefire collapsed in July 2015, leading to a resumption of hostilities (DFAT 16/5/2025, p.4). The PKK violence was accompanied by arrests and serious human rights violations by the Turkish military government (from 1980). The PKK is mainly active in the south-east, in the border regions with Iran and Syria and in northern Iraq, where its area of retreat, the Kandil Mountains, is also located (ÖB Ankara 4/2025, p.28; cf.DW 25/10/2024). *For further current figures and details, see the chapter: Security situation.*

As of 4 June 2025, the International Crisis Group has recorded 4,851 PKK fighters or allies killed since 2015 since the resumption of fighting. - In mid-2023, the Turkish authorities stated that almost 40,000 militants had been ‘neutralised’ (either killed, captured or surrendered) since the resumption of hostilities in July 2015 (ICG 5/6/2025).

Despite the looming dissolution of the PKK, arrests continued in 2025. - In mid-February, 282 people were arrested in large-scale raids in 51 provinces for suspected links to the PKK. According to Interior Minister Ali Yerlikaya, those arrested were accused of propagandising for the PKK, supporting it financially, recruiting members or taking part in violent street protests (BAMF 24/2/2025, p.7; cf.DS 18/2/2025).

While the PKK headquarters in Iraq’s Kandil Mountains has not been bombed by Turkey since the PKK declared a ceasefire, the number of attacks by Turkey in Dohuk province in the autonomous Kurdish Region of Iraq (KRI), particularly in Metina and Zap, increased in May (Rudaw 5/6/2025; cf.Rudaw 7/7/2025, Shafaq 15/5/2025, ICG 6/2025). And in June, the Turkish army bombed positions in Erbil province several times (Rudaw 7/7/2025). Despite this, a first symbolic destruction of PKK weapons in Raperin, Sulaymaniyah was agreed between Turkey and the PKK for July 2025 (Rudaw 7/7/2025; cf.Zeit Online 1/7/2025).

Relatives of PKK members

Family members of suspected PKK members are sometimes confronted with house searches, some of them violent, or the authorities make life difficult for them in other ways. For example, family members of PKK members were not eligible for state jobs. Family members of PKK prisoners are monitored by the security apparatus, detained and/or forced to provide inform-

ation about PKK prisoners. If family members send money to political prisoners, they can be prosecuted for providing financial support to the PKK. The extent of these practices and which family members are targeted by the authorities and under what circumstances remains unclear (MBZ 2/2025a, p.66).

Persons residing abroad

In Turkey, persons who are not only members of the militant arm of the PKK may be prosecuted. Both Austrian citizens and Turkish nationals residing in Austria can be targeted by the Turkish authorities if, for example, they belong to an organisation that is friendly to the PKK and is active in Austria or another EU Member State, or if they participate in its activities. Membership of such an association, or even posts published or 'liked' on Facebook or other social media by such an association, can lead to arrest and charges of membership of a terrorist organisation upon entry into Turkey. Such persons may also be remanded in custody and banned from leaving the country (ÖB Ankara 4/2025, p.29).

The Union of Communities of Kurdistan, Koma Civakên Kurdistan (KCK)

At the beginning of the 2000s, the PKK tried to give itself new organisational forms, accompanied by numerous renamings, at the end of which the Union of Communities of Kurdistan, Koma Civakên Kurdistan (KCK), emerged. In 2005, the PKK adopted this new organisational formas part of the so-called KCK agreement. The continuity between the PKK and the KCK was enshrined in the agreement, which means that anyone working within the KCK system must also apply the ideological and moral standards of the PKK. In this sense, the KCK is the ideological and organisational shell of the PKK (Posch 10/2/2016, p.140f.). The KCK is a Kurdish umbrella organisation to which, in addition to the PKK, its sister parties in Iraq, Iran and Syria as well as various social groups also belong (BMIBH 15/6/2021, p.261, FN92). In recent years, Turkey has imprisoned and sentenced numerous Kurdish politicians, activists and journalists for their alleged links to the KCK (Rudaw 3/10/2021).

'Sister organisations' of the PKK in Syria, Iran and Iraq

The Turkish state also sees the Syrian-Kurdish Democratic Union Party (PYD) and the People's Defence Units (YPG) in Syria, the PJAK in Iran and the 'Tawgari Azadî' in Iraq as sub-organisations of the PKK, which is classified as terrorist (TRMFA 2022; cf.ÖB Ankara 4/2025, p.28), as well as the Iraqi-Yazidi resistance units Shingal - YBŞ (TRMFA 12/3/2025). Unlike the PKK and the Kurdistan Freedom Falcons (TAK), these organisations are not classified as terrorist organisations by the EU (EU 31/1/2025).

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3.3 Terrorist groups: MLCP - Marksist Leninist Komünist Parti (Marxist-Leninist Communist Party)

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The ‘Marxist-Leninist Communist Party’ (MLCP), founded in 1994, strives for the violent destruction of the state order and the establishment of a communist social system in Turkey. According to its own statements, the MLCP sees itself as the political vanguard of the proletariat of the Turkish and Kurdish nation as well as the national minorities. To achieve its goals, the MLCP also uses terrorist means in Turkey (BMI-D 10/6/2025, p.292). In its own words, the MLCP is, among other things, ‘in favour of the overthrow of bourgeois power […] [and] defends and fights for the proletarian revolution and the dictatorship of the proletariat in order to fight for the communist world, which is the liberation of the proletariat and humanity’ (MLKP n.d). ‘The communist movement is fighting’, according to MLCP, ‘for the freedom and unification of the four parts of Kurdistan.’ Because the ‘revolution of Kurdistan divided into four is also the revolution of Turkey.’ And the ‘women’s revolution is also a necessity to guarantee the final victory of the revolutionary proletariat’ (MLKP 3/2019).

The MLCP has an armed arm, the ‘Armed Forces of the Poor and Oppressed’ (FESK) (MLKP 26/9/2019), which, under the command of the Syrian-Kurdish People’s Defence Units (YPG), fought against the Islamic State in Syria from Kobanê to Deir ez-Zour together with US troops (TNA 17/5/2019), which caused irritation among the Turkish government (AnA 20/8/2019). MLCP is also fighting the Turkish security forces in Iraq (ANF 12/10/2021; cf.HDN 20/7/2019) and Syria (ANF 27/6/2021; cf.TNA 17/5/2019) - MLCP last issued a call to arms in this regard in July 2024 (ANF 18/7/2024) - with corresponding actions and reactions on the part of the Turkish security forces. For example, in early January 2023, there was a fatal attack on MLCP activists Ahmet Şoreş and Firat Neval near Hassakah in Syria, where it emerged that Ahmet Şoreş alias Zeki Gürbüz was a member of the MLCP Central Committee (ANF 8/1/2023; cf.DS 6/1/2023). Gürbüz was on the list of most wanted terrorists because, according to the Turkish authorities, he had instigated and orchestrated a series of rocket attacks on Turkish troops on the border with Syria on 16 August 2022. He was also allegedly the mastermind of the bomb attack on a vehicle carrying prison guards in the district of Mudanya in the north-western province of Bursa on 20 April 2022 (DS 6/

1/2023). In June 2023, the Turkish intelligence service MİT 'eliminated' Osman Nuri Ocaklı in 'Ayn al-Arab (Kurdish: Kobanê), according to the pro-government press a high-ranking member of MLCP and a key figure in the organisation's operations in Syria and leader of the armed arm - FESK (DS 17/6/2023, cf.HDN 19/6/2023).

The Turkish authorities continue to occasionally arrest alleged members of the MLCP. - Recent **examples:** At the end of February **2024**, pro-government media reported the arrest of 21 people in Izmir who had financed the MLCP and the Revolutionary People's Liberation Party-Front (DHKP-C) (DS 27/2/2024). The same was repeated in May 2024 when 30 suspects from both groups were arrested (DS 21/5/2024). And in November 2024, the intelligence service MİT kidnapped Kadir Çelik, who according to the authorities was one of the most wanted terrorists, in an unspecified Middle Eastern country and took him to Turkey (AnA 20/11/2024). In January **2025**, 37 suspects were arrested in an operation against the MLCP in six provinces with a focus on Istanbul (AnA 21/1/2025). And eight suspects were arrested in provincial gendarmerie raids against the MLCP in Istanbul, Ankara and Malatya in early May 2025 (AnA 5/5/2025).

In recent years, journalists have repeatedly been remanded in custody or put on trial for alleged links to the MLCP. The MLCP cases are multi-defendant cases in which lawyers, representatives of political parties, trade union members, students and journalists are tried together for alleged links to the MLCP. Statements from secret witnesses are often used as evidence against journalists in these cases. For example, reporters and editors of the Etkin News Agency (ETHA) were affected, whereby the indictments defined ETHA as a news agency working on behalf of the MLCP from the outset (IPI/MLSA 3/2020).

On the subject of 'secret witnesses', see chapter: Rule of Law / Judiciary in the section 'Secret or anonymous witnesses'.

The MLCP is not on the EU list for the application of special measures to combat terrorism (EU 31/1/2025).

Rejection of the PKK decision to cease armed struggle

At the end of May 2025, the MLCP reacted to the dissolution of the PKK and the abandonment of the armed struggle with fierce criticism: 'Ending the armed struggle through an unwritten agreement that does not include fundamental rights and the official surrender of arms is the acceptance of an unjust and undemocratic peace. It is the current task of the revolutionary parties to stop the colonialist peace process' (serbestiyet 28/5/2025) [electronic translation]. The rejecting statement ends with the following call: 'Based on this reality, we call on the working class, labourers, women, youth, the poor and the oppressed in Kurdistan and Turkey to join the struggle with all legal and illegal, peaceful and violent, armed and unarmed means and forms, to unite, organise and fight' (AVEG-KON 26/5/2025) [electronic translation].

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3.4 Terrorist groups: DHKP-C - Devrimci Halk Kurtuluş Partisi-Cephesi (Revolutionary People's Liberation Party-Front)

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The Marxist-Leninist 'Revolutionary People's Liberation Party-Front' (DHKP-C) strives to establish a socialist social order in Turkey through the violent elimination of the existing state and social order. It propagates a permanent armed struggle under the leadership of its military-propagandist arm, the Revolutionary People's Liberation Front (DHKC). The DHKP-C rejects participation in elections (BMI-D 10/6/2025, p.269; cf.BMI/DSN 17/5/2024, p.60). In addition to the overthrow of the Turkish state, the organisation's goals include the establishment of a Marxist government and the elimination of the influence of the USA and NATO in Turkey. The party opposes US imperialism and has carried out attacks on US military personnel and diplomatic missions (CEP 2024). The EU has listed it as a terrorist organisation since 2002 and the USA since 1997 (BMI-D 10/6/2025, p.270; cf.EU 31/1/2025).

The DHKP-C continues to be subject to high pressure of persecution in Turkey (BMI/DSN 17/5/2024, p.61). As a result of tighter security measures, the DHKP-C has not been able to actually carry out terrorist actions in recent years, despite corresponding attempts and preparatory actions. This changed on 6 February 2024, when two armed terrorists fired shots at a police checkpoint in front of the Palace of Justice in Istanbul. Both attackers were killed by the police in the subsequent exchange of fire (BMI-D 10/6/2025, p.270; cf.FR24 6/2/2024, AJ 6/2/2024). This means that the danger of terrorist attacks continues to exist (BMI/DSN 17/5/2024, p.61).

The **arrests** of alleged DHKP-C members continued in **2025**. -In February, two suspects allegedly linked to the DHKP-C were arrested for scouting the Istanbul courthouse as part of an allegedly planned attack (TR-Today 20/2/2025; cf.AnA 20/2/2025). On 11 March 2025, the authorities arrested 34 people, including municipal officials, for allegedly 'financing the DHKP-C' during an operation against the Istanbul districts of Ataşehir, Maltepe, Sarıyer and Şişli, which are run by the opposition CHP. It turned out that the investigation was initiated by a secret witness statement, namely a former member of the DHKP-C (HDN 11/3/2025; cf.Duvar 12/3/2025,

Evrensel 11/3/2025). On the eve of 1 May , 92 members of illegal but also legal political groups were arrested in Istanbul, including members of the DHKP-C - the number was not specified (SCF 29/4/2025).

Grup Yorum

The Turkish government also suspects the music group Grup Yorum, which is known for its criticism of President Erdoğan's government, of having links to the DHKP-C (BMI/DSN 17/5/2024, p.60; cf.MBZ 18/3/2021). The German and Austrian domestic intelligence services see the group as an integral part of the DHKP-C's propaganda activities. In addition to financing the DHKP-C, Grup Yorum's concert events primarily serve to spread its ideology (BMI-D 10/6/2025, p.272f.; cf.BMI/DSN 5/2025, p.67).

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3.5 Terrorist groups: so-called IS - Islamic State (alias Daesh)

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Between March 2014 and January 2017, ISIS carried out twenty attacks in Turkey, killing 308 people and injuring 1,167. In response, local authorities have been aggressively targeting the group's activities for years, carrying out at least 7,726 operations against ISIS between 2014 and 2023. They have also deported more than 9,000 foreigners from 102 countries since 2011, accused of links to ISIS and illegal residence in Turkey (TWI 30/1/2024; cf.USDOS 12/12/2024). Turkey continues to be a transit country for so-called 'Foreign Terrorist Fighters' (FTF), who come from Syria and Iraq (USDOS 30/11/2023).

Turkey as a (financial) hub for IS

Turkey designated ISIS as a terrorist organisation in 2013, but the country was accused of serving as a 'jihadi highway' as thousands of foreign fighters and Turkish citizens illegally crossed the 911-kilometre-long porous border into Syria (AlMon 25/8/2020). Since 2013, Turkey itself has been a leading source of recruitment for ISIS and a hub for the smuggling of weapons, other supplies and people across the Turkish-Syrian border (ICG 29/6/2020, p.1). ISIS uses Turkey as a logistical hub to move funds to and from Iraq and Syria (USDOT-OIG 4/1/2021, p.3). The report of the Turkish Financial Crimes Investigation Agency (MASAK) shows that the funds used by ISIS were transferred via Turkish cities such as Şanlıurfa and Gaziantep (Duvar 15/2/2022). However, the Turkish authorities, including through international cooperation, are taking action against networks that serve to finance ISIS (USDOS 5/1/2023).

ISIS in Turkey

Although ISIS activists had been planning and carrying out attacks in Turkey since 2014, the existence of a separate ISIS subgroup called Wilayat Turkiya, the 'Province of Turkey', only became known in April 2019 (TWI 30/1/2024; cf.ISW n.d) [Note: In some cases, it is not possible to distinguish whether the ISIS Province of Turkey or the ISIS Province of Khorasan, for example, is behind an attack, even according to sources]. Among other things, the ISIS province of Turkey acts as an important hub for planning attacks abroad. Several ISIS fighters linked to attack plans in Germany and Russia travelled to Turkey before their attacks (ISW n.d).

According to the trial files of Kasım Güler, who was allegedly ISIS's Turkey representative, ISISIS leader Abu Bakr al-Baghdadi had ordered that Turkey should serve as a retreat area for the reconstruction of ISIS before his assassination. According to Güler's statements, ISIS had buried weapons and ammunition in several Turkish provinces (DW 2/2/2022; cf.Bianet 23/8/2022).

The Turkish authorities' understanding of the ISIS threat has evolved. Initially, they underestimated the threat posed by returnees and remained largely ambivalent about ISIS recruitment in 2014-2015. This perception began to shift in the course of 2016, particularly after the first ISIS attack in May 2016 on a state institution, the police headquarters in Gaziantep (ICG 29/6/2020, p.2).

The Turkish authorities have held ISIS responsible for several major **terrorist attacks** within the country since mid-2015. In July 2015, 32 people died in a suicide attack in Suruç, and in October of the same year, 102 people were also killed in a suicide attack at a peace rally in Ankara. The Turkish authorities also linked ISIS to a suicide bombing at a wedding in Gaziantep in August 2016, in which 57 people were killed. ISIS claimed responsibility for the attack on the Istanbul nightclub Reina on the morning of 1 January 2017, which left 39 people dead and dozens more injured (CEP 3/6/2021, p.4). Since then, the security authorities have kept ISIS at bay by thwarting attacks through surveillance, arrests and tighter border security. But the threat has not completely disappeared, as Turkish officials themselves admit (ICG 29/6/2020; cf.TWI 30/1/2024, CEDOCA 5/10/2020). This was demonstrated at the end of January 2024 when two masked men attacked worshippers during a service in the Catholic church of Santa Maria in Istanbul, killing one person. The two men, a Tajik and a Russian, were later arrested and identified as supporters of IS, which claimed responsibility for the attack (TIME 29/1/2024; cf.DS 2/2/2024). - *See subchapter: Security situation / Terrorist groups: so-called IS - Islamic State (aka Daesh) / Islamic State - Khorasan Province*

Recent examples of official action against the Islamic State

The authorities continued to take action against alleged supporters in **2025**. After more than 200 ISIS suspects were arrested in January (ICG 5/2/2025), 46 (DS 4/2/2025) or 164 ISIS suspects were arrested in raids (code name: 'Gürz-44') in 21 provinces at the beginning of February (DS 5/2/2025; cf.TR-Today 5/2/2025). In the second half of February, 92 ISIS suspects were arrested in 16 provinces as part of Operation Gürz-47, according to Interior Minister Yerlinkaya (TC-İB 24/2/2025). At the beginning of March, the media reported that 47 suspects were arrested in 22 provinces within two weeks as part of Operation Gürz-48 (DS 5/3/2025; cf.Haberler 5/3/2025) and 105 ISIS suspects were arrested in 23 provinces in further operations between 19 and 27 March 2025 (DS 11/4/2025). According to an announcement by the Ministry of the Interior on 16 April 2025, 89 ISIS suspects were arrested in several provinces (DS 16/4/2025) and a further 210 suspects were arrested in 49 provinces around 25 April (DS 25/4/2025). In May, almost 300 suspects were arrested in raids in 47 provinces within two weeks. In addition to propaganda material, pistols were also confiscated (TC-İB 21/5/2025; cf.DS 21/5/2025). In June, the Ministry of the Interior reported the arrest of smaller groups of alleged ISIS supporters, including the arrest of 39 people in 18 provinces in the middle of the month (TC-İB 16/6/2025; cf.DS 16/6/2025).

'ISIS returnees'

By November 2015, between 2,000 and 2,200 Turkish fighters had left the country to fight alongside extremist groups. More than 600 are believed to have returned to Turkey. According

to government estimates from September 2015, around 900 fighters are said to have joined ISIS, while 200-300 are believed to have joined the An-Nusra Front, which was linked to al-Qaeda (CEP 2024, p.2; cf.HDN 19/9/2015). Other, non-governmental estimates assume a far higher number of 5,000 to 9,000, whereby no distinction is often made between ISIS and An-Nusra (ICG 29/6/2020, p.1, FN2). As far as ISIS returnees, e.g. from Syria, are concerned, they are imprisoned for three or four years, if at all, because of their membership of a terrorist organisation. Less than 10% or about 450 Turkish citizens of the estimated thousands of returnees [in contrast to the low official figures above] are imprisoned (ICG 29/6/2020). The Turkish state does little to rehabilitate and integrate individuals with ISIS links, even if they are of Turkish origin (ICG 28/2/2023; cf.WoR 27/7/2020).

Given Turkey's role as a transit country and the fact that some of their nationals who have travelled to Iraq or Syria are likely to pass through Turkey and that it is plausible that they interact with Turkish militant networks, this is also a cause for concern for Western European governments (WoR 27/7/2020). In addition, according to experts, given the events in Syria, there is a risk that ISIS fighters who have so far been held in detention centres in Syria will break out and subsequently carry out terrorist attacks in neighbouring Turkey or even travel to Western Europe (CNN 2/1/2025; cf.i-Paper/Ali Taz 10/12/2024).

The difference between arrests and detentions is significant. Arrests are based on intelligence information, but may not fulfil the legal requirements for prosecution in the Turkish legal system, so suspects are released after a short time (TWI 30/1/2024). ISIS membership is punishable by a prison sentence of up to ten years, which can be reduced for co-operative defendants. The sentences of many have already expired. For others, this will soon be the case. Foreigners with ISIS links who are serving their sentences in prison, as well as those who cannot be charged, are usually deported by the authorities to their countries of origin. However, this process can be fraught with difficulties. Some people prefer not to return home for a variety of reasons - from fear of mistreatment to a preference for living among fellow believers in Turkey. They evade the authorities' efforts to detain them for deportation (ICG 28/2/2023).

Release of ISIS supporters and ISIS assassins

In mid-December 2024, the Court of Cassation, the country's highest court of appeal, overturned the convictions of seven defendants in connection with the Islamic State attack on Istanbul's Ataturk Airport, which claimed 45 lives in 2016. As a result, five of the defendants who had been sentenced to life in aggravated prison and one defendant who had been sentenced to 12 years were released (however, the court confirmed the imprisonment of one defendant from Algeria and overturned his sentence for reconsideration). The court considered the multiple life sentences to be 'unjust and excessive' (Duvar 19/12/2024; cf.NM 24/12/2024, Bianet 19/12/2024). A week later, 18 people accused of financing ISIS and facilitating money transfers totalling several million dollars between Turkey and Syria were released due to 'insufficient evidence' in the opinion of the Turkish authorities. The suspects had been charged with 'membership of a terrorist organisation' and 'financing terrorism' and each faced a prison sentence of between 15 and 42 years. The indictment also reveals that money was sent to human traffickers in

northern Syria to support the escape of ISIS-affiliated women and children from prison camps. The president of the Istanbul Bar Association, İbrahim Kaboğlu, sharply criticised the judge's decision and raised the question of the possible illegality of the proceedings, suggesting that politics had influenced the decision (Medya 23/12/2024; cf.NM 24/12/2024).

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3.5.1 Islamic State - Khorasan Province (ISKP)

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According to security sources, ISIS has been operating the so-called Khorasan Province network - ISKP - in Turkey since the collapse of the self-declared caliphate in 2019, seeking new avenues such as recruiting more foreign members for its activities after the Turkish authorities' constant counter-terrorism operations became a challenge (DS 29/10/2024). In 2022 and 2023, more than a dozen suspected militants were arrested (AlMon 19/2/2024). The repositioning of the Islamic State's operational centre has made Turkey an outpost of the group via the ISKP. Previous attacks, including those on Istanbul airport and the Reina nightclub (1 January 2017), were also linked to the ISKP, with Central Asians in particular carrying out the attacks on behalf of the ISKP (DIP 30/4/2024; cf.AlMon 19/2/2024). For example, the confessed assassin of the Reina nightclub (39 dead) was the Uzbek Abdulgadir Masharipov, who was socialised in Afghanistan and came to Turkey under the code name Abu Mohammed Khorasani Abdulkavi (CNN 17/1/2017; cf.AnA 14/2/2017). While the involvement of Central Asian fighters in ISIS attacks in Turkey is not new, ISKP's ambition to attack Turkey has become clearer in the last two years. The first open indication of ISKP's existence in Turkey came on 22 November 2021, when all the assets of Ismatullah Khalozai, who is accused of running Turkey-based international money transfer companies for the jihadist group, were frozen in Turkey. This move has significantly increased ISKP's threats against Turkey, according to the terrorist group's statements (AlMon 19/2/2024).

On 28 January 2024, masked attackers carried out an attack on Roman Catholic St. Mary's Church in Istanbul, killing one person. Shortly afterwards, the Islamic State claimed responsibility via its official news agency Amaq News Agency. Turkish police arrested 47 people, most of whom were from Central Asia. Twelve people were of Kyrgyz, Tajik and Uzbek nationality. The incident highlighted the growing presence of a Central Asian offshoot of the Islamic State group in Turkey, known as the Islamic State - Khorasan Province. The attack on 28 January was the first successful ISIS attack in Turkey since the raid on Istanbul's Reina nightclub. Since then, Turkish security forces have launched massive counter-operations against ISIS suspects in Turkey, Syria and Iraq. The operations appear to have prevented deadly terrorist attacks in

major cities and border areas and depleted the militants' financial resources. Recent data also suggests that the Taliban has successfully contained ISKP in Afghanistan, which may explain why the organisation has shifted its focus back to Turkey (Stimson 14/3/2024; cf.DIP 30/4/2024).

The ISKP mainly recruits two groups of people in Turkey: ethnic Central Asians fleeing Syria and Iraq, who arrived in Turkey mainly between 2017 and 2019, and people from Afghanistan, who have been entering the country via illegal migration routes since 2021. However, Turkey is also a destination for fighters from the Levant and other countries to join the ISKP. (DIP 30/4/2024). In particular, the growing number of Afghan refugees entering the country via Iran in the last three years has made it easier for the ISKP to use Turkey as a financial and transit hub. The jihadists, hampered by Taliban monitoring of their financial flows, have apparently found a new way to circumvent the restrictions by using sleeper cells in Turkey and areas bordering Syria to make remittances through traditional hawala exchanges (Stimson 14/3/2024).

The attack in Istanbul in January 2024 raises the question of how these trained ISKP fighters were able to infiltrate Turkey (Stimson 14/3/2024), even though the Istanbul police counter-terrorism units had already been carrying out operations six months before the attack on the church (DIP 30/4/2024). This was because Turkish security forces had previously succeeded in tracking down and arresting a group of Central Asians, mainly from Tajikistan, for alleged links to ISKP. - In December 2023, Turkish police reportedly prevented an attack on churches and synagogues. Despite the frequent raids and arrests, the ISKP continues to expand its presence in Turkey. Recently, one of the arrested jihadists revealed that the leader of the group in Turkey, a 45-year-old Kyrgyz of Tajik origin, had planned attacks on the consulates of Sweden and the Netherlands in Istanbul. To this end, the ISKP arranged for potential suicide bombers from Russia, Afghanistan and Central Asia to travel to Turkey. However, due to the intensive raids and the police crackdown on people with Islamist connections, the attacks on the consulates were prevented and the potential attackers might have travelled to Europe instead (Stimson 14/3/2024). The linguistic similarities also make it easy for extremists to recruit other Central Asian immigrants in major Turkish cities for their targets, especially in Istanbul's Başakşehir district, and there in the Güvercintepe neighbourhood, which has become a refuge for Uzbeks, Tajiks and Turkmen (Stimson 14/3/2024; cf.DIP 30/4/2024). With the expansion of ISKP activities in Turkey, Islamic State-affiliated media began to publish in Turkish, with issues of the ISKP magazine Voice of Khorasan also being published in Turkish (DIP 30/4/2024).

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4 Rule of Law / Judiciary

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General situation of the rule of law and the judiciary

The systemic lack of independence of the judiciary is one of the biggest problems in Turkey. The executive branch or the government exercises considerable control over the judiciary and frequently interferes in judicial decisions, which means that the rule of law and the independence of the judiciary are being pushed back further and further. The judiciary continues to be a central instrument of the government to silence opposition and imprison dissenters (BS 19/3/2024, p.12f.; cf.USDOS 22/4/2024, p.11f., CAT 14/8/2024, p.11, AI 29/4/2025, EP 7/5/2025, Pt.8). In addition, the judiciary is also exposed to government interference in the investigation and prosecution of major corruption cases (USDOS 22/4/2024, p.58). In particular, as a result of the adoption of Law No.6524 in 2014 and the constitutional amendments of 2017, executive control over the judiciary has increased dramatically, despite the provisions of Art. 138 of the Constitution and Art. 4 of Law No. 2802, both of which concern the independence of the judiciary (UNHRCOM 28/11/2024, p.9). - Most recently, in May 2025, the European Parliament identified the critical state of the judiciary - including the lack of respect for the judgements of the Constitutional Court - as one of the main reasons for the catastrophic state of the rule of law, referring to the ‘undermining of democracy and the rule of law in Turkey by the Turkish government’ (EP 7/5/2025, G, R).

According to the European Commission, the EU’s serious concerns about the continuing deterioration of democratic standards, the rule of law, the independence of the judiciary and respect for fundamental rights were not taken into account (EC 30/10/2024, p.3 ; cf.USDOS 22/4/2024, pp.1, 11f.). At the end of November 2024, the United Nations Human Rights Committee also criticised the implementation of the **International Covenant on Civil and Political Rights** (ICCPR). - The Committee considered ‘that the constitutional amendments made in April 2017 during the state of emergency have disproportionately strengthened the powers of the executive at the expense of Parliament and the judiciary, raising legitimate concerns about a lack of accountability and separation of powers in the State party, in particular with regard to the adoption of laws without the participation of Parliament and the appointment of judges and prosecutors without effective vetting procedures (art. 4). […] The State party should consider revising its legislation to ensure accountability and strict adherence to the principle of separation of powers, in particular with regard to the judiciary. It should also ensure in law and practice the full independence and impartiality of the judiciary’ (UNHRCOM 28/11/2024, p.2).

Judicial reforms

Although strategic reform documents are available, they are not sufficient to remedy the considerable shortcomings. The 2019-2023 Judicial Reform Strategy does not fully address shortcomings in the judiciary. The eighth judicial reform package was adopted in March 2024, but also fails to adequately address the structural deficiencies of the judicial system (EC 30/10/2024, p.25, p.19). The judicial reform strategy published in January 2025 (2025-2029) focuses on speeding up court proceedings. Measures to strengthen the independence and impartiality of the judiciary, which address the central shortcomings of the Turkish judicial system, are only dealt with in the context of a possible constitutional reform. The strategy does not contain any concrete proposals for solving the problems identified by the Venice Commission (ÖB Ankara 4/2025, p.18). For example, in May 2025, the European Parliament 'deeply regretted that despite a reform strategy comprising nine packages of judicial reforms, the independence of the judiciary in Turkey remains in a desolate state following the government's systematic interference and political instrumentalisation of the judicial system' (EP 7/5/2025, p.8).

The correction of anti-terror legislation was at the centre of the eighth reform package. - The most controversial provision of the package concerned the offence of 'committing crimes on behalf of a terrorist organisation without being a member of it', which was regulated in Article 220/6 of the Turkish Criminal Code (TCK) but was annulled as unconstitutional by the Constitutional Court in September 2023. In the grounds for its unanimous decision, the Constitutional Court stated that the provision 'is not clear and predictable enough to prevent arbitrary practices by authorities and does not meet the criteria of legality' (EI 4/4/2024; cf.AI 29/4/2025, MLSA 23/2/2024). However, the amendment of Article 220/6 does not fully address the existing concerns regarding clarity and predictability to better protect the human rights of persons accused of a crime, as the proposed article still does not provide clear criteria for when the commission of a crime on behalf of an armed organisation can be punishable, thus the law does not provide guarantees based on international standards against arbitrary interference by state authorities (AI 29/2/2024, p.2f.; cf.UNHRCOM 28/11/2024, p.4). This means that with the 2024 judicial reform package, the provision on the 'commission of criminal offences in the name of an organisation without being a member' was adopted unchanged, despite its previous repeal and the Constitutional Court's order to the legislator to rectify the shortcomings in the legal text within four months. The same also applies to 'armed criminal organisations' in accordance with Article 314 of the Criminal Code (MLSA 23/2/2024).

Effects of the anti-terror legislation

When the state of emergency expired in July 2018, Parliament passed Law No. 7145, which amended provisions in the area of fundamental rights. The numerous measures from the period of the state of emergency that are now enshrined in law include, in particular, the transfer of extraordinary powers to state authorities and restrictions on fundamental freedoms. The broad definition of terrorism in the anti-terror legislation is particularly problematic (ÖB Ankara 4/2025, p.8f.). The European Parliament (EP) 'emphasises that the anti-terrorism provisions in Turkey are still too broad and are used in a discretionary manner to suppress human rights and all critical voices in the country, including journalists, activists and political opponents' (EP 7/6/2022, p.18, pt.29) 'with the complicit co-operation of a judiciary unable or unwilling to curb any abuse

of the constitutional order', and 'therefore urges Turkey to bring its anti-terror legislation into line with international standards' (EP 19/5/2021, p.9, para.14).

Similarly, in late November 2024, the United Nations Human Rights Committee expressed its concern about the lack of compatibility of the counter-terrorism legal framework with the International Covenant on Civil and Political Rights (ICCPR), specifically the Anti-Terrorism Law (No. 3713), where the terms 'terrorism' and 'terrorist offender' are broadly defined. The Committee was also concerned about Law No. 7262 on the Prevention of Financing the Proliferation of Weapons of Mass Destruction. While the aim of the law was to combat money laundering and the financing of terrorism, it was reportedly used to target civil society organisations and subject them to strict monitoring and control, freezing of assets and restriction of their rights, according to the Committee (UNHRCOM 28/11/2024, p.4). *See also the chapter on this:*Non-governmental organisations (NGOs).

On the basis of anti-terror legislation, Turkish citizens were abducted from abroad or brought to Turkey with the consent of third countries (EP 19/5/2021, p.16, pt.40). As in 2021, in its resolution of June 2022, the EP once again condemned 'in the strongest terms the abduction of Turkish nationals residing outside Turkey and their extradition to Turkey, which constitutes a violation of the rule of law and fundamental human rights' (EP 7/6/2022, p.19, para.31). The European Commission criticised Turkey for the high number of extradition requests related to terrorist offences that were refused (in particular by EU countries) on the basis of the refugee status or nationality of the person concerned. Furthermore, the European Commission expressed concern about the high number of so-called 'Red Notices' regarding persons wanted for terrorism offences. These Red Notices were either rejected or cancelled by INTERPOL (EC 19/10/2021, p.44). *See also the chapters: Persecution of foreign nationals for criminal offences abroadSecurity situation/ Gülen or Hizmet movement.*

The United Nations Special Rapporteur on the independence of judges and lawyers, Margaret Satterthwaite, expressed her deep concern in June 2024 about the deterioration of the independence of the judiciary and human rights in Turkey. Information available would also indicate that the counter-terrorism legal framework grants the government powers over the judiciary, undermining its independence. - Law No. 7145 gives the government the power to dismiss any civil servant, judge or prosecutor solely on the basis of an assessment of their contacts with terrorist organisations or structures, entities or groups, and not on the basis of evidence. The National Security Council (MGK), as a security body, is in a position to make such decisions without judicial supervision and review. In order to justify the dismissal of a judge, the law only requires a 'connection', 'association' or 'affiliation' to a 'structure, formation or group' that the National Security Council of Turkey has categorised as 'directed against the national security of the state'. This vague and overly broad formulation creates great potential for the arbitrary dismissal of judges in violation of the guarantees of judicial independence (OHCHR 21/6/2024, p.1f .).

Prosecution of defence lawyers in terrorism proceedings

While the Constitution provides for the right to a fair public trial, bar associations and legal representatives claim that the increasing interference of the executive in the judiciary and the government's actions through the emergency provisions jeopardise this right. Some lawyers said they were reluctant to take on cases, particularly those of suspects accused of links to the PKK or the Gülen movement, for fear of state retribution, including prosecution (USDOS 20/3/2023 pp.11, 19). Defence lawyers representing defendants in terrorism cases face arrest and prosecution on the same charges as their clients (USDOS 20/3/2023, p.11; cf.TT/Perilli 2/2021, p.41, HRW 13/1/2021). For example, a lawyer interviewed by Pro Asyl stated that he was the subject of five investigations into terrorism offences, all of which were related to his professional activities (Pro Asyl 9/2024, p.75).

The EP was appalled 'that lawyers representing persons accused of terrorism have been prosecuted for the same or a related offence as their clients, creating a context in which there is a clear obstacle to the exercise of the right to a fair trial and access to justice' (EP 7/6/2022, p.12, para.15). The UN Human Rights Committee was also concerned by the very high number of lawyers under investigation, particularly during the state of emergency, on suspicion of membership of an armed terrorist organisation under Article 314/2 of the Criminal Code, who were arrested or remanded in custody simply for practising their profession as lawyers (UNHRCOM 28/11/2024, p.9).

In February 2024, the General Prosecutor's Office indicted ten lawyers in Diyarbakır on charges of 'membership in an armed/terrorist organisation' under Article 314 of the Criminal Code for 'acting as defence lawyers for detained persons who participated in illegal organisational acts and activities'. The charges were based on the testimony of a witness and the presence of the accused lawyers during the interrogation of detainees who are the subject of 'legal proceedings for offences related to an illegal organisation'. The prosecution considered the presence of the lawyers at the interrogations to be evidence that the lawyers took part in these interrogations as defence lawyers 'on the instructions of an illegal organisation'. The United Nations Special Rapporteur on the Independence of Judges and Lawyers accordingly expressed grave concern about reports that the Office of the Prosecutor equated acting as defence counsel for persons under trial for crimes related to an illegal organisation with acting as counsel on behalf of an illegal organisation. According to the Special Rapporteur, international and regional standards expressly prohibit the identification of lawyers with their clients or their clients' concerns in the performance of their professional duties (OHCHR 21/6/2024, pp.8, 11).

On 16 January 2025, the UN Special Rapporteur on the situation of human rights defenders, Mary Lawlor, expressed her deep concern about the continued long-term detention of nine prominent human rights defenders and lawyers, all of whom have been arbitrarily arrested in connection with their peaceful work and convicted in unfair trials on spurious terrorism-related charges. Eight are members of the Progressive Lawyers' Association (Çağdaş Hukukçular Derneği - ÇHD), which represents victims of police violence and torture as well as citizens persecuted for their opinions. They were arrested between 2018 and 2019 and charged with 'membership of a terrorist organisation'; two of them were also charged with 'propaganda for a terrorist organisation'. They were sentenced to up to 13 years in prison in a trial known as the

ÇHD II trial, which did not meet international standards of fair and due process. All nine human rights defenders are being held in closed maximum security prisons (OHCHR 16/1/2025).

In May (2023), the then Interior Minister Soylu stated: 'If the PKK lawyers are imprisoned, there will be no more PKK in Turkey. They are the target … The PKK is poisoning Turkey through the lawyers' (USDOS 22/4/2024, p.9).

Statistics of anti-terror legislation

According to statistics from the Turkish Ministry of Justice, more than 265,000 people were convicted on charges of membership of a terrorist organisation between 2016 and 2020. In June 2022, the total number of court cases initiated by the judiciary for membership of a terrorist organisation was over two million. In view of the large number of people prosecuted, it is estimated that more than four million people in Turkish society are or have been directly affected (OHCHR 21/6/2024, p.4).

According to the **official statistics** of the Turkish Ministry of Justice for 2021 [note: there were no more detailed breakdowns in the statistics in later years], 7,059 criminal convictions were handed down under Art. 220 and 44,042 under Art. 314 of the **Criminal Code (Law No. 5237)**. 3,057 were sentenced to prison under Art. 220 and 18,816 under Art. 314. 1,912 (Art. 220) and 12,093 (Art. 314) fell into the category 'other convictions'. 7,098 defendants under Article 220 and 17,970 under Article 314 were acquitted [note: the rest fall into various other categories that are not specifically listed here]. In 2021, there were 2,892 convictions under the **Anti-Terror Law (Law No. 3713)**, including 1,149 prison sentences and 210 conditional prison sentences. The number of other convictions of defendants in criminal courts under the Anti-Terror Law totalled 751 (MoJ - GDJR&S 2022, pp.95, 98, 102, 112, 154, 157, 163, 166, 181, 184; pp.63, 113, 122, 140, 158, 167).

Persons are also prosecuted under **Law No. 6415** (2003), the **Law on the Prevention of the Financing of Terrorism**. According to official statistics, almost 11,000 suspects were investigated in 2024. In 2024, 810 people were prosecuted in court (MoJ - GDJR&S 3/2025, p.76f.). In October 2024, for example, Hatice Onaran, a member of the prison committee of the Turkish Human Rights Association İHD, was sentenced to four years and two months in prison under Law No.6415. The reason for this was that she had transferred small sums of money to eight people in prison for terrorism-related offences to cover personal needs (AI 29/4/2025; cf.ANF 15/4/2025).

Fair trial

The impact of this situation on the criminal justice system can be seen in the fact that many long-standing problems, such as the abuse of pre-trial detention, have worsened and new problems have arisen. Particularly in cases of terrorism and organised crime, the Turkish judiciary's disregard for basic guarantees of a fair trial and the very loose application of criminal law to acts that are actually in conformity with the law has led to a degree of legal uncertainty and arbitrariness that jeopardises the very essence of the rule of law (CoE-CommDH 19/2/2020). In 2024, of the 73 judgements of the European Court of Human Rights (ECtHR) on the violation of

human rights in Turkey, 67 of which involved at least one violation of human rights, 19 concerned the ‘right to liberty and security’ and 13 the ‘right to a fair trial’ (ECHR 22/1/2025). The lack of independence of judges and public prosecutors is the most important cause of the violations of fair trial regulations frequently criticised by the ECtHR in its judgments against Turkey, although this fundamental right is enshrined in the constitution (ÖB Ankara 4/2025, p.10f.).

As early as June 2020, the then President of the Turkish Constitutional Court, Zühtü Arslan [note: left office on 21 March 2024], pointed out that the majority of violations (52%) were due to the lack of a right to a fair trial, which, according to Arslan, indicated a serious problem that needed to be solved (Duvar 9/6/2020). In 2022, the European Parliament quotes the President of the Turkish Constitutional Court as saying that more than 73% of the over 66,000 applications filed in 2021 relate to the right to a fair trial, prompting the President to describe the situation as catastrophic (EP 7/6/2022, p.12, pt.16).

Restrictions on legal aid

There are also shortcomings in the handling of confidential information, in particular personal data and access to the evidence collected against defendants, as well as in the defence options available to lawyers in so-called terrorism trials. Cases relating to alleged membership of the Gülen movement or the Kurdistan Workers’ Party (PKK) are often classified as secret, with the result that lawyers cannot inspect the files until the indictment is issued (AA 20/5/2024, p.12; cf.AI 26/10/2020). Judicial secrecy orders are regularly issued without specific justification; in particular, they lack the necessary balancing of the fundamental rights of the accused and the threat to the purpose of the investigation. In some cases, access is not even granted to those parts of the investigation file that may not be excluded from access under the statutory provisions (Pro Asyl 9/2024, p.7). Court transcripts are prepared with a delay of weeks. Requests for evidence by the defence and the questioning of prosecution witnesses by defence lawyers are restricted as part of the court’s conduct of proceedings. Secret witnesses cannot be questioned directly during the trial. The subjective facts of the case are not discussed, but assumed as given (AA 20/5/2024, p.12; cf.AI 26/10/2020). On the one hand, the right of access to justice and the right to defence are often restricted due to the alleged confidentiality of the documents, while at the same time extracts from the public prosecutor’s files repeatedly appear in the media, leading to smear campaigns against the suspects/defendants and often violating the presumption of innocence (ÖB Ankara 4/2025, p.12).

Restrictions for legal counsel also arise during arrest and pre-trial detention. - For example, prosecutors are authorised, with retroactive court approval, to authorize the police to prevent lawyers from meeting with their clients in the first 24 hours of police custody, which they routinely do, according to Human Rights Watch. The privileged communication of lawyers with their clients in pre-trial detention has been effectively abolished, as the authorities are allowed to record and monitor all communication between lawyer and client (HRW 10/4/2019; cf.Pro Asyl 9/2024, p.111). According to lawyers interviewed by Pro Asyl, the main purpose of restricting access to a lawyer in the first 24 hours is to ensure that defendants testify against themselves

and others in informal hearings, or to influence the person to ‘actively repent’ and make them a ‘secret witness’ (Pro Asyl 9/2024, p.109).

A prominent example of this: In its judgment of 6 June 2023 in the case of **Demirtaş** and **Yüksekdağ Şenoğlu** [detained since November 2016] v. Turkey, the European Court of Human Rights ruled by a majority (6 votes to 1) that there had been a violation of Article 5(4) of the European Convention on Human Rights (right to a prompt review of the lawfulness of detention). The two former co-chairs of the HDP complained that they had not received effective legal representation to challenge their pre-trial detention, as the prison authorities had monitored their meetings with their lawyers and confiscated the documents exchanged with them. The ECtHR considered that the national courts had not set out any exceptional circumstances that could justify a derogation from the fundamental principle of confidentiality of the applicants’ conversations with their lawyers and that the violation of legal professional privilege had deprived the applicants of effective assistance by their lawyers within the meaning of Article 5 § 4 of the Convention. In view of the findings made in its previous judgments, the Court also considered that it was not possible to establish the existence of such circumstances, as the Court had previously rejected the Turkish Government’s argument that the applicants had been in pre-trial detention for terrorism-related offences. Finally, the Court found that the national authorities had not provided detailed evidence that could justify the imposition of the contested measures against the applicants under Emergency Decree No. 676. The court ruled that Turkey must pay the applicants EUR 5,500 each in non-pecuniary damages and a total of EUR 2,500 in costs and expenses (ECHR 6/6/2023).

Secret or anonymous witnesses

The issue of secret witness statements came onto the agenda with the Witness Protection Act passed in 2008. Despite dozens of scandals, the courts continue to pass judgements based on the testimony of anonymous or secret witnesses, or view them critically as a political instrument (Mezopotamya 2/8/2022; cf.TM 26/11/2020). Contrary to what the Constitutional Court and the ECtHR has ruled, the decision to keep the identity of a witness secret is regularly not based on concrete and objective facts. In terrorism proceedings, however, the abstract and general statements of such secret witnesses can become the essential and decisive basis for arrest and conviction decisions (Pro Asyl 9/2024, p.84).

A witness with the code name ‘Garson’ (Kellner) is probably the best known, as he was a witness in a case involving around 4,000 police officers, alleged supporters of the Gülen movement. Particularly problematic are cases in which it turns out that the anonymous witnesses do not even exist. For example, the statements of the anonymous witness ‘Mercek’ were used to justify the conviction of many politicians, including Selahattin Demirtaş, former co-chair of the pro-Kurdish Peoples’ Democratic Party (HDP), who has been imprisoned since 2016. However, it later emerged that this person did not even exist (Mezopotamya 2/8/2022; cf.TM 26/11/2020). Sometimes the authorities admit that there are no anonymous witnesses. For example, the Diyarbakır police authority had to admit in 2019 that an anonymous witness with the code name ‘Venus’, whose testimony led to the arrest and detention of numerous people, did not actually

exist (NaT 19/2/2019). In the ban proceedings against the HDP, which have been ongoing since 2022, at least one anonymous witness was heard who, according to the HDP parliamentarian, Meral Danış-Beştaş, provided information about the party's finances to the General Prosecutor's Office, which allegedly led to the blocking of party funding for the HDP (Bianet 30/1/2023).

In February 2022, the Constitutional Court found that the statements of secret witnesses containing concrete facts could be accepted as 'strong circumstantial evidence of a criminal offence' without being supported by other evidence, and that arrests made in this way would be in accordance with the law (DW 17/2/2022; cf.Duvar 18/2/2022). However, the emphasis is on 'concrete facts', as the judgement was the result of an arrest of a local councillor in Diyarbakır-Eğil in 2020, which was illegal according to the Constitutional Court, and was based on a secret witness statement accusing the local councillor of 'membership in a terrorist organisation'. This statement was unlawful because it was 'abstract' and not 'concrete'. Critics of the use of secret or anonymous witnesses regard this practice as an instrument for falsifying testimony and silencing dissenting opinions and opposition (Duvar 18/2/2022).

In contrast to the Constitutional Court, the European Court of Human Rights (ECtHR) had already ruled in mid-October 2020 that secret testimonies, which the Turkish courts have accepted as evidence, particularly in trials against political dissidents, cannot be considered sufficient evidence for a conviction. According to the ECtHR, if the defence does not know the identity of the witness, it is deprived of the opportunity to question or cast doubt on the credibility of the witness at any stage of the proceedings. As a result, secret testimony alone cannot justify a lawful conviction unless a conviction is based on other solid evidence (SCF 26/11/2022; cf.TM 26/11/2020).

Insulting the President and disparaging the Turkish state and nation as criminal offences

'Appaled by the grossly abusive recourse to Article 299 of the Turkish Criminal Code on insulting the President, which can result in a prison sentence of between one and four years', the European Parliament called in its resolution of 7 June 2022 'to amend the law on insulting the President of the Republic in accordance with the judgments of the European Court of Human Rights' (EP 7/6/2022, p.10, para.13). The Turkish Constitutional Court has drawn up a catalogue of criteria for proceedings in accordance with Article 299 for the criminal courts and, in the interests of the defendants, sometimes sends judgements back to the lower courts due to deficiencies. Nevertheless, the Constitutional Court considers the honour of the president as the embodiment of the unity of the nation to be particularly worthy of protection. This privilege is at odds with the opinion of the European Court of Human Rights (ECtHR), which stated in its opinion of 19 October 2021 *(case of Vedat Şorli v. Turkey)*that a criminal offence that provides for more severe penalties for defamatory statements if they are directed at the President does not, in principle, comply with the spirit of the European Convention on Human Rights (LoC 7/11/2021).

The number of persons investigated under Articles 299 and 301 (defamation/disparagement of the Turkish state and its institutions) of the Criminal Code increased to 16,753 in 2022 from 12,304 in 2021, according to the Ministry's statistics (TM 14/3/2024). Specifically, 1,239 people

were sentenced to prison in 2021 under Article 299, including only two minors between the ages of 15 and 17. 38 people were sentenced to prison under Article 300, the *disparagement of state symbols*, and 111 people (including one minor in the 12-14 age group) under Article 301. Other penalties under Article 299 were imposed on 1,130 individuals, under Article 300 on 24 individuals and under Article 301 on 87 individuals [Note: More recent statistics no longer differentiate between individual articles of the Criminal Code] (MoJ - GDJR&S 2022, pp.120, 156).

Article Criminal Code Year 2021	Prosec-utions	Convictions	Impris-onment	Releases	Other decisions
299	11.211	4.112	1.239	2.112	2.098
300	366	107	38	130	77
301	1.093	363	111	127	343
Total	12.670	4.582	1.388	2.369	2.518

Sources 1: MoJ - GDJR&S 2022, p. 97, 111, 120, 165, 181)

According to official statistics, a total of 6,124 people were charged in 2024 in accordance with Articles 299-301 of the Turkish Criminal Code, of which 1,658 were convicted (note: details on the number of prison sentences are missing) and 1,807 were released. The remainder were postponed or otherwise sentenced. 44 of those sentenced were minors, with 299 underage defendants (MoJ - GDJR&S 3/2025, pp.100, 109).

See, in particular for specific examples, also the (sub)chapters: Freedom of expression and the press / Internetfreedom ofassemblyand association / Opposition.

Politicisation of the judiciary - action against lawyers, judges and public prosecutors

Parts of the emergency powers were transferred to the provincial governors appointed by the President (AA 14/6/2019). These governors of the 81 provinces, who are appointed by the President, are granted far-reaching powers. Act No. 7145 strengthens the position of the governors in their respective provinces. For example, they can ban people who are suspected of wanting to obstruct or disrupt public order from entering or leaving certain places in their provinces for a period of up to 15 days and also prohibit gatherings. They also have a wide margin for dismissing public officials, including judges (ÖB Ankara 4/2025, p.9; cf.USDOS 22/4/2024, p.38, 42).

The **Lawyers Act** of 2020 (No. 7249) was reportedly another attempt to silence lawyers. This created the possibility of establishing competing bar associations in large cities, leading to a politicisation of bar associations and a weakening of the unified voice of lawyers defending human rights and criticising the executive (OHCHR 21/6/2024, p.2; cf.HRW 13/1/2021, UNHRCOM 28/11/2024, p.9). The European Parliament also saw in this the danger of a further politicisation of the legal profession, which would lead to incompatibility with the impartiality requirement of the legal profession and jeopardise the independence of lawyers. In addition, the EP recognised

this as ‘an attempt to disempower the existing bar associations and to eradicate the remaining critical voices’ (EP 19/5/2021, p.10, pt.19).

On 22 October 2024, the **ECtHR** in Strasbourg ruled that Turkey had violated the right of ten judges and prosecutors to a fair trial. The court found that the High Council of Judges and Prosecutors (HSYK) [now renamed the Council of Judges and Prosecutors - HSK] had failed to comply with sufficient procedural safeguards such as formal hearings, rules of evidence and a detailed statement of reasons for its decisions in relation to the ten applicants. The case ‘Şişman and Others v. Turkey’ concerned involuntary transfer (2014-2015) by the HSYK to other cities or, in one case, demotion in the same city. The Turkish government contested the ECtHR’s jurisdiction, arguing that the applicants had not made an explicit request for access to a court during the domestic proceedings. Furthermore, the applicants had been dismissed after the attempted coup on 15 July 2016 for allegedly being supporters of the Gülen movement, which justified the exclusion of a judicial review on grounds of national security. The ECtHR rejected these arguments and emphasised that the HSYK could not be considered a court due to the procedural flaws in its trial (BAMF 28/10/2024, p.11; ECHR 22/10/2024).

The **purges in the judiciary** once again had consequences for Turkey on 14 January 2025. The ECtHR ruled in favour of 42 former judges and public prosecutors and ordered Ankara to pay damages of 7,800 euros per plaintiff. Turkey must also pay an additional total of around 80,000 euros in legal costs. The plaintiffs were employed by the then High Council of Judges and Prosecutors - HSYK (Turkish: Hakimler ve Savcılar Yüksek Kurulu) and were dismissed in 2014 without any legal recourse. This was supposedly in response to the corruption scandal of December 2013, when investigators arrested dozens of businessmen close to President Recep Tayyip Erdogan, who was still Prime Minister at the time. At the time, Erdogan called the investigators’ actions a coup (FR 15/1/2025; cf.TM 14/1/2025). - At the centre of the proceedings was Law No. 6524, which was passed in February 2014 and revised by the High Council of Judges and Prosecutors (HSYK), the predecessor of the Council of Judges and Prosecutors (HSK), which oversees the appointments and discipline of judges. The 2014 law stipulated, among other things, that key members of the HSYK, including secretaries general, deputy secretaries and members of the Inspection Committee, had to give up their posts. Although the Turkish Constitutional Court later annulled the provision on the grounds that the rights of judges had been violated, the judgement was not applied retroactively, meaning that the dismissed officials were neither reinstated nor compensated (TM 14/1/2025).

In the annual Rule of Law Index compiled by the World Justice Project, Turkey ranked 117th out of 142 countries in 2024, as in the previous year. The statistical indicator stagnated at 0.42 (1 is the statistical best value, 0 the absolute negative value). The country performed particularly poorly in the subcategories ‘fundamental rights’ with 0.31 (rank 133 out of 142), ‘civil justice’ with 0.40 (rank 122 out of 142), ‘restrictions on government power’ with 0.29 (rank 135 out of 142) and ‘criminal justice’ with 0.34. The score for ‘Order and security’ was good at 0.72, in line with the global average (WJP 10/2024).

Conflicts of the highest courts and their politicisation

On 25 October 2023, the Constitutional Court ruled that the imprisoned TİP politician Can Atalay, who was elected as a deputy in the parliamentary elections in May, had been violated in his right to vote and be elected as well as his right to personal security and freedom. The Constitutional Court ordered Atalay's release. The competent criminal court did not implement this judgement, but referred the case to the Court of Cassation. On 9 November 2023, the Court of Cassation ruled that the Constitutional Court's judgement was not legally relevant and therefore could not be implemented on the grounds that constitutional law had exceeded its powers. Furthermore, the Court of Cassation demanded that criminal proceedings be initiated against the nine judges of the Constitutional Court who had voted in favour of Atalay's release. The reason given by the Court of Cassation was that these judges had violated the constitution and exceeded their powers. President Erdoğan supported the Court of Cassation's decision not to implement the Constitutional Court's judgement. He and other AKP politicians are linking this issue with the government's priority goal of adopting a new constitution, arguing that constitutional reform is necessary to resolve this conflict of competences. Erdoğan's criticism of the Constitutional Court further weakens the implementation of Constitutional Court judgements, especially when they serve to implement ECtHR judgements, and confidence in the independence of the judiciary (ÖB Ankara 4/2025, p.13; cf.FH 26/2/2025, LTO 29/11/2023, Standard 9/11/2023). Erdoğan's government partner Devlet Bahçeli, leader of the ultra-nationalist MHP, labelled the President of the Constitutional Court a terrorist and demanded that the Constitutional Court either be closed or restructured. Shortly beforehand, the pro-government newspaper Yeni Şafak ran a headline with photos of the nine controversial constitutional court judges and accused them of having 'opened the gates to terrorists'. - Lawyers referred to the Turkish constitution, according to which decisions of the Constitutional Court are final and bind the legislative, executive and judicial bodies as well as the administrative authorities and natural and legal persons (paragraph 6). The initiation of an investigation of the judges would require the authorisation of the fifteen-member General Assembly of the Constitutional Court, which requires a two-thirds majority for a final decision (LTO 29/11/2023). Judges of the Constitutional Court reiterated to the Co-Rapporteur of the Council of Europe in June 2024 that the Constitutional Court's judgement was binding and the non-compliance was due to the decision of the court of first instance, which had refused to reopen the case (CoE-PACE/MonComm 11/9/2024, pt.14). Parliament voted in favour of stripping Atalay of his parliamentary status, but the Constitutional Court declared this step invalid in August 2024. - In total, the Constitutional Court had ordered his release in three consecutive decisions. - Atalay remained in prison (as of July 2025) as the stalemate continued and several Constitutional Court judges were reportedly under criminal investigation (FH 26/2/2025, F1; cf.AI 29/4/2025, BirGün 13/5/2025).

Questioning the independence of judges and prosecutors

The shortcomings with regard to the independence and impartiality of the judiciary have not been remedied. The principle of separation of powers and judicial independence is enshrined in the constitution and other legislation, but the politicisation of the judiciary has increased. Statements by high-ranking government officials on ongoing proceedings, public attacks on defendants and

undue pressure on judges and prosecutors prevent members of the judiciary from performing their duties in accordance with EU standards (EC 30/10/2024, p.25).

According to Article 138 of the Constitution, judges are independent in the performance of their duties. In reality, however, this constitutional provision is undermined by simple legal regulations and political influence, such as pressure on judges and public prosecutors (ÖB Ankara 4/2025, p.10; cf.EC 30/10/2024, p.5). Judicial independence is also jeopardised by the extensive powers of the **Council of Judges and Public Prosecutors** (Hakimler ve Savcilar Kurumu - **HSK**), which is subordinate to the Minister of Justice in disciplinary and personnel matters(AA 14/6/2019; cf.ÖB Ankara 4/2025, p.11, CoE-PACE/MonComm 11/9/2024, pt.13). With the 2017 constitutional reform (Law No. 6771), the HSK was reduced to 13 members (from 22 members previously). The HSC is responsible for general tasks related to the organisation and functioning of the judiciary, including appointments, transfers, promotions, sanctions and dismissals (OHCHR 21/6/2024, p.2; cf.SCF 3/2021, p.5). Since 2010, appeals against decisions of the Council have only been provided for in the case of dismissals of judges and public prosecutors(AA 14/6/2019). As a result, public prosecutors and judges often toe the government's line. Judges who rule against the government's will have been removed and replaced, while those who condemn Erdoğan's critics have been promoted (FH 26/2/2025, F1).

Sami Selçuk, former and honorary president of the Court of Cassation, criticised the widespread practice of replacing judges in Turkey at the end of May 2024, especially in politically motivated, critical trials, such as the trials against Osman Kavala, the opposition mayor of Istanbul, Ekrem İmamoğlu, and pro-Kurdish parliamentarians, including the imprisoned Selahattin Demirtaş. Accordingly, Selçuk declared that 99 per cent of court judgements in Turkey are 'null and void'. The criticism is in line with an earlier recommendation by the Committee of Ministers of the Council of Europe to member states, according to which the independence of the judiciary depends on judges having a secure term of office, being irremovable and dismissal only being permissible in the event of serious violations of the law or incapacity. The European Court of Human Rights had found in an earlier judgement that judges in the Turkish legal framework have neither such a guarantee nor an effective remedy to challenge decisions on their transfer that they have not requested (TM 30/5/2024; cf.SCF 30/5/2024).

In October 2022, the Council of State (Administrative Court) ruled in favour of the reinstatement of 178 judges and prosecutors who had been dismissed under the 2016 emergency decrees for alleged links to the Gülen movement, stating that the acts they were accused of were not sufficient to prove their links to the movement. The State Council also ordered the state to pay compensation and damages to the judges and prosecutors. By March 2023, 3,683 of the dismissal proceedings had been completed and the proceedings were still ongoing. 845 dismissed/suspended judges and prosecutors were reinstated (EC 8/11/2023, p.26). However, in early 2024, President Erdoğan criticised the State Council's decision to reinstate 387 judges and prosecutors - Erdoğan described them as 'flies' from the 'FETÖ swamp'. In response, Justice Minister Yılmaz Tunç announced that the decision of the Council of State would be reviewed by the HSK (HRW 16/6/2025; cf.HDN 19/2/2024).

The lack of objective, merit-based, standardised and predetermined criteria for the recruitment and promotion of judges and public prosecutors remains a cause for concern (EC 8/11/2023, p.5, 24). The system for the selection, recruitment and promotion of judges and public prosecutors is not transparent. (EC 30/10/2024, p.26). According to European standards, transfers are only justified in exceptional cases due to a reorganisation of the courts. Although the Judicial Reform Strategy 2025-2029 provides for a guarantee against such transfers for judges above a certain seniority and on the basis of their performance, the practice of transferring judges and public prosecutors without their consent and without giving reasons continues. No measures have been taken (as of Dec. 2023) to comply with the recommendations of the Venice Commission of December 2016. This commission found that the decision-making processes regarding the transfer of judges and public prosecutors were inadequate and that each dismissal of a judge must be individually justified and based on verifiable evidence (ÖB Ankara 4/2025, p.11). Frequent transfers of judges and public prosecutors continued to impair the quality of justice, as did the appointment of newly recruited and less experienced judges and public prosecutors to the criminal courts (EC 8/11/2023, p.26; cf.EC 30/10/2024, p.27). Conversely, however, the HSK did not take any measures against judges who ignored judgements of the Constitutional Court (ÖB Ankara 4/2025, p.13; cf.EC 19/10/2021, p.23). According to Turkey's High Judicial Council, 9,914 judges and prosecutors have been recruited by the government since July 2016 following the dismissal of a third of the judiciary. According to the United Nations Special Rapporteur, the information indicates that the situation has had a chilling effect on the judiciary and that the scale of the mass dismissals and recruitment raises concerns about the independence of the new judges and prosecutors, who appear to have been hastily recruited. The remaining judges and prosecutors may be practising self-censorship in a general climate of fear (OHCHR 21/6/2024, p.2).

While no member of the HSK is actually appointed by judges or prosecutors, the President of the Republic nominates four members from among ordinary judges and prosecutors and the Parliament elects seven members from among the Court of Cassation (3), the Council of State [note: equivalent to the Administrative Court] (1) and legal scholars or lawyers (3). The Minister of Justice appointed by the President of the Republic and his Undersecretary of State make up the remaining two members, with the Minister chairing the HSC. Since almost half of the Council is appointed by the President of the Republic and the Ministry of Justice chairs the Council, the careers of judges and prosecutors throughout the country are de facto under the control of the executive, jeopardising the independent jurisdiction of the judiciary (OHCHR 21/6/2024, p.2f.; cf.ÖB Ankara 4/2025, p.11, SCF 3/2021, p.46). In May 2021, the President and Parliament replaced a total of eleven HSK members and thus almost the entire HSK collegiate (ÖB Ankara 4/2025, p.11). The European Network of Councils for the Judiciary (ENCJ) suspended the observer status of the (High) Council of Judges and Prosecutors in December 2016, as it no longer complied with the ENCJ Statute, which stipulates that it functions as an institution independent of the executive and legislative branches (OHCHR 21/6/2024, p.3; cf.ÖB Ankara 4/2025, p.11, UNHRCOM 28/11/2024, p.9).

Even the composition of the Supreme Court and the Court of Cassation is primarily decided by the President of the Republic, who also appoints twelve of the 15 members of the Constitutional Court (ÖB Ankara 30/11/2021, p.7f). - The term of office of the 15 members of the court is limited to twelve years. Twelve members are appointed by the president from a list of candidates nominated by supreme courts or from among high-ranking bureaucrats, while three members are appointed by parliament, which is currently dominated by Erdoğan's ruling AKP. - With the nomination of Metin Kıratlı, a top bureaucrat from the presidential palace, as a constitutional judge in July 2024, President Erdoğan has now appointed ten of the 15 constitutional judges (TM 18/7/2024). Although the Constitutional Court has shown a certain degree of independence since 2019, it is not free from political influence and often makes judgements in line with the interests of the ruling AKP (FH 26/2/2025, F1). *See examples in various chapters!*

The mass dismissals and frequent transfers of judges and public prosecutors have a negative impact on the independence and, in particular, the quality and efficiency of the judiciary. There is not a sufficient number of suitably trained judges and public prosecutors available to fill the vacancies that have become necessary as a result of the dismissals. In many cases, the loss of quality is reflected in a mould-like decision-making process without reference to the specific case. In mass proceedings, such as those concerning terrorism charges, the quality of judgements and decisions often suffers from inadequate legal reasoning and incomplete and less credible evidence. In addition, in some cases, evidence provided by the defence was not taken into account when reaching a verdict (ÖB Ankara 4/2025, p.11f.).

Structure of the judicial system

The Turkish judicial system consists of two pillars: ordinary jurisdiction (criminal and civil courts) and extraordinary jurisdiction (administrative and constitutional courts). The military courts were abolished with the constitutional referendum in April 2017. Their competences were transferred to the criminal, civil and administrative courts. According to the constitution, the highest courts are the Constitutional Court (Anayasa Mahkemesi), the Council of State (Danıştay) as the highest instance in administrative matters, the Court of Cassation (Yargitay) as the highest instance in civil and criminal matters *[also known as the Supreme Court of Appeal]* and the Court of Jurisdictional Disputes (Uyuşmazlık Mahkemesi) (ÖB Ankara 4/2025, p.9).

In 2014, all special courts and the peace courts (Sulh Ceza Mahkemleri) were abolished. Their jurisdiction for adjudication was essentially transferred to criminal courts. Instead, the institution of the Justice of the Peace in Criminal Matters (Sulh Ceza Hakimliği) was introduced to oversee and monitor the criminal investigation process. As the justices of the peace are considered to be selected by the government and loyal to it, they are seen as probably the most important instrument for the government to influence criminal cases that are important to it in its favour at this stage. In 2017, the Venice Commission of the Council of Europe called for the transfer of the powers of justices of the peace to ordinary judges or a reform. In contrast to the abolished peace courts, justices of the peace do not rule on the merits of the case, but they have far-reaching powers during the proceedings, such as issuing search warrants, stop orders, blocking websites and confiscating assets. However, criticism of the fact that appeals against the orders of a justice

of the peace were not examined by a court, but rather by another justice of the peace, was taken into account. As part of the fourth judicial reform package adopted on 8 July 2021, Parliament decided that appeals against decisions by justices of the peace would now be dealt with by criminal courts of first instance (ÖB Ankara 4/2025, p.9f.). The judgments of the justices of the peace in criminal cases increasingly deviate from the jurisdiction of the ECtHR and rarely provide sufficiently individualised reasons. The access of defence lawyers to their clients' court files is restricted for a certain catalogue of criminal offences until charges are brought. Sometimes this takes more than a year (EC 29/5/2019, p.24; cf.ÖB Ankara 4/2025, p.10).

Role of the Constitutional Court

Since September 2012, all citizens have been able to lodge an individual complaint (bireysel başvuru) with the Constitutional Court. The admissibility of constitutional complaints can be subject to a preliminary review by committees. It is only admissible against court decisions of last instance, not against laws (RRLex 7/2023, p.4; cf.AA 20/5/2024, p.5), introduced inter alia with the aim of reducing the number of cases at the European Court of Human Rights (HDN 18/1/2021). The individual complaint has been widely accepted, but is highly formalised and suffers from long proceedings (RRLex 7/2023, p.4).

As a result of the sometimes very lengthy proceedings, the judiciary is increasingly relying on alternative dispute resolution mechanisms upstream of court proceedings. Furthermore, nine regional courts of appeal (Bölge Mahkemeleri) had already been set up in 2016 to relieve the burden on the court of cassation in particular. This is because large parts of the judiciary are working under considerable pressure to clear the backlog of cases or conclude ongoing proceedings (ÖB Ankara 4/2025 p.10).

The resistance of the Turkish courts or even the parliament to comply with the case law of the Constitutional Court is a problem that is exacerbated by repeated verbal attacks on the Constitutional Court by public officials (CoE-PACE/MonComm 11/9/2024, p.14). This means that lower courts sometimes ignore or significantly delay the implementation of Constitutional Court decisions. The Committee of Ministers of the Council of Europe reported that most ECtHR decisions on freedom of thought, expression and the press have not been implemented (USDOS 22/4/2024, p.13; cf.EC 30/10/2024, pp.20, 25f.). However, the Constitutional Court has also handed down inconsistent judgements in freedom of expression cases. Where the Supreme Court considered itself to be in line with the standards of the ECtHR, which, for example, only considers pre-trial detention to be justified in cases of freedom of expression in the case of hate speech or incitement to violence, the judgements met with resistance and obstruction in the lower courts (IPI 18/11/2019).

Apart from the ignoring of Constitutional Court and ECtHR judgements by lower courts, the authorities also continued to ignore binding court rulings on violations of fair trial standards (AI 29/4/2025).

For the latest case law of the Constitutional Court regarding freedom of expression and freedom of the press, see also the chapter: Freedom of expression and freedom of the press / Internet.

Presidential decrees

The amendments to the Turkish constitution adopted by referendum in 2017 give the President of the Republic the power to issue presidential decrees. The presidential decree is a novelty in Turkish constitutional history, as it is a type of legislation issued by the executive branch without the need for prior delegation of power by the legislature or subsequent approval by the legislature, and it need not be limited to the application of a legislative act, as is the case with ordinary decrees issued by executive bodies. The power to issue presidential decrees is therefore a direct regulatory power of the executive, which was previously reserved only for the legislature *[see also chapter: Political situation].* However, in June 2021, three decisions of the Turkish Constitutional Court were published in the Official Gazette in which certain provisions of presidential decrees were cancelled on constitutional grounds (LoC 6/2021).

Police custody and pre-trial detention

According to the current anti-terrorism law, a person in **police custody** should be brought before a judge within four days at the latest for a decision on the imposition of pre-trial detention or extension of police custody. An extension of police custody is only permitted at the justified request of the public prosecutor's office, for example if further investigative work is being carried out or mobile phone data is being analysed. An extension is possible twice (for four days each). Police custody can therefore last a maximum of twelve days (ÖB Ankara 4/2025, p.13f.). The regulation violates the case law of the ECtHR, which stipulates a maximum of four days of police custody (EC 12/10/2022, p.43). On the basis of the Anti-Terrorism Act No. 3713, the access of a person in police custody to a legal representative can be restricted during the first 24 hours (ÖB Ankara 4/2025, p.14).

Pre-trial detention can be imposed for a maximum of one year in accordance with Art. 102 (1) of the Code of Criminal Procedure for offences that do not fall within the jurisdiction of the Grand Criminal Chambers (Ağır Ceza Mahkemeleri). It can be extended by a further six months due to special circumstances. According to Art. 102 (2) of the Code of Criminal Procedure, the duration of pre-trial detention is up to two years for offences that fall within the jurisdiction of the Grand Criminal Chambers. These are criminal offences that carry a prison sentence of at least ten years. Due to special circumstances, this period can be extended by a further year, up to a maximum of three years in total. For offences under the Anti-Terrorism Act No. 3713, the maximum period of pre-trial detention is seven years (two years and possible extension by a further five years). The grounds for pre-trial detention are set out in the Turkish Code of Criminal Procedure (CCP): Risk of absconding; behaviour of the suspect/accused (risk of concealment and influencing witnesses, victims, etc.) as well as the existence of urgent grounds for suspicion that one of the offences listed in Art. 100 (3) CCP has been committed, these are genocide, smuggling and trafficking of human beings, murder, sexual abuse of children. The amendments adopted in the fourth judicial reform package of July 2021 regarding arrests for crimes that fall under so-called 'catalogue crimes' and for which the need for pre-trial detention is assumed in any case include, for example , terrorism and organised crime (ÖB Ankara 4/2025, p.14).

Complaints Commission on Emergency Measures (OHAL)

During the state of emergency in place since the attempted coup until 19 July 2018, a total of 36 decrees were issued, which aimed in particular at a far-reaching purge of state institutions from allegedly Gülen-affiliated persons and the closure of private institutions with Gülen connections. The government and the executive were granted far-reaching powers of arrest and house searches. The decrees issued under the state of emergency could not be appealed to the Constitutional Court. In addition, according to official figures, 125,678 civil servants were dishonourably dismissed or suspended by decree, including a third of all judges (15,000) and public prosecutors. Their names were published in the official gazette (ÖB Ankara 4/2025, p.20).

According to the Complaints Commission, the classification, registration and archiving of a total of almost half a million files, including personnel files transferred from their institutions, court files and previous applications, had been completed by January 2023. By 12 January 2023, 127,292 applications had been submitted. Of these, the Commission has processed all applications since its establishment in December 2017, with only 17,960 being resolved favourably. 72 positive decisions concerned once-closed associations, foundations, schools, newspapers and television stations (ICSEM 1/2023; cf.ÖB Ankara 4/2025, p.20). There are still major concerns about the quality of the work of the commission of enquiry, even though it has completed its examination of all cases. There are doubts as to whether the cases were examined individually, whether the rights of the defence were respected and whether the evaluation procedure met international standards (EC 8/11/2023, p.23; cf.UNHRCOM 28/11/2024, p.10f.).

The Complaints Commission was criticised internationally for its lack of genuine institutional independence. All members were appointed by the government (ÖB Ankara 4/2025, p.20). Those affected had no opportunity to refute allegations of their alleged illegal activity, as they were not allowed to give oral testimony, name witnesses or inspect the allegations made against them or the evidence provided in this regard before submitting their application to the Commission. In cases in which the dismissal was upheld, the Complaints Commission often relied on weak evidence and used actions that were in themselves lawful as proof of allegedly unlawful activities (ÖB Ankara 28/12/2023, p.20; cf.EC 12/10/2022, p.23). The burden of proof for disproving links to prohibited groups lies with the applicant (reversal of the burden of proof). In addition, the fact that the actions taken were lawful at the time they were carried out is not taken into account in the decision-making process. Finally, the lengthy appeal procedure with waiting times of ten months in cases that have already been decided is (or was) criticised (ÖB Ankara 4/2025, p.20).

Disregard for judgements of the European Court of Human Rights (ECtHR)

The decisions of law enforcement authorities and courts to circumvent ECtHR judgements show two main trends: prosecutors and judges in the Turkish courts of first instance, the Supreme Court and the Constitutional Court simply do not implement many ECtHR judgements, ignore them completely and continue to prosecute and convict individuals on the very grounds on which the ECtHR has identified systemic problems and ordered general measures. Another circumvention tactic is for prosecutors and judges to initiate multiple overlapping criminal charges and proceedings based on the same or similar factual and legal grounds. This tactic was extensively documented in the Kavala v. Turkey and Selahattin Demirtaş v. Turkey cases, in

which the judicial authorities essentially categorised the same facts as new ‘offences’ to justify continued detention (HRW 16/6/2025).

The Committee of Ministers of the Council of Europe has repeatedly dealt with Turkey on the basis of unimplemented judgements (AA 20/5/2024, p.16). The ECtHR found violations of the ECHR in new judgments. These mainly concerned the right to respect for private and family life, excessive use of force by security forces, unjustified detention, the right to a fair trial, the right to liberty and security and freedom of assembly and association. Currently (as of November 2024), 185 cases against Turkey are under increased monitoring by the Committee of Ministers of the Council of Europe. In June 2024, the Committee of Ministers of the Council of Europe once again called on the Turkish government to comply with the judgements of the ECtHR and release former HDP co-chair Demirtaş and human rights defender Kavala. In April 2024, the ECtHR granted priority status to a second case filed by Osman Kavala (EC 30/10/2024, p.29).

Most recently, during a fact-finding mission to Turkey in June 2025, the co-rapporteurs of the Parliamentary Assembly of the Council of Europe - PACE (Lord David Blencathra and Stefan Schennach) again called on the authorities to implement the judgements of the European Court of Human Rights in the cases of Osman Kavala, Selahattin Demirtaş and Figen Yüksekdağ Şenoğlu without delay. These individuals have been imprisoned for almost or more than eight years, which is a violation of the European Convention on Human Rights. Implementing the judgements of the Strasbourg Court is not an option, but a legal obligation enshrined in the European Convention on Human Rights, according to the co-rapporteurs (CoE-PACE 23/6/2025).

The infringement proceedings initiated by the Committee of Ministers of the Council of Europe in December 2021 continue (AA 20/5/2024, p.16), as does the monitoring by the Parliamentary Assembly of the Council of Europe (EC 30/10/2024, p.29).

For a longer legal history of the Kavala case, see version 9 of the TURKEY country information of 18 October 2024 in the same chapter.

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5 Security authorities

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Although the government (executive branch) continues to have extensive powers over the security forces, civilian oversight of the security organisations remains incomplete. There is also a lack of effective control mechanisms, for example in terms of responsibility and accountability. According to the European Commission, parliamentary oversight of security institutions must be strengthened. A culture of impunity continues to prevail in the security and intelligence services, as personnel enjoy de facto judicial and administrative protection in cases of alleged human rights violations and disproportionate use of force (EC 30/10/2024, p.21). Legal privileges continue to be granted in the prosecution of military personnel and the highest level of command. The investigation of alleged military offences committed by military personnel requires prior authorisation from either military or civilian superiors (EC 8/11/2023, p.17). While there are official bodies to which complaints of human rights violations and abusive treatment by the police and other security agencies can be made, the prevailing culture of impunity makes it unlikely that a complaint from a vulnerable group, such as an ethnic minority or political activist, will lead to the prosecution of a member of the security forces (DFAT 16/5/2025, p.38).

The **military** is responsible for territorial defence and has overall responsibility for border security (DFAT 16/5/2025, p.38; cf.USDOS 20/3/2023, p.1). Since 2003, however, the powers of the military have been gradually restricted and senior positions within the armed forces have been replaced over time by figures close to the government. This policy has intensified since the failed coup attempt in July 2016, after which 29,444 members were dismissed from the Turkish armed forces (15,000 in this case alone), the gendarmerie and the coast guard. The

restriction of the military's power was welcomed by the population and politicians. However, it is currently apparent that this process has not been accompanied by a strengthening of democratic institutions. The reorganisation of the armed forces is intended to further limit the influence of the military, among other things by expanding political control mechanisms. The planned loss of influence of the General Staff, for example, is reflected in the fact that some of its powers are to be transferred to the Ministry of Defence and that the General Staff, like other military institutions, is to be increasingly staffed with ideologically and personally loyal individuals. While the three branches of the armed forces are now directly subordinate to the Ministry of Defence, the paramilitary units are affiliated to the Ministry of the Interior. The High Military Council, the control of military jurisdiction, the armed forces' medical services and the military training system are also increasingly staffed by civilians (BICC 2/2025, p.2, 18, 25).

The **police and the gendarmerie** (Turkish: Jandarma), which are subordinate to the Ministry of the Interior, are responsible for security in urban areas (police) and rural and border areas (gendarmerie) respectively (ÖB Ankara 4/2025, p.21; cf.USDOS 20/3/2023, p.1). The gendarmerie is responsible for public order in rural areas that do not fall within the remit of the police forces, as well as for ensuring internal security and general border control. However, responsibility for the gendarmerie is transferred to the Ministry of Defence in times of war (BICC 2/2025, p.18; cf.ÖB Ankara 4/2025, p.21, DFAT 16/5/2025, p.39).

The **police** are responsible for criminal prosecution in Turkey. Although the police are ultimately subordinate to the Ministry of the Interior, they carry out their duties under the direction and control of the civil authorities, including governors and heads of district administrations. According to the Law on the Duties and Powers of the Police (2004), the main task of the police is to prevent criminal offences, ensure public order and security, protect persons and property, investigate, arrest and transfer criminals and hand over evidence to the competent judicial authorities (DFAT 16/5/2025, p.38). The police have a highly centralised structure. As the police are accountable to the Ministry of the Interior, they are under the control of the respective governing party. Changing governments have attempted to strengthen their own power vis-à-vis the military by strengthening the police. Following police investigations into corruption and money laundering against high-ranking AKP officials in 2013, but especially since the failed coup attempt in July 2016, police officers have been dismissed en masse (BICC 2/2025, p.2). In 2023, the police force had a headcount of almost 339,400 (ÖB Ankara 28/12/2023, p.21).

The policewere given far-reaching powers as part of the amendment to the Security Act in March 2015. Since then, the law has provided for the use of firearms against people who use or attempt to use Molotov cocktails, explosives and fireworks or similar, for example during demonstrations (NZZ 27/3/2015; cf.FAZ 27/3/2015, HDN 27/3/2015). The police may search a person, their property and their private means of transport on the basis of verbal or written consent from the head of the administrative authority. The governor can instruct the executive to track down lawbreakers (AnA 27/3/2015).

The **gendarmerie**, with a strength of - depending on the source - between 152,100 and 275,000 officers, was placed under the Ministry of the Interior after the attempted coup in 2016; previously

it was under the Ministry of Defence (ÖB Ankara 28/12/2023, p.21; cf.BICC 2/2025, p.17, DFAT 16/5/2025, p.39). The same applies to the 4,700-strong Coast Guard (BICC 2/2025, p.17).

The General Command of the Gendarmerie also oversees the so-called **Village Guards** (Köy Korucusu), renamed Security Guards (Güvenlik Korucusu) in 2017. These are paramilitary units [often of Kurdish origin] that are primarily deployed in rural regions in south-east Turkey, mainly to combat the PKK (DFAT 16/5/2025, p.39; cf.BAMF 2/2023, p.1). However, the village guard system continues to hinder the return of displaced villagers and represents an obstacle to a political solution to the Kurdish question. Some village guards have been linked to human rights violations and excessive use of force against the Kurdish population (EC 30/10/2024, p.22).

According to one study, villagers are said to have joined the village guard system in the past by force as part of their clan, out of financial necessity or due to forced recruitment by state security forces (BAMF 2/2023; cf.JSPP/Acar Y.G. 18/12/2019). Both the village guards and the victims of village guards told similar stories about the pressure to become village guards and the eviction of the villages: the security forces entered the village and told the villagers that they had to become village guards or leave their village. If the villagers were unable to decide between refusing or accepting to become village guards, the soldiers evacuated their village (JSPP/Acar Y.G. 18/12/2019). There have been no reports of forced recruitment in recent years. In the meantime, people interested in becoming village guards can apply to the village administration (BAMF 2/2023).

Some of the traditional military tasks are to be taken over by the police, who are increasingly equipped with heavy weapons. These reforms continue a trend that has already become apparent in the Kurdish-dominated areas in south-east Turkey. This also became apparent during the ‘olive branch’ military intervention in the northern Syrian province of Afrin in January 2018 (BICC 2/2025, p.18).

The police, gendarmerie and also the National Intelligence Service (Millî İstihbarat Teşkilâtı - MİT) have gained influence under the government of the Justice and Development Party (AKP) (AA 20/5/2024, p.6).

The **‘neighbourhood watch’** aka **‘night watch’ (Turkish: Bekçi)**, which was abolished in 2008, was reintroduced in 2016 after the failed coup attempt. From 29,000 as of autumn 2020 (TM 28/11/2020), the number has grown to around 40,000 (as of early 2023). The Turkish Ministry of the Interior wants to recruit 1,200 new ‘Bekçis’. These are security guards who, armed with weapons and batons, are supposed to keep order, especially at night. The new security forces are to be deployed in 26 provinces (FR 20/1/2023). They will be employed as night guards after only brief training (BIRN 10/6/2020). Their powers were extended with an amendment to the law in June 2020 (BIRN 10/6/2020; cf.Spiegel 9/6/2020). The new law authorises them to carry and use firearms, carry out identity checks, search people and cars and arrest suspects and hand them over to the police (MBZ 2/3/2022; p.19; cf.MBZ 31/8/2023, p.2). They are supposed to provide public security in their own neighbourhoods, but are criticised by government critics as ‘AKP militia’ and are said to be barely trained for their tasks (AA 20/5/2024, p.6; cf.MBZ 31/8/2023, p.20, BIRN 10/6/2020, Spiegel 9/6/2020). Above all, the opposition criticises Erdoğan for

establishing a counterweight to the gendarmerie and police that is loyal to him (FR 20/1/2023). Critics see the deployment in their own neighbourhoods as proof that the Bekçi auxiliary police are not meant to protect their own neighbourhoods, but rather to spy on them (Spiegel 9/6/2020). With the change in the law, images emerged of the new security forces arbitrarily controlling people and using violence (FR 20/1/2023). According to information from the Dutch Ministry of Foreign Affairs, the Bekçi generally act according to their own nationalist and conservative norms and values. For example, they intervened if someone sang in public in Kurdish, wore a short skirt or had an 'extravagant' haircut. If the person stopped did not cooperate, they were handcuffed and handed over to the police (MBZ 2/3/2022, p.19. Human Rights Watch criticised the fact that, given the widespread culture of police impunity, the supervision of night watch officers was even less clear and vague than that of the regular police (Guardian 8/6/2020). **Examples of assaults** by the night watch: In August 2021, three journalists were attacked by members of the night watch because they were reporting on the night-time disappearance of a toddler in the Istanbul district of Beylikdüzü, who was later found dead (SCF 19/8/2021). In May 2022, a 16-year-old girl was allegedly arrested and sexually harassed by members of the night watch in Istanbul (SCF 11/5/2022). And in mid-July 2022, three trans women in the western Turkish province of Izmir were sprayed with tear gas, beaten and taken to the police station in handcuffs by members of the night watch as part of an ID check (Duvar 18/7/2022).

In its ruling published on 1.6.2023, the Constitutional Court ruled that neighbourhood watches are no longer authorised to take measures to prevent demonstrations that could disrupt public order. Such powers would constitute a violation of the right to assemble and demonstrate. However, the Constitutional Court confirmed that the neighbourhood watch groups are still authorised to carry and use firearms and carry out identity checks (MBZ 31/8/2023, p.20).

Intelligence matters in the Turkish **National Police (TNP**) are covered by the **Police Intelligence Service** (İstihbarat Dairesi Başkanlığı - IDB). Its focus is on counter-terrorism, the fight against organised crime and cooperation with other Turkish intelligence and secret service agencies. The gendarmerie also maintains an intelligence service focussed on military matters. There is also the **National Intelligence Service MİT**, which has been directly subordinate to the President of the Republic since September 2017 (previously to the Prime Minister's Office) and whose areas of responsibility are the protection of the territory, the people, the maintenance of state integrity, the preservation of the continued existence, independence and security of Turkey as well as its constitution and the constitutional state order. The amendment to the law in April 2014 gave the MİT extended powers to intercept private telephone conversations and to collect information on terrorist and international criminal offences. MİT agents have extended legal immunity. Prison sentences of up to ten years are provided for people who publish secret information. Individuals who withhold documents or information from the MİT also face up to five years in prison (ÖB Ankara 4/2025, p.22f.).

Since 6 January 2021, the National Police [Note: General Directorate of Security - Emniyet Genel Müdürlüğü/EGM] and the National Intelligence Service (MİT) have been able to use weapons and equipment from the Turkish Armed Forces (TSK) in the event of terrorist attacks and civil unrest. According to the regulation, the Turkish Armed Forces (TSK), EGM, MİT, Gendarmerie

Command and Coast Guard Command are authorised to transfer all types of weapons and equipment among themselves in cases of terrorism and civil unrest (SCF 8/1/2021; cf.Ahval 7/1/2021). The European Parliament expressed concern about the new legislation (EP 19/5/2021, p.15, pt.38).

The Turkish Constitutional Court annulled several articles of two laws on the state of emergency in January 2023. Among other things, it annulled a provision according to which members of the Turkish Armed Forces (TSK), the General Command of the Gendarmerie, the Coast Guard Command and the General Directorate of Security can be removed from service due to their affiliation with a terrorist organisation without an investigation being conducted against them. Furthermore, a regulation that provided for the Turkish Intelligence Service (MİT) to be excluded from the scope of Law No. 4982 on the Right to Information without any exceptions was declared invalid as it 'completely abolishes the possibility of exercising the right to information' (TM 16/1/2023).

On human rights violations by the police, see in particular the chapters: Torture and inhumantreatmentConditionsofdetentionFreedom ofassemblyandassociationFreedom ofassemblyand association / opposition.

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6 Torture and inhuman treatment

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Legal framework

The Constitution and the law prohibit torture and other cruel, inhuman or degrading treatment (USDOS 22/4/2024, p.4). Turkey is a party to the 1987 European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (AA 20/5/2024, p.16). It signed the Optional Protocol to the UN Convention Against Torture (OPCAT) in September 2005 and ratified it in 2011 (ÖB Ankara 4/2025, p.44). However, the United Nations Committee against Torture (CAT) expressed concern in August 2024 that Article 94 of the Criminal Code does not fully encompass the definition of torture contained in the Convention (CAT 14/8/2024, p.2).

Developments and current situation

Especially after the resurgence of the conflict [note: between the Turkish state and the PKK] in July 2015 and the state of emergency imposed after the attempted coup (2016), torture and other forms of ill-treatment have risen to extraordinary levels in official places of detention and internment, including prisons, as well as in interventions by law enforcement bodies during peaceful assemblies and demonstrations, but also in unofficial places of detention and in environments outside detention centres, on the street and in open spaces or in areas such as homes and workplaces (TİHV/HRFT 11/2024, p.17; cf.EC 30/10/2024, p. 30, ÖB Ankara 4/2025, p.44, İHD/HRA/TİHV/HRFT/TMA/TTB 26/6/2024, p.2, MBZ 2/2025a, p.43).

During the 80th session of the UN Committee against Torture (CAT) from 8 to 26 July 2024, more than 40 NGOs submitted reports criticising systematic torture and ill-treatment, enforced disappearances, extrajudicial executions and the widespread impunity of security forces allegedly linked to torture and ill-treatment. The Turkish authorities were accused of using torture as a means of forcing confessions or intimidating political activists, media workers and members of the Kurdish minority (SCF 12/7/2024; cf.BAMF 9/9/2024, p.11).

Assessments of the extent of torture and ill-treatment

While the NGO Human Rights Foundation of Turkey (TİHV) states, as in its previous reports, that systematic torture and other forms of ill-treatment are being used (TİHV/HRFT 11/2024, p.17), both the Austrian embassy in Ankara and the German Foreign Office, on the other hand, see no evidence of systematic torture (ÖB Ankara 4/2025, p.44; cf.AA 20/5/2024).

In its report on the visit to Turkey in May 2019, the **European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)** refers to incidents of excessive use of force by officials against detainees with the aim of obtaining confessions or as punishment (the reports on the visit in January 2021 and on the ad hoc visit in September 2022

and February 2024 have not yet been published at Turkey's request). The frequency of incidents is at a worrying level. However, the severity of ill-treatment by police officers has decreased (ÖB Ankara 4/2025, p.44). The experts of the **UN Subcommittee on Prevention of Torture (SPT)** commented on this in September 2022 following their second visit to the country. According to them, Turkey must take further measures to protect detainees from torture and ill-treatment, especially in the first hours of detention, and to protect migrants in deportation centres (OHCHR 21/9/2022).

With regard to Turkey, in 2024, the **Parliamentary Assembly of the Council of Europe (PACE)** also expressed 'alarm at credible reports indicating that torture and other forms of ill-treatment tend to be systematic and/or widespread in […] Turkey [and] concern at reports indicating that, despite the authorities' 'zero tolerance' message, the use of torture and ill-treatment in police custody and prison has increased in recent years, overshadowing Turkey's previous progress in this area'. The Assembly welcomes the recent decisions of the Constitutional Court finding violations of the prohibition of ill-treatment and ordering new investigations into complaints, and encourages other national courts to follow this jurisprudence" (CoE-PACE 24/1/2024, p.2).

Similarly, the **United Nations Committee against Torture - CAT** expressed concern in the summer of 2024 '[…] about allegations that torture and ill-treatment continue to occur in the State party in generalised forms, particularly in detention facilities, including allegations of beatings and sexual assault and harassment by law enforcement and intelligence officials, and the use of electric shocks and waterboarding in some cases' (CAT 14/8/2024, p.6).

Despite Turkey's assurances regarding its zero-tolerance policy on torture, the **UN Human Rights Committee** reiterated in late November 2024 (as part of the second periodic report on the International Covenant on Civil and Political Rights - ICCPR) its concern about the general manner in which torture and ill-treatment allegedly take place in police custody and prisons, as well as the increase in allegations of torture and ill-treatment in recent years (UNHRCOM 28/11/2024, p.6).

Impunity or mitigation of punishment for state violence

Instead of applying the criminal offence of 'intentional homicide and torture', security forces are convicted in court of 'intentional bodily harm resulting in death' or 'reckless homicide', which results in more lenient sentences, for example in the form of faster release from custody. In addition, Law No. 6722, which was passed on 14 July 2016, stipulates that investigations against military personnel involved in operations that resulted in allegations of torture and other ill-treatment are subject to a special authorisation procedure. And impunity was introduced retroactively (İHD/HRA/TİHV/HRFT/TMA/TTB 26/6/2024, p.11).

The last few years have not only seen an increase in cases of torture and ill-treatment. There has also been a lack of convictions by senior officials and a willingness to cover up allegations rather than investigate them. This led to widespread impunity for the security forces (SCF 6/1/2022). Moreover, this is due to the **violation of procedural safeguards**, long detention periods and wilful negligence that have become common practice at various levels of the state (İHD/

HRA/OMCT/CİSST/TİHV/HRFT 9/12/2021). Persons charged with both political and ordinary criminal offences are affected (HRW 13/1/2021). However, people who are said to have links to the PKK or the Gülen movement are more likely to be subjected to ill-treatment. Similarly, assaults in police facilities are reportedly more common in parts of the south-east than elsewhere (USDOS 22/4/2024, p.4).

The **UN Human Rights Committee** expressed concern in 2024 about the lack of adequate monitoring of police custody and prisons, a safe and effective complaints mechanism and impartial, independent and thorough investigations, prosecutions and sanctions commensurate with the seriousness of the offence for perpetrators, leading to a situation of de facto impunity (UNHRCOM 28/11/2024, p.6; cf.HRW 11/1/2024).

In a resolution of 7.6.2022, the **European Parliament** (EP) 'reiterated its concern at Turkey's refusal to implement the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment' and 'calls on Turkey to adopt a zero-tolerance policy on torture and fully investigate persistent and credible reports of torture, ill-treatment and inhuman or degrading treatment in custody, interrogation or detention in order to end impunity and hold those responsible to account' (EP 7/6/2022, p. 19, para. 32). There was little evidence that the prosecution had made progress in investigating allegations of torture and ill-treatment in police custody and prisons, which have increased in recent years (HRW 12/1/2023). Few such allegations lead to prosecution of the security forces and there is still a widespread culture of impunity (HRW 11/1/2024).

According to the Human Rights Foundation of Turkey (TİHV), at least 13,965 people were detained under torture and ill-treatment in Turkey between 2018 and 2021. Of these violent arrests, 3,997 took place in 2018, 4,253 in 2019, 2,014 in 2020 and 3,701 in 2021 (Duvar 22/3/2022). In 2022, the then Interior Minister Süleyman Soylu reported in response to a parliamentary question that only twelve out of 2,594 police officers suspected of using excessive force in the previous five years had been punished in any way (TM 21/1/2022). According to the Human Rights Association (İHD/HRA), a total of 5,312 people were tortured or ill-treated by security forces in 2023. 348 cases of torture took place in police custody and a further 733 outside detention centres. 594 cases were reported from prisons. 3,487 people were beaten and wounded by security forces during protests (BAMF 9/9/2024, p.11; cf.İHD/HRA 23/8/2024).

Judgements of the highest courts

In 2021, the Constitutional Court ruled in favour of plaintiffs affected by torture and ill-treatment in at least five cases (SCF 17/11/2021). In two judgements from May 2021, the Constitutional Court found violations of the prohibition of ill-treatment and ordered new investigations into complaints that had been dismissed by the public prosecutor's office at the time they were filed in 2016 (HRW 13/1/2022). The cases concerned a former teacher who was tortured in prison in Antalya province and a man who was beaten and sexually abused in police custody in Afyon province. Both were arrested in 2016 for alleged membership of the Gülen movement. The Supreme Court ordered compensation payments in both cases (SCF 15/9/2021; cf.SCF 22/9/2021). The Constitutional Court also ruled in favour of three plaintiffs (the Çelik brothers and their cousin),

who were extradited from the Bulgarian to the Turkish authorities in 2016 and who complained of ill-treatment and the denial of medical assistance, by ruling that the public prosecutor's office had failed to hear prison inmates as witnesses in the proceedings. The Supreme Court ordered the authorities to pay compensation and initiate an investigation against the perpetrators (SCF 17/11/2021). Furthermore, in the case of a private security guard who died in police custody in Istanbul on 5 June 2021, a deputy police chief was detained and is on trial along with eleven other police officers after the media published footage weeks earlier showing police beating the guard (HRW 13/1/2022). In a ruling on 25 March 2025, the Constitutional Court found that the authorities had violated the procedural guarantees of the prohibition of ill-treatment in the case of Zabit Kişi, an alleged member of the Gülen movement who was abducted from Kazakhstan in 2017 and secretly detained in Turkey. The court ruled unanimously that Kişi had been denied an effective investigation into his allegations of unlawful abduction, prolonged incommunicado detention and severe torture (NM 30/5/2025; cf.TALI 4/6/2025). While the decision acknowledged a procedural error, it deliberately sidestepped the issue of actual torture. Despite overwhelming evidence, including consistent witness testimony and medical records, the Constitutional Court chose not to recognise actual torture, but only the failure to investigate it (TALI 4/6/2025).

In October 2024, the Court of Cassation upheld the acquittal of 16 men accused of 'intentional killing in the context of acts of an armed organisation established to commit a crime' in a case against JİTEM, a special intelligence gathering unit of the gendarmerie, in Ankara. Former state employees were among those acquitted. The case related to enforced disappearances and extrajudicial executions between 1993 and 1996 (AI 29/4/2025).

Institutions

Victims of ill-treatment or torture have recourse to formal complaints procedures, but these mechanisms are not particularly effective. This has raised concerns about the autonomy of state bodies such as Türkiye İnsan Hakları ve Eşitlik Kurumu (TİHEK,Turkey's Human Rights and Equality Authority, abbreviated as HREI) and the Ombudsperson. According to several sources, TİHEK is neither efficient nor autonomous in dealing with reports of ill-treatment and torture (MBZ 31/8/2023, p.40; cf.CAT 14/8/2024, p.3). Although TİHEK carries out official visits to prisons, these are primarily concerned with hygiene issues and not cases of ill-treatment and torture. Officers at police stations often show no interest in handling complaints related to state-sponsored violence. Victims have a better chance of success if they submit their complaints directly to the public prosecutor's office, especially if they are backed up by solid evidence such as medical reports or video footage. According to the same source from the Dutch Ministry of Foreign Affairs, citizens who reported incidents of state-sponsored violence risk being charged with defamation (MBZ 31/8/2023, p.40). The European Commission also found in October 2024 that, although entrusted with the role of National Preventive Mechanism (NPM), TİHEK/HREI does not fulfil the key requirements of the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and does not effectively deal with cases referred to it (EC 30/10/2024, p.30; cf.EC 8/11/2023, p.31).

According to human rights organisations, many victims of ill-treatment and torture not only have little or no trust in the two institutions mentioned, but the fear prevails that they will be subjected to ill-treatment and torture again if the gendarmes, police officers and/or prison guards find out that they have lodged a complaint. In view of this, most victims of ill-treatment and torture do not file a complaint (MBZ 18/3/2021, p.34; cf.MBZ 2/3/2022, p.32f.). If prisoners nevertheless complain about torture and ill-treatment, the authorities do not establish any violations of the law and the investigations remain inconclusive. This has reduced prisoners' motivation to appeal, which in turn has led to a decline in complaints (CİSST 26/3/2021, p.30).

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6.1 Abductions and enforced disappearances at home and abroad

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Turkey has not yet signed the International Convention for the Protection of All Persons from Enforced Disappearance (EC 8/11/2023, p.29). Credible reports from human rights organisations, the Ankara Bar Association, the opposition and those affected themselves about cases of torture, abductions and the existence of informal detention centres continue. Human rights groups have reported isolated cases of 'disappearances', some of which were politically motivated. Abductions from abroad are also carried out time and again (ÖB Ankara 4/2025, p.45).

A distinction must be made between abductions within Turkey and those of Turkish citizens abroad in order to bring them back to Turkey. With regard to the former, Turkey consistently denies any involvement; with regard to the latter, it openly admits to having carried out these abductions. In both cases, the sequence of events is identical: (alleged) opponents of the government are abducted and subsequently disappear from the scene, some are still missing today (TT 7/2021, p.2). However, most of them reappear after a few months, e.g. in certain police stations (TT 7/2021, p.2; cf.FR 15/2/2021, TM 10/9/2021). Torture is also allegedly sometimes involved. For example, Human Rights Watch reported on the case of Ayten Öztürk, who was brought to court in 2019 for links to the armed group Revolutionary People's Liberation Party/Front (DHKP-C). She was abducted by Turkish intelligence services from Beirut airport in Lebanon in 2018 and taken to Turkey, where she was forcibly disappeared and tortured for over five months before being officially taken into police custody (HRW 22/2/2024, p.19).

Obviously intimidated, most of the victims remain silent after their reappearance (TM 10/9/2021). In any case, abductions and enforced disappearances continue to be reported and not properly investigated (HRW 13/1/2022; cf.ÖB Ankara 4/2025, p.44). According to the European Commission, it is still worrying that extraterritorial abductions and forced returns are justified under the pretext of combating terrorism and protecting national security (EC 8/11/2023, p.20).

Joint research by Zweites Deutsches Fernsehen (ZDF) and eight international media, coordinated by the non-profit research centre Corrective, based on surveillance videos, internal documents, eyewitnesses and interviewed victims, revealed at the end of 2018 that an **abduction programme** exists in which the National Intelligence Service Millî İstihbarat Teşkilâtı (MİT) searches for political opponents who are then abducted to secret prisons - including from abroad

- and tortured, for example to obtain incriminating statements against third parties (ZDF 11/12/2018; cf.Correctiv 11/12/2018, Haaretz 11/12/2018).

There is still no comprehensive, coherent approach to missing persons, the exhumation of mass graves or the independent investigation of all alleged cases of extrajudicial killings by security and law enforcement officials. Most investigations into cases of enforced disappearances from the 1990s are time-barred after 20 years. In the more than 1,400 cases of missing persons, only 16 court proceedings were initiated. 14 of these ended in an acquittal (EC 8/11/2023, p.20; cf.EC 30/10/2024).

According to the UN Working Group against Enforced and Involuntary Disappearances (UN-WGEID), almost 83 of 240 cases were still unsolved as of July 2024 (UNHRC/WGEID 26/7/2024, p.31). Ömer Faruk Gergerlioğlu, human rights activist and member of parliament for the pro-Kurdish HDP, estimates that at least 30 people have 'disappeared' in Turkey since 2016. In many cases, they are former civil servants (FR 15/2/2021; cf.TM 10/9/2021) or supporters of the Gülen movement and Kurds (AlMon 17/9/2021; cf.TT 7/2021, p.50, TM 10/9/2021). Some of the abductees are reportedly still missing. According to the Turkish Human Rights Foundation (TİHV), several activists from Marxist groups have recently been abducted in a similar manner alongside HDP members. This was also confirmed by the allegedly abducted members of the HDP and left-wing organisations themselves (AlMon 17/9/2021). Almost all of the abductees stated that they were put under pressure to betray their organisations. Some stated that they had been severely tortured (AlMon 17/9/2021; cf.TT 7/2021, p.2). The abductees are also pressurised not to defend themselves fully and forced to withdraw complaints of torture and ill-treatment. They are also prohibited from consulting independent doctors to certify their injuries (TT 7/2021, p.2). In many cases, the victims were charged with espionage (FR 15/2/2021). According to Gülseren Yoleri from the Turkish Human Rights Association İHD, the organisation has filed criminal charges in all abduction cases, but all of these cases have been dropped. A law that protects the activities of the Turkish secret service (MİT) from prosecution is an important factor here. If the abduction is an MİT activity, the public prosecutor's office cannot investigate, Yoleri (AlMon 17/9/2021) said. In November 2024, the UN Human Rights Committee called for the abolition of legal provisions granting immunity from prosecution to national intelligence officers in cases of enforced disappearance (UNHRCOM 28/11/2024, p.5).

Abductions and enforced disappearances abroad

With regard to abductions of Turkish citizens from abroad, the UN Working Group on Enforced and Involuntary Disappearances (WGEID) expressed deep concern that a number of states, including Turkey, continue to justify extra-territorial abductions and forced returns under the pretext of combating terrorism and protecting national security. The situation in Turkey is particularly worrying, as at least 100 Turkish nationals from numerous countries are said to have been forcibly returned to Turkey because they are suspected of being members of or sympathising with an alleged terrorist organisation (UNHRC/WGEID 7/8/2020, p.16). 40 of the 100 abductees disappeared by force, mostly from the streets, or were abducted from their homes and flats around the world, in several cases together with their children (UNHRC/WGEID 5/5/2020, p.2).

When the Turkish authorities are unable to obtain extradition through legal channels, they resort to covert operations in co-operation with law enforcement agencies of third countries, including intelligence agencies and police. These primarily include swift illegal actions to remove vulnerable individuals from the protection of the law and subsequently transfer them (UNHRC/WGEID 5/5/2020, p.3; cf.FH 2/2021, p.10). In some cases, these actions have directly violated court orders against illegal deportations. In the face of increasing pressure from Turkey, host states conduct round-the-clock surveillance, followed by house searches and arbitrary arrests in sting operations. People's names are checked against prepared lists before they are forcibly taken to unmarked vehicles. They remain in secret or incommunicado detention for up to several weeks before being deported to Turkey. During this time, they are often subjected to coercion, torture and degrading treatment in order to obtain their consent to voluntary return and to extort confessions to be used for prosecution on arrival in Turkey. During this phase, those affected are denied access to medical care and legal assistance and cannot challenge the legality of their detention before a competent court, meaning that they are de facto outside the protection of the law. Their family members are not informed of their fate and whereabouts. According to testimonies, the victims of these operations have reported unabated ill-treatment by intelligence officers, mainly aimed at forcing a confession. The most common forms of torture include food and sleep deprivation, beatings, waterboarding and electric shocks (UNHRC/WGEID 5/5/2020, p.3).

As far as abductions outside the territory are concerned, Turkey has taken responsibility for them through several of its highest representatives, including President Erdoğan (TT 7/2021, p.50; cf.FH 2/2021, p.39f), emphasising in particular the role of the MİT secret service (FH 2/2021, p.39f). The abductions are publicly announced in Turkey and celebrated by the government media; the victims are publicly presented in handcuffs, for example, before disappearing into the dungeon (DlF 22/6/2021).

Examples: In early September 2022, Ugur Demirok disappeared in the Azerbaijani capital Baku on his way to his office. Two months later, the Turkish state news agency Anadolu published a police photo of Demirok in handcuffs between two large Turkish flags. According to a pro-government daily newspaper, the MİT secret service had 'captured' Demirok. He is now facing charges of membership of a terrorist organisation (RND 10/12/2022). Refugee camps abroad can also be targets of the Turkish security authorities. - In 2022, for example, the Turkish secret service MİT arrested two PKK members during an operation in the Makhmour camp in the Iraqi governorate of Ninewa [also: Nineveh] and brought them to Turkey (Shafaq 14/9/2022). After the elections in May 2023, the Turkish secret service continued its practice of working with authorities in countries with weak rule of law structures to abduct and extradite people allegedly linked to the Gülen movement to Turkey. In July and September 2023, for example, the Tajik authorities circumvented legal extradition procedures by abducting Emsal Koç and Koray Vural and flying them to Turkey, where they were remanded in custody pending their trial (HRW 22/2/2024). On 21 October 2024, the Kenyan Ministry of Foreign Affairs stated that four Turkish nationals had been transferred from Kenya to Turkey at the request of the Turkish government. According to reports, the persons concerned were abducted by the Turkish intelligence service

MİT and some of them were interrogated on site before being transferred to Turkey. The four people were refugees who were registered with the UNHCR, which was supposed to protect them from forced return to Turkey (BAMF 28/10/2024, p.11; cf.SCF 21/10/2024, BBC 21/10/2024, taz 21/10/2024). UNHCR expressed 'deep concern' about the events (BBC 21/10/2024). Another example is the arrest of Kadir Çelik, a member of the Maoist Communist Party (MKP), by the MİT secret service in an unspecified Middle Eastern country in November 2024 (AnA 20/11/2024).

Reactions of international institutions

In its resolution of June 2022, the **European Parliament** 'strongly condemns the abduction of Turkish nationals residing outside Turkey and their extradition to Turkey, which constitutes a violation of the principle of the rule of law and fundamental human rights' (EP 7/6/2022, p.19, para.31).

In June 2023, the **Parliamentary Assembly of the Council of Europe (PACE)** adopted a resolution on transnational violence. The resolution condemns all forms and practices of transnational repression, including those carried out directly by a state of origin outside its borders and those in which a state of origin involves other states to take unlawful action against a target on its own territory. In this context, PACE expressed concern about Turkey's use of some of the instruments of transnational repression, particularly following the July 2016 coup attempt in the persecution of alleged supporters of the Gülen movement. These instruments include: Renditions, the abuse of extradition procedures, INTERPOL Red Notices and measures to combat the financing of terrorism, as well as cooperation with other states (CoE-PACE 23/6/2023).

The **UN Human Rights Committee** also expressed concern at the end of November 2024 about reports of the extraterritorial abduction and forcible transfer of more than 100 people suspected of belonging to the Gülen movement, as well as political opponents or journalists critical of the government, without judicial extradition proceedings having been carried out. The Committee expresses its concern about the alleged misuse of INTERPOL's 'Red Notices' against these individuals and the use of politically motivated extradition procedures. The Committee demanded, inter alia, that Turkey investigate all cases of enforced disappearances and carry out impartial and thorough investigations without delay and ensure that the victims and their relatives are informed of the progress and results of the investigations. In addition, those responsible should be prosecuted and the victims of enforced disappearance and their families should receive comprehensive reparations (UNHRCOM 28/11/2024, p.5f.).

Most recently, in the summer of 2024, the United Nations **Committee against Torture (CAT)** also expressed 'concern about allegations of a systematic practice of state-sponsored extraterritorial abductions and forced returns of persons allegedly associated with the Hizmet/Gülen movement, in coordination with authorities in Afghanistan, Albania, Azerbaijan, Cambodia, Gabon, Kazakhstan, Lebanon and Pakistan, as well as with authorities in Kosovo, [….] Such abductions are alleged to have taken place with the involvement of the National Intelligence Service […] and involve human rights violations such as enforced disappearances and other forms of torture and ill-treatment (arts. 2, 3, 11-13 and 16)' (CAT 14/8/2024, p.8).

The UN Working Group on Enforced and Involuntary Disappearances continued to receive information on harassment and intimidation of family members of forcibly disappeared persons and civil society organisations working on these cases. In its report to the UN General Assembly, the Working Group recalls the Turkish government's obligation to respect the right of families of disappeared persons to be involved in the investigation and search for disappeared persons and not to be subjected to retaliatory measures that curtail their civil and political rights (UNHRC/WGEID 26/7/2024, p.22).

See also the sub-chapter on: Security situation / Gülen or Hizmet movement.

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7 Corruption

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Legal framework

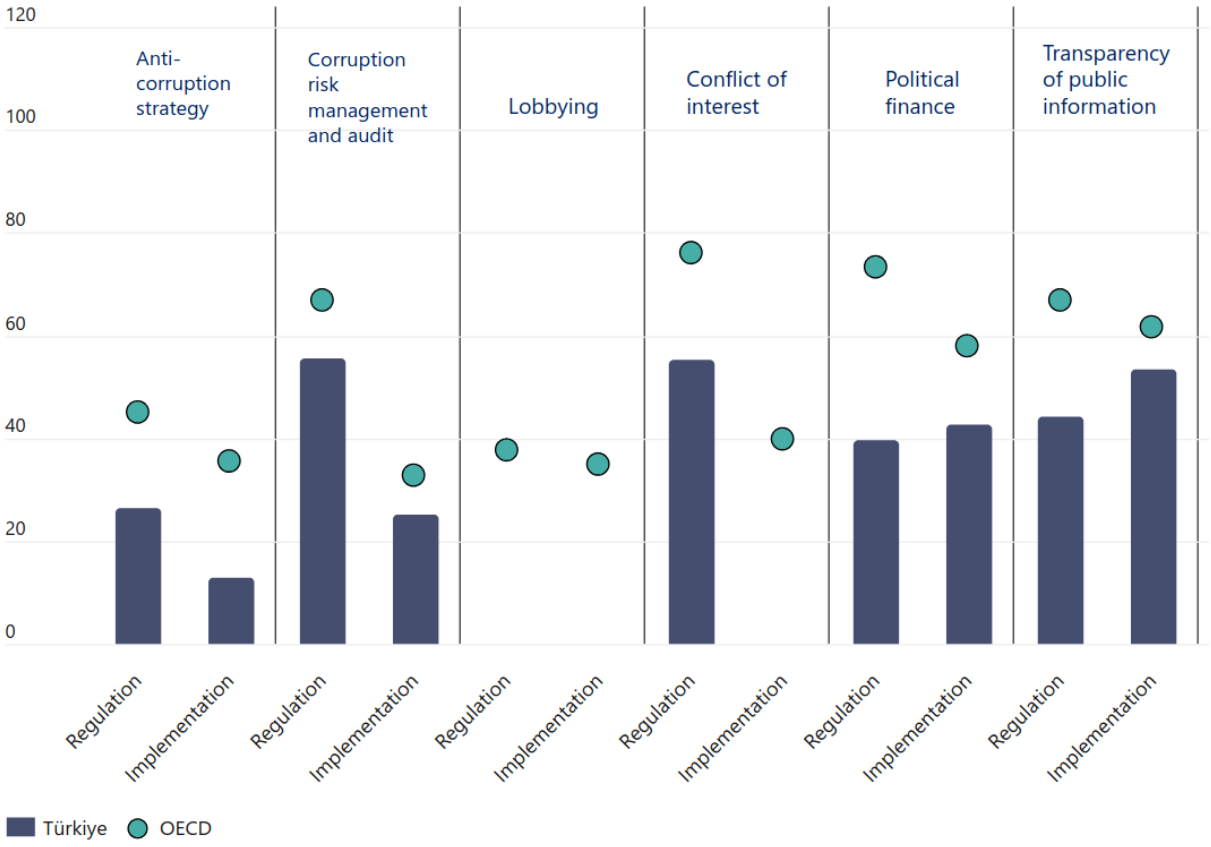
Turkey is a state party to the UN Convention against Corruption (2006), the OECD Convention against Bribery, the Criminal Law Convention and the Civil Law Convention of the Council of Europe on Corruption. The legal framework for combating corruption is contained in several national laws (DFAT 16/5/2025, p.9; cf.USDOS 17/7/2024). Turkey also participates in regional

anti-corruption initiatives such as the G20 Anti-Corruption Working Group (USDOS 17/7/2024). The Turkish Criminal Code (Articles 247 and 252) criminalises various forms of corruption, including active and passive bribery, attempted corruption, extortion, bribery of a foreign official, money laundering and abuse of office. The penalty for bribery can include a prison sentence of up to twelve years (DFAT 16/5/2025, p.9; cf.GAN 5/11/2020). Companies must expect the confiscation of assets and the withdrawal of state operating licences. Although bribes and gifts are illegal, they still occur frequently (GAN 5/11/2020).

Structural deficits and official action against corruption reporting

The country has not taken steps to create a framework for prevention and control or to establish anti-corruption bodies in accordance with the Council of Europe's civil and criminal law conventions on corruption, the recommendations of the Group of States against Corruption (GRECO) and the UN Convention against Corruption (EC 30/10/2024, p.5). According to the European Commission, the legal framework and institutional structure must be improved in order to limit undue political influence in the prosecution and adjudication of corruption cases. Public institutions must improve their accountability and transparency (EC 30/10/2024, p.5). As outlined in the OECD Anti-Bribery Convention, Turkey had developed several anti-corruption strategies but did not maintain or update them. Many of these are no longer in force and have not been replaced, resulting in a lack of national strategic measures to combat both domestic corruption and foreign bribery. In addition, the country has also made no progress in introducing laws to protect whistleblowers (OECD 10/4/2025, p.122; cf.EC 30/10/2024, p.28).

Turkey fulfils 27% of the criteria regarding the quality of the strategic framework according to the OECD standards and 13% regarding the implementation of the strategy, compared to the OECD average of 45% and 36% respectively. Against the OECD standards for risk management, which includes internal controls and internal audits, Turkey fulfils 56% of the criteria for regulations and 26% for practice, compared to the OECD average of 67% and 33% respectively. Turkey does not fulfil any criteria regarding regulations and practices to mitigate corruption risks related to lobbying, as there is no legislation in this area. Measured against the OECD standards on conflicts of interest, Turkey fulfils 56% of the criteria on regulations, but does not collect the required data in practice. On average, OECD countries fulfil 76% of the criteria for regulations and 40% for practice. Measured against the OECD standards on political financing, Turkey fulfils 40% of the criteria on regulation and 43% on practice, compared to the OECD average of 73% and 58% respectively. Against the OECD standards on public information, which include access to information and open data, Turkey fulfils 44% of the criteria for regulation and 54% for practice, compared to the OECD average of 67% and 62% respectively (OECD 16/3/2024, pp.4-9):



Sources 4: OECD 16/3/2024, p. 3

The Financial Action Task Force on Money Laundering (FATF) certified at the end of June 2024 that Turkey had strengthened the effectiveness of its **AML/CFT** system to fulfil the commitments made in its Action Plan in relation to the strategic weaknesses identified by the FATF in October 2021. As a result, the FATF cancelled the increased monitoring (FATF 28/6/2024; cf.REU 28/6/2024). However, criticism from economists remains that Turkey has become a major hub for money laundering due to deep-rooted corruption, repeated amnesty programmes and inadequate enforcement of financial regulations, allowing billions of dollars in illicit funds to enter the country. A key factor in Turkey's transformation into a centre for money laundering was the repeal of a 2003 law that required individuals to prove the legitimate origin of large financial gains. The former chairman of the Financial Crimes Investigation Agency (MASAK), Ramazan Başak, explained that the abolition of the law allowed huge amounts of untraceable assets to enter the financial system unchecked. Asset amnesty laws have also been repeatedly introduced since 2008, with the latest version, passed in July 2022, remaining in force until March 2023. These laws, originally intended to aid economic recovery, have been widely criticised for allowing the flow of illicit funds into the country (TM 17/1/2025).

Anti-corruption laws are not consistently enforced and anti-corruption authorities are ineffective or politicised (FH 26/2/2025, C2; cf.USDOS 22/4/2024, p.58f., USDOS 17/7/2024), creating a culture of impunity (FH 26/2/2025, C2; cf.USDOS 22/4/2024, p.58). There is still no permanent, functionally independent anti-corruption body in Turkey. Coordination between the various

preventive bodies is still inadequate. The State Supervisory Council, which is responsible for the fight against corruption, does not operate as an independent anti-corruption agency as it lacks functional independence (EC 30/10/2024, p.28; cf.OECD 10/4/2025, p.122, BS 23/2/2022, p.35). Critics claim that government officials continue to award large contracts to companies that are friends of the ruling AKP party, especially for large public construction projects (USDOS 17/7/2024).

Parliament entrusted the Court of Audit with accountability over the revenues and expenditures of government agencies. However, outside of this audit system, there is no specific authority solely responsible for investigating and prosecuting corruption cases (USDOS 22/4/2024, p.58). Official oversight bodies such as the Court of Audit and the Ombudsperson often publish reports late and rarely cover allegations of corruption (DFAT 10/9/2020).

There are also concerns about the impartiality of the judiciary in handling corruption cases, and the judiciary is also subject to government interference in the investigation and prosecution of major corruption cases (USDOS 22/4/2024, p.58.)

The government punishes law enforcement officials, judges and prosecutors who initiated corruption-related investigations or cases against government officials, claiming that the former did so at the instigation of the Gülen movement (USDOS 12/4/2022, p.63f.). The record of investigations, prosecutions and convictions in corruption cases remains poor, especially in high-level corruption cases involving politicians and civil servants. The sentences are lenient and have no deterrent effect (EC 8/11/2023, p.27; cf.UNHRCOM 28/11/2024, p.5). There are only a few official investigations into corruption in the government (USDOS 22/4/2024, p.58f.). Legal privileges for public officials, such as the requirement of prior authorisation from their superiors before an investigation is initiated against them for alleged misconduct, continue to provide protection in anti-corruption investigations and thus effectively hinder investigations (EC 30/10/2024, p.28).

Critical reports on government corruption cases attract the attention of the Turkish authorities in a negative sense (MBZ 2/3/2022, p.25). Journalists and civil society organisations report that they fear retaliation for their reporting on corruption (USDOS 22/4/2024, p.59). For example, the journalist Tolga Şardan was arrested on 1 November 2023 on suspicion of spreading disinformation. The journalist had reported on possible corruption in the judiciary in an article. Among other things, he referred to a report by the secret service MİT (Duvar 6/11/2023). Courts and the Radio and Television Supreme Council (RTÜK) regularly blocked access to press reports on allegations of corruption (USDOS 22/4/2024, p.59).

Spread and extent of corruption

Despite a strict legal framework, international and domestic observers report that corruption is widespread in Turkey's public and private sectors and has worsened in recent years (DFAT 16/5/2025, p.9; cf.FH 26/2/2025, C2), including at the highest levels of government (FH 26/2/2025, C2). The widespread corruption became visible in the face of the earthquake in February 2023 (EP 13/9/2023, Pt.3). In addition, the financing of political parties, the judiciary and public

administration, municipalities, land administration, spatial planning and construction remain vulnerable to corruption (EC 30/10/2024, p.28).

Although the size of the informal economy has declined in recent years, it still accounts for a significant proportion of economic activity. The government has continued to implement its Action Plan to Combat the Informal Economy (2023-2025), but the lack of performance indicators makes it difficult to monitor progress in implementation (EC 30/10/2024, p.46). According to other sources, the informal economy has expanded enormously in recent years. The increase in illegal revenues stems not only from the underground sector such as prostitution, drug trafficking and fuel smuggling, but also from influence peddling through bribery in public tenders and kickbacks from foreign companies wishing to do business in Turkey. Following the attempted coup in 2016, the flow of illegal funds has been expanded to include another aspect. As part of the political purge, companies owned by Gülenists were confiscated and then sold, mostly to friends of the ruling AKP. It later emerged that many businessmen alleged to have links to the Gülenists paid large bribes to avoid investigation or trial (AlMon 21/5/2021).

As in 2023, Transparency International ranked Turkey 107th (2023: 115th) out of 180 countries and territories surveyed in the 2024 Corruption Perceptions Index, with a score of 34 out of 100 (best score). The country achieved its best score in the past decade in 2013 with 50 out of 100 points (TI 11/2/2025; cf.TI 30/1/2024). World Justice Project gave Turkey a scale score of 0.45 (1 = statistical best) for 2024, which was below the global average score of 0.51, ranking the country 78th out of 142 countries (WJP 10/2024).

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8 Non-governmental organisations (NGOs)

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Civil society organisations play an important role in the provision of services in Turkey. According to the latest available data as of 1.3.2025, there are 101,126 registered civil society organisations and 6,094 foundations operating alongside many informal organisations such as platforms, initiatives and groups. Their areas of work focus mainly on social solidarity, social services, education, health and religion (ICNL 25/3/2025).

Until 2004, when a new law on associations was passed in Turkey, the autonomy of Turkish civil society organisations was restricted. The new Law on Associations was well received by both civil society and the EU. Subsequently, Turkey also passed a law on foundations in 2008, which further improved the legal framework. Nevertheless, there are still legal shortcomings and restrictions. On 1 October 2018, the Regulation on Associations was amended, obliging

associations to inform public institutions about their members. Prior to this amendment, only the first and last name of the association's head and statistical information, such as the number of members as natural and legal persons and their gender, were required. In addition, the Associations Act was amended on 26 March 2020. This obliged associations to notify the local authority within 30 days of the status of persons who have been admitted to the association as members or who have left the association, as well as their personal data. According to ICNL, this regulation violates the fundamental rights and freedoms protected by the Constitution and the right to the protection of personal data and is contrary to the principles of the ECHR and the ICCPR [International Covenant on Civil and Political Rights] (ICNL 25/3/2025) and the guidelines of the OSCE and the Council of Europe on freedom of association (EC 8/11/2023, p.5, 17; cf.ICNL 24/6/2023).

Civil society organisations (CSOs) work in a difficult environment in which their room for manoeuvre is shrinking and they are subject to numerous constraints, including constant pressure from the authorities. Nevertheless, civil society continues to make its voice heard and actively participate in social life by making decisive contributions in various areas. Some CSOs remain concerned about the excessive number of audits and inspections carried out by the Ministry of the Interior. CSOs, especially those dealing with women, LGBTIQ persons and human rights, are pressurised, including through the systematic use of judicial proceedings, also due to the broad definition of terrorism (EC 30/10/2024, pp.4, 20, 38).

The former Commissioner for Human Rights of the Council of Europe, Dunja Mijatović, noted as early as 2020 that the legal framework for the work of NGOs is strict, complex and scattered across many laws, and that it raises several questions about compatibility with the relevant European standards (CoE-CommDH 5/3/2024, p.7).

Civil society organisations, especially human rights organisations critical of the government and NGOs that promote democracy, continue to be marginalised and are not included in government consultation processes - not in the formulation and not in the implementation of policies. Civil society organisations are far from being able to hold Turkey's authoritarian government to account. The executive uses various means to suppress civil society and limit the space for civil society criticism. These means include changing the legal framework, criminalising activities, intimidating and stigmatising activists, the use of aggressive rhetoric by senior government officials and the repeated banning of demonstrations. - In general, the culture of civil society remains weak, and the autocratisation of Turkey following the failed coup of 2016 has pushed civil society organisations out of the Turkish political scene (BS 19/3/2024, pp.17, 39).

The European Parliament regretted in its September 2023 resolution on Turkey 'that the Turkish government has created a complex web of legislation with an arsenal of laws, including the Social Media Law of 2020, the Anti-Money Laundering Law of 2021 and the Anti-Disinformation Law of 2022, which is used as a tool to […] systematically control and silence civil society organisations […]' (EP 13/9/2023, p.9).

Human rights defenders, such as the Turkish 'Human Rights Association' (İHD), and civil society actors in Turkey have long been portrayed by government representatives and pro-government

media as advocates of foreign interests that pose a threat to national security and/or promote the goals of 'terrorist organisations' (FIDH/OMCT/İHD/HRA 5/2021, p.11). Since 2016, the government has closed more than 1,500 foundations and associations. Leaders of the remaining NGOs are harassed, arrested and prosecuted. A 2020 law subjects NGOs to annual audits and gives the Ministry of Interior the power to appoint trustees for the boards of NGOs under criminal investigation (FH 26/2/2025, E2; cf.USDOS 22/4/2024, p.41). In 2021, the government froze the assets of 770 NGOs on the grounds of terrorist financing. Organisations that campaign for the rights of members of sexual minorities, women and ethnic or religious minorities are often subjected to civil or criminal proceedings (FH 26/2/2025, E2). In the Kurdish-dominated south-east of the country, the opportunities for human rights organisations to operate are much more restricted than in the rest of the country due to increased pressure from state authorities (AA 20/5/2024, p.6).

Human rights organisations, for example those that campaign for women's and children's rights, are at a disadvantage compared to government-affiliated organisations. Numerous NGOs focussing on human rights report that they do not receive public funding. They also face bureaucratic hurdles when it comes to fundraising and financing through EU funds. Further problems also arise from the nebulous legal situation regarding the establishment and activities of NGOs (ÖB Ankara 4/2025, p.44). According to the Council of Europe Commissioner for Human Rights, these NGOs are forced to rely largely on fundraising, as public funds are apparently only awarded to NGOs that represent the same values as the government and do not criticise official policy in a non-transparent manner (CoE-CommDH 5/3/2024, p.7). According to official figures, as of February 2025, only 1.13% (1,552 associations) of all registered associations were active in the fields of human rights and advocacy (ICNL 25/3/2025).

Human rights organisations can be founded and run but, like all associations, are subject to legal supervision by the Ministry of the Interior in accordance with the Associations Act. Their activities are monitored by security authorities and public prosecutors (AA 20/5/2024, p.5). In particular, organisations that campaign for the protection of rights are repeatedly monitored, inspected and fined, while some of their members are systematically prosecuted by legal means. As a result, some organisations have considerable difficulties in retaining their members, including those who sit on their boards (CoE-CommDH 5/3/2024, p.7). In general, there is a lack of transparent and objective criteria and procedures regarding public funding, consultation of and cooperation with civil society organisations, as well as for their inspection and review (CoE-CommDH 19/2/2020).

On 27 December 2020, a law - **Law on the Prevention of Financing the Proliferation of Weapons of Mass Destruction** - was passed, ostensibly to combat terrorist financing (AP 27/12/2020; cf.DW 27/12/2020, NZZ 30/12/2020). Law No. 7262 was officially created to comply with specific recommendations of the Financial Action Task Force (FATF), an international organisation for monitoring money laundering and terrorist financing, of which Turkey is a member (FNS 17/5/2022). - The FATF originally issued recommendations on combating terrorist financing and money laundering and highlighted the potential risks associated with non-profit organisations. Its Recommendation No. 8 provided for an independent, risk-based assess-

ment of NPOs to prevent their legitimate activities from being targeted, disrupted or penalised. However, under this law, all non-profit organisations, including human rights organisations, are considered high-risk and are therefore subject to disproportionate measures that amount to harassment (OMCT 8/2022). - The law allows the Ministry of Interior to inspect NGOs annually without a court order and to replace members of organisations if they are under investigation for terrorism. A court order can suspend an association's activities and block access to online fundraising campaigns if no authorisation has been granted (AP 27/12/2020; cf.DW 27/12/2020, NZZ 30/12/2020). In the opinion of the Venice Commission of the Council of Europe, these measures, together with the stricter audits of NGOs (Art. 19 of the Law on Associations) and the deterrent effect of increased prison sentences and high administrative fines for violating auditing obligations as well as the prospect of the removal of NGO directors and board members, are disproportionate and directly impair democracy and the rule of law (CoE-VC 6/7/2021, p.19f). Law No.7262 authorises the temporary suspension of an association's activities or the suspension of association members by the Ministry of the Interior. The initiation of an investigation into suspected drug offences, money laundering or terrorism is sufficient for this (AA 20/5/2024, p.6). Law No.7262 also gives governors the power to appoint trustees for NGOs, tighten inspections of civil society organisations and dismiss leaders of civil society organisations on the basis of an unclear definition of terrorism (EMR 5/2024).

The measures introduced by Law No. 7262 and the prevailing political climate in Turkey have a chilling effect on civil society organisations. This has led many NGOs to take preventive measures that have negatively affected their fundraising activities and their willingness to cooperate with other organisations, especially international institutions and donors. Civil society organisations also face difficulties in recruiting board members for fear of possible negative repercussions and the risk of prosecution (ICNL 25/3/2025). The Council of Europe Commissioner for Human Rights regretted that the law remains in force and continues to be implemented despite the conclusions of the Council of Europe Venice Commission on its incompatibility with international human rights standards. This law, together with the implementation of other legislation regulating the work of civil society organisations, continues to pose a serious challenge to their work (CoE-CommDH 5/3/2024, p.7).

However, in April 2024, the Constitutional Court annulled some provisions of Law No. 7262 on the Prevention of Financing the Proliferation of Weapons of Mass Destruction that relate to the fight against money laundering and terrorist financing, in particular those that granted the Ministry of Interior broad powers over civil society organisations whose leaders are prosecuted for violations of the fight against money laundering and terrorist financing (EC 30/10/2024, p.60). The Constitutional Court described the passages of the law that it had annulled as contrary to the right of association (TM 3/4/2024).

The **Law on the Collection of Donations** (Law No. 2860) continues to impose stringent requirements for authorisations, which discourages the fundraising activities of NGOs. These include prior notification for each fundraising activity and lengthy approval procedures (EC 12/10/2022, p.17). The Ministry of Home Affairs and provincial governors are also authorised to monitor NGO fundraising activities and impose penalties for unauthorised campaigns (EC 19/10/2021, p.36).

The Minister of the Interior and the provincial governors are granted far-reaching powers to control NGOs. The Minister of the Interior can suspend the activities of NGOs by administrative decision without prior court proceedings, as well as dismiss the bodies of organisations and replace them with trustees if certain crimes are suspected. The Minister of the Interior and the governors have further powers to monitor fundraising and impose penalties for unauthorised fundraising activities (ÖB Ankara 4/2025, p.44). In addition, all associations and foundations are obliged to inform the Ministry of **donations from abroad**. After the law was passed, many NGOs were confronted with audits by the ministry, especially those that receive foreign funding (EC 19/10/2021, p.36; cf.ÖB Ankara 4/2025, p.44). The penalty for violations of the law was drastically increased from a maximum of 700 to up to 200,000 lira [around €6,090 according to the exchange rate on 1 February 2024] (Independent 27/12/2020). The FATF also shared the view that Law No. 7262 is primarily a measure to restrict civil society. It placed Turkey on a 'grey list' in 2021 and warned it not to disproportionately restrict legitimately operating civil society organisations under the pretext of combating terrorist financing (FNS 17/5/2022). In June 2024, the FATF removed Turkey from its 'grey list' because the country had largely implemented the corresponding FATF recommendations. However, non-profit organisations continued to be subject to disproportionate sanctions and excessive scrutiny under Law No. 7262 (AI 29/4/2025).

In the meantime, Law No. 7262 has been expanded to include an article on risk analysis in organisations. Since March 2022, a number of NGOs have received letters from the 'General Directorate for Relations with Civil Society' requesting additional self-regulatory measures. The letters were sent to organisations, especially those in the field of human rights, which are considered to be 'medium' or 'high risk' according to unknown criteria. The NGOs are urged to carry out 'necessary' investigations into their sources of funding, their employees and their institutional partners within a specified period of time in order to determine their so-called risk status (FNS 17/5/2022).

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9 Ombudsperson and the National Institution for Human Rights and Equality

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Since 2012, Turkey has had an **ombudsperson**'s office (Kamu Denetçiliği Kurumu/ Ombudsmanlık) with 200 employees (AA 20/5/2024, p.6), which only accepts complaints relating to the public administration and is organisationally located within the Turkish Parliament (USDOS 22/4/2024, p.61f.). The ombudspersons are elected by the parliament. According to their own definition, the main task of the ombudsperson's office is to advocate for individuals vis-à-vis the administration and to protect and promote human rights. Following the introduction of the presidential system, the law (No.6328) on the Ombudsperson was amended to include the acts of the President. Acts relating to the exercise of legislative and judicial power and acts of the Turkish armed forces that are purely military in nature are explicitly outside the jurisdiction of the body (OIRT n.d).

Despite the increase in the number of cases, the institution remained silent on politically sensitive issues concerning fundamental and human rights. The ombudsperson only deals with complaints regarding the behaviour of the public administration (EC 8/11/2023, pp.15,29), particularly in the case of human rights problems and personnel issues. However, dismissals based on emergency decrees do not fall within its remit (USDOS 22/4/2024, p.61).

The Human Rights Institution of Turkey (Insan Hakları Kurumu), founded in 2012, was replaced by the **Human Rights and Equality Institution** of Turkey (HREI; Insan Hakları ve Eşitlik Kurumu - TİHEK) in 2016. The institution consists of eleven members who are appointed by the President. It fulfils the role of the 'National Preventive Mechanism' (NPM) in accordance with OPCAT. Human rights organisations accuse the institution of lacking independence (AA 20/5/2024, p.6). For example, the HREI/TİHEK did not take effective measures against ill-treatment and torture committed by government employees, despite its mandate to take preventive measures against ill-treatment and torture. According to information from the Dutch Ministry of Foreign Affairs, prison inmates received only an acknowledgement of receipt in response to complaints to the HREI/TİHEK, with no follow-up message indicating that the content of the complaint had been addressed (MBZ 2/3/2022, p.33).

The Human Rights and Equality Institution of Turkey (HREI a.k.a. TİHEK) and the Ombudsperson are the main human rights institutions (EC 8/11/2023, p.29f.). However, concerns remain regarding the operational, structural and financial independence of the two institutions and the appointment of their members (EC 30/10/2024, p.30). The efficiency of the two institutions remains limited. The HREI was accredited with B status by the Global Alliance for National Human Rights Institutions in October 2022 (EC 8/11/2023, p.29f.). The United Nations Committee Against Torture (CAT) expressed concern in August 2024 that HREI lacks diversity, including adequate gender representation among Board members, and that HREI is not independent of the executive branch, as all members of the Board, including the Chair, are appointed by the President. The CAT was concerned that the Human Rights and Gender Equality Institution of Turkey was allegedly reluctant to report on cases of torture and ill-treatment in its work as a national preventive mechanism (CAT 14/8/2024, p.3). The United Nations Human Rights Committee also expressed concern at the end of November 2024 about reports regarding the HREI's

lack of independence from the executive and the lack of diversity with regard to HREI members and strongly recommended that Turkey address the shortcomings in this regard in accordance with the Paris Principles (UNHRCOM 28/11/2024, p.2f .)

In the recent past, some HREI members even showed a negative attitude towards fundamental human rights, including gender equality, women's rights and the rights of sexual minorities. Moreover, at the time they were in favour of withdrawing from the Istanbul Convention. All of this contradicts the declared aims of this institution (EC 19/10/2021, p.29).

The HREI carries out prison visits in its role as National Preventive Mechanism (NPM), but has no fixed and independent criteria for announced visits. During some visits, there was only contact with the administration, but no dialogue with prisoners. HREI has not visited all of the prisons where most human rights violations are suspected, or has done so with considerable delay (EC 8/11/2023, p.30). This means that the prison visits carried out by HREI remain ineffective (EC 30/10/2024, p.30). The recommendations mainly deal with minor problems and do not contain any specific statements on serious human rights violations. HREI remained largely ineffective due to legal and structural limitations, including not accepting applications from civil society organisations and being overly reluctant to investigate cases of torture and ill-treatment (EC 8/11/2023, p.30).

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10 Military service

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General information

Articles 2, 25 and 26 of the Turkish Military Service Law state that every man in Turkey is obliged to enlist and must report for military service from 1 January of the year in which he turns twenty. Military service does not apply to women. Conscripts remain liable for military service until 1 January of the year in which they turn 41. In the event of mobilisation, men can be called up for military service until the age of 65 (MBZ 11/7/2019). Act No. 7179 of June 2019 reduced military service to six months (ÖB Ankara 4/2025, p.24). The President of the Republic is responsible for determining the duration. However, it may not be less than six months (HDN 25/6/2019). It is not possible to be released from compulsory military service for reasons of conscience (PMRT-OSCE 29/7/2024, p.20; cf.CoE 5/2024). The place of deployment for military service is determined by lot (ÖB Ankara 4/2025, p.23). The army stopped using conscripts in combat a few years ago (MBZ 11/7/2019). A call-up has no influence on the issue of a passport applied for, for example in the sense of a refusal of the passport (VB Istanbul 7/8/2024).

Buying out of military service

The same law now provides for the possibility of exemption from military service for a fee for all conscripts. Individuals who have bought themselves out of military service only have to complete 21 days of basic training (ÖB Ankara 4/2025, p.24). The amount to be paid in respect of the exemption is redefined each year in January and July in accordance with the monthly coefficient for civil servants (RN 14/1/2023; cf.MBZ 2/2025a, p.92). The maximum number of such permits is currently limited to 145,000 conscripts per year, but can be changed by decision of the Ministry of Defence (ÖB Ankara 4/2025, p.24). As of January 2025, the amount of the **exemption fee** to be paid was 243,013 lira [around 6,670 euros] (Haberler 9/1/2025).

In addition to persons evading military service (DFAT 16/5/2025, p.32), citizens living abroad who have received a residence or work permit as a result of an asylum application are also excluded from the option of buying out of military service (ÖB Ankara 4/2025, p.25).

E-government portal

Since March 2023, according to the official body, recruits have been able to complete all military duties and matters via the e-government portal ‘e-Devlet’ using the ‘My Military’ service. All matters relating to enlistment, active service and reserve time can be dealt with via the integrated service for compulsory military service without having to visit the military service centre (PRT-DTO 21/3/2023). According to the French asylum authority OFPRA, the e-Devlet portal has made it possible since 2014 to find out the place of service in advance and obtain the service document without having to visit the military recruitment office. Since 2015, the portal has also made it possible to enquire about personal conscription status and obtain a certificate, even for people who have not yet completed their military service. If a person is of conscription age but their deferment period has expired, or if they refussed to obey orders, the e-Devlet enquiry about their military service status states: ‘You must contact the nearest military recruitment

office' (Turkish: 'En yakın askerlik şubesinemüracaat etmeniz gerekir'). Since 2018, it has been possible to fulfil the call-up for military service and the mandatory medical examination by completing an online form on e-Devlet and uploading the medical examination report from the attending physician to the portal (OFPRA 23/11/2021, p.7).

'Turks abroad' and dual nationals

Completion of basic military service or alternative service outside Turkey is not recognised. **Turkish or dual nationals living abroad** are obliged to complete military service from the age of 20 until the end of their 35th year of life or to have it postponed until the end of their 35th year of life by submitting an application to the relevant Turkish consulate (Article 38). Deferment is cancelled for those who are deemed not to fulfil the conditions, e.g. have spent more than half of a calendar year in Turkey and when there is no longer any justification for deferment, as well as for those who waive their right to pay for exemption. Like those living in Turkey, they have the option of paying to buy their way out of compulsory military service. They then only have to complete distance learning training. For Turkish citizens living abroad, the requirement is that they have been working abroad for at least three years, excluding the time they have spent at home [note: e.g. on holiday]. This also applies to dual nationals - Turkish compulsory military service also applies to them - but without an employment relationship as a condition (ÖB Ankara 4/2025, p.24f.). Men who volunteer to join the armed forces can do so from the age of 18 (MBZ 11/7/2019).

Exemptions from compulsory military service

Turkish laws and regulations provide for an exception for sick persons or persons who are mentally or physically unable to perform military service. This requires a health certificate from an authorised hospital (PMRT-OSCE 29/7/2024, p.19). If a physical disability is claimed, the person must undergo an examination every two years during the period in which he or she is liable for military service to confirm that the disability still exists (DFAT 16/5/2025, p.32). Another exception, stipulated in Article 42 of Law No. 7179, applies to brothers of deceased persons and brothers and sons of martyrs who have been victims of terrorism during their military service (PMRT-OSCE 29/7/2024, p.19; cf.DFAT 16/5/2025, p.32, MBZ 11/7/2019). Turkish citizens who have acquired Turkish citizenship through immigration and have completed or completed their military service in the country from which they immigrated are also exempt from military service (PMRT-OSCE 29/7/2024, p.20). Homosexual and bisexual men and trans people can apply for exemption from military service on the basis of their sexual orientation and/or gender identity (UKHO 10/2023a, p.4; cf.MBZ 11/7/2019). *See the section below for more details: Members of sexual minorities as conscripts.*

Military service can be **postponed** on the basis of Act No. 1111/Art. 35: A request to this effect can be submitted for reasons of indispensability for someone working for the government, (defence) industry or as a professional athlete; if the person is still studying (universities submit a standardised deferment for their students); if the person is working abroad; and in case of poor health (with medical confirmation). Postponement of military service can also be requested due to imprisonment. As a rule, a deferment of one year is granted. This can be extended by one

year if the correct documents are submitted (MBZ 11/7/2019). The Turkish Military Service Law allows students who are called up for military service to first complete their university education (not older than 32) (PMRT-OSCE 29/7/2024, p.20) or their postdoctoral education and research (up to the year in which they turn 36) (MBZ 11/7/2019).

Human rights violations

Some conscripts are reportedly subjected to severe harassment, physical abuse and torture, sometimes leading to death or suicide. Human rights groups report suspicious deaths in the military, especially among conscripts belonging to the Alevi and Kurdish minorities. The government has not systematically investigated such incidents and does not release any data on them (USDOS 20/3/2023, p.8). The Ministry of Defence avoids reporting the number of suspicious deaths of soldiers. The latest data reported by the Ministry relates to the period between 2000 and 2012, during which, according to official figures, 934 soldiers died under suspicious circumstances. According to the 'Şüpheli Ölümler ve Mağdurları Derneği' [Suspicious Deaths and Victims Association] Foundation, which advocates for the victims of suspicious deaths in the military, more than 3,000 soldiers died under suspicious circumstances in military barracks between 2000 and 2020 (SCF 14/4/2021). The Turkish Human Rights Association (İHD) reported at least 22 deaths in the line of duty in 2021 (İHD/HRA 6/11/2022a, p.9).

In early July 2023, the European Court of Human Rights (ECtHR) ordered Turkey to pay 27,000 euros in compensation to the mother of a soldier who allegedly committed suicide in 2013 during his military service in the south-eastern province of Şırnak in the Uludere district. The court concluded that Turkey had violated Article 2 of the European Convention on Human Rights (right to life) and failed to carry out an effective investigation into the death (Duvar 5/7/2023).

Members of sexual minorities as conscripts

According to the provisions of the Turkish military's disciplinary code and health policy, homosexuality is still considered an 'advanced psychosexual disorder'. Members of sexual minorities are considered unfit for military service or are removed from the army if their orientation becomes known. A January 2018 law on disciplinary measures for security forces stipulated that 'abnormal or perverted' acts are grounds for dismissal for all security personnel (ÖB Ankara 4/2025, p.52.; cf.EC 6/10/2020, p.40). However, if a homosexual (or member of another sexual minority) does not wish to perform military service of their own accord due to the problematic relationship between homosexuality and the Turkish army, they must take the initiative and apply to a medical committee for an exemption (MBZ 11/7/2019, p.65). Transsexuals, homosexuals and other sexual minorities can be exempted from military service under the heading of 'psychosexual disorders', after having consulted the military service authorities and undergone examinations. Homosexuality therefore leads in principle to unfitness for military service, though this must be proven by a medical certificate (AA 20/5/2024, p.13; cf.ÖB Ankara 4/2025, p.52). Homosexuality is considered a psychosocial illness and must be proven by an invasive medical examination by a doctor authorised by the military and the submission of photographs as evidence. According to sources from the Australian Department of Foreign Affairs, the assessment of homosexuality by a doctor usually includes a discussion with the potential recruit's family, who may not have

been aware of his sexual orientation beforehand. A recruit who is found to be homosexual is issued a ‘pink certificate’, also known as a ‘rotten certificate’ (DFAT 16/5/2025, p.32).

In addition, the person may be expected to prove that they are a member of an LGBTI organisation or to show that they have taken part in a pride event by means of a photo. Another approach is for the homosexual conscript to bring a family member or friend with them to testify that they are homosexual (MBZ 11/7/2019, p.65). According to sources, a positive HIV test does not per se lead to exemption from military service. HIV-positive persons report difficulties in obtaining exemption from compulsory military service (USDOS 22/4/2024, p.80).

If a homosexual is discharged from military service, they receive a notification of exemption. This simply states that the person concerned is not considered fit for military service. This notification reduces the person’s chances on the labour market, as potential employers may ask for proof of military service when hiring. If it is established that the person concerned has been exempted from military service, the employer may ask the reason for the exemption or assume that the person concerned is homosexual, bisexual or transsexual (MBZ 11/7/2019, p.65).

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10.1 Recruits of Kurdish origin in the army

Last modification 2025-08-06 13:33

The law in Turkey makes no distinction between people of different ethnic origins. This also applies to the regulations on military service and recruitment (MBZ 11/7/2019). Conscripts are randomly distributed throughout Turkey. Consequently, it cannot be ruled out that Kurdish conscripts will be stationed in south-east Turkey. In principle, conscripts are not deployed in conflict areas such as northern Iraq and Syria, where the Turkish armed forces are active. In principle, conscripts are also not deployed in anti-terror operations and in high-risk areas along the Turkish-Iraqi border, where there may be clashes between Turkish armed forces and the PKK. The Dutch Ministry of Foreign Affairs had no information (in the reporting period Sept. 2023 - 20 Feb. 2025) about violence against Kurdish conscripts or the possible deployment of Kurdish conscripts against the PKK in south-eastern Turkey (MBZ 2/2025a, p.93). According to the Dutch Foreign Office, there is no information on whether Kurdish conscripts are allowed to refuse deployment in south-east Turkey and, if they do, what punishment is provided for this (MBZ 2/3/2022, p.64f.; cf.MBZ 31/8/2023, p.76).

According to the information available, there is no systematic discrimination against minorities, such as the Kurdish minority, in the military. However, there are individual cases. In addition, it is difficult for members of minorities to move up in the system (ÖB Ankara 4/2025, p.27). While the director of the Turkish human rights organisation Hafiza Merkez said in an interview

with the UK Home Office that military service in general is not nice, but it is even more difficult for Kurds, a human rights lawyer saw military service as a humiliation for Kurds, as Kurdish everyday life is characterised by many incidents with the army and the police. In contrast to the Turks, military service is not associated with pride for the Kurds (UKHO 10/2019b). According to contact persons at the NGO Schweizerische Flüchtlingshilfe, it is also difficult to say whether members of minorities are systematically mistreated in military service, but there are numerous individual examples of such mistreatment. In any case, military service is a dangerous environment for members of minorities (SFH 16/9/2020). For example, a Kurdish-speaking conscript was severely abused by his superiors in Van province in May 2018 after singing in Kurdish. He suffered serious injuries to his face and internal organs. In another incident in Gaziantep province, a soldier was attacked by other soldiers because he had a photo of Selahattin Demirtaş, the imprisoned former co-chair of the pro-Kurdish Peoples' Democratic Party (HDP), on his smartphone (MBZ 11/7/2019; cf.Mezopotamya 14/9/2020).In mid-August 2020, a recruit of Kurdish origin was beaten up by his Turkish comrades and insulted as a terrorist after he first spoke Kurdish and then propagated the use of Kurdish in the education system (Mezopotamya 14/9/2020).In a question to the Turkish Minister of Defence regarding the cases of mistreatment, HDP parliamentarian Lezgin Botan stated that conscripts are at risk of being arrested, detained, subjected to violence, harassed, insulted or discriminated against simply because they listen to Kurdish music, sing or speak in Kurdish or talk on the phone to family members who do not speak Turkish (MBZ 11/7/2019). According to Şüpheli Ölümler ve Mağdurları Derneği, a foundation that supports the victims of suspicious deaths in the military, more than 3,000 soldiers died under suspicious circumstances in barracks between 2000 and 2020. According to the foundation's spokesperson, Riza Doğan, around 80% of the soldiers who died under suspicious circumstances in the Turkish army were Kurds or Alevis (TM 14/4/2021; cf.USDOS 2/6/2022).

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10.2 Alternative military service / conscientious objection / desertion

Last modification 2025-08-06 13:33

Turkish law does not provide for the possibility of alternative service for conscientious objectors (AA 20/5/2024, p.13; cf.CoE-CM 14/6/2024, ÖB Ankara 4/2025, p.23) despite clear warnings from the Committee of Ministers of the Council of Europe (AA 20/5/2024, p.13; cf.CoE-CM 14/6/2024). At the end of November 2024, the UN Human Rights Committee also regretted that Turkey does not recognise the right to conscientious objection to military service, that there are no alternatives to it and that conscientious objectors face administrative and judicial fines and imprisonment. It is worrying, according to the Committee, that conscientious objection is considered a continuing offence, with no limit on the number of sanctions that can be imposed on an individual conscientious objector. The Committee also expressed concern that, in practice, conscientious objectors are deprived of some of their civil and political rights and that criticism of conscription is punishable under Article 318 of the Criminal Code. The UN Committee recommends, among other things, the creation of an alternative service and the cancellation of Article 318 of the Criminal Code (UNHRCOM 28/11/2024, p.11; cf.MBZ 2/2025b). With the exception of a few cases, custodial sentences are now commuted to fines (VRD/COW 5/2021). After a (possible) prison sentence, military service must still be completed (ÖB Ankara 4/2025, p.23).

The law distinguishes between three types of evasion of military service:

1. Evasion of registration/sighting, i.e. conscripts have not registered for military service or not undergone the medical examination (yoklama kaçağı) (OFPRA 23/11/2021, p.7; cf.VB Istanbul 11/10/2022, VRD/COW 13/10/2023),
2. failure to report for actual service, i.e. the conscripts did not appear at the place of service on the due date (bakaya) (OFPRA 23/11/2021, p.7; cf.VRD/COW 13/10/2023) and
3. desertion or unauthorised absence from service (firar) (MBZ 11/7/2019).

Since the amendment to Art. 63 of the Turkish Military Criminal Code, an administrative penalty is now to be imposed instead of a prison sentence in the event of unexcused non-attendance or absence from military service. However, prison sentences of up to six months remain possible (AA 20/5/2024, p.13). Other sources, including the Military Criminal Code, contradict the extent of the punishment specified by the German Foreign Office. - The latter, dating from 1930 with the current amendments (as of 2024), still provides for a maximum sentence of three years, namely if the person concerned is caught by the authorities after having evaded military service

for more than one year, Article 63 of the Military Criminal Code specifies a possible sentence of at least six months to three years in this case. Even for those who voluntarily enlist after an absence of four months to a maximum of one year, the prison sentence can already be between two months and one year, with higher penalties in the event of apprehension by the authorities (TC-MBS 22/5/1930; cf.IRB 30/11/2020, ICLRS/BYU 18/11/2024).

The Conscription Act stipulates how conscientious objectors and deserters are tracked down and what administrative penalties can be imposed on them. As soon as an administrative penalty becomes legally binding, criminal proceedings are initiated in accordance with military criminal law. After the first penalty becomes final, every official record becomes a criminal case (ICLRS/BYU 18/11/2024).

Anyone who fails to complete their military service despite being summoned is considered a deserter. Soldiers and deserters are punished with fines. Soldiers who turn themselves in are fined five lira per day of absence, and those who are apprehended are fined ten lira per day of absence. - If deserters are apprehended while fulfilling their military service, they will be taken to the nearest military service centre immediately, or within 24 hours at the latest. However, even if deserters are found, they cannot be forced to perform military service. In practice, deserters sign a report and are released (VB Istanbul 1/3/2023).

The authorities actively prosecute conscientious objectors and deserters in accordance with Article 26 (1) of the Conscription Act. In addition to the resulting restrictions on their freedom of movement, conscientious objectors and deserters can also be subject to heavy fines. Over the course of 2023, the average monthly fine for conscientious objectors and deserters was just over 1,500 lira [around 40 euros as at 9.2024]. These fines can add up to a considerable amount (MBZ 31/8/2023, p.76; cf.DFAT 16/5/2025, p.33). For example, in May 2023, conscientious objector Ersan Uğur Gör was sentenced to five separate penalties. He was sentenced to a total of 16 months and 20 days in prison, which was commuted to a fine, bringing the total fine to 15,000 lira [note: around 700 euros at the time]. And in August of the same year, Cihat Aydın was sentenced to an administrative fine of 46,225.56 TL [note: around 1,600 euros at the time] for failing to perform military service (EBCO 2024).

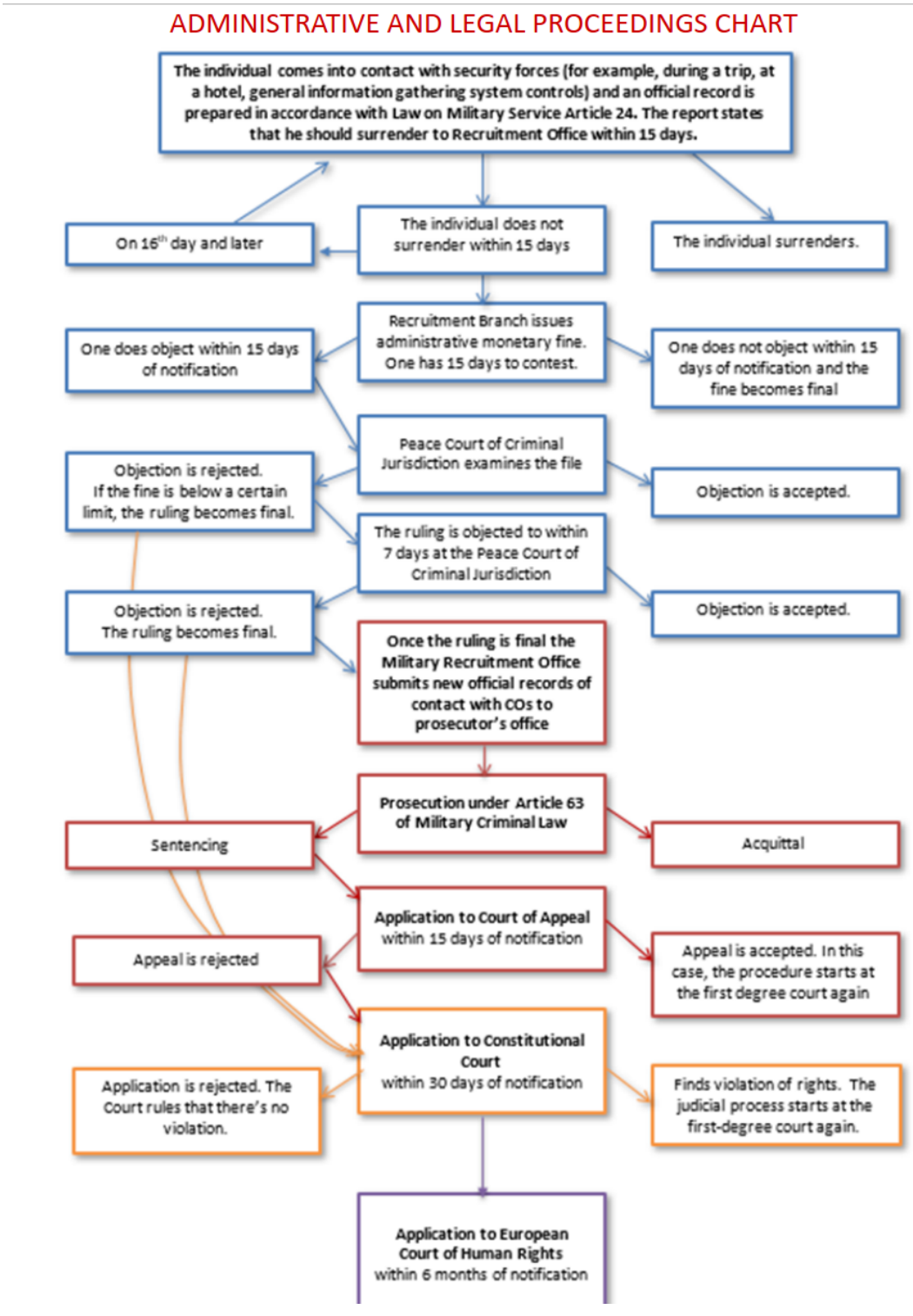
Under Article 26, the Ministry of Defence forwards the data of conscientious objectors to the Ministry of the Interior so that they can be arrested and obliged to perform military service (MBZ 2/2025a, p.92, p.63; cf.AA 20/5/2024, p.13). They are then registered as conscientious objectors or deserters in the database of the Genel Bilgi Toplama Sistemi (General Information Collection System, GBT), a database of the judicial authorities and the security apparatus. As a result of this registration in the GBT, conscripts and deserters run the risk of being apprehended during passport checks or routine identity checks on the street or on public transport. As hotels are legally obliged to pass on their guests' personal data to the local police, conscripts and deserters are exposed to a similar risk when checking into a hotel (MBZ 2/2025a, p.92; cf.VRD/COW 10/2024, DFAT 16/5/2025, p.32). In addition, the barcode in biometric passports is linked to the database so that the authorities can identify conscientious objectors when they return from abroad. According to the Military Criminal Code No. 1632 , it is also illegal to employ

conscientious objectors or deserters. This is faced with up to one year in prison (DFAT 16/5/2025, p.32f.). If a conscientious objector or deserter is caught during a check, the authorities take him to the nearest police station or recruitment office. There the person is given a so-called report (tutanak). The person is then released with the instruction that they should report for duty within 15 days. On the basis of this report, criminal investigations, criminal proceedings and fines can be initiated against conscientious objectors and deserters. The modus operandi described above can be repeated endlessly. Some conscientious objectors and deserters prefer not to travel in order to avoid such proceedings. Conscientious objectors and deserters have the right to appeal against a fine, but not everyone is aware of this procedure. If a conscientious objector refuses to pay fines imposed as a matter of principle, he or she must not have a bank account, otherwise the money will be confiscated (MBZ 2/2025a, p.92; cf.VRD/COW 10/2024). Conscientious objectors and deserters are sometimes also denied the following rights and benefits: applying for a passport and a driving licence, getting married, obtaining a bank account number and a VAT number and reporting a criminal offence to the authorities (MBZ 2/3/2022, p.63). The consequences of conscientious objection include not being able to register as a voter; not being able to make travel bookings within the country due to checks and identity verification; not being able to register for training or employment, including through barriers to employment in the public and private sectors; not being able to register with the social security system; and not being entitled to a pension (VRD/COW 10/2024).

Official records form the basis for fines and criminal sanctions under Article 24 of the Military Service Act and Article 63 of the Military Criminal Code. Despite their importance, they are not standardised, are often incomplete and are not treated uniformly. In many cases, conscientious objectors do not receive a copy of the official documentation and not all are recorded in the national database. As a result, conscientious objectors only have access to these official documents if administrative or criminal measures are taken against them (VRD/COW 13/10/2023).

Non-payment of fines can theoretically lead to the confiscation of assets and the withholding of salaries and pensions (DFAT 16/5/2025, p.33). The limitation period is up to eight years if the offence is punishable by imprisonment. Since the end of 2004, search notes for persons fleeing military service have no longer been entered in the civil status register (AA 20/5/2024, p.13).

The electronic e-Devlet portal [note: comparable to the Digitales Amt application in Austria] regularly sends automatic collective text messages to AWOLs, i .e. men of conscription age who have not been granted a deferment and who have not registered for military service and medical examinations, and to people who have been called up for military service and have completed the medical examination but have not turned up at their place of deployment at the scheduled time. According to the Hürriyet newspaper, on 1 February 2021, many conscientious objectors received the following message on the mailbox of their e-Devlet account or by text message: ‘You are wanted as a conscientious objector’ (Turkish: ‘Yoklama kaçağı olarak aranmaktasınız’), followed by a message asking them to register for military service on the e-Devlet portal as soon as possible (OFPRA 23/11/2021, p.7).



Sources 5: VRD/COW 13/10/2023

The lack of legal provisions on conscientious objection to military service remains a problem despite several judgements by the ECtHR and a decision by the UN Human Rights Committee (EC 30/10/2024, p.31), as refusal to perform military service leads to a conviction for desertion (EC 8/11/2023, p.32). The Council of Europe, in particular its Committee of Ministers, criticises the repeated convictions and imprisonment of conscientious objectors for refusing military ser-

vice; the lack of an effective and accessible procedure for determining conscientious objector status and the lack of an alternative to compulsory military service in Turkey (CoE 5/2024, p.4). It did so most recently in the April 2024 Annual Report 2023 of the Committee of Ministers of the Council of Europe. Citing the case of *Ülke v. Turkey*, which concerns the repeated conviction and prosecution of conscientious objectors and pacifists for refusing to perform compulsory military service, the Committee of Ministers urged the Turkish authorities to ensure that all negative consequences of the violations found by the ECtHR are swiftly remedied for the applicants, who continue to face criminal and administrative proceedings. With regard to general measures, the Committee of Ministers noted that 'paid military service' and the reduction of the duration of compulsory military service are not an alternative to conscription and deeply regretted that no progress has been made since the delivery of the Ülke judgement in 2006 with regard to targeted measures to prevent similar violations in the future. The Committee of Ministers therefore urged the Turkish authorities to submit an action plan with concrete proposals for legislative amendments to take account of the Court's findings (CoE-CM 11/4/2024, p.43f.). In an interim resolution of 13.6.2024 on the execution of the judgements of the ECtHR in four individual complaints against Turkey, the Committee of Ministers regretted that three of the complainants (Osman Murat Ülke, Yunus Erçep and Ersin Ölgün) continue to be considered conscientious objectors and continue to face criminal and administrative proceedings as well as numerous restrictions on their daily lives, which amount to a situation of 'civilian death', that criminal proceedings have been pending against Mehmet Tarhan since 2005, that the proceedings initiated by Barış Görmez before the Constitutional Court are still pending and that Ersin Ölgün was fined again in December 2023 for failing to perform military service (CoE-CM 14/6/2024).

The ECtHR has already condemned Turkey in several cases in connection with the non-recognition of conscientious objection to military service (Ülke v. Turkey, appl. No. 39437/98, judgement of 1 June 2004; Erçep v. Turkey, appl. No. 43965/04, judgement of 22/11/2011; Savda v. Turkey, appl. No. 42730/05, judgement of 12 June 2012; Enver Aydemir v. Turkey, appl. No.26012/11, judgement of 7 June 2016; Baydar v. Turkey, appl. No. 25632/13), decision of 19 June 2018) (ÖB Ankara 4/2025, p.24).

Official data or statistical information on conscientious objection to military service is not published (VRD/COW 5/2021, p.11; cf.UKHO 9/8/2024). The Committee of Ministers of the Council of Europe mentions in the minutes of the meeting of 5-7 June 2023 that Turkey, following the request to provide statistical data on the number of conscientious objectors and the administrative penalties, prosecutions and convictions imposed in this context since the Ülke judgement became final in 2006, was provided with the number of 152 persons who had refused military service on grounds of conscience since 2006 (CoE-CM 7/6/2023). In contrast, according to the Australian Department of Foreign Affairs, the number of conscientious objectors was high in 2024, meaning that the state did not have the capacity to prosecute all cases (DFAT 16/5/2025, p.33).

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11 General human rights situation

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The domestic legal framework provides guarantees for the protection of human rights (ÖB Ankara 4/2025, p.43; cf.EC 8/11/2023, p.6, 38). According to the Turkish Constitution, every person has inviolable, non-transferable, inalienable fundamental rights and freedoms associated with their personality. These can only be restricted for the reasons stated in the relevant provisions and only by law. The central justification for restricting fundamental rights and freedoms remains the fight against terrorism (ÖB Ankara 4/2025, p.43). As part of the comprehensive anti-terrorism laws passed in 2018, the government is further restricting human rights and fundamental freedoms while compromising the rule of law. In practice, most of the restrictions on fundamental rights are due to the broadly interpreted definition of terrorism in the anti-terror legislation and individual articles of the Criminal Code, such as insulting the head of state. These provisions are used extensively (USDOS 20/3/2023, p.1, 21; cf.ÖB Ankara 4/2025, p.43). In June 2025, the European Parliament also recognised that ‘while the Turkish Constitution provides for sufficient protection of fundamental rights, the approach of the institutions in practice and the critical state of the judiciary - including the lack of respect for Constitutional Court judgments - are the main reasons for the catastrophic situation of the rule of law and human rights in the country’ (EP 7/5/2025, p.G).

The **United Nations Human Rights Committee** expressed concern at the end of November 2024 with regard to the implementation of the International Covenant on Civil and Political Rights that Turkey's legal framework does not provide full protection against discrimination on all grounds covered by the Covenant, including discrimination against LGBTQ persons, persons with disabilities and members of ethnic minorities, such as members of the Kurdish community. This criticism was followed by a call to enact comprehensive legislation prohibiting all discrimination, including in the public and private sectors, and on all grounds prohibited by the Covenant; to ensure the effective implementation and application of legislation and access to effective and adequate remedies for victims (UNHRCOM 28/11/2024, p.3).

According to the **European Commission** (EC), the general human rights situation in the country has not improved. Legislation and its implementation must be brought into line with the European Convention on Human Rights (ECHR) and the case law of the ECtHR. According to the EC, Turkey should above all adapt its anti-terrorism legislation and its implementation as well as its counter-terrorism practices to European standards, the ECHR, the case law of the ECtHR and the recommendations of the Venice Commission as well as to the EU acquis and EU practices and furthermore improve the legal framework and its implementation in order to effectively combat all forms of violence against women; all forms of racism and discrimination, including against LGBTIQ persons, and to ensure the protection of minorities. This includes implementing the judgements of the ECtHR as a matter of priority, in particular the immediate release of former HDP co-chair Selahattin Demirtaş and human rights defender Osman Kavala (EC 30/10/2024, p.5f., 29). Although the ECHR takes precedence over national law and is directly applicable under Article 90 of the Constitution, the Convention and the case law of the ECtHR have not yet been fully taken into account by the domestic judiciary (AA 20/5/2024, p.16), as several legal provisions continue to prevent comprehensive access to the human rights and fundamental freedoms enshrined in the Constitution and in the country's international obligations (EC 6/10/2020, p.10).

The **European Parliament** judged in a resolution of June 2025 that since the Commission's [aforementioned] progress report of 30 October 2024, the situation with regard to democracy and fundamental rights has further deteriorated, which is 'characterised by the continued application of laws and measures restricting the rule of law and human rights, fundamental freedoms and civil liberties' (EP 7/5/2025, p.C).

The **Parliamentary Assembly of the Council of Europe (PACE)** continues to monitor (through its special monitoring procedure) respect for human rights, democracy and the rule of law in Turkey (EC 8/11/2023, pp.6, 28; cf.EC 30/10/2024, p.29). For example, following their fact-finding mission to Turkey in June 2025, the PACE co-rapporteurs on Turkey saw the country at a crossroads, expressing serious concern not only about human rights violations, but also that the overall rule of law was under threat (CoE-PACE 23/6/2025).

On the eve of the 2023 parliamentary and presidential elections, the **Council of Europe Commissioner for Human Rights**, Dunja Mijatović, noted in a statement that pressure on key actors in democratic society was intensifying and that the human rights situation, in particular freedom

of expression, association and assembly, was deteriorating. The Turkish authorities were urged to end the hostile environment for human rights defenders, journalists, NGOs and lawyers and to stop silencing them through administrative and judicial measures. According to Mijatović, the public use of hateful rhetoric against minorities, LGBTI people and migrants, including by high-ranking officials, has reached alarming levels and has increased the existing polarisation in society, in an environment already characterised by increasing violence and hate crimes against members of these groups (CoE-CommDH 5/5/2023).

Significant human rights concerns include credible reports of: Enforced disappearances; torture or cruel, inhuman or degrading treatment or punishment by or on behalf of the government; arbitrary arrest or detention; serious problems with the independence of the judiciary; political prisoners or detainees; cross-border repression against persons in another country; serious restrictions on freedom of expression and media freedom, including violence and threats of violence against journalists, unjustified arrests or prosecution of journalists, censorship or enforcement or threats of enforcement of laws on criminal prosecution for defamation in order to restrict expression; serious restrictions on internet freedom; significant interference with freedom of assembly and association, including overly restrictive laws on the organisation, funding or operation of non-governmental organisations and civil society organisations; restrictions on freedom of movement and residence within the territory of a state and the right to leave the country; refoulement of refugees to a country where they would face torture or persecution, including serious harm such as threats to life or liberty or other ill-treatment that would constitute a separate human rights violation; severe state restrictions or harassment of domestic and international human rights organisations; widespread gender-based violence, including domestic or intimate partner violence, sexual violence, workplace violence, child, early and forced marriage, female genital mutilation/cutting, femicide and other forms of such violence; crimes of violence or threats of violence against members of national and ethnic groups, such as the Kurdish minority, and refugees; and crimes of violence or threats of violence against members of sexual minorities (LGBTQI+). In addition, there are credible reports of arbitrary or unlawful killings by agents of the state, such as security forces, police and prison guards. (USDOS 22/4/2024, pp.1-3; cf.AI 29/4/2025, EEAS 29/5/2024, pp.23). In this context, the government takes only limited steps to investigate, prosecute and punish officials and members of the security forces accused of human rights violations. Impunity in this regard remains a problem (USDOS 22/4/2024, p.2; cf.ÖB Ankara 4/2025, p.43).

According to the European Commission, there has been no progress in **non-discrimination legislation** and its implementation to ensure harmonisation with European standards or ratification of Protocol No. 12 to the ECHR, which provides for a general prohibition of discrimination. Legislation on hate crimes, including hate speech, is still not in line with international standards and does not include hate crimes based on sexual orientation, gender identity and expression, ethnic origin or age. Cases of discrimination and hate crimes based on ethnicity, religion and sexual orientation continued to be reported (EC 30/10/2024, p.33).

As of May 2025, 21,200 cases (31 August 2024: 24,200) from Turkey were pending before the ECtHR, representing 35.2% of all cases pending at the ECtHR (ECHR 6/2025; cf.ECHR 9/2024),

which represents a decrease. At the beginning of 2025, the ECtHR found that the right to liberty and security was violated in 19 cases and the right to a fair trial in 13 cases in 73 judgements in 2024 (ECHR 22/1/2025).

Theright to life

Regarding the right to life, there are still serious shortcomings in measures to ensure credible and effective investigations into cases of killings by the security services. For example, there have been no adequate investigations into the alleged cases of abductions and enforced disappearances by security or intelligence services in several provinces reported since the coup attempt. Alleged killings by security forces in the southeast, particularly during the events of 2015, have not been effectively investigated and prosecuted (EC 8/11/2023, p.30f.). According to independent data, the right to life of at least 2,964 people was violated in 2021 (3,291 in 2020), particularly in the south-east of the country (EC 12/10/2022, p.33). In 2024, the European Commission again found that no steps had been taken to improve the situation with regard to the right to life and to end the impunity of the security forces (EC 30/10/2024, p.30).

In early July 2022, the Turkish Constitutional Court rejected the application related to the deaths of several people who died during the curfews imposed in 2015 and 2016 in the Cizre district in the Kurdish-majority southeastern province of Şırnak. The Constitutional Court declared that Article 17 of the Constitution on the 'right to life' had not been violated. The victims will appeal to the ECtHR (Duvar 8/7/2022a).

See in particular the chapters and subchapters: Security situation, Torture and inhuman treatment, Torture and inhuman treatment / Abductions and enforced disappearances at home and abroad

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12 Freedom of expression and the press / Internet

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General situation regarding freedom of expression and freedom of the press

According to the European Commission, Turkey is still at an early stage with regard to freedom of expression. The serious setbacks observed in recent years have continued. The implementation of criminal laws relating to national security and the fight against terrorism continues to violate the ECHR and deviate from the case law of the ECtHR. Cases of convictions of journalists, human rights defenders, lawyers, writers, opposition politicians, students, artists and social media users continue to occur. The dissemination of opposition voices and the right to freedom of expression are affected by the increasing pressure and restrictive measures (EC 8/11/2023, p.33f.; cf.EEAS 29/5/2024, p.23, UNHRCOM 28/11/2024, p.12).

After the 2023 elections, violence and mass arrests became the most common means of suppressing media representatives reporting on rallies and protests. The almost systematic online

censorship, arbitrary court cases against critical media and the exploitation of the judicial system have not yet led to a recovery in the popularity ratings of the 'hyper-president', who remains embroiled in a major case of political patronage (RSF 2/5/2025).

The judgement of the Council of Europe's Commissioner for Human Rights is harsh. The Commissioner, Dunja Mijatović, stated in a multi-page memorandum in early March 2024 [note: shortly before the end of her mandate] 'that the Turkish authorities' hostile attitude towards freedom of expression and media freedom and the high level of intolerance towards legitimate criticism of the actions of the authorities and elected representatives have reached a new and worrying level and continue to manifest themselves through systematic pressure and legal measures against journalists, human rights defenders, civil society and ordinary people. This has led to an alarming level of self-censorship and a lack of pluralism' (CoE-CommDH 5/3/2024, p.2).

And in a (recent) resolution of May 2025, the European Parliament (EP) 'deplores the ongoing prosecution, censorship and harassment of journalists and independent media […]; calls on the Turkish authorities to refrain from further attacks on independent media and to uphold fundamental rights and civil liberties, such as freedom of speech and freedom of the press; remains deeply concerned about the existing legislation that prevents an open and free internet, with long prison sentences imposed for posts on social media and numerous access blocks and content removal orders issued, as well as the continued use of the Radio and Television Supreme Council (RTÜK) to stifle criticism in the media or even to crack down on media accused of spreading "pessimism' instead of positive news" (EP 7/5/2025, pt.17).

According to the EU, Turkey [note: as a candidate country] must revise its criminal laws, in particular the Anti-Terror Law, the Criminal Code, the Data Protection Law, the Internet Law, the new Media Law regarding the definition of 'fake news' and the Law on the Radio and Television Supreme Council (RTÜK), to ensure that they comply with European standards and are implemented in an appropriate manner without restricting freedom of expression (EEAS 29/5/2024, p.23).

After an improvement from 2023 to 2024 (RSF 3/5/2024), Turkey's position in the World Press Freedom Index 2025 deteriorated again slightly compared to 2024, from 158th to 159th place [1st place = best place] within the ranking of the 180 countries listed. The absolute value also deteriorated slightly from 31.6 to 29.4 [100 is the best statistically achievable value]. The picture for the five sub-categories or 'indicators' is more ambivalent. - While the rank of the 'security indicator' improved from 155 to 149, the 'political indicator' improved from 165 to 162 and the 'economic indicator' improved from 165 to 163, the 'social indicator' deteriorated from 150 to 154 and the 'legislative indicator' from 150 to 158 in the country ranking (RSF 2/5/2025).

PRESS and MEDIA FREEDOM

Media as an instrument of the government

Turkey's mainstream media, which once provided a livelier clash of ideas, has become a link in a tight chain of command with government-approved headlines, front pages and topics for

TV debates. The biggest media brands are controlled by companies and individuals close to President Erdoğan and his AK Party (AKP), following a series of takeovers since 2008. They have a significant influence on reporting. The trend intensified in the wake of the failed coup attempt in July 2016, when 150 media outlets allegedly close to the Gülen movement were subsequently liquidated (REU 31/8/2022). - Erdoğan created a financial system that took over media companies that were struggling to repay their debts to the state and eventually sold these media companies to private sector companies allied with the government (RSF 10/8/2024; cf.Migrationsverket 9/4/2024, p.11f.). In total, almost 200 media organisations have been closed since July 2016. As a result, 85-90% of Turkish media (print, radio and television) are currently considered to have personal and/or financial ties to the ruling AKP party. The remaining 10% are being financially starved by being deprived of state advertising (AA 20/5/2024, p.9; cf.USDOS 22/4/2024, p.30, FH 26/2/2025, D1, RSF 10/8/2024). Business elites with close ties to Erdoğan are accused of bribing journalists and orchestrating negative press against the opposition (FH 26/2/2025, D1).

With around 90% of the national media now controlled by the government, the public has turned to the rest of the critical or independent media of various political colours over the past five years for information on the impact of the economic and political crisis on the country. These include local television channels such as Fox TV, Halk TV, Tele1 and Sözcü, as well as international news websites such as BBC Turkish, Voice of America (VOA) Turkish and Deutsche Welle Turkish (RSF 2/5/2025).

The **Radio and Television Supreme Council (Radyo ve Televizyon Üst Kurulu - RTÜK)**, the regulatory authority for private broadcasting, has been transformed into a monitoring and control instrument. Licences and permits applied for by the media must be approved by the RTÜK (DW 4/5/2021). The members of the RTÜK are appointed by the AKP-controlled parliament (FH 26/2/2025, D1).

Another instrument for exerting pressure is the state **press advertising agency [also: Press Advertising Council] (Basın İlan Kurumu - BİK)**. This agency is responsible for allocating state advertisements to the print media according to a specific distribution formula and, since 18 October 2022, also to digital media, making it an important source of income for the media. Media are repeatedly affected by advertising bans, especially after critical reporting against members of the government (ÖB Ankara 4/2025, p.48). In other words, the government and its allies in the private sector jeopardise media pluralism by directing advertisements and subsidies to media outlets that are sympathetic to them. The BİK uses the allocation of state advertising funds to exert pressure on recalcitrant daily newspapers, while the RTÜK helps to financially weaken critical television channels by imposing astronomical fines (RSF 2/5/2025; cf.EP 19/5/2021, p.12, pt.27).

Between 1 January 2023 and 30 June 2024, the RTÜK imposed fines totalling 124 million lira (4.5 million US dollars) on broadcasters and suspended 1,357 broadcasts (MLSA 20/12/2024; cf. RSF 2/5/2025, FH 26/2/2025, D1). According to the journalists' union, 38 separate administrative fines were imposed on media companies between April 2023 and April 2024, totalling almost

40.8 million lira [1.16 million euros, as of June 2024]. The highest of these fines was a single administrative fine of around 13.4 million lira imposed on Fox TV (later Now TV). TELE1 received the highest number of administrative fines with twelve. In addition, 16 temporary broadcasting bans were imposed (tgs 6/2024, p.29; cf.ÖB Ankara 4/2025, p.48).

On the occasion of the arrest of the mayor of Istanbul, Ekrem İmamoğlu, the RTÜK penalised several broadcasters for reporting on the arrest. The broadcasters were fined and two also had to suspend their programmes (DIF 20/3/2025). One of the stations affected was 'Süzcü TV', which was banned from broadcasting for ten days according to the RTÜK because the station was accused of 'inciting the public to hatred and hostility' when reporting on the ongoing mass protests (SBN 27/3/2025).

Instructions to the newsrooms, including via telephone or WhatsApp, often come from officials from the **Directorate of Communications** (İletişim Başkanlığı), which is responsible for relations with the media. It was founded on the basis of a presidential decree dated 24 July 2018 (PRT-DC n.d) It employs around 1,500 people. 48 foreign offices in 43 countries also monitor how Turkey is reported on abroad (REU 31/8/2022). With the aim of 'strengthening the Turkish brand', the Directorate of Communications coordinates the communication activities of all government agencies as part of a holistic communication strategy and works together with other authorities and organisations that create added value for Turkey, according to the institution's self-definition (PRT-DC n.d). In the event of major news stories that could put Erdoğan or his government under pressure - especially events affecting the economy or the military - the directorate regularly liaises with editors and senior correspondents to draw up a coverage plan (REU 31/8/2022). An announcement at the end of December 2023, according to which 'virtual patrols' are to be deployed to take action against content on social media that is categorised as terrorist propaganda or provocative (FH 16/10/2024, C5), showed that the Communications Directorate's agenda can also include the media persecution of critics. Opposition politicians labelled the agency a 'propaganda directorate' and stated that the directorate had used its extensive resources to spread the positions of the ruling AKP and spread misinformation about opposition parties, especially in the months leading up to the 2023 parliamentary elections. In the summer of 2024, the Constitutional Court revoked the directorate's authority to take 'measures against any kind of manipulation and disinformation', as the court deemed this to be 'unconstitutional' and assumed that the directorate's tasks also include regulations on prohibited areas that cannot be regulated by a presidential decree (Duvar 2/8/2024).

Pressure on media and prosecution of journalists and other critics

Although some independent newspapers and websites continue to operate, they are under enormous political pressure and are routinely prosecuted (FH 26/2/2025, D1; cf.BS 19/3/2024, p.11). The authorities regularly order the blocking of websites and platforms or the removal of critical online content or negative reporting on public officials, companies, the president and his family and members of the judiciary. They usually cite unspecific threats to national security or public order or violations of personal rights as reasons (HRW 16/1/2025).

Freedom of the press is under constant threat as the government continues to crack down on dissent, impose extensive censorship and take legal action against journalists. The European Commission-funded media monitoring platform Mapping Media Freedom (MFRR) recorded a total of 135 press freedom violations in 2024, affecting 317 individuals or entities from the media sector. Criminal charges, investigations, interrogations and civil lawsuits were repeatedly used to intimidate journalists and prevent critical reporting (EFJ/IPI/ECPMF 11/2/2025, p.47f.). Criminal proceedings against journalists are often charged with 'insulting the president and the Turkish nation', with terror propaganda (AA 20/5/2024, p.9; cf.EFJ/IPI/ECPMF 11/2/2025, p.48, ÖB Ankara 4/2025, p.48), 'provocative content' (AA 20/5/2024, p.9), 'insulting public officials' (EFJ/IPI/ECPMF 11/2/2025, p.48) and 'open incitement to hatred and enmity' (EFJ/IPI/ECPMF 25/10/2023, p.12).

Journalists and media employees are in custody or serving sentences because their journalistic activities have been classified as terrorism-related offences (HRW 16/1/2025; cf.IPI 30/11/2020). For example, (in 2024) long prison sentences of up to six years and three months for terrorism-related offences were imposed on eight journalists from the Mezopotamya news agency, the reporter Hamdiye Çiftçi Öksüz, the journalist Erdem Gül and the journalists Ahmet Altan, Nazlı Ilıcak and Fevzi Yazıcı (EFJ/IPI/ECPMF 11/2/2025, p.48). The repression against journalists is by no means limited to imprisonment. Judicial restrictions are also part of a repressive system designed to systematically silence critical voices. Control measures such as house arrest, bans on leaving the country and regular reporting obligations are increasingly being used as a means of exerting pressure (DW 3/5/2025, cf.Migrationsverket 9/4/2024). For example, according to media reports, nine journalists working for pro-Kurdish news media were arrested in raids in Istanbul, Ankara and Urfa on 23 April 2024. Following the arrests, the authorities restricted the detainees' contact with their lawyers. The police report stated that the journalists had links to the PKK (BAMF 29/4/2024).

In addition, there is pressure in particular on journalists who, for example, conduct negative research on nationalist groups or (AA 20/5/2024, p.9) report on corruption (REU 31/8/2022; cf.FH 26/2/2025, D1). On 1 November 2023, for example, the two journalists Tolga Şardan and Dinçer Gökçe were temporarily detained and charged separately on charges of 'spreading false information'. One day later, the police arrested online columnist Cengiz Erdinç for the same alleged offence (Erdinç was released on 3 November 2023 under the court order prohibiting him from leaving the country). The three media professionals had previously reported on corruption in the Turkish judiciary, citing a secret report on this by the MİT intelligence service (BAMF 31/12/2023, p.5; cf.BIRN 2/11/2023, CPJ 2/11/2023, EI 16/12/2024).

The pressure on journalists continues. Their work situation is difficult, unemployment in this occupational group and in the media sector in general is high. Fears about the future and a lack of job security favour self-censorship (ÖB Ankara 4/2025, p.48; cf.USDOS 22/4/2024, p.30), as does the fear of repression through legal and economic measures in the event of criticism of the government (USDOS 22/4/2024, p.27). According to a study by the European Federation of Journalists (2023), 50% of the journalists surveyed stated that political pressure was a major obstacle to their work and 43% experienced some form of censorship (USDOS 22/4/2024, p.30).

One example of how the state authorities are not only taking legal action against journalists and members of the opposition is that of leading representatives of TÜSİAD, the Turkish Industry and Business Association. - In mid-February 2025, the chairman of TÜSİAD's High Advisory Council, Omer Aras, criticised the fact that hundreds of people, including politicians and journalists, had been arrested in the previous weeks. Such cases had shaken society's trust in the state and meant a weakening of Turkish democracy. This was followed by sharp criticism of TÜSİAD by President Erdoğan, who claimed that the association was full of businessmen who had grown in the shadow of unfair profits and privileges to the detriment of the nation. Immediately after Erdoğan's criticism, the Istanbul Public Prosecutor's Office announced that Aras and TÜSIAD President Orhan Turan were under investigation for 'attempting to influence a fair trial' and 'spreading misleading information' (FAZ 20/2/2025; cf. BIRN 14/2/2025). As a result, judicial control measures were imposed on the two, including an international travel ban (Duvar 8/3/2025; cf.HDN 7/3/2025). The public prosecutor's office closed the investigation against Turan and Aras on 7 March 2025. The indictment demanded prison sentences of between one year and ten months and five and a half years for 'continued public dissemination of misleading information in the press and on the radio' (Duvar 8/3/2025; cf. BirGün 7/3/2025, HDN 7/3/2025).

Sensitive topics

Media outlets are fined and journalists prosecuted for reporting on topics such as criticism of the Gezi trial, child abuse in private Koranic schools, violence against women (BS 19/3/2024, p.11), attacks on secularism, the influence of religious groups (Tarikat) or regional jihadist organisations (RSF 2/5/2025) and opposition protests (BS 19/3/2024; cf.FH 28/2/2022, D1, RSF 2/5/2025).

Journalists who investigate former government actions that allegedly served to support the so-called Islamic State - e.g. **Turkey's military activities** in Syria or Libya - or abuses by the security forces are systematically accused of 'espionage', 'terrorist propaganda', 'defaming' the judicial system or security forces or even 'attacking an anti-terrorist agent' (RSF 15/6/2021; cf. IPI 30/11/2020). This also applies to the present. - On 21 December 2024, for example, an Istanbul court placed the journalist Özlem Gürses under house arrest on suspicion of denigrating the Turkish military after she made critical comments about Turkey's military presence in Syria on her YouTube channel (CPJ 23/12/2024; cf.Duvar 23/12/2024).

Criticising economic policy can also lead to arrest. On 12 December 2021, three YouTube journalists were arrested in the Turkish province of Antalya after interviewing passers-by on the street about their opinions on the economic crisis in Turkey. Mobile phones and computers were confiscated during raids on their homes. The detainees are accused of 'denigrating the state and the government'. They have since been released but placed under house arrest (BAMF 20/12/2021, p.12; cf.Independent 13/12/2021). The president of the Turkish state media regulator RTÜK has now taken aim at the format of **street interviews** because they can cause 'disinformation' and 'manipulation of public opinion'. Citizens who have been the subject of these interviews have been prosecuted, especially those who have made critical or negative comments about the ruling AKP and President Erdoğan (Duvar 8/8/2024).

The **Armenian genocide** is also one of the sensitive topics. - The broadcasting regulator RTÜK punished Açık Radyo in May 2024 for the statements of a guest who used the term genocide for the deportations and massacre of Armenians on Ottoman soil in an Açık Radyo programme on 24 April and referred to the ban on commemorative events in this regard. RTÜK had imposed a fine and a five-day broadcasting ban on the station in accordance with the Radio and Television Law (No. 6112) for allegedly 'inciting the public to hatred and hostility or provoking feelings of hatred in society.' Açık Radyo had paid the fine but continued broadcasting. After the RTÜK found that the conditions set out in the sanction had not been met, it decided in July 2024 to revoke Açık Radyo's broadcasting licence. In accordance with the decision, the station's terrestrial broadcasting operations were discontinued on 16 October 2024 (FH 18/10/2024; cf.Politico 16/10/2024, FES 11/12/2024, AI 29/4/2025). Another example of this in the area of freedom of expression are Eren Keskin, the co-chair of the Human Rights Association (İHD), and Güllistan Yarkın, a member of an İHD commission that fights against racism and discrimination. They were charged under the controversial Article 301 of the Criminal Code, which concerns **insulting the Turkish nation, parliament, government or Turkishness**, in connection with a memorial event held by İHD in 2021 to commemorate the victims of the mass deportation of Armenians under Ottoman rule during the First World War, during which they described the mass murder of Armenians in the last days of the Ottoman Empire as 'genocide'. In 2024, the two activists were ultimately acquitted of the charge of insulting the Turkish people and the Turkish government (TM 4/5/2024; cf.Bianet 2/5/2024).

However, it is not only journalists who are arrested for supporting terrorism. - For example, Şebnem Korur Fıncancı, chairwoman of the medical professional association TTB, was accused of terror propaganda and arrested after a TV interview because she demanded clarification on possible chemical weapons use by the Turkish army in northern Iraq after a delegation from the organisation 'International Physicians for the Prevention of Nuclear War' allegedly found some indirect evidence of possible violations of the Chemical Weapons Convention in northern Iraq at the end of September. President Erdoğan accused Fincanci of insulting her country and 'speaking the language of the terrorist organisation' PKK (FR 27/10/2022; cf.AP 27/10/2022). On 11 January 2023, the court sentenced the doctor to two years, eight months and 15 days in prison. However, Fincanci was released immediately after the judgement was handed down. Prison sentences of less than three years are rarely enforced in Turkey (Standard 11/1/2023; cf.DW 11/1/2023).

Violence against journalists

Journalists face intimidation, arrests, charges, censorship, threats or use of defamation laws, violence and threats of violence as well as dismissals. Violent attacks against journalists are also repeatedly recorded, which often go unpunished (USDOS 22/4/2024, p.1, 28f.; cf.ÖB Ankara 4/2025, p.48), BS 19/3/2024; p.11). For example, the media monitoring platform Mapping Media Freedom recorded eleven death threats against journalists in 2024 (EFJ/IPI/ECPMF 11/2/2025, p.48). Another problem is a kind of 'cartelisation' of media institutions - anyone who has become 'superfluous' in one institution is no longer hired by others (ÖB Ankara 4/2025, p.48). Above all, those who report on politics, corruption or crime are assaulted (FH 26/2/2025, D1).

Police brutality and physical attacks on journalists by civilians have become a chronic problem that also affects the atmosphere of press freedom in Turkey (EI 8/2024, p.3; cf.SZ 21/2/2022). In rare cases, even with fatal consequences. - In February 2022, Güngör Arslan, owner and editor-in-chief of a local newspaper, was shot dead outside his office in İzmit. He denounced local corruption and the mafia (SZ 21/2/2022). The NGO 'Expression Interrupted' reported at least 34 cases of violent police interventions, physical attacks, threats and targeted violence against journalists in the second quarter of 2024. In the second quarter of the year, impunity in favour of perpetrators who threatened or attacked journalists continued to be one of the problems journalists often face (EI 8/2024, p.5).

Kurdish journalists and media

Kurdish journalists and news agencies, as well as reporters covering Kurdish issues, were repeatedly attacked by authorities, but also by private individuals (EFJ/IPI/ECPMF 11/2/2025, p.49; cf.AI 26/12/2024, UNESCO 13/1/2025). The government routinely denies press accreditation to Turkish citizens working for international media if they are associated with private Kurdish-language media (USDOS 22/4/2024, p.29). (Temporary) publication bans with reference to the 'threat to national security' or 'endangering national unity' affect, sometimes repeatedly, mainly Kurdish newspapers or those of the left-wing political spectrum (AA 20/5/2024, p.9). Reports on the conflict between the PKK and the Turkish state attract the attention of the authorities. The Kurdish news platform 'Mezopotamya Agency', for example, is affected by this; according to its director, every employee has been arrested at least once (MBZ 2/3/2022, p.23).

Kurdish journalists are disproportionately affected by persecution. **Examples:** In July 2024, at a trial in Ankara against eleven Kurdish journalists, eight of them were sentenced to six years and three months in prison each for 'membership of a terrorist organisation'. They have appealed against the sentences. In Diyarbakır, the trial of 20 Kurdish journalists and media workers on the same charges continued (HRW 16/1/2025). In December (2024), journalists Nazım Daştan and Cihan Bilgin, who reported for the Kurdish Hawar News Agency (ANHA), were killed in a suspected Turkish drone strike while covering the recent military clashes in northern and eastern Syria. The incident sparked widespread outrage and police arrested nearly 40 journalists protesting the killing of their colleagues (EFJ/IPI/ECPMF 11/2/2025, p.49). The Istanbul Prosecutor General's Office has launched an investigation against the president of the Istanbul Bar Association, İbrahim Kaboğlu, and members of the association's board, who had been alleging that the targeted attacks on journalists in conflict zones were a violation of international humanitarian law and the Geneva Convention. The General Prosecutor's Office accused them of 'propaganda for an illegal organisation' and 'spreading misleading information to the public' (BAMF 23/12/2024, p.6; cf.CPJ 23/12/2024). On 17.1.2025, six journalists were arrested in Istanbul, Van and Mersin on charges of membership of an illegal organisation. The arrests were made on the basis of their news reports and discussion programmes (Mezopotamya 20/1/2025; cf.SCF 20/1/2025b). *For further examples: See previous country information on Turkey!*

Evidence to justify pre-trial detention and terrorist charges consists primarily of products of journalistic work, including published articles and photos, contacts with sources, social media posts or TV appearances (SCF 3/1/2022).

Judgements of the Constitutional Court

On 8 April 2021, the Turkish Constitutional Court annulled an article of a government decree that was issued after the failed coup in July 2016 and led to the closure of dozens of media outlets. The justification for this and the subsequent confiscation of property was the 'threat to national security' (CoE-PACE 22/4/2021, p.4; cf.CCRT 8/4/2021, TM 8/4/2021). Irrespective of the legally possible restrictions on fundamental freedoms during the state of emergency, the Constitutional Court considered the constitutionally guaranteed fundamental freedoms to have been violated from this point onwards as a result of the termination of the latter (CCRT 8/4/2021).

In its pilot judgement of August 2022, which assessed several lawsuits filed by the newspapers Sözcü, Cumhuriyet, BirGün and Evrensel, the Constitutional Court ruled that the penalties imposed by the state BİK had violated freedom of expression and freedom of the press. The newspapers concerned had to be paid 10,000 lira [approx. 550 euros] in compensation each. The Constitutional Court also found that the imposition of fines for advertising by courts of first instance constituted a systematic problem and consequently called on Parliament to address the relevant article of the law in order to solve this fundamental problem (EI 13/8/2022; cf.REU 31/8/2022). As a result, the BİK announced that it had suspended the imposition of penalties for breaches of professional ethics. The government remained silent on the Constitutional Court's judgement (REU 31/8/2022).

On 10 January 2024, the Constitutional Court ruled that the Information and Communication Technologies Authority (BTK) does not have the right to block online content as this violates the constitution. The regulations in question would restrict freedom of expression by allowing the content of publications published on the internet to be removed and/or having access to these publications blocked, where this publication can also be one within the scope of online journalism (BIRN 10/1/2024; cf.CPJ 11/1/2024, HRW 16/1/2025). The Constitutional Court's judgement also annulled the ability of local courts to have online news removed (CPJ 11/1/2024).

FREEDOM OF EXPRESSION

In May 2022, the European Parliament (EP) reiterated its serious concern about the disproportionate and arbitrary measures restricting the right to freedom of expression (EP 7/6/2022, p.10, pt.13). In many cases, individuals cannot publicly criticise the state or the government without risking civil or criminal lawsuits or investigations. The government restricts the freedom of expression of individuals who are sympathetic to certain religious, political or cultural viewpoints. Speaking out on sensitive issues or in a manner critical of the government can result in investigations, fines, criminal charges, loss of employment and imprisonment. The government often responds to statements critical of the government with criminal charges of alleged affiliation with terrorist groups, terrorism or other threats to the state. The government has convicted and

punished hundreds of people for exercising their freedom of expression (USDOS 22/4/2024, p.27). In 2021, according to the European Court of Human Rights, 31 out of a total of 76 cases of violations of the ECHR by Turkey alone concerned the right to freedom of expression (ECHR 1/2022). However, in 2024, the proportion fell to just 15 out of 73 cases (ECHR 22/1/2025).

Interpretation of the concept of terrorism in anti-terror legislation

The setbacks in the area of freedom of expression since 2025 are the result of the broad interpretation of the concept of terrorism in anti-terror legislation and individual articles of the Turkish Criminal Code (e.g. Art. 301 - denigration/degradation of the Turkish state and its institutions; Art. 299 - insulting the head of state [see next paragraph]). These provisions have been used more frequently in recent years to take action against critical voices. The Judicial Reform Strategy 2025-2029 generally states that the protection and further development of freedom of expression are indispensable priorities. However, the development of new measures and practices to raise the standards of freedom of expression and freedom of the press are only very vaguely envisaged as measures. In light of the objective of the previous judicial reform strategy that the expression of thoughts that only serve the purpose of reporting and/or criticism should no longer constitute an offence, an amendment was made to Art. 7 (2) of the Anti-Terrorism Act, but the amended wording of the law is still seen as too vague and encourages arbitrary interpretations, as the term ‘terrorist propaganda’ is not clearly defined (ÖB Ankara 4/2025, p.46). The very broad interpretation of the concept of terrorism by the courts is problematic. For example, public criticism of the actions of the Turkish security forces in the Kurdish-dominated areas of south-eastern Turkey or the sharing of PKK-related posts on social media can, if interpreted accordingly, already fulfil the definition of terrorist propaganda (AA 20/5/2024, p.9).

According to the European Commission, the current laws on counter-terrorism, the internet, intelligence services and the penal code hinder freedom of expression and are contrary to European standards. The selective and arbitrary application of legislation also remains a cause for concern, as it violates the fundamental principles of the rule of law and the right to a fair trial. Despite legislative changes introducing the need for a solid evidentiary basis for ‘catalogue offences’, cases related to freedom of expression continue to be categorised as offences that automatically require ‘pre-trial detention’ (EC 8/11/2023, p.34f.). Although Art. 7/2 of the Anti-Terror Law now clarifies that expressions of opinion that do not cross the line of reporting do not constitute a criminal offence, this has not restricted the political prosecution of unpopular statements in practice (AA 20/5/2024, p.8f.).

One of the most prominent examples was the conviction of four human rights defenders, including the former chair of Amnesty International Turkey, Taner Kılıç, for supporting a terrorist organisation in July 2020 (FH 3/3/2021; cf.FH 29/2/2024, E2). The authorities had arrested Kılıç in June 2017 on charges of having links to Fethullah Gülen. At the end of May 2022, the ECtHR ruled unanimously, i.e. including the Turkish judge, that Turkey had acted unlawfully in detaining Kılıç. The court found no evidence that Kılıç had committed a criminal offence. The court also ruled that his subsequent conviction on other charges was directly related to his activities as

a human rights defender and that his right to freedom of expression had been impaired (DW 31/5/2022; cf.AP 31/5/2022). After almost eight years of legal proceedings, Kılıç was acquitted in February 2025. The acquittal came after the Court of Cassation rejected the prosecution's appeal against the Court of Cassation's earlier decision to overturn Taner's unfounded conviction (AI 27/3/2025; cf.TM 27/2/2025).

In March 2025, on the occasion of the wave of arrests of elected mayors, the Congress of Local and Regional Authorities of the Council of Europe demanded that the prosecution and imprisonment of elected representatives of opposition parties be stopped on the basis of a broad interpretation and application of the offences of terrorism or defamation, in particular in the context of elections (CoE-CLRA 27/3/2025, pt.13c).

Insulting the President, state dignitaries, the Turkish state and the nation

Several articles of the Criminal Code prohibit defamation, defined as insulting the Turkish state, its symbols and its representatives. Article 299 provides for a prison sentence of six months to three years for insulting the Turkish nation, the state or the Grand National Assembly, or for those who publicly disparage the government, judicial bodies, the military or security organisations. Other articles criminalise burning the Turkish flag, disparaging the national anthem, insulting a public committee and insulting the memory of a deceased person. Insulting the president is punishable by a prison sentence of between one and four years, which is increased by one-sixth if the offence is committed in public. Government officials can bring charges on behalf of the president. Most defamation cases are brought against journalists, but cases have also been brought against writers, politicians, athletes, students, academics and pupils. Most of the cases prosecuted under Article 299 of the Criminal Code do not result in prison sentences, although many of the defendants are in pre-trial detention (DFAT 16/5/2025, p.20f.; cf.USDOS 22/4/2024, p.33). Opposition politicians in particular, including elected representatives, face prosecution and conviction for insulting state dignitaries or the Turkish state or Turkishness (FH 3/3/2021; cf.USDOS 22/4/2024, p.33, Duvar 8/12/2022, HRW 14/12/2022, Evrensel 14/12/2022). In the opposite case, namely insulting members of the opposition, AKP members and government officials are rarely prosecuted (USDOS 22/4/2024, p.33). Ordinary citizens are also prosecuted for causing unrest or insulting the president. - While citizens continue to express their opinions in private, many are cautious in their public statements (FH 26/2/2025, D4).

On the subject of insulting the President, other state dignitaries, the Turkish state and the Turkish nation (Turkishness), see the chapters: Rule of law / Judiciary (para. Insulting the President as a criminal offence) and Freedom of assembly and association / Opposition.

Social media and the internet

On 1 October 2020, **Law No. 7253 on the Restriction of Social Media** came into force in Turkey. It forces operators of platforms with more than one million users per day to appoint at least one representative in Turkey. This representative must be a Turkish citizen and their details must be listed on the website. Non-compliance with the requirements can result in fines, bandwidth reductions or even a ban on adverts. In the case of requests from individuals to remove content

or block access due to privacy violations, the provider must respond to the applicant within a maximum of 48 hours, otherwise the Information and Communication Technology Authority can impose a fine of five million lira. If a court or judge determines that published content violates the law and the provider does not remove or block the content within 24 hours, it is liable for the damages incurred. The law requires companies to store all data of Turkish customers in Turkey (ÖB Ankara 4/2025, p.46f.). The affected online platforms are forced to send reports to the Turkish Information and Communication Technologies Authority (Bilgi Teknolojileri ve İletişim Kurumu - BTK) on their response to requests from administrative or judicial authorities regarding censorship or blocking access to online content. By order of a judge or the BTK, the Union of Access Providers (ESB) is also obliged to instruct internet hosts or search engines to enforce decisions to block access within four hours under threat of an administrative fine. Severe fines are also threatened if the internet platforms do not store user data (RSF 1/10/2020).

According to the European Commission, the conditions for an open and free internet do not exist in Turkey. Websites and social media are often blocked for people who criticise the government (EC 8/11/2023, p.37). Internet freedom is still under pressure. For example, the number of blocked websites has increased (MBZ 2/2025a, p.33). Long prison sentences for posts on social media, numerous access blocks and orders to remove content and the dissemination of false information continue to stand out. The ruling AKP has passed several laws that tighten censorship and surveillance and criminalise online speech. Online troll networks continue to spread pro-government disinformation, and journalists, activists and social media users continue to be charged for their online content. Turkey scored only 31 out of a possible 100 points in 2024 and is still considered ‘unfree’ (FH 16/10/2024).

Critical and dissenting social media users are frequently scrutinised, prosecuted and convicted (EC 8/11/2023, p.37; cf.MBZ 2/2025a, p.35). Everything from trivial sharing to liking content shared by others on social media can lead to criminal investigations and/or prosecution for offences such as insulting the president (ARTICLE19 8/4/2022). The Turkish police monitored social media on a large scale. For this purpose, it had a special cyber department called Siberay. This department was not limited to the social media accounts of well-known journalists and activists, but also monitored those of ’normal’ social media users (MBZ 2/2025a, p.35).

According to the Dutch Ministry of Foreign Affairs, the following critical reports on social media attract negative attention from the Turkish authorities: President Erdoğan and his family, the government’s coronavirus policy, Turkey’s military operations at home and abroad, the political and cultural rights of the Kurdish minority, the conflict between the PKK and the Turkish government, Gülen and his movement, Islam and sexual minorities. Posts of this kind are blocked or removed, and anyone who publishes or shares such messages faces criminal proceedings (MBZ 31/8/2023, p.25; cf.FH 16/10/2024). Social media users do not always know where the government draws the line. This is because the laws and regulations regarding terrorist propaganda and disinformation are general and vaguely worded. As a result, prosecutors have a variety of legal bases at their disposal to initiate a criminal investigation or criminal proceedings. If the message concerns an issue that is currently at the centre of public attention, the authorities are quick to initiate a criminal investigation. If ‘ordinary’ citizens have previously reported on issues that

have received little attention, criminal investigations can sometimes be initiated several years after the fact (MBZ 2/2025a, p.35).

Websites can be blocked for 'obscenity' or if they are deemed defamatory of Islam, which includes content that promotes atheism. In addition to widespread blocking, state authorities proactively request the deletion or removal of content. Most blocking orders are issued by the telecommunications authority BTKand not by the courts. - The BTK's mandate includes the enforcement of court blocking orders, but it can also issue administrative orders for foreign websites. - The procedures relating to blocking are opaque and pose considerable challenges for those wishing to appeal. The reasons for court decisions are not stated in the blocking orders and the relevant orders are not easily accessible. As a result, it is difficult for website operators to determine why their website has been blocked and which court issued the order (FH 4/10/2023).

In 2023, according to the NGO 'Free Web Turkey', access to 219,059 URLs was blocked. Among other things, 197,907 domain names, 5,641 social media posts and 743 social media accounts were blocked. The report emphasises that the censored URLs also included 14,680 news articles, most of which (5,881 blocked articles) dealt with allegations of corruption and misconduct, often in relation to public officials and people with close ties to the ruling AKP party. - Crimes against women and children followed with 2,256 blocked articles and 1,733 articles on organised crime. Also blocked were 646 articles about President Erdoğan and his family. The main reason for blocking articles according to Turkish authorities was 'violation of personal rights', in 14,332 cases, followed by 344 blocks for jeopardising national security and public order (FW-TR 3/9/2024; cf.SCF 16/7/2024).

The so-called 'disinformation law' no. 7418 (2022)

In October 2022, the government stepped up its already tough crackdown on the media. Under massive protest from the opposition, parliament passed the so-called law against 'disinformation'. It came into force on 18 October 2022 as Act No. 7418 amending the Press Act. The law provides for prison sentences of one to three years for the dissemination of 'false or misleading news'. Offenders can be accredited journalists as well as normal media users. Up to three years' imprisonment is even possible for a retweet. According to the relevant provision, imprisonment is provided for those who publicly disseminate false information about the internal and external security, public order and general health of the country with the motive of creating fear or panic among the public in a manner likely to disturb public peace (RIW 12/2022DW 14/10/2022; cf.DW 14/10/2022, ÖB Ankara 4/2025, p.47). The courts are responsible for assessing whether 'disinformation or misinformation' has occurred (ÖB Ankara 4/2025, p.47; cf.DW 14/10/2022, Guardian 13/10/2022). At the same time, the Criminal Code was supplemented by the provisions of Article 217 A of 13.10.2022, whereby paragraph 2 stipulates that the penalty is increased by half if the perpetrator commits the offence while concealing his true identity or as part of the activities of an organisation. And Article 218 of the Criminal Code provides that if offences are committed by the press and radio, the penalty to be imposed is also increased by up to half. However, expressions of opinion that do not exceed the scope of reporting and serve the

purpose of criticism do not constitute a criminal offence, according to the same article of the Criminal Code (MBS 5/4/2023tgs 6/2024; cf.tgs 6/2024, p.23).

In addition to newspapers, radio and television, the Disinformation Act is primarily aimed at online networks and online media. They are obliged to report users who are accused of spreading false news to the authorities and to pass on their data (Zeit Online 14/10/2022). The law also obliges messenger services, such as WhatsApp, to provide user data to the state if requested by the State Information and Communication Technologies Authority. Emre Kızılkaya, head of the Turkish branch of the Vienna-based International Press Institute, assumes that this law will also force digital platforms such as Google News or Facebook to disclose their algorithms to the government (Guardian 13/10/2022). Journalists' organisations warned that the draft law could become one of the strictest censorship and self-censorship mechanisms in Turkish history (Zeit Online 14/10/2022). At the urgent request of the Monitoring Committee of the Parliamentary Assembly of the Council of Europe (PACE), the Venice Commission had published an opinion on the draft amendments to the law. The Venice Commission saw an interference with the right to freedom of expression protected by Article 10 ECHR and pointed out that there are alternative, less drastic measures than criminal law to combat the offence of disseminating false information (CoE 10/10/2022).

Cybersecurity Act No. 7545 (2025)

On 12 March 2025, the Turkish Parliament passed the Cybersecurity Law (Law No. 7545), which criminalises the 'false' reporting or dissemination of information about online data leaks. The law provides for a penalty of up to five years in prison for anyone who knowingly creates or disseminates allegedly false content about a cybersecurity data leak, especially if the intention is to create fear, anxiety or panic among the public or to target institutions or individuals. The adopted law aims to strengthen cybersecurity by creating a legal framework for a new cybersecurity authority and a cybersecurity commission with wide-ranging powers in terms of data collection, cybersecurity enforcement and legal access to digital information stored in Turkey, if authorised by a court order. The law follows an admission by the Information and Communication Technologies Authority (BTK) in September 2024 that the personal data of 108 million citizens had been stolen from government servers. Opposition parties announced that they would challenge the law before the Constitutional Court. Associations advocating for press freedom have raised concerns, arguing that the law could allow authorities to access private information without adequate safeguards and criticising the vague provisions of the article that criminalises the dissemination of false information about cyber incidents (CoE-SJP 17/3/2025; cf.CPJ 13/3/2025, TM 13/3/2025). The Cybersecurity Commission, which oversees the implementation of the law, is made up of high-ranking government officials, including the president, vice president and the heads of key ministries and security agencies. Members of the opposition argued that this structure effectively places cybersecurity policy under the direct control of the president and precludes independent oversight (TM 13/3/2025). The new cybersecurity law could criminalise legitimate reporting of cybersecurity incidents because it is too broad and vaguely worded, according to the Committee to Protect Journalists - CPJ, for example. According to Özgür Öğret, Turkey representative of the CPJ, the new cybersecurity law could not only prevent reporting on cy-

bersecurity-related data leaks, but also empower the government to decide whether a leak has actually occurred or not, which risks wider censorship (CPJ 13/3/2025). The Turkish Journalists' Association (TGS) also criticised the sweeping powers granted to the Cybersecurity Board and the vague language in the law, arguing that its main purpose is to cover up the truth and silence journalists (TM 13/3/2025).

Judgements of the Constitutional Court

Lawsuits against internet censorship before the Constitutional Court are usually decided in favour of the plaintiffs, but the Constitutional Court only issues a few rulings each year. Furthermore, the problem is that the principled approach developed by the Constitutional Court in terms of freedom of expression and freedom of the press is ignored by the justices of the peace in criminal cases in their rulings. The latter regularly impose bans as if the Constitutional Court had not issued a judgement on any practice in the matter (IFÖD 10/2021, pp.101-104; cf.LoC 7/1/2022).

However, on 7 January 2022, the General Assembly of the Constitutional Court found that the government had violated the constitutional right to freedom of expression and the constitutional right to an effective remedy regarding the blocking of access to online news websites by lower courts. The Constitutional Court consolidated nine cases in which a total of 129 URL addresses had been blocked by decisions of justices of the peace under Article 9 of Law No. 5651. In all nine cases, the judges had blocked access to the news articles in question based on complaints from the individuals who were the subject of the news articles and who claimed that certain statements in the news articles unlawfully damaged their reputation and standing. - The problem with Article 9, which has been criticised by the Venice Commission of the Council of Europe, among others, is that such a ban is imposed by a judge of the peace, for an unlimited period of time and without a hearing, and can only be reviewed by another judge of the peace upon appeal, but cannot be challenged in higher courts. The only legal remedy is an individual appeal to the Constitutional Court (LoC 7/1/2022). In its judgement, the Constitutional Court not only found that the blocking of access to the news sites in question was an obvious infringement of the freedom of expression and freedom of the press protected by Articles 26 and 28 of the Constitution, but also that the blocking of the content for an indefinite period was disproportionate and unfounded and that the lower courts had failed to observe the principles of constitutional law. The Constitutional Court also criticised the lack of legal remedies. In view of the fact, according to the Constitutional Court, that the decisions of the lower courts indicate the existence of a systematic problem caused directly by a legal provision, it is obvious that the current system needs to be reconsidered in order to prevent similar offences. For this reason, the court decided on a so-called pilot judgement (CCRT 7/1/2022). - The procedure is used when the court determines that the violation of a fundamental right in a particular case is due to a structural problem that has already led to other applications and is expected to lead to further applications in the future. If the court decides to rule on an application under the pilot judgement procedure, it may stay all other proceedings pending before it concerning the same structural problem. Once a pilot judgement has been issued, the administrative authorities must apply the judgement in the corresponding applications submitted to them, or in cases that reach the Constitutional

Court, the court may consolidate the cases and rule in accordance with the pilot judgement (LoC 7/1/2022).

Publication bans

In Turkey, there are signs that state censorship, including of books, is increasing under President Erdoğan. In 2020, for example, two books published by Amnesty International Turkey on the subject of feminism were banned. Two books published by the CHP party publishing house that shed light on corruption scandals were also banned from publication. Numerous children's books were also banned (2020), including the Turkish translation of the German sex education book for four to seven-year-olds: 'Where the little children come from'. The book was categorised as 'obscene' by the Turkish government. The translator and publisher of the Turkish edition were threatened with up to ten years in prison (FR 12/2/2021). And in autumn 2022, a court banned the distribution and sale of a book by former, imprisoned HDP co-chair Figen Yüksekdağ entitled 'Walls are being torn down', which deals with the curfews in the summer of 2015, among other things, on the grounds of 'propaganda for a terrorist organisation' (NaT 10/9/2022; cf.Mezopotamya 8/9/2022).

*Information on official action against critical reporting in light of the **effects of the earthquake in February 2023** can be found in the previous versions of the country information on Turkey.*

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13 Freedom of assembly and association

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The constitution guarantees freedom of assembly and association, freedom of expression and freedom of the press. In practice, however, these rights are severely restricted. The freedom to hold unarmed and non-violent assemblies, even without prior authorisation, is subject to restrictions insofar as the interests of public safety or order, the prevention of criminal offences or general health or morals are affected (AA 20/5/2024, p.8; cf.DFAT 16/5/2025, p.9, 19). Restrictive and vaguely worded laws, e.g. provisions of Law 2911 on events and demonstrations, allow the authorities to impose disproportionate measures to restrict freedom of assembly and even stigmatise the legitimate exercise of this right through a discourse that repeatedly associates protesters with extremism and violent groups (FIDH/OMCT/İHD/HRA 5/2021, cf.UNHRCOM 28/11/2024, p.13).

The legislation and its implementation are not in line with European standards and the international conventions to which Turkey is a party (EC 30/10/2024, p.33), nor with the Turkish constitution (EC 8/11/2023, p.6, 37f.). - The laws allow the authorities to ban assemblies and demonstrations on the basis of vague, arbitrary criteria. Bans on peaceful assemblies are widespread and public events are often broken up by the police using disproportionate force. One positive development was the lifting of the 2018 ban on Saturday Mothers protests in Istanbul's Galatasaray Square by the Minister of Interior in November 2023. However, legal proceedings against human rights defenders continue (EC 30/10/2024, p.33; cf.EP 7/6/2022, p.9, pt.12). Demonstrators are also frequently investigated, tried and fined on charges of terrorism or violating the law on demonstrations and marches (EP 7/6/2022, p.9, para.12). As a result, many people in Turkey are afraid of claiming public space to exercise their right to peaceful assembly (FIDH/OMCT/İHD/HRA 5/2021). For example, according to the 2023 annual statistics of the Turkish Human Rights Association, the security forces intervened in 256 demonstrations and assemblies (2022: 571), with 3,487 people (2022: 4,553) being beaten and injured as a result of the violent intervention (İHD/HRA 23/8/2024; cf.İHD/HRA 27/9/2023b, pp. 4 , 6).

The **most recent example** is the mass protests against the removal of the CHP mayor of Istanbul, Ekrem İmamoğlu. - The letter from Human Rights Watch, Amnesty International and 13 other organisations stated that they were alarmed 'by the recent escalation of the state crackdown on freedom of expression and assembly following the arrest of Mayor Ekrem İmamoğlu'. In their statement, the human rights organisations complained that the protests had been met with 'unjustified and unlawful police violence'. People were beaten with batons and kicked when they were lying on the ground. Police officers had indiscriminately used pepper spray, tear gas, plastic bullets and water cannons against the demonstrators, resulting in numerous injuries.

Blanket bans on demonstrations such as those in Istanbul, Ankara, Antalya and Izmir were disproportionate and unjustifiable (Tagesschau 28/3/2025; cf.WOZ 1/4/2025). The Parliamentary Assembly of the Council of Europe (PACE) 'strongly condemn[ed] the unjustified arrests and detentions of protesters as well as the disproportionate use of force by law enforcement authorities during the protests and cases of ill-treatment or other human rights violations against detained persons […] The Assembly also expressed its concern about reports of physical attacks on journalists and media workers while covering the protests and their arrests and detentions in connection with their reporting. At least 20 local journalists were physically assaulted by police or protesters while covering the protests and at least ten of them were detained' (CoE-PACE 9/4/2025, pt.5 and 6). The European Parliament expressed the same sentiment and 'urge[d] the Turkish authorities to immediately and effectively investigate all allegations of harassment and excessive use of force against protesters and to uphold the freedom of assembly and protest' (EP 7/5/2025, pt.23). - Following the protests, the public prosecutor's office in Istanbul brought charges against 819 people. They were accused of taking part in unauthorised demonstrations. 278 of those arrested were remanded in custody. Some protesters faced up to five years in prison and in one case up to nine years (Zeit Online 8/4/2025; cf.SRF 23/3/2025).

On the occasion of the arrest of Istanbul Mayor Ekrem İmamoğlu on 19 March 2025, the Congress of Local and Regional Authorities of the Council of Europe adopted a declaration on 27 March 2025 in which, among other things, severe restrictions on freedom of expression and assembly in recent months were pointed out. In particular, the Congress condemned the use of blanket bans on public demonstrations, such as those imposed in municipalities where mayors have been removed or arrested, including Istanbul. Following this, the Congress called for an end to overly broad restrictions on freedom of assembly and expression, which restrict political pluralism, violate human rights and undermine the foundations of democracy and have a detrimental effect on local self-government in Turkey (CoE-CLRA 27/3/2025, pt.7, 13b). The Parliamentary Assembly of the Council of Europe (PACE) considered a general ban on demonstrations to be disproportionate and unjustifiable (CoE-PACE 9/4/2025, pt.8). The spokesperson of the Office of the High Commissioner for Human Rights (OHCHR) called the general ban on protests by the authorities in three Turkish cities unlawful (OHCHR 25/3/2025).

While anti-government rallies are routinely banned, pro-government rallies are allowed to take place (FH 26/2/2025, E1).

Police violence at assemblies

The police often use violence against peaceful protests. In recent years, security forces have used tear gas, pepper spray and other violent measures to break up May Day protests, commemorations of the 2013 Gezi Park protests, LGBT+ parades, Women's Day celebrations, marches against gender-based violence, protests against price hikes and rising inflation, vigils for the victims of the 1980 military coup and other gatherings (FH 26/2/2025, E1). Some concrete **examples** from recent months: In Istanbul, riot police used pepper spray against participants in a demonstration to mark International Women's Day 2023 (Spiegel 8/3/2023). At least 50 people were arrested by police on 25 June 2023 during the annual Pride parade in Istanbul.

The demonstration was violently dispersed by the police. In Izmir, the police arrested at least 44 people after the authorities banned the Pride march (BAMF 12/6/2023, p.12; cf.Zeit Online 25/6/2023).

Istanbul police arrested more than 200 people during the May Day demonstrations (2024) across the province when they prevented the crowd from reaching Istanbul's Taksim Square, a symbolic location for International Labour Day. Riot police used pepper spray and rubber bullets to disperse tens of thousands who had gathered in Istanbul's Sarachane neighbourhood after protesters tried to march to Taksim Square. Dozens of people were injured and footage from the scene showed police abusing demonstrators. In a live broadcast, a police officer was heard instructing other officers to remove 'the press' from the area, sparking outrage from human rights groups (AlMon 1/5/2024; cf.Stern 1/5/2024, REU 1/5/2024, SWI 2/5/2024, AI 29/4/2025). In 2023, the Turkish Constitutional Court had actually ruled that the closure of Taksim Square to prevent demonstrations was unlawful. The European Court of Human Rights confirmed the decision (Stern 1/5/2024; cf.SWI 2/5/2024, AI 29/4/2025).

The vigils organised by the Saturday Mothers, a group of human rights defenders and relatives of victims of enforced disappearance, continue to be hindered by restrictions. For example, they were only allowed to gather in groups of ten. These restrictions were exceptionally lifted for the 1000th vigil in May 2024. In October 2024, a court of first instance acquitted 20 people who had been arbitrarily detained and prosecuted for 'violating the Assembly and Demonstration Act' during the 950th Saturday Mothers'/People's Vigil in June 2023 (AI 29/4/2025).

For information on official intervention during the Kurdish spring festival Newroz, see the subchapter: Ethnic minorities / Kurds.

Assembly bans by the governors

Since 2015, there have been setbacks in the area of freedom of assembly, in particular due to the expansion of the governors' powers to ban public gatherings during the state of emergency. The governors' broad discretionary powers are being used to impose further restrictions, with the result that even peaceful rallies with a long tradition are now being banned. Numerous demonstrations and gatherings are either banned from the outset with a blanket ban or broken up using police force (ÖB Ankara 4/2025, p.48f.; cf.USDOS 22/4/2024, p.38). The provincial authorities regularly ban protests and gatherings of groups critical of the government, often disregarding the judgements of the national courts, which consider such bans to be disproportionate (HRW 16/1/2025). The Assembly and Demonstration Act allows the administration to ban assemblies and demonstrations on the basis of vague, discretionary and arbitrary criteria (EC 12/10/2022, p.39; cf.EP 7/6/2022, pt.12). For example, the governor of Istanbul banned a night march that was to take place on 25 November 2024 to mark the International Day for the Elimination of Violence against Women. Law enforcement forces used disproportionate force against those who gathered despite the ban and arbitrarily detained at least 169 people, including several bystanders (AI 29/4/2025; cf.TR-Today 26/11/2024).

Security Act 2015, criminal law and judgements of the supreme courts

The Security Act of 23 May 2015 classifies slingshots, steel balls and fireworks as weapons and provides for a prison sentence of up to four years if their possession is proven during a demonstration or if demonstrators partially or completely cover their faces. Demonstrators face up to three years in prison for displaying emblems, badges or uniforms of illegal organisations (HDN 27/3/2015). Partially or fully masked participants in demonstrations that result in a 'propaganda march' for terrorist organisations can be punished with up to five years in prison (AnA 27/3/2015). The law allows the police not only to use coloured water to later identify demonstrators, but also to take people into 'protective custody' without the approval of a public prosecutor if there is reasonable suspicion that they pose a threat to themselves or to public order (USDOS 22/4/2024, p.38).

The Court of Cassation's extensive interpretation of the ambiguously worded Art. 220 of the Criminal Code with regard to criminal associations led to the criminalisation of participants in demonstrations at which PKK symbols were also displayed or that were called for by the PKK, regardless of whether this call or use was known to the person concerned. Participants must expect criminal prosecution for membership of a terrorist organisation, even at demonstrations abroad (AA 20/5/2024, p. 8). *[Note: The legal consequences of the dissolution of the PKK in this regard are not foreseeable at the present time.]*

Judgements of the Constitutional Court

In September 2019, the Constitutional Court came to the conclusion in its ruling on the demonstration on 1 May 2009 that the demonstrators' freedom of assembly had been violated. This was the court's first domestic ruling on the arbitrary prevention of 1 May commemorations (EC 6/10/2020, p.37). In another case, the Constitutional Court ruled on 8 September 2021 that the ban imposed by the governor's office on all protests in the south-eastern city of Kahramanmaraş violated the plaintiffs' constitutional right to assemble and demonstrate. The Constitutional Court also ordered damages to be paid to each of the four plaintiffs who filed a lawsuit with the Constitutional Court after other legal remedies had failed to overturn the decision of the Kahramanmaraş Governor's Office to ban all protests in the city for one month and then extend it four times (BAMF 13/9/2021, p.16f; cf.TM 8/9/2021).

In spring 2024, the Constitutional Court repealed the article of the Higher Education Act that provided for disciplinary sanctions for distributing leaflets and hanging posters or banners at universities and organising assemblies without a permit. The sanction of organising assemblies in closed or open spaces of higher education institutions without permission from the authorities, which provided for temporary suspension from school, was also declared unconstitutional. The decision emphasised that this provision restricted the right of university students to organise assemblies and demonstrations. Furthermore, the Constitutional Court stated that the previous sanctions were not compatible with the requirements of a democratic social order (BAMF 30/6/2024, p.7; cf.Duvar 19/4/2024).

On the topic of freedom of assembly, see also the (sub)chapters: Torture and inhuman treatment, Relevant population groups / women and Relevant population groups / sexual minorities (LGBTIQ+) and Ethnic minorities / Kurds

FREEDOM OF ASSOCIATION

Although the law provides for freedom of association, the government continues to restrict this right. The government uses provisions of the Anti-Terror Law to prevent the reopening of associations and foundations that it had previously closed due to alleged threats to national security. Representatives of bar associations and civil society organisations report that the police sometimes attend and record association meetings, which association representatives interpret as an attempt to intimidate them (USDOS 22/4/2024, p.40).

The 2018 decree and the amended law passed in March 2020 as part of an omnibus bill make it mandatory for all associations to register all their members, not just their board members, in the Ministry of Interior's information system. This legal obligation is not in line with the guidelines of the Organisation for Security and Cooperation in Europe (OSCE) and the Council of Europe regarding freedom of association (EC 6/10/2020, p.15). This amendment obliges associations to inform the local administrative authorities of changes in membership within 30 days, otherwise they face penalties (USDOS 30/3/2021, p.44). The UN Human Rights Committee also expressed 'concern about the provisions of Law No. 7262 that give the Ministry of Interior broad discretion to restrict the activities of independent organisations, screen them based on vague risk assessment criteria and weak evidentiary standards, and suspend board members, which has a chilling effect that discourages individuals from serving on boards or becoming members of these organisations' (UNHRCOM 28/11/2024, p.14).

Laws and regulations impose numerous administrative requirements on associations. Complex provisions that can be interpreted differently and are scattered across various pieces of legislation, as well as the lack of experts dealing with this area, leave associations in a state of uncertainty in their efforts to comply with the law. Associations are subject to scrutiny by several authorities, including the tax office, the National Directorate of Education, the relevant governorates and the Directorate for Civil Society, which is responsible for associations in the Ministry of the Interior, as well as the General Directorate for Foundations in the Ministry of Culture (FIDH/OMCT/İHD/HRA 5/2021, p.26).

According to the final report of the State of Emergency Appeals Commission [Turkish OHAL], at the end of 2022, out of 17,960 of all positive decisions taken by the Commission, 72 concerned the reopening of closed institutions such as associations and foundations (ICSEM 1/2023, p.9/ Tab, 26). Appeal procedures of institutions that appealed against the closure were not transparent and remained ineffective (USDOS 20/3/2023, p.54). The United Nations Human Rights Committee expressed concern about these developments, namely that the vast majority of organisations whose 'closure was based on vague criteria laid down in emergency decrees and without effective judicial oversight or respect for due process guarantees' remained closed (UNHRCOM 28/11/2024, p.14).

Right to strike and trade union activities

Trade union activities, including the right to strike, are restricted by law and in practice. Anti-union activities by employers are widespread and legal protection is insufficiently enforced.

Trade union collective bargaining rights are restricted. A system of thresholds [note: in terms of membership] restricts the ability of trade unions to secure collective bargaining rights. Trade unions and professional organisations face state intervention and reprisals for activities that are considered hostile to the interests of the political leadership (FH 26/2/2025, E3; cf.ITUC-IGB n.d), as seen, for example, in the dispersal of a strike in 2018 protesting unsafe working conditions at the construction site of the new Istanbul airport (FH 10/3/2023, E3).

According to the International Trade Union Confederation (ITUC), the freedoms and rights of working people in Turkey have been mercilessly attacked for years. Trade unions and their members have been systematically targeted, in particular through criminal prosecution on trumped-up charges. Employers have continued to smash trade unions and systematically dismiss workers who have tried to organise. In a climate of fear and under constant threat of retaliation, workers have struggled to organise and form unions. Trade union representatives are sometimes physically attacked or charged with supporting terrorism. The ITUC ranks Turkey as one of the ten worst countries in the world for working people (ITUC-IGB 2024).

The law allows the government to prohibit the right to strike in any situation where there is a threat to public health or national security. The law also requires unions to register their meetings or rallies with the government, which must take place in officially designated areas, and allows government representatives to attend union meetings and record their proceedings (USDOS 22/4/2024, p.82).

The law does not require persons organising an association to notify the authorities in advance, but an association must notify the authorities before engaging with international organisations or receiving financial support from abroad, and must provide detailed documentation of such activities (USDOS 22/4/2024, p.40).

See also chapter: Non-governmental organisations (NGOs).

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13.1 Opposition

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Political pluralism continues to be undermined by the judiciary's crackdown on opposition parties and members of parliament (EC 30/10/2024, p.19). Although the constitution and laws allow citizens to change their government through elections, the government restricts fair political competition. Among other things, the activities of opposition political parties and their leaders and functionaries are limited. This is also done by restricting the basic freedoms of assembly and expression, as well as through arrests. Several members of parliament remain at risk of possible prosecution following the lifting of their parliamentary immunity in 2016 (USDOS 22/4/2024, p.55). At the beginning of July 2025, the leaders of three of the five largest parties in parliament - political opponents of the AKP government - were threatened with imprisonment (YR 3/7/2025).

As early as March 2025, the Congress of Local and Regional Authorities of the Council of Europe issued a declaration in light of the arrests and dismissals of several democratically elected mayors, stating that they 'are causing further damage to local democracy and that the country is currently deviating from democratic norms and standards.[…] There is no doubt that these events are ultimately aimed at suppressing pluralism and limiting the freedom of political debate, which is at the core of the concept of a democratic society' (CoE-CLRA 27/3/2025, pt.8). In May 2025, the European Parliament strongly condemned removing democratically elected mayors from office and replacing them with trustees appointed by the Ministry of Interior and 'call[ed] again on the HR/VP to consider imposing restrictive measures against Turkish officials who assume the role of trustee and against those who appoint them' [HR/VP is the High Representative and Vice-President for External Relations of the EU, currently Ms Kaja Kallas] (EP 7/5/2025, p.22).

While the European Parliament (EP) expressed concern in June 2022 and September about the ongoing attacks on opposition parties, in particular the repression of the pro-Kurdish HDP (Peoples' Democratic Party - Halkların Demokratik Partisi) and the ongoing crackdown on Kurdish politicians (EP 7/6/2022, p.16f, p.22; cf.EP 13/9/2023, p.13), the EP resolution of May 2025 focused on criticising the repression against the Republican People's Party - CHP, the country's largest opposition party. - The EP 'strongly condemn[ed] the recent arrest and dismissal of Istanbul Metropolitan Municipality Mayor Ekrem İmamoğlu of the CHP party and the mayors of Şişli and Beylikdüzü [and] urge[d] the Turkish state authorities to immediately stop and reverse the repression of the political opposition' (EP 7/5/2025, pt.27,28).

Action against the CHP

The CHP, currently the largest opposition party, has been unfder increasing political and legal pressure for months (TA 1/7/2025). As part of the investigations into CHP municipalities, numerous CHP mayors have been removed from office. Dozens of other officials from CHP-governed localities have been detained and are awaiting trial (Zeit Online 11/6/2025; cf.AP 5/6/2025). And in early July 2025, a request was submitted by the President of the Republic to lift the

parliamentary immunity of 61 of the 135 CHP deputies in the Turkish parliament (TM 7/7/2025a; cf.Evrensel 7/7/2025).

Action against Ekrem İmamoğlu, Istanbul mayor and presidential candidate

In early November 2024, President Erdoğan had already sued İmamoğlu for unfounded accusations, including slander. The CHP party leader Özgür Özel was also accused by Erdoğan of insulting the president (VOA 1/11/2024; cf.Duvar 3/11/2024, NTV 1/11/2024). İmamoğlu was also accused by the Prosecutor General's Office of targeting officials suspected of being involved in the fight against terrorism and threatening the prosecutor (BAMF 27/1/2025, p.12; cf.SCF 20/1/2025a).

On 23 March 2025, the authorities suspended Istanbul Mayor Ekrem İmamoğlu after an Istanbul court ordered his formal arrest on corruption charges. However, the court did not cite alleged support for a terrorist organisation as a reason for the arrest. The appointment of a government trustee was therefore formally ruled out by law. The arrest triggered nationwide mass protests, despite an official ban on demonstrations. Since İmamoğlu's detention on 19 March 2025, the authorities had arrested several hundred protesters in several provinces, along with people who were active on social media. One day before the detention, Istanbul University cancelled İmamoğlu's university degree. A valid university degree is a constitutional requirement for presidential candidates in Turkey. The Ministry of Interior announced that in addition to İmamoğlu, two other Istanbul district mayors were also suspended (AlMon 23/3/2025; cf.Standard 23/3/2025, FAZ 19/3/2025, Soufan 27/3/2025). - The mayor of Beylikdüzü, Mehmet Murat Çalık, was suspended due to corruption allegations in a pending case and subsequently imprisoned, while a trustee was appointed to replace the mayor of Şişli, Resul Emrah Şahan, who was arrested in connection with terrorism charges (Bianet 23/3/2025; cf.HDN 23/3/2025). In addition, more than 100 individuals, including municipal officials, were investigated for terrorism on the one hand and corruption, bribery, extortion and embezzlement on the other (Bianet 23/3/2025). The terrorism-related charges stem from the CHP's collaboration with the 'Peoples' Emancipation and Democracy Party' - the DEM party in the 2024 local elections. The public prosecutor's office launched an investigation into this cooperation, claiming that it was organised by the banned Kurdistan Workers' Party (PKK). As a basis for the accusations, the prosecution cited statements by PKK leaders from the election period in which the DEM party was encouraged to cooperate with the opposition (Bianet 21/3/2025). Several journalists, including foreign journalists, were also arrested both during the demonstrations on the ground and during raids on their homes (Bianet 24/3/2025; cf.SZ 25/3/2025, Soufan 27/3/2025, Monde 28/3/2025).

On 26 March 2025, the CHP-dominated Istanbul City Council elected Nuri Aslan as interim mayor. Only 176 of the 185 CHP mandataries were able to vote, as the remaining nine were in custody (TM 26/3/2025; cf.AJ 26/3/2025). On 14 April 2025, the Istanbul Criminal Court rejected İmamoğlu's release from prison (DIF 14/4/2025; cf.AP 14/4/2025). 100 days after İmamoğlu's arrest, tens of thousands of his supporters demonstrated against the Turkish government and called on it to resign (Tagesschau 1/7/2025; cf.BIRN 2/7/2025). 42 people were arrested. They

were accused of insulting President Erdoğan and resisting the security forces (Standard 2/7/2025; cf.BIRN 2/7/2025).

Proceedings against Özgür Özel, CHP party leader

In April 2025, a lawsuit was filed against Özel for insulting the president with a claim for damages of 12,000 euros because Özel had allegedly called President Erdoğan a 'junta leader' (HB 8/4/2025). At the beginning of July, presidential decrees were sent to parliament to lift the parliamentary immunity of Özel and CHP deputy Tuncay Özkan from İzmir and bring them to trial. The reason for this is their accusation against members of the Court of Cassation of staging a coup against the Constitutional Court in the Can Atalay case, which is tantamount to insulting public officials. According to the Criminal Code, this offence is punishable by a prison sentence of one to two years (YR 3/7/2025; cf.FAZ 3/7/2025). At the beginning of July 2025, the Public Prosecutor General's Office launched a new investigation into insulting the president. The allegations relate to statements made by the CHP leader at a press conference on 5 July 2025, in which Özel not only insulted President Erdoğan but also made threats against decision-makers in the authorities (Standard 7/7/2025; cf.TM 7/7/2025c).

The CHP as a whole is affected by the investigations launched by the Ankara public prosecutor's office in February 2025 into allegations of vote-buying at the CHP party congress at which Ögür Özel defeated Kemal Kılıçdaroğlu (DS 30/6/2025). CHP leader Özel is accused of bribing delegates at the party congress in autumn 2023 to vote for him. The public prosecutor's office is demanding one to three years in prison and a political ban for Özel. The party is also threatened with forced administration or the return of its previous chairman Kemal Kılıçdaroğlu (RND 2/7/2025; cf.SRF 30/6/2025, DS 30/6/2025).

Prosecution of local CHP office holders

2024: On 30 October 2024, the General Prosecutor's Office in Istanbul announced the arrest of Ahmet Özer, the CHP mayor of the Istanbul municipality of Esenyurt. The prosecutor's office cited phone records, surveillance and financial data as evidence of Özer's 'intensive and persistent organic links' with the PKK. A statement also said that Özer had spoken to Remzi Kartal, the co-chairman of the PKK-affiliated organisation KONGRA-GEL, several times over the past ten years and had been involved in discussions about the PKK's 'democratic autonomy project'. The deputy governor of Istanbul, Can Aksoy, was appointed as a trustee of Esenyurt. (HDN 31/10/2024; cf.Evrensel 31/10/2024, Bianet 31/10/2024). Thereafter, all but one of the elected municipal councillors were replaced by trustees in the form of officials of the governor's office (Duvar 5/11/2024; cf.Haberler 4/11/2024). On 6 November 2024, the 11th Criminal Court of First Instance in Istanbul rejected the appeal for Ahmet Özer's release (Duvar 7/11/2024).

In November 2024, the CHP mayor of Ovacık (in the province of Tunceli/Dersim), Mustafa Sarıgül, was sentenced to six years and three months for alleged membership of a terrorist organisation (Duvar 21/11/2024; cf.ANF 20/11/2024a, Cumhuriyet 20/11/2024, Rudaw 22/11/2024).

2025: The authorities arrested the CHP mayor of Istanbul's Beşiktaş district, Rıza Akpolat, on 13 January 2025. A criminal investigation was launched in Istanbul against a criminal syndicate accused of bribing mayors and high-ranking municipal officials in order to manipulate tender procedures and ensure that contracts were awarded to their own companies (Duvar 14/1/2025; cf.Spiegel 13/1/2025, BIRN 13/1/2025). At the beginning of March 2025, the CHP mayor of Istanbul's Beykoz district, Alaattin Köseler, was detained and removed from office. According to the Ministry of the Interior, Köseler was accused of influencing tenders (FR 4/3/2025; cf.HDN 4/3/2025). In mid-April, eleven municipal officials in the CHP-ruled Istanbul district of Beşiktaş were arrested for alleged bid-rigging in favour of criminal networks, including the deputy mayor of Beşiktaş, Ali Rıza Yılmaz (TM 17/4/2025; cf.TR-Today 17/4/2025).

After the authorities issued arrest warrants for 53 people as part of the corruption investigation on 26 April 2025, 52 people were arrested immediately afterwards in raids in Istanbul, Ankara and the northwestern province of Tekirdağ, including employees and officials of the CHP-led Istanbul Municipality (AlMon 28/4/2025; cf.Zeit Online 26/4/2025, Spiegel 27/4/2025). At the same time, the public prosecutor's office in Istanbul charged 25 former and current municipal officials from four CHP-led municipalities (Ataşehir, Maltepe, Sarıyer and Şişli) arrested in March 2025 with financing terrorism because they had provided financial support to the Revolutionary People's Liberation Party/Front (DHKP/C) between 2014 and 2016. The defendants were facing prison sentences of between seven and 15 years. The defendants include the former mayor of Sarıyer, Şükrü Genç, the former mayor of Şişli, Hayri İnönü, the former deputy mayor of Ataşehir, Abdullah Der, as well as the former deputy mayors of Şişli, Emir Sarıgül and Erdoğan Yıldız (TM 28/4/2025; cf.Hürriyet 29/4/2025).

At the beginning of June 2025, the Ministry of the Interior removed five CHP mayors from office after arrest warrants were issued against them as part of a corruption investigation. The mayors of the Istanbul districts of Avcilar, Büyükçekmece, Gaziosmanpaşa and the district mayors of Ceyhan and Seyhan from the southern province of Adana were affected (L'essentiel 5/6/2025; cf.AP 5/6/2025, Zeit Online 11/6/2025).

In a large-scale operation against the CHP-led city administration of Izmir, 126 people were arrested in early July 2025, including the former mayor Tunç Soyer and the CHP provincial chairman Şenol Aslanoğlu. A total of 157 arrest warrants were issued as part of a corruption investigation by the Izmir public prosecutor's office (TA 1/7/2025; cf.HDN 1/7/2025, Standard 1/7/2025a). And on 5 July, three more CHP mayors were arrested. The mayor of Antalya, Muhittin Böcek, was taken into custody for corruption investigations. The mayors of the southern Turkish cities of Adana, Zeydan Karalar, and Adıyaman, Abdurrahman Tutdere, have been arrested on charges of extortion, the Istanbul Public Prosecutor's Office announced (DW 5/7/2025; cf.FAZ 5/7/2025, MEE 5/7/2025).

Action against the DEM party and its predecessor HDP

In view of the resurgence of the conflict with the Kurdistan Workers' Party (PKK), President Erdoğan and his Justice and Development Party (AKP) government increasingly began to accuse the HDP of being an extension of the PKK, which is considered a terrorist organisation in Turkey

(NZZ 7/1/2016). For example, in November 2020 Erdoğan described the imprisoned former co-chairman, Selahattin Demirtaş, as a terrorist (TM 25/11/2020) and in early November 2021 as a puppet of the PKK (Ahval 6/11/2021). The then Interior Minister Süleyman Soylu accused the HDP of using its party offices as recruitment centres for the PKK and of being in constant contact with it (DS 30/12/2019). The fact that representatives of the HDP had spoken out against both the violent actions of the security forces in the Kurdish regions of Turkey and the first military interventions in Syria contributed to this. As a result, the authorities launched investigations into HDP politicians and began to systematically remove them from their political posts (MEI/Koontz 3/2/2020).

Pro-government media, such as the daily newspaper 'Daily Sabah' or the state television TRT, have portrayed the HDP and its elected representatives as supporters of the PKK and terrorist activities, also with reference to government representatives. Daily Sabah consistently used the term 'pro-PKK HDP' (DS 3/4/2023; cf.TRT 25/1/2018). The Green Left Party (YSP) and the DEM Party as the successor to the HDP were also portrayed as 'pro-PKK' (DS 3/4/2024; cf.DS 5/11/2024).

[Note: However, these attributes disappeared in the course of the (indirect) talks between the Turkish government and the PKK, in particular the person of Abdullah Öcalan, which were mediated by representatives of the DEM party and ultimately resulted in the break-up of the PKK].

More than 15,000 HDP members have been detained since 2015 and about 5,000 are still in detention (Medya 3/7/2022; cf.EC 8/11/2023, p.14, AA 20/5/2024, p.7), according to the latest European Commission report even 8,000 (EC 30/10/2024, p.19). A source from the Dutch Ministry of Foreign Affairs also estimates the number of imprisoned current DEM party members at 7,000 to 8,000. At the beginning of January 2025, the DEM party had 14,741 members. This would mean that around 47-54% of DEM members were imprisoned (MBZ 2/2025a, p.63).

Raids on DEM party offices

The authorities sometimes also take action against DEM Party facilities. - On 24 April 2024, for example, a police raid was carried out on the provincial office of the DEM Party in Batman. During the search, which lasted around four hours, documents and photos of some killed PKK fighters were allegedly confiscated (BAMF 29/4/2024; cf.Bianet 24/4/2024). In the early hours of 18 November 2024, police stormed the district office of the DEM party in Istanbul's Esenyurt district. According to media reports, the officers forcibly entered the building for several hours and confiscated some books and photographs. After the raid, the co-chairs of the DEM Party in the district, Rojda Yılmaz and Abdullah Arınan, were summoned to the Istanbul police to make statements (Bianet 18/11/2024; cf.DW 18/11/2024, Duvar 19/11/2024, Hürriyet 18/11/2024). The two were then arrested. The authorities stated that the arrests were part of the investigation conducted by the Istanbul Chief Public Prosecutor's Office to uncover PKK activities (Duvar 19/11/2024; cf.Mezopotamya 19/11/2024, DW 18/11/2024, Hürriyet 18/11/2024). Pro-government media quoted the Terrorist Crimes Investigation Office of the Istanbul Chief Public Prosecutor's Office as saying that a memorial event for PKK terrorist Gülşen Atalmış, who was 'neutralised'

in 1995, was held at the DEM Party office and that PKK photos were exchanged (Hürriyet 18/11/2024; cf.DW 18/11/2024).

See also the chapters: Detention Conditions, Ethnic Minorities / Kurds and Political Situation.

Proceedings against ordinary HDP and DEM party members and their family members

Membership of the HDP alone is not a reason to initiate criminal proceedings. The initiation of criminal investigations always depends on the individual case (AA 20/5/2024, p.7; cf.MBZ 2/3/2022, p.47). Factors that can lead to negative attention from the Turkish authorities have not changed and accordingly also apply to DEM party members and supporters after the renaming of the HDP: posting, sharing and liking DEM-friendly posts on social media; participating in demonstrations (e.g. against the appointment of trustees); issuing or participating in press statements; sending money to imprisoned family members (the latter can be seen as financial support for the PKK). The list can by no means be considered exhaustive. The anti-terror legislation is broad and vaguely worded, so the authorities can use a variety of circumstances and activities to target a DEM member or supporter (MBZ 2/2025a, p.64f.).

Even after the renaming of the HDP, the situation for **relatives** of current DEM members remains unchanged. For example, it sometimes happens that relatives of a DEM member do not receive a state job. If they send money to an imprisoned relative who was a DEM member, they run the risk of being prosecuted themselves for financially supporting the PKK. Family members of DEM members can be prosecuted, detained and/or interrogated by the police or security forces. Relatives of DEM members may also be pressurised to testify against other DEM members at large. In addition, individuals have been denied scholarships, loans, health insurance or social benefits because a family member was a DEM member. These forms of repression are mainly used against parents, spouses, siblings and children of DEM members. It remains unclear to what extent these practices take place and which family members are targeted by the authorities and under what circumstances (MBZ 2/2025a, p.65).

Official action against parliamentarians, especially those of the HDP

The judiciary has systematically taken action against members of the opposition parties in parliament, in particular the HDP, for alleged terrorist offences. Former co-chairmen Demirtaş and Yüksekdağ are still in prison [as of early July 2025]; they no longer have MP status (ÖB Ankara 28/12/2023, p.48). In May 2024, several former HDP deputies and the two former co-chairs (Demirtaş and Yüksekdağ) of the party were sentenced to long prison terms, although the ECtHR had ordered their immediate release (EC 30/10/2024, p.19).

Since the constitutional amendment of 20 May 2016, which enabled the complete abolition of parliamentary immunity for members of parliament, more than 600 charges have been brought against HDP parliamentarians. They were charged with terrorism-related offences, defamation of the president, the government or the state. Since 2018, more than 30 parliamentarians have been sentenced to prison. At least 15 HDP MPs had lost their mandate (IPU 9/4/2025, p.2). The number of detainees has been reduced by releases. - Gülser Yıldırım was released in mid-October 2022. She was arrested on 4 November 2016 and sentenced to seven and a half

years in prison for ‘membership of a terrorist organisation’. According to the law (No. 7242), she should have been released after serving two-thirds of her sentence, but she was only released four months later (Bianet 18/10/2022). In early April 2023, former HDP deputy İdris Baluken was released after almost seven years in prison for supporting terrorism (Duvar 5/4/2023; cf.NTV 5/4/2023). On the other hand, in October 2022, the court in Diyarbakır sentenced former parliamentarian Leyla Güven, who had already been arrested in 2018 and convicted in 2020 after her parliamentary immunity was revoked, to eleven years and seven months in prison for terrorist propaganda for the PKK in half a dozen speeches she had given as a member of parliament for the HDP between 2015 and 2019. In total, the 58-year-old is serving a 22-year prison sentence for two separate offences (Ahval 17/10/2022).

Six former members of parliament were still in prison in spring 2025, including former HDP leaders Selahattin Demirtaş and Figen Yüksekdağ as well as Leyla Güven, Semra Güzel, Nazmi Gür and Can Atalay [note: from the Workers’ Party of Turkey - Türkiye İşçi Partisi - TİP] (IPU 9/4/2025, p.2).

According to the HDP, at least 340 physical attacks on HDP buildings, stands, rallies and demonstrations in the provinces and districts and on the people responsible for these events were carried out between 2015 and the end of 2022 (HDP 10/12/2022). HDP parliamentarians were also not exempt from **physical attacks by the police**. - On 9 October 2022, the HDP and some associations demonstrated in various provinces against the isolation of the imprisoned leader of the Kurdistan Workers’ Party (PKK) Abdullah Öcalan. The demonstrators were confronted with harsh police violence, resulting in several arrests and a broken leg for MP Habip Eksik (Duvar 10/10/2022; cf.Ahval 10/10/2022).

Local level: official action, particularly against HDP and DEM party MPs

The government suspended democratically elected mayors based on their alleged affiliation with terrorist groups. They were replaced by state ‘trustees’. In the past, this action was most frequently directed against politicians from the HDP and its local sister party, the Democratic Party of the Regions (DBP). The government suspended 81% of the HDP mayors elected in the 2019 local elections (USDOS 20/3/2023, p.73). 48 HDP mayors had been removed from office since the 2019 local elections due to alleged terrorism-related activities (EC 8/11/2023, p.15; cf.USDOS 20/3/2023, p.21). Of these 48 suspended mayors, 39 were placed under arrest (USDOS 20/3/2023, p.21).

The mayor of Diyarbakır, Selçuk Mızraklı, in custody since October 2019, was sentenced to nine years and four months in prison in spring 2020 (BAMF 14/10/2024; cf.Bianet 9/3/2020) before being acquitted of the charge of ‘propaganda for a terrorist organisation’ at the end of September 2021 (Bianet 30/9/2021). However, a Turkish court sentenced Mızraklı to nine years, four months and 15 days in prison for ‘membership of a terrorist organisation’ in a retrial at the end of November 2023 (Duvar 30/11/2023; cf.EUTCC 30/11/2023). - The sentence was confirmed by the Supreme Court of Appeal on 9 October 2024 (BAMF 14/10/2024, p.7f.). - And on 26 January 2023, the last hearing in the case of Cihan Karaman, the HDP mayor of Hakkâri, who was replaced by a trustee, took place before the Heavy Penal Court No. 2 in Hakkâri. The

court sentenced Karaman to ten years and six months in prison for ‘membership of an illegal organisation’ (TİHV/HRFT 26/1/2023; cf.Sabah 26/1/2023).

Since the **local elections on 31 March 2024**, elected mayors have been dismissed, convicted and replaced, especially from the ranks of the pro-Kurdish DEM party (successor to the HDP), but also from the CHP (Rudaw 22/11/2024). It started with the mayor of Hakkâri. On 2 June 2024, the police raided the Hakkâri Municipality, where Mayor Mehmet Sıddık Akış was arrested and subsequently replaced by a government-appointed trustee. The Ministry of Interior accused Akış of holding a high-ranking position in the PKK. Despite a ban on demonstrations by the governor’s office, sit-in protests nevertheless took place in front of the governor’s office, in which deputies from the DEM Party and a delegation from the Republican People’s Party (CHP) took part. On 4 June, there were further protests in Hakkâri, during which the police intervened with pepper spray and rubber bullets. Demonstrations against the appointment of the trustee in Hakkâri also took place in Istanbul, Ankara and Diyarbakir (BAMF 10/6/2024, p.9f.; cf.Duvar 9/6/2024, Presse 5/6/2024). Originally sentenced to 19 1/2 years in prison for ‘leading an armed terrorist organisation’ (BAMF 10/6/2024, p.9f.), Akış was sentenced to a total of nine years in prison in November 2024 in the final verdict - seven and a half years for ‘committing crimes on behalf of an illegal organisation without being a member of that organisation’ and one and a half years for ‘resisting the law on assemblies and demonstrations’ (5 Ocak 20/11/2024; cf.ANF 20/11/2024b).

In early November 2024, the government dismissed the DEM mayors of two major cities, Ahmet Turk in Mardin and Gülistan Sonuk in Batman, and replaced them with trustees. Mehmet Karayilan, DEM mayor of Halfeti, a sub-district of Şanliurfa province, was also dismissed. The Ministry of Interior justified her dismissal with ongoing terrorism allegations against them. Turk is a leading figure in the Kurdish movement in Turkey and a strong supporter of peace between the state and the PKK. He has already been forcibly removed from office twice (AlMon 4/11/2024; cf.Duvar 4/11/2024a, DW 4/11/2024). As a result, there were protests in all three affected municipalities, but also in Van, for example, during which the police intervened violently and arrested numerous demonstrators (TM 4/11/2024; cf.Duvar 4/11/2024b).

On 29 November 2024, the Ministry of the Interior replaced the co-mayor of Bahçesaray municipality in Van district, Ayvaz Hazır, from the ranks of the DEM party, with a trustee. According to the Ministry of Interior, this happened because the mayor was sentenced to three years in prison for ‘committing crimes in the name of the PKK/KCK armed terrorist organisation without being a member’ and due to an ongoing investigation by the 2nd High Criminal Court of Van for ‘propaganda for the PKK/KCK armed terrorist organisation’ (Duvar 30/11/2024; cf.Rudaw 29/11/2024).

In November 2024, the co-mayor of Tunceli/Dersim from the ranks of the DEM party, Cevdet Konak, was sentenced to six years and three months for membership of a terrorist organisation (Rudaw 22/11/2024; cf.Duvar 21/11/2024, ANF 20/11/2024a, Cumhuriyet 20/11/2024).

The year 2025 also began with the arrest or dismissal of mayors from the ranks of the DEM party.
- On 10 January 2025, Hosyar Sariyildiz and Nuriye Aslan, the co-mayors of Akdeniz district in

Mersin province, were arrested. They were joined by four members of the local council from the DEM party. They were arrested for ‘propaganda for a terrorist organisation’, ‘membership of an armed terrorist organisation’, ‘violations of the law on preventing the financing of terrorism’ and ‘violations of the law on assemblies and demonstrations’. The Ministry of Interior then dismissed the co-mayors and appointed a trustee in their place (BIRN 10/1/2025; cf.Duvar 10/1/2025). At the end of January, Sofya Alağaş, the co-mayor of Siirt from the ranks of the DEM party, was sentenced to six years and three months in prison for ‘membership of a terrorist organisation’, namely the PKK/KCK, due to her previous work as a journalist. The governor of Siirt, Kemal Kızılkaya, was appointed as trustee by the Ministry of the Interior (AnA 29/1/2025; cf.Duvar 28/1/2025, SZ 29/1/2025).

Abdullah Zeydan, former HDP deputy, once released after five years in prison following the Supreme Court of Cassation’s cancellation of his conviction for supporting a terrorist organisation and spreading terrorist propaganda (BAMF 10/1/2022, p.15; cf.Ahval 6/1/2022), was sentenced to three years and nine months in prison by a court in Diyarbakır in February 2025 as co-mayor of Van from the ranks of the DEM party for supporting and propaganda for a terrorist organisation (After Zeydan’s overwhelming victory in the 2024 municipal elections, the provincial election commission withdrew Zeydan’s mayoral mandate at the request of the Ministry of Justice and transferred it to the AKP candidate) (Duvar 11/2/2025; cf.DS 11/2/2025, Rudaw 11/2/2025, Medya 11/2/2025). Immediately after the conviction, there were mass protests in Van (Medya 11/2/2025; cf.Rudaw 11/2/2025). On 15 February 2025, the Ministry of Interior appointed the governor of Van, Ozan Balcı, as trustee, which sparked further protests in which 127 people were arrested, including temporarily the deputy mayor of Diyarbakır, Doğan Hatun (Duvar 16/2/2025; cf.C8 16/2/2025).

On 24 February 2025, the Ministry of Interior appointed the governor of Kağızman district in the eastern province of Kars as the trustee of Kağızman municipality, which was led by the DEM party. An official statement from the ministry said that the mayor of Kağızman, Mehmet Alkan, was sentenced to six years and three months in prison by the 2nd High Criminal Court of Kars for ‘membership in an armed terrorist organisation’, which is why Alkan was suspended from duty as a precautionary measure. Following the ministry’s decision, the town hall was placed under heavy police protection. The government authorities imposed strict security measures and practically sealed off the district (Duvar 25/2/2025a; cf.ANF 24/2/2025).

The Kobanê mass trial

At the end of September 2020, the Ankara Public Prosecutor General issued arrest warrants for 82 HDP politicians and subsequently announced that it would apply for the immunity of seven HDP MPs to be lifted. The Public Prosecutor General’s Office justified the arrests and the action against the MPs with the protests of October 2014, which it retroactively categorised as ‘acts of terrorism’ six years after the events. At that time, the terrorist militia Islamic State (ISIS) threatened to capture the surrounded Syrian-Kurdish city of Kobanê. The HDP accused the Turkish state of doing nothing to save Kobanê and of supporting the ISIS, and therefore called for solidarity rallies. From 6 to 8 October 2014, around 40 people were killed in bloody

clashes (FAZ 27/9/2020; cf.HRW 2/10/2020). On 7 January 2021, a court in Ankara confirmed the indictment against 108 people, including the imprisoned former HDP co-chairs Selahattin Demirtaş and Figen Yüksekdağ (for whom this was a new indictment), in connection with the Kobanê protests of 2014. The indictment accuses the 108 people of murder and undermining the unity and territorial integrity of the state. The sentence demanded for the defendants is 38 life sentences for each of them (Duvar 7/1/2021; cf.SZ 7/1/2021). On 12 April 2022, the authorities ordered the arrest of a further 91 people in connection with the Kobanê protests, including HDP members. They were accused of being involved in the financial organisation of the incidents and of providing financial support to the families of dead or injured PKK members (BIRN 12/4/2022; cf.USDOS 20/3/2023, p.22).

In the Kobanê trial, the court handed down 36 verdicts on 16 May 2024. Twelve people were acquitted, but 24 defendants received prison sentences, some of them very long. A further 72 people had not yet been sentenced. Selahattin Demirtaş was one of those convicted. He must serve 42 years in prison. Figen Yüksekdağ was sentenced to 32 years and three months in prison. The mayor of the south-eastern Turkish city of Mardin, Ahmet Türk, who was re-elected in the local elections in March 2024, received ten years (NZZ 17/5/2024; cf.MLSA 18/5/2024, HRW 16/5/2024). Demirtaş was sentenced in detail to: 20 years for 'aiding and abetting undermining the unity and integrity of the state', 4 1/2 years for 'incitement to commit a criminal offence' and 2 1/2 for a speech at a Newroz event and a further seven sentences for 'terrorist propaganda' on various occasions (Bianet 16/5/2024).

In 2025, the Inter-Parliamentary Union expressed 'deep concern over the outcome of the Kobane trial, [and] strongly believes that these convictions, including those of Selahattin Demirtaş and Figen Yüksekdağ, appear to be based largely, if not exclusively, on political expression and association and are contrary to the judgements and legal standards of the European Court of Human Rights; believes that this trial raises serious questions about the independence of the judiciary and the use of the criminal justice system to suppress legitimate political opposition' (IPU 9/4/2025).

Further judgement against Demirtaş

On 19 July 2024, Demirtaş was given a further 2 1/2-year prison sentence by a court in Mersin for 'publicly denouncing the government, the judiciary, the military or the police organisation of the Republic of Turkey' and 'inciting the public to hatred and hostility'. The charges against Demirtaş included his statements between 2015 and 2017, according to which Demirtaş accused President Erdoğan and then Prime Minister Davutoğlu of providing material and moral support, logistical support, weapons and money to organisations such as an-Nusra, ISIS and Ahrar al-Sham and of being responsible for the incidents in Turkey between 2014 and 2016 (Duvar 20/7/2024; cf.Rudaw 19/7/2024, Medya 21/7/2024).

Recent examples of arrests and convictions of HDP officials and ordinary HDP members

For examples before 2023, please refer to previous versions of the country information.

On the eve of the parliamentary and presidential elections on 25 April 2023, depending on the source, up to 150 people were arrested, including dozens of HDP members and high-ranking officials such as deputy co-chair Özlem Gündüz. However, the authorities also took action against lawyers and newspaper and agency journalists. According to the HDP, raids were carried out in 21 provinces as part of an investigation by the Diyarbakır public prosecutor's office. Those arrested were suspected of financing the banned Kurdistan Workers' Party (PKK), e.g. from the municipal budget, or recruiting new members for it (DW 25/4/2023; cf.WZ 25/4/2023, HDP 25/4/2023, FAZ 25/4/2023). In a statement from 5.5.2023, the HDP stated that on the eve of the parliamentary elections, at least 295 HDP members were detained and 61 arrested within one month, including officials such as the deputy HDP chairman of Urfa province (already on 4 March 2023) or the co-chairman of Gebze district, including four of his party members (HDP 5/5/2023).

The police raided the DEM party headquarters in the eastern province of Iğdır on 10 October 2024 and arrested co-chair Mehmet Selçuk and eight party members. The raid was part of the ongoing investigation into a bomb attack in 2015 in which 13 police officers were killed. In the south-eastern province of Antep, police arrested the co-chairman of the Şahinbey district's DEM party, Mustafa Tuç, the pro-Kurdish co-chairman of the Democratic Regions Party (DBP) in the province, Mehmet Özkan, and the co-chairman of the Şahinbey DBP, Müslüm Denizhan, on 11 October 2024 and subsequently transferred them to the anti-terror department in Antep (Duvar 11/10/2024).

At the end of November 2024, 231 people were arrested in 30 provinces as part of Operation Gürz-27 on charges of suspected links to terrorist organisations, including journalists, poets and writers (Standard 27/11/2024; cf.Medya 27/11/2024, MLSA 27/11/2024), human rights activists, including the co-founder of the Turkish Human Rights Association (İHD) Nimet Tanrıkulu, but also trade unionists and politicians from the ranks of the DEM party (Medya 27/11/2024; cf.SCF 26/11/2024).

Current examples of decisions by the European Court of Human Rights (ECtHR) and the Turkish Constitutional Court

On 1 February 2022, the European Court of Human Rights (ECtHR) ruled that Turkey had violated the right to freedom of expression of HDP MPs by lifting their parliamentary immunity from prosecution. The decision to waive the parliamentary immunity of 40 HDP MPs (in May 2016), including former co-chairs Selahattin Demirtaş and Figen Yüksekdağ, violates the Turkish Constitution according to the ECtHR (BIRN 1/2/2022; cf.Evrensel 2/2/2022).

On 22 March 2022, the Constitutional Court rejected HDP MP Semra Güzel's application to have her parliamentary immunity revoked on terrorism charges. Güzel was charged with two counts of membership of a terrorist organisation after photos appeared in the media in which she was allegedly posing with a PKK member in one of the group's camps (BAMF 28/3/2022, p.9; cf.Ahval 24/3/2022). At the beginning of October 2022, the public prosecutor demanded 15 years in prison for Güzel (HDN 1/10/2022). In December 2023, a criminal court in Ankara ordered that the pre-trial detention continue, as the accused was still strongly suspected of being

a member of a 'terrorist organisation' based on the facts and evidence (ANF 11/12/2023). Güzel was still in custody at the end of May 2025 (ANF 29/5/2025).

On 8 November 2022, the ECtHR ruled that Turkey had violated the rights of 13 former HDP MPs by remanding them in custody in 2016, or in one case in 2017, for links to the banned PKK in order to suppress pluralism and restrict freedom of political debate. The ECtHR ruled that the applicants' pre-trial detention was arbitrary and incompatible with domestic law, as the individuals concerned were entitled to parliamentary immunity. The Strasbourg court also ruled that there was no evidence to support the suspicion that they had committed a criminal offence that justified their detention. The ECtHR ordered the release of the two remaining detainees, namely İdris Baluken and Figen Yüksekdağ, the former co-chair of the HDP (SCF 9/11/2022; cf.Bianet 8/11/2022, ECHR 8/11/2022).

Former HDP co-chair Selahattin Demirtaş remained in prison despite two ECtHR judgements calling for his immediate release. In June 2024, the Committee of Ministers of the Council of Europe urged the Turkish authorities to take all necessary measures to secure his immediate release (EC 30/10/2024, p.21).

On 8 July 2025, the ECtHR found that the measures to continue Selahattin Demirtaş's detention were based on insufficient grounds and were in fact aimed at suppressing public debate and restricting freedom of political expression. The court [again] found the violation of numerous articles of the European Convention on Human Rights. Turkey was ordered by the court to pay the applicant 3,245 euros for material damage, 32,500 euros for non-material damage and 20,000 euros for costs and expenses (ECHR 8/7/2025).

See also the chapter: Security situation / Terrorist groups: PKK - Partiya Karkerên Kurdistan (Kurdistan Workers' Party)

Ban proceedings against the HDP

On 17 March 2021, the Prosecutor General of the Supreme Court of Cassation, Bekir Şahin, announced that he had filed an ex-officio application with the Constitutional Court to ban and dissolve the HDP (ÖB Ankara 18/3/2021; cf.DS 18/3/2021). In the indictment, party leaders and members are accused, among other things, of violating the law through their actions, aiming to undermine state and national integrity and colluding with the banned PKK (BAMF 22/3/2021; cf.DS 18/3/2021). In its most controversial aspect, however, the indictment criminalises the two-year peace process between Ankara and the Kurds, which collapsed in 2015. The talks involved imprisoned PKK founder Abdullah Öcalan, the PKK leadership based in the Kandil Mountains in northern Iraq, government officials and HDP members, most of whom acted as mediators. Based on minutes of meetings between HDP members and Öcalan, the prosecution portrayed the HDP members' efforts as criminal acts for which the party should be banned, even though the peace initiative was launched and supported by the ruling AKP (AlMon 9/4/2021).

In the government's first reaction to the indictment, Erdoğan's communications director Fahrettin Altun said that it was an indisputable fact that the HDP had organic links to the PKK (REU 18/3/2021). The narrative provided by the highest state authority aims to largely anticipate the

outcome of the proceedings and once again testifies to the fact that the independence of the judiciary in Turkey is no longer guaranteed (ÖB Ankara 18/3/2021).

After the Constitutional Court referred the indictment back to the Public Prosecutor General's Office for revision due to formal errors on 31 March 2021 (Zeit Online 31/3/2021; cf.AlMon 9/4/2021), a new application was filed on 7 June 2021 to ban the HDP, confiscate the party's bank accounts and ban several hundred HDP members from politics (FAZ 8/6/2021; cf.Duvar 7/6/2021a). The 843-page indictment of the general prosecutor demanded that 451 people be banned from politics. In addition, 69 HDP members are listed by name in the indictment because of their alleged pro-terror statements (HDN 10/6/2021). On 21 June 2021, the Constitutional Court unanimously accepted the indictment without, however, complying with the General Prosecutor's Office's request to close the HDP party accounts (Duvar 21/6/2021).

As in July 2021 (EP 8/7/2021, pt.2), the European Parliament 'strongly condemned the indictment filed by the General Prosecutor of the Court of Cassation of Turkey and unanimously adopted by the Constitutional Court of Turkey in June 2021, which seeks the dissolution of the HDP party and the exclusion of 451 individuals from political life, including most of the current members of the HDP leadership, and which prevents the individuals concerned from engaging in any political activity for the next five years' (EP 7/6/2022, p. 16, para. 23).16, pt.23).

A two-thirds majority of the 15 judges is required to ban the HDP (FAZ 8/6/2021). Depending on the severity of the offences, the court can either impose a ban or refrain from doing so. In the second case, it can order the partial or complete denial of support within the framework of state party funding. Functionaries, as sought in the indictment, may only be prohibited from engaging in political activity in the event of a party ban (SWP/Can 10/6/2021, p.4). In a hearing scheduled for 11 April 2023, the HDP did not exercise its right to make a statement before the Constitutional Court, as it described the case as politically motivated. There is no deadline for a decision by the court (OSCE/ODIHR 15/5/2023, p.4/FN 4).

In April 2025, the Inter-Parliamentary Union (IPU) called on the Constitutional Court to make its judgement in strict accordance with the standards of the ECtHR jurisprudence, with the IPU expressing concern that the grounds for the dissolution proceedings continue to conflate the HDP and the PKK without valid legal justification. The IPU reiterated that the HDP is a legally established political party that does not advocate violence (IPU 9/4/2025).

Acts of violence by non-state actors against the HDP or DEM Party and its representatives

An attack was carried out on the district office of the DEM Party in İnegöl, Bursa, in early March 2024. During the attack, a party member outside the district building was allegedly chased by the attacker with an axe (Bianet 5/3/2024; cf.TİHV/HRFT 5/3/2024). In early May 2024, the district office of the DEM party in Birecik, in the south-eastern province of Urfa, was attacked. The attack on the party office resulted in damage to the building, with 14 bullets hitting the windows. The perpetrator was arrested (Bianet 8/5/2024; cf.Rudaw 8/5/2024). On 28 September 2024, a local DEM party office in the Sultangazi district of Istanbul was shot at. No one was present at the time of the shooting and there were no casualties. Two suspects were arrested and the

authorities launched an investigation (Bianet 30/9/2024; cf.ANF 29/9/2024). On the night of 24-25 October 2024, the DEM headquarters in Ankara was attacked. Doors and windows were damaged, among other things. One suspect was arrested (SCF 25/10/2024; cf.TR-Today 25/10/2024).

The most serious attack to date took place in Izmir in June 2021, when attackers stormed an HDP office and shot dead a female employee (AlMon 17/6/2021; cf.Zeit Online 17/6/2021).

For further examples before 2024, see previous versions of Country information - Turkey.

Action against other opposition parties (examples)

On 25 October 2023, the Constitutional Court ruled that the imprisoned politician of the **TİP (Türkiye İşçi Partisi - Workers' Party of Turkey**) and human rights lawyer Can Atalay, who had been elected as a deputy in the parliamentary elections in May 2023, had been violated in his right to vote and be elected, as well as in his right to personal security and freedom, and ordered his release. The competent criminal court did not implement the judgement but referred the case to the Court of Cassation. On 9 November 2023, the Court of Cassation ruled, exceeding its jurisdiction, that the judgement was not legally relevant and therefore could not be implemented, stating that the Constitutional Court had exceeded its jurisdiction and that criminal proceedings should be initiated by the Public Prosecutor General's Office against the nine judges of the Constitutional Court who had voted in favour of Atalay's release. They had violated the constitution and exceeded their powers (ÖB Ankara 4/2025, p.13). President Erdoğan expressed similar views and discussed a constitutional reform to resolve this judicial crisis. - In April 2022, Atalay was convicted and imprisoned for 18 years in connection with the anti-government Gezi protests of 2013 on charges of aiding and abetting an attempted coup. Despite this, he was elected as a member of parliament in the parliamentary elections in May 2023. This was possible because the Supreme Court of Appeal had not yet confirmed the judgement at the time and it was therefore not yet legally binding (Spiegel 31/1/2024). Can Atalay's lawyers brought his case before the ECtHR after the Turkish authorities failed to comply with a judgement by the Constitutional Court demanding his immediate release. The ECtHR officially referred the case to Turkey on 27 August 2024, asking, among other things, why the Constitutional Court's judgment had not been enforced (MLSA 16/9/2024; cf.ECHR 16/9/2024).

According to media reports, the authorities have traditionally also taken action against left-wing extremist but legal micro-parties and organisations, for example against members and officials of the **Social Freedom Party - Toplumsal Özgürlük Partisi (TÖP)**. The police, the public prosecutor's office and the courts took action largely in response to public gatherings and protests, e.g. on 1 May. However, arrests were also made on suspicion of links with terrorist organisations. **Examples:** Following the demonstrations on 1 May 2023, the police also arrested members of the **TÖP**, the **People's Liberation Party (Halkın Kurtuluş Partisi - HKP)**, the **United Revolutionary Party - Birleşik Devrimci Parti (DP)** and the **Socialist Party of the Oppressed - Ezilenlerin Sosyalist Partisi (ESP)**, among others , when they attempted to hold rallies. On 21 May 2024, according to the Istanbul Lawyers' Association, 27 people who had been arrested during house searches on 21 May were brought before the court, including

members of TİP, TÖP, **the Labour Movement Party - Emekçi Hareket Partisi (EHP**) or the **Socialist Workers' Party - Sosyalist Emekçiler Partisi (SEP**) (Evrensel 23/5/2024; cf.Bianet 15/5/2024). At the end of January 2024, members of the TÖP and the ESP were arrested in Izmir on charges of 'financing an illegal organisation' (Bianet 30/1/2024; cf.DTF 31/3/2024) and in early February 2024, members of the TÖP and the DPwere also arrested on the basis of posts on social media (DTF 12/2/2024). In the second half of February 2025, a court sentenced the chairman of the HKP, Nurullah Efe Ankut, to one year and two months in prison for insulting the president because of a column from 2021 in which Ankut questioned President Erdoğan's university diploma (Duvar 25/2/2025b).

Older examples of action against the opposition can be found in the country information from previous years.

Note: As of the beginning of July 2025, the legal implications of the dissolution of the PKK could not be foreseen, e.g. whether this has or will have an impact on ongoing proceedings, court cases and judgements handed down in connection with membership of or support for the PKK as a terrorist organisation. - This would affect many of the persons and groups of persons mentioned here. This also applies to the ban proceedings against the HDP and the possible political ban against 451 individuals.

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14 Prosecution of foreign nationals for offences committed abroad

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In mid-September 2020, the UN Human Rights Council published a report by the Independent International Commission of Inquiry on the Syrian Arab Republic, according to which the latter received information indicating that Syrian nationals, including women, arrested by the (pro-Turkish) Syrian National Army (SNA) in the Ra's al-'Ayn region, were subsequently transferred to Turkey by Turkish forces and charged under Turkish criminal law for alleged crimes in the Ra's al-'Ayn region of Syria, including murder or membership in a terrorist organisation. The Commission also found that the transfer of Syrians detained by the SNA to Turkish territory may amount to the war crime of unlawful deportation of protected persons (UNHRC 14/8/2020). Both Arabs and Kurds were detained in north-east Syria between October and December 2019 after Turkey took effective control of the area following its invasion of northern Syria (HRW 3/2/2021). The arrests took place mainly in the suburbs of Tell Abyad and Ra's al-'Ayn. The detainees included people who worked for the institutions of the Autonomous Administration and others who had no military or political ties to it. Among those transferred to Turkey were also fighters from the People's Protection Units (YPG) and the Syrian Democratic Forces (SDF) (STJ 16/7/2021; cf.AlMon 14/5/2020). The prisoners were transferred to the high-security prison in Hilvan in the Turkish province of Şanlıurfa (AlMon 14/5/2020; cf.HRW 3/2/2021). Eyewitnesses reported numerous prisoners in the Turkish prison in Yaylidağ in Hatay province, who came from Afrin and neighbouring villages as well as Kobanê, with some serving sentences of eight years or more. According to this report, there were also Syrians who were taken to Turkey in 2018, interrogated under ill-treatment and then transported back to Syria and imprisoned there (STJ 31/10/2024).

At the end of April 2020, on the occasion of the transfer of 90 detained Syrians to Turkey, 41 organisations appealed to the UN Secretary-General and the UN High Commissioner for Human Rights to, among other things, prevent arbitrary trials and obtain the release or return of the detainees (STJ 16/7/2021). In 2024, the Violations Documentation Centre of the Kurdish-led Autonomous Administration of North and East Syria spoke of almost 140 Syrian citizens who were illegally transferred from prisons run by mercenaries in the Turkish-occupied territories to prisons in Turkey (Medya 27/5/2024). Human Rights Watch originally assumed that up to 200 people were affected in 2021. - In October 2020, 63 Syrians were sentenced by the jury court in Şanlıurfa, five of them to life imprisonment without the possibility of parole (HRW 3/2/2021). Similar sentences followed in 2021, with members of the Syrian Democratic Forces (SDF) in particular being sentenced to life imprisonment (NPA 24/3/2021; Rudaw 30/6/2021). In March 2024, the arrest of Mehmet Kiliç (code name Rizgar Amed), a leading cadre of the

YPG in Syria, was reported as a result of cooperation between the Turkish secret service MİT and the Turkish-backed Syrian National Army. The public prosecutor's office in the Turkish Muş had issued an arrest warrant for Kiliç for membership of a terrorist organisation (AnA 20/3/2024; cf.DS 20/3/2024).

According to the chairman of the Human Rights Association (İHD) in Urfa, Syrian Kurds who were illegally transferred to Turkey and sentenced continue to be mistreated and tortured. There are no official figures, but according to İHD and lawyers, there are a total of 128 prisoners in Urfa and Hatay prisons. In addition to visiting rights, prisoners normally have the right to make phone calls for ten minutes per day. However, the prisoners from north-east Syria are unable to exercise any of these rights (Medya 24/3/2022). In this sense, the 'Independent International Commission of Inquiry' set up by the United Nations reported in September 2022 that even family members of prisoners transferred to Turkey had not received any information about their whereabouts (UNHRC 14/9/2022, p.12, pt.70).

In a resolution of March 2021, the European Parliament condemned 'Turkey's unlawful transfer of Kurdish Syrians from occupied northern Syria to Turkey for detention and prosecution, in violation of the country's international obligations under the Geneva Conventions; urges that all Syrian detainees transferred to Turkey be immediately returned to the occupied territories in Syria' (EP 11/3/2021, pt.7). In June 2022, the EP condemned 'Turkey's continued illegal transfer of Syrian nationals to Turkey to face terrorism charges, which can result in life imprisonment' (EP 7/6/2022, p.27, pt.46).

The pro-Kurdish news agency NPA also reported in autumn 2023 that the Turkish authorities, in cooperation with the Turkish-backed Syrian National Army (SNA) military police, had transferred seven prisoners from the town of Ra's al-'Ayn (Kurd.: Sere Kaniye) in northern Syria to a prison in the Turkish province of Urfa in October 2023. Similarly, Syrian prisoners from Ra's al-'Ain had been transferred to Turkish territory at least twice previously in September, which, according to the NPA, constitutes a violation of the Fourth Geneva Convention (NPA 12/10/2023; cf.Medya 27/5/2024).

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15 Conditions of detention

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Overview: State of prisons and external review

It is difficult to make general statements about prison conditions, as no comprehensive assessment of the situation in prisons has been carried out by relevant non-governmental organisations for over five years. Assessments can therefore only be based on individual reports, information from detainees and observations by international organisations or embassies. The material equipment of prisons has been significantly improved in recent years and staff training has continued (ÖB Ankara 4/2025, p.15f.).

With regard to detention conditions, a distinction must be made between detention in police custody and pre-trial detention or the penal system. With regard to police custody, there are still credible reports that the minimum conditions of the ECHR are not met in all cases, in particular that violence occurs and that statements are taken under (psychological) pressure. Furthermore, it cannot be ruled out that individual statements are made to the police or investigating judge without legal assistance or in ignorance of the fact that it is a statement relevant to the investigation (AA 20/5/2024, p.17f.).

The conditions of detention in criminal and pre-trial detention following a court order vary depending on the age, type and size etc. of the prison. The overcrowding of prisons remains problematic. Special prison conditions apply, for example, to prisoners who, in the opinion of

the Turkish judiciary, pose a danger to other prisoners or who are accused of offences with a (supposed) terrorist background. In many detention centres, the standards of the European Convention on Human Rights (ECHR) can generally be observed. In particular, there are a number of newer or modernised prisons where there are no grounds for concern (AA 20/5/2024, p.18; cf.ÖB Ankara 4/2025, p.16). The United Nations Human Rights Committee, while noting the considerable efforts to increase prison capacity, was concerned that prisons remain overcrowded and, in particular, about reports of lack of access to adequate medical care, drinking water, food, heating, ventilation and lighting, as well as poor sanitary conditions (UNHRCOM 28/11/2024, p.7; cf.DFAT 16/5/2025, p.40). By contrast, in May 2025, the European Parliament expressed '[…] its deep concern about the dire situation in Turkish prisons due to severe overcrowding and poor living conditions, with reports, including from the Council of Europe, of widespread torture and ill-treatment and severely limited access to basic needs such as hygiene and information; [….and was] concerned about the continued use of degrading strip searches in prisons and other detention centres' (EP 7/5/2025, para.21).

Prisoner statistics

There are three categories of prisoners in Turkey: convicted prisoners, pre-trial detainees and prisoners who have not yet received a final judgement but have begun serving a prison sentence in advance (CoE 30/3/2021, p.38). As at 1 January 2025, there were a total of 405 penal institutions, including 273 closed and 99 open penal institutions, four child education centres, twelve closed and eight open women's penal institutions, and nine closed juvenile penal institutions. The capacity of these prisons was 301,397 places (ABC-TGM 1/1/2025). According to the authorities, the actual number of inmates as at 2 June 2025 was 416,927, of which 13.8% were pre-trial detainees (only 'pre-trial'). As of June 2025, the estimate was of 488 inmates per 100,000 inhabitants [in comparison: Austria: 104]. The occupancy rate in April 2025 was 132.9% [April 2024 only 109.2%]. Around 57,700 prisoners were in pre-trial detention or another form of detention without a completed trial in 2025 (2020: 41,890). 4.5% were women and 1% were inmates under the age of 18 (ICPR 6/2025).

Human rights situation

The NGO Prison Insider, which specialises in prison conditions, summarised the situation in Turkish prisons in 2024 as follows: Cases of torture and ill-treatment have been widely documented by monitoring bodies, civil society, the media and international organisations and institutions. These practices are systemic and widespread. Various psychological and physical methods are used. The fundamental rights laid down in national legislation are not respected. They are often regarded as privileges and prisoners who do not respect them are arbitrarily deprived of them. Access to a lawyer, confidentiality and the right to appeal can be hindered by the authorities. Arbitrary sanctions are often imposed and prisoners who appeal against them may be subject to reprisals (Prison Insider 2024). Prisons in Turkey have always been places where torture and ill-treatment are widespread. According to the Human Rights Foundation of Turkey (TİHV), there has been an extraordinary increase in the practice of torture and ill-treatment of prisoners since the resurgence of the conflict with the PKK (2015) and the coup attempt (2016) and the

subsequent state of emergency. TİHV states that 2,729 out of 5,553 of its complainants were tortured and ill-treated in detention between 1 January 2016 and 31 December 2023 (TİHV/HRFT 11/2024, p.23f.). The UN Anti-Torture Committee expressed concern in 2024 about allegations that torture and ill-treatment continue to occur on a large scale, particularly in detention centres, including allegations of beatings and sexual assault and harassment by law enforcement and intelligence officials, as well as the use of electric shocks and waterboarding in some cases (CAT 14/8/2024, p.6). In addition to the use of torture and ill-treatment, there were other allegations of human rights violations in prisons, including arbitrary restrictions on detainees' rights, denial of access to medical care, prevention of open visits and solitary confinement (EP 7/6/2022, p.19f., pt.32; cf.ÖB Ankara 4/2025, p.16).

The material and hygienic conditions in several prisons are inadequate. Reported problemsinclude : poor access to ventilation, natural light, temperature control, clean drinking water and quality food. Some facilities are infested with rodents and insects (Prison Insider 2024; cf.UNHRCOM 28/11/2024, p.6f.).

Prisons that do not meet the requirements of the ECHR in many respects, in particular due to serious human rights violations, include the facilities in: Ankara Sincan (women's prison, which has a capacity of 400 and holds 700 women and 46 children), Amasya (type E), Aksaray (type T), Kayseri, Malatya, Mersin Tarsus (closed prison for women) and Van (high-security prison). The prisons in Adana-Mersin, Elazığ, Izmir, Kocaeli Gebze, Maltepe, Osmaniye, Şakran, Silivri and Urfa are again chronically overcrowded (ÖB Ankara 4/2025, p.16).

In particular, NGOs and the Turkish Medical Association (TTB) denounce the conditions in the often newly built type S and Y prisons and high-security prisons and call for their closure, as they are notorious for torture, ill-treatment and other human rights violations. A statement issued on 31 May 2024 emphasised that these facilities are designed to promote social isolation and dehumanisation, which has a severe impact on the mental and physical health of inmates. The Human Rights Association (İHD), the Human Rights Foundation of Turkey (TİHV) and the Human Rights Department of the Turkish Medical Association (TTB) referred to numerous reports and letters from prisoners detailing the harsh conditions such as the lack of sunlight, inadequate ventilation and extreme isolation that lead to mental and physical health problems. Prof. Dr Fincancı from the TTB emphasised that the conditions in these prisons are conducive to the development of mental disorders and other health problems. Prisoners spend up to 22.5 hours a day in solitary confinement, which amounts to sensory deprivation and leads to a severe deterioration in mental health. She also pointed out that inmates are often subjected to abuse, in addition to being denied access to books or outdoor activities, which adds to the isolation and stress of prisoners (Medya 2/6/2024; cf.İHD/HRA 31/5/2024).

The prisons generally fulfil the structural standards, i .e. infrastructure and basic facilities, but significant problems with overcrowding in many prisons lead to conditions which, in the opinion of the Council of Europe's Committee for the Prevention of Torture (CPT), can be considered inhuman and degrading (USDOS 20/3/2023, p.9). This overcrowding leads to health problems,

including the spread of diseases such as tuberculosis, hepatitis, skin diseases and COVID-19 (MBZ 2/2025a, p.39).

Control bodies

Several national and international bodies have the authority or a specific mandate to inspect detention centres. These include the Special Rapporteur, the CPT, public prosecutors, the Ombudsman's Office and the Human Rights and Equality Authority of Turkey (TİHEK/HREI). Police stations and detention centres are subject to inspection by governors, mayors and civilian inspectors. Prisoners can complain to the head of their detention centre or to institutions such as the ombudsman or TİHEK, although these complaints are reportedly rarely acted upon (DFAT 16/5/2025, p.41; cf.ÖB Ankara 4/2025, p.15).

In September 2022, for example, experts from the UN Subcommittee on Prevention of Torture (SPT) expressed concern about the living conditions in detention centres, including overcrowding, as well as the situation of migrants in deportation centres following their visit (OHCHR 21/9/2022). Sometimes, relevant Turkish institutions also report abuses. - For **example**, the TİHEK report - see chapter: Ombudsperson and the National Institution for Human Rights and Equality - revealed the shortcomings in the Aydın prison, which is severely overcrowded and has poor living conditions. For example, due to overcrowding, some inmates are forced to sleep on the floor. The authorities have also converted a workshop in the attic, which is not sufficiently ventilated, into an infirmary. There are 37 inmates in this room. TİHEK reported old, worn-out beds and the lack of laundry facilities for the inmates. In addition, the inmates only have access to hot water for two hours a day. The poor conditions led to an outbreak of scabies. The infected inmates were not isolated from the others, allowing the disease to spread (SCF 8/8/2024; cf.BirGün 4/8/2024). There were also insect infestations. - Several surveillance cameras were not working, recordings were lost and there were localised blind spots (BirGün 4/8/2024). The TİHEK report pointed out several other problems, including the lack of staff training in human rights and communication and the lack of training on the prohibition of torture and ill-treatment (SCF 8/8/2024; cf.BirGün 4/8/2024).

Education, rehabilitation and resocialisation programmes remained limited (EC 30/10/2024, p.30f.). According to İHD, practices such as the beating of prisoners for various reasons, such as refusal to undergo a strip search, medical examinations in handcuffs, forced attendance at roll calls or the labelling of people imprisoned for political offences as 'terrorists' and beating them for this reason have reached unprecedented levels (İHD/HRA 6/11/2022b, p.14). According to the Ankara Bar Association, detainees at the Ankara Police Directorate are regularly subjected to strip searches, torture and ill-treatment. On 16 September 2024, the Constitutional Court ruled in the case of Naif Bal that he had been subjected to treatment by judicial guards that was incompatible with human dignity and ordered him to pay compensation in the amount of 25,000 lira (approx. EUR 660) (ÖB Ankara 4/2025, p.16).

Lack of independent monitoring

The government does not allow independent NGOs to inspect prisons (USDOS 22/4/2024, p.7; cf.İHD/HRA 26/7/2024, p.6, OMCT 2022). NGOs, such as the World Organisation Against Torture (OMCT), identify a lack of independent monitoring of prisons, which obscures the situation in them. In addition, the available national mechanisms such as the TİHEK, which Turkey had established as a national preventive mechanism (NPM) under the OPCAT, and the prison monitoring committees established in 2011, are ineffective due to shortcomings in the nomination procedures of their members and the lack of political independence and sound methodology (OMCT 2022). The European Commission also characterised the monitoring institutions provided for prisons as largely ineffective and TİHEK in particular as not fully functional, resulting in a lack of oversight of human rights violations in prisons. Although entrusted with the role of the National Preventive Mechanism (NPM), TİHEK does not fulfil the key requirements of the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and has not effectively dealt with cases referred to it (EC 8/11/2023, p.30f.).

Sanctions and discrimination against certain groups

Disciplinary sanctions, including solitary confinement, are used excessively and disproportionately (DIS 31/3/2021, p.1 ; cf.İHD/HRA 6/11/2022b, p.14). Prison administrators respond to all types of rights claims or responses to rights violations by maintaining records and initiating disciplinary proceedings. As a result of these disciplinary proceedings, prisoners may receive punishments that prohibit their right to communicate or place them in solitary confinement. More importantly, prisoners are not allowed to benefit from conditional release under the guise of these investigations and punishments. Disciplinary punishments have become a threat, especially for disadvantaged prisoners, such as minors, elderly and disabled prisoners. They have made it more difficult for prisoners to raise their voices against the rights violations they face in prisons. Even an attempt by prisoners to publicise the violation of their rights by writing letters to the outside world is grounds for disciplinary punishment for ‘damaging the reputation of the institution’ (İHD/HRA 26/7/2024, p.25).

NGOs confirmed that certain groups of prisoners are discriminated against, including Kurds, religious minorities, political prisoners, women, juveniles, LGBT persons, sick prisoners and foreigners (DIS 31/3/2021, p.1).

Overcrowding in prisons is not only problematic in terms of personal freedom of movement, but also in terms of maintaining personal hygiene. In addition, many prisoners have complained about nutrition and the fact that the daily allowance for prisoners is not sufficient to ensure a healthy diet for themselves (DIS 31/3/2021, p.1; cf.EC 8/11/2023, p.26). - Prisoners are subject to strict weekly spending limits that do not reflect the cost of their basic needs. They must pay for personal hygiene products, cleaning products, electricity (except for lighting) and additional food if meal portions are insufficient. Indigent prisoners do not receive any financial support (Prison Insider 2024).

Contact with the outside world

In general, prisoners have contact with their families and lawyers, but there is a tendency to detain people far away from their regions of origin and in remote areas, which makes direct contact with family or lawyers difficult (DIS 31/3/2021, p.1; cf.EC 30/10/2024, p.30, DFAT 16/5/2025, p.40). In September 2019, the European Court of Human Rights (ECtHR) ruled that the transfer of prisoners to prisons far away from their place of residence constitutes a violation of the 'obligation to respect the protection of private and family life' (EC 6/10/2020, p.32). One of the most prominent examples is the former co-chair of the pro-Kurdish Peoples' Democratic Party - HDP, Selahattin Demirtaş, who has been in Edirne prison in western Turkey since 2016, over 1,700 kilometres from his hometown of Diyarbakır (as of June 2025). His wife Başak Demirtaş has to travel 3,500 kilometres every week for a one-hour visit (3Sat 6/5/2023; cf.DTJ 4/12/2020).

According to İHD, (potential) visitors can also fall victim to the authorities. - There are police investigations into the people who want to see the prisoners, which can end with a visiting ban if they are categorised as 'dangerous'. Recently, decisions have also been made against people who have visited prisoners and transferred money to them. Not only have prisoners been denied external money transfers, leading to physical and psychological problems, but family members and friends have sometimes been prosecuted, including imprisonment, for such (attempted) money transfers (İHD/HRA 26/7/2024, p.29).

Political prisoners

Since the failed coup attempt in 2016 and the subsequent state of emergency, more and more people have been sentenced under the anti-terrorism law originally introduced in 1991. These prisoners include outspoken government critics, political opponents, activists, journalists, lawyers and Kurdish activists. It is estimated that more than 10% of prison inmates fall into this category (Prison Insider 2024). According to a source from the Dutch Ministry of Foreign Affairs, there were between 20,000 and 25,000 political prisoners as of April 2024, most of them Kurds - estimates put the figure at up to 80% - (MBZ 2/2025a, p.39f.). At the end of November, the UN Human Rights Committee also expressed its concern about the long periods of pre-trial detention, including the long periods during which the aforementioned groups are detained without charge. In this context, the Committee expressed concern that defence lawyers are being targeted, that it is difficult to challenge unlawful detention, that defence lawyers face restrictions in meeting with their clients and accessing case files, and that the appeals process is lengthy (UNHRCOM 28/11/2024, p.6).

Local sources from the Australian Department of Foreign Affairs state that prisoners convicted of terrorist offences, including political prisoners, are held in high security prisons. Special conditions apply to political prisoners, as well as those sentenced to 'aggravated life imprisonment', including restricted telephone and visiting rights and only one hour per day for contact with other prisoners (DFAT 16/5/2025, p.40). Human rights organisations report that political prisoners are more frequently held in solitary confinement and have been excluded from government initiatives to reduce the prison population through amnesties and early releases. It is also reported that prison supervisory bodies more frequently refuse to release prisoners at the time of their parole on the grounds of 'lack of good behaviour', even though their court-ordered conditional release

dates have already passed (USDOS 22/4/2024, p.16f.; cf.ÖB Ankara 4/2025, p.16), EC 30/10/2024, p.30, DFAT 16/5/2025, p.40).

According to NGO reports, prison authorities have arbitrarily revoked the **parole rights** of over 300 inmates since 2021 (until 2023). Political prisoners in particular are affected by such practices. According to the Turkish Criminal Code, people convicted of membership in a terrorist organisation can also be released on parole after serving two-thirds of their sentence. However, lawyers report that many political prisoners who have been imprisoned for a long time are deliberately excluded from release (TM 29/8/2023; cf.SCF 18/5/2021). Administrative and monitoring committees, which are supposed to authorise or reject the conditional release of prisoners, lack institutional independence, as they are mainly made up of prison staff and allegedly operate with a high degree of arbitrariness (CAT 14/8/2024, p.4; cf.İHD/HRA 26/7/2024, ÖB Ankara 4/2025, p.17, MBZ 2/2025a, p.41f.). In each case, a judge decides on early release, albeit on the basis of the prison reports submitted to him. Prisoners have claimed that they have also been issued bad behaviour reports for, among other things, drinking too much water, attending an open university in prison, reading too many books and meeting with the prison imam (BChalk 11/2023, p.24; cf.TM 29/8/2023, SCF 18/5/2021), or conversely because the prisoner does not read literature in the prison library, does not participate in group activities or does not visit the prison imam. The latter is sometimes due to the fact that only Sunni imams are available, but not representatives of other religions (MBZ 2/2025a, p.41f). During parole hearings, prisoners are questioned in detail about their political views and personal affairs. If they have been arrested for political reasons, they are asked whether they have repented of their beliefs or are required to declare ‘remorse’. - As a result of these decisions, hundreds of political prisoners are deprived of their right to parole and conditional release (CAT 14/8/2024, p.4; cf. İHD/HRA 26/7/2024, ÖB Ankara 4/2025, p.16, BChalk 11/2023, SCF 18/5/2021, MBZ 2/2025a, p.41).

The authorities deny human rights and humanitarian organisations such as the International Committee of the Red Cross **access** to political prisoners. There are credible reports of mistreatment of political prisoners by the authorities, including prolonged solitary confinement, unnecessary strip searches, severe restrictions on outdoor movement and out-of-cell activities, denial of access to the prison library and media, slow medical care and, in some cases, denial of medical treatment (USDOS 22/4/2024, p.16f.). In the case of political prisoners, the type of crime for which they were convicted is stated in the medical records. There are cases from smaller towns where doctors with nationalist leanings have refused to treat people convicted of membership of the PKK (DIS 31/3/2021, pp.30, 50). - There are also reports that the authorities mistreat visitors to political prisoners, including strip searches (USDOS 22/4/2024, p.16f.).

Medical treatment and controls

There are not enough specialised medical staff in the prison system. Prisoners are often shackled and held in inappropriate conditions when being transferred to healthcare facilities and during their treatment. The CAT was also concerned about information suggesting that decisions to transfer prisoners to hospitals are sometimes made by prison administrators rather than medical professionals (CAT 14/8/2024, p.4), and that prisoners with life-threatening illnesses are denied

temporary release on the grounds that they allegedly pose a threat to public safety (CAT 14/8/2024, p.4; cf.İHD/HRA 26/7/2024, p.19f.).

The Stockholm Centre for Freedom has reported a number of cases, particularly since October 2020, in which detainees with alleged links to the Gülen movement have been inadequately treated, sometimes resulting in death or deterioration of their condition (DIS 31/3/2021, p.19). The CAT expressed concern in 2024 about information that deaths in custody were inadequately investigated and that the investigations conducted lacked meaningful participation of family members, the legal representatives of the deceased and independent monitoring by civil society (CAT 14/8/2024, p.6).

Two sources from the Dutch Ministry of Foreign Affairs point out that some doctors refused to treat actual or alleged Gülenists and PKK members for fear of being associated with the PKK or the Gülen movement (MBZ 2/3/2022, p.30; cf.USDOS 20/3/2023, p.10). As a result, victims are often unable to obtain medical records that could prove their allegations (USDOS 20/3/2023, p.10).

According to the CPT, the system of mandatory medical checks is still fundamentally flawed (CoE-CPT 5/8/2020), and a problem in the criminal investigation of suspected cases remains the provability of torture and ill-treatment (AA 20/5/2024, p.17). Detainees cannot undergo an independent medical examination by a doctor of their choice, medical examinations are in some cases superficial and traces of torture and ill-treatment are not adequately documented, and it is reported that police officers are often present at medical examinations even though the examining doctor has not requested their presence, which constitutes a breach of medical confidentiality (CAT 14/8/2024, p.3). Since January 2004, the rule has actually applied that prison officers may no longer be present during the examination of persons in custody or detention except at the request of the doctor. This is not consistently applied, nor is the direct and sealed transmission of the results to the public prosecutor's office. Furthermore, according to human rights organisations, third parties are often denied access to medical reports on the condition of detained or imprisoned persons, making independent verification difficult (AA 20/5/2024, p.17). As a result, the persons concerned do not have the opportunity to speak to the doctor in private. Detainees interviewed by the CPT delegation stated that they had not reported the ill-treatment to the doctors as a result. In addition, several persons stated that they had been threatened by police officers present at the medical check-up not to show their injuries. Some detainees claimed that they had not been subjected to any medical checks at all (CoE-CPT 5/8/2020).

According to the Human Rights Association (İHD), one of the biggest problems in prisons is the violation of the **rights of sick prisoners**. From the applications received by İHD and the interviews with prisoners, it is clear that the biggest problems in this regard are multidimensional and diverse. There are problems such as overcrowded wards and the imposition of unnecessary body searches (including oral cavity searches) (İHD/HRA 26/7/2024, p.19f.). - Despite new laws regulating searches of prisoners, strip searches are sometimes routinely conducted in violation of the law, for example when prisoners are transferred between facilities or to a hospital, or when they meet with lawyers or family members without reasonable suspicion of wrongdoing (CAT

14/8/2024, p.4). - There is also a refusal to transfer patients to hospitals. And if a transfer does take place, there is no possibility of visiting outpatient clinics from hospital wards. Examinations in handcuffs and the presence of law enforcement officers and guards in the examination room occur, as does the failure to transfer a prisoner to another prison, even though the official Institute for Forensic Medicine (FMI) deems it appropriate for health reasons. The transfer of prisoners with disabilities and seriously ill prisoners who are at risk of seizures and/or who are unable to fulfil their own (physical) needs to solitary confinement also occurs. In addition, there are general problems with the supply of fresh air, limited access to clean or hot water and the lack of dietary meals. The fact that the FMI makes politically motivated release decisions, that hospital reports are not accepted by the FMI and that the reports or decisions made are not implemented for 'security reasons' exacerbates the situation of seriously ill and sick prisoners. As of the end of April 2022, İHD had documented 1,517 sick prisoners. 651 of them were said to be in a poor condition. In 2023, the İHD identified 6,639 violations of the right to health (İHD/HRA 26/7/2024, p.19f.).

The Forensic Medicine Committee - Adli Tıp Kurumu (ATK) is authorised to issue an expert opinion allowing the early release of prisoners on medical grounds. However, there are concerns about its independence (MBZ 2/2025a, p.40; cf.SCF 19/4/2024). Several prisoners were kept behind bars even though hospital reports categorised them as unfit for detention. These reports were rejected by the ATK (SCF 19/4/2024). The NGO CİSST reports that many prisoners have died after such rejected applications (Prison Insider 2024).

Kurdish prisoners

There are still problems such as the rejection of transfer requests by the authorities (usually due to the great distance from home or family) and, conversely, the practice of forced transfers against the prisoners' demands. According to the NGO CİSST, forced transfers took place starting during the state of emergency and became a means of harassment and discrimination against Kurdish political prisoners in particular (CİSST 2/4/2024, p.28; cf.CİSST 26/12/2022, p.26). Kurdish prison inmates have claimed that they are discriminated against by the prison administrations. For example, correspondence from and to the prison was stopped because the letters were written in Kurdish and there were no prison staff who understood Kurdish to translate the letters for the prison administration (DIS 31/3/2021, p.30, 68; cf.İHD/HRA 26/7/2024, p.28, CİSST 2/4/2024, p.30). In some prisons, correspondence is permitted if the inmates pay for the translation costs, between 300 and 400 lira per page (Ahval 25/10/2020). The prisoners also complained that the guards were threatening and insulting them because they were Kurds, for example by accusing them of being terrorists. It was also forbidden to use notebooks if they contained Kurdish texts (DIS 31/3/2021, p.30, 68) and to buy or read Kurdish books, even if they were legal, and newspapers (DIS 31/3/2021, p.30; 68; cf.SCF 26/11/2020). Kurds imprisoned in the west of the country can be discriminated against both by other prisoners and by the administration. For example, if a prisoner speaks Kurdish in the dormitories, he or she may experience negative treatment (DIS 31/3/2021, p.55). At the end of August 2021, former HDP deputy Leyla Güven was disciplined for singing a Kurdish song and performing a traditional Kurdish dance together with eight other inmates in Elazığ Women's

Prison. Disciplinary proceedings were initiated against the nine inmates and a one-month ban on telephone calls and family visits was imposed (Duvar 30/8/2021). In the summer of 2024, according to lawyer Fadıl Tay, a member of the Human Rights Commission of the Şırnak Bar Association, the new prison director of the closed T-type prison in Şırnak banned prisoners from hugging their family members and speaking Kurdish on the phone (TR724 12/8/2024; cf.SCF 12/8/2024).

High-security prisons

High-security prisons, including F-type, D-type and T-type prisons, house persons convicted or charged with crimes under the Turkish Anti-Terror Law, persons sentenced to a severe life sentence and persons convicted or charged with establishing or directing a criminal organisation or convicted or charged under such an organisation under any of the following sections of the Turkish Criminal Code: Crimes against humanity, murder, drug production and trafficking, crimes against the security of the state and crimes against the constitutional order and its functioning. In addition, prisoners who pose a threat to security, violate order or resist rehabilitation measures can be transferred to high-security prisons (DIS 31/3/2021, pp.11-13).

According to Turkish sociologists Çağatay and Bekiroğlu, F-type prisons are based on isolation, segregation and reduction with strict rules and regulations. Each cell is as an isolated and separate place with its reductive logic. The main feature of F-type prisons is sometimes its architecture, which aims to prevent any kind of communication between the inmates of the different cells. In this sense, according to Çağatay and Bekiroğlu, F-type prisons are a direct attack on the social existence of prisoners (ACCORD 5/4/2023, p.38). The new S-type security prisons lead to increased isolation of inmates. Communal activities remained limited and arbitrary. Transfers to remote prisons continued, sometimes without warning. Such transfers had a negative impact on family visits, especially for poor families and juvenile prisoners (EC 8/11/2023, p.31).

Solitary confinement

Solitary confinement is regulated by the Prison Act, which specifies a variety of offences that can be punished with solitary confinement. The law also sets an upper limit of 20 days of solitary confinement. However, the CPT emphasised that this maximum period is excessive and should not exceed 14 days for a given offence (DIS 31/3/2021, p.26). There is an increase in the use of solitary confinement in the 14 F-type, 13 high-security and five S-type prisons(İHD/HRA 6/2022, p.21). In 2020, complaints to the Turkish Human Rights Association (İHD) regarding the imposition of solitary confinement accounted for around 11% of all prison complaints. According to the NGO CİSST, there are cases in which solitary confinement has exceeded the statutory 20 days. The İHD noted that solitary confinement can be imposed for months on pre-trial detainees if they are subject to proceedings that result in an aggravated life sentence. In addition, İHD considers it to be isolation if prisoners, including those sentenced to aggravated life imprisonment, are not allowed to use common areas in F-type maximum security prisons or are only allowed to do so for one hour per week (DIS 31/3/2021, p.26). In some prisons, various groups of prisoners were moved to single cells without legal justification. In some cases, prisoners with a medical

certificate stating that they cannot be placed in solitary confinement have even been locked up in single-person cells (CİSST 26/3/2021, p.25).

Prison conditions are harshest for those sentenced to **aggravated life imprisonment**. They are socially isolated, have no access to work and only limited access to activities and communication with the outside world. Some view their sentence as a form of eternal torture (Prison Insider 2024; cf. İHD/HRA 26/7/2024, p.28). For example, they may only be visited every fortnight (Prison Insider 2024). In 2024, the UN's Committee against Torture expressed its concern in this regard with regard to 'the intensified regime of life imprisonment, which in certain cases is not linked to any prospect of release. The Committee is particularly concerned about the harsh conditions of detention for the approximately 4,000 prisoners serving such sentences, which severely restrict social contact and visits, and that these restrictions also continue to apply to healthcare' (CAT 14/8/2024, p.5).

Women

The number of female prisoners has increased over the years. However, parallel to this increase, no measures are being taken to improve the conditions of detention for women prisoners. In Turkey, women who face gender-based discrimination and violence by men in society are in a similar situation in prisons and in the post-prison period. Both legal provisions and practices in prisons almost completely ignore the gender-specific needs of women, and no gender-specific approaches and practices are developed. In Turkey, there is no specific legislation that protects women from gender discrimination in prisons (İHD/HRA 26/7/2024, p.33f.).

These female prisoners are held in ten closed and seven open prisons for women, as well as in women's sections in many other prisons (İHD/HRA 6/2022, p.34). According to the Turkish 'Human Rights Association' (İHD), prisons are one of the places where women are subjected to violence, torture and ill-treatment. Female prisoners are insulted, threatened, physically tortured and abused both by correctional officers and administrative staff within the facility and by law enforcement authorities when they are transferred to hospitals and courthouses (İHD/HRA 2/8/2022, p.3). Strip searches are one of the main issues in allegations of torture and ill-treatment. The applicants state that forced strip-searches sometimes amount to physical examinations, while detainees who resist strip-searches are beaten or disciplined (İHD/HRA 26/7/2024, p.34). According to İHD, the failure to initiate investigations against these perpetrators of violence, who enjoy impunity, paves the way for an escalation in the number of such cases (İHD/HRA 2/8/2022, p.3; cf.EC 30/10/2024, p.30).

Women who have recently given birth are detained in inadequate conditions and do not have sufficient access to medical care or adequate nutrition to breastfeed their babies. Women were reportedly arrested and handcuffed even in the hospital where they had gone to give birth (CAT 14/8/2024, p.4).

Children and minors

The special needs of detained children are not fully met in terms of education, rehabilitation and reintegration into society, according to the CAT, with girls being the most affected, as the

regulations and facilities are not designed to take gender-specific aspects into account. The CAT was also concerned about the low minimum age of criminal responsibility (CAT 14/8/2024, p.4).

In Turkey, the age of criminal responsibility begins at the age of twelve. Child prisoners therefore include prisoners aged between twelve and 18. Child prisoners are housed in juvenile detention centres, youth detention centres and, if there is overcapacity, in juvenile wards of adult prisons. In addition to children imprisoned for being in conflict with the law, there are also children aged between zero and six in Turkish prisons who are imprisoned on the basis of their mothers' sentencing records. These children are held together with their mothers in closed women's prisons or in women's sections of men's prisons (CİSST 26/12/2022, p.43).

As the access of independent monitoring mechanisms to detained children is very limited, it is not possible to determine the actual extent of the rights violations suffered. Children are unable to express the rights violations they have suffered as they have no opportunity to express themselves in a safe environment. There are no mechanisms and monitoring in place to protect the children from retaliation and no rights-based awareness training is provided to children, leading to a limitation in identifying the rights violations (CİSST 2/4/2024, p.43).

As of 2 September 2024, 2,361 children and adolescents between the ages of 12 and 18 were officially detained and a further 1,071 were in pre-trial detention, making a total of 3,432. At that time, this was over 9.6% of all prison inmates (ABC-TGM 2/9/2024). Although the government's action plan aimed to improve the juvenile justice system with methods that divert the child from the penal system, CİSST found no improvement in practice. - The decrease in the number of juvenile prisoners in 2021 was due to changes in prison laws under the influence of the coronavirus. Every day spent in prison by juveniles aged 12-15 was counted as three days, and every day spent in prison by juveniles aged 15-18 was counted twice. Whilst this meant early release for many children and young people, no provision was made for the supervision of the remaining sentenced children and young people by alternative means (CİSST 6/2022, p.8f.).

In places where there are no specialised prisons, minors are housed in separate units within the prisons for male and female adults. Children under the age of six can stay with their imprisoned mothers (USDOS 20/3/2023, p.9; cf.DFAT 16/5/2025, p.40). Underage female prisoners under 18 are sometimes housed with adult women (DFAT 16/5/2025, p.40). The number of children under the age of six who spend their lives in prison with their mothers varies up to 800, depending on the source (FP 8.8.2021). The NGO 'Civil Society in the Penal System' estimated that 383 children were imprisoned with their mothers in August (2022) (USDOS 20/3/2023, p.9). The Turkish Criminal Code also stipulates that prison sentences are suspended for mothers with children under six months of age, but not if people are convicted of links to a terrorist organisation (DW 23/6/2019). According to a study by the Right to Life Association, infants are traumatised by strip searches. They are not fed well and do not receive adequate medical care. They also have difficulty finding time to play (SCF 12/10/2021). The children in Keskin Prison in central Turkey have been deprived of milk, eggs and toys for months, according to a report by the Parliamentary Subcommittee on Prisoners' Rights. The female prisoners reported that they can

only take their children to the prison's day care centre a few times a year and that they are not allowed to see their children when they want to (Duvar 18/2/2021).

The Ankara Medical Chamber ATO criticised the fact that several precautions are taken in the prison system without taking into account the rights and needs of children. Children were being detained without sufficient risk and needs analyses or effective measures being taken. Furthermore, children were subjected to secondary punishment due to poor physical conditions, social isolation and disciplinary punishments in prison (Bianet 7/1/2022). While the law stipulates that children should be in contact with a judge specialising in children's rights during the prosecution phase, this provision was not observed during CİSST's research. According to CİSST, the sentencing of juveniles in adult courts or detention by criminal judges shows that professionals specialising in juvenile criminal law do not have access to the courts (CİSST 6/2022, p.11).

Members of sexual minorities (LGBTIQ+)

An official number of members of sexual minorities in detention centres is unknown, as the Directorate General for Prisons and Detention Centres does not disclose such data (İHD/HRA 26/7/2024, p.6). The main issues related to the situation of LGBTI+ prisoners are de facto isolation, relations with the outside world, economic difficulties, access to health services, access to trans-specific health services, LGBTI+ prisoners living with HIV, social conditions, transfers and incidents of violence (CİSST 2/4/2024, p.55). Members of sexual minorities are among those most frequently exposed to violence, discrimination, humiliation and sexual harassment in prisons. In addition to the fact that there are no specific regulations for the needs of these groups of people, the programmes for training administrative staff, prison officers and social workers in relation to working with LGBTI people are also inadequate. Complaints from members of sexual minorities about rights violations and assaults they experience remain unsuccessful due to homophobic positions and ingrained prejudices (CİSST 26/3/2021, p.48; cf.İHD/HRA 6/2022, p.35f.)

Access to justice for LGBTI+ people is always difficult and restricted. This is due to the small number of LGBTI+-friendly organisations that offer legal advice, as well as the prejudices of the judiciary and society. The difficulties faced by prisoners in general for offences against the Prison Act are even greater when they come into contact with the sexual orientation and/or gender identity of LGBTI+ prisoners. Prisoners organise their affairs outside prison through the guardians assigned to them or chosen by them. If a family member or relative is unable to take on this role, LGBTI+ prisoners must continue this guardianship with an assigned lawyer, where communication is often poor. These specific difficulties faced by LGBTI+ prisoners in communicating with the outside world, as well as the monitoring and censorship conditions on correspondence and telephone communication imposed on all prisoners, make it difficult to report the rights violations they have been subjected to in penal institutions. There have been cases where LGBTI+ prisoners who reported problems in prisons by phone, video call or letter were disciplined for discrediting the facility, subjected to verbal and psychological violence and therefore could not voice their complaints to avoid possible retaliation and punishment (CİSST 2/4/2024, p.57).

Members of sexual minorities are usually isolated from heterosexual inmates (DFAT 16/5/2025, p.40; cf.CİSST 2/4/2024, p.55), either by the prison administration or at their own request (Prison Insider 2024).

According to information from the NGO CİSST, LGBTI+ prisoners are housed in special rooms or sections (CİSST 2/4/2024, p.55). Placement in either solitary confinement cells or separate communal cells is intended to protect the physical integrity of prisoners (Prison Insider 2024). Placement in solitary confinement encourages the abuse of those concerned. Furthermore, they are not allowed to socialise, talk to others or take part in sporting activities. This situation turns into physical and psychological torture(İHD/HRA 6/2022, p.35f.). Community cells can accommodate all LGBTQI+ people together or consist of different cells for different groups in the community (Prison Insider 2024). LGBTI+ prisoners cannot benefit from social and physical activities that other prisoners can use. In some prisons, trans women/trans men or gay/bisexual male prisoners can be accommodated in separate units if the numbers and conditions are sufficient. Trans women can be housed in prisons that are compatible with their identity, provided they have completed their official gender reassignment. They can then be transferred to the general prison population. Male transgender prisoners are de facto isolated in all circumstances, regardless of whether they were housed in women's or men's prisons (CİSST 2/4/2024, p.55). These prisoners also stated that they were subjected to violence by the prison administration and staff because of their gender identity (CİSST 26/12/2022, p.57). In May 2021, the European Parliament called on 'Turkey to end all solitary confinement and detention in unofficial detention centres' (EP 19/5/2021).

The situation is particularly delicate for trans women, as they are held in men's prisons and are therefore subject to male-specific prison practices such as strip searches. The biggest problem for both imprisoned trans women and trans men is the interruption of the gender reassignment process. The initiation and continuation of the gender reassignment process is interrupted in prisons and often not even accepted. Since the supply of hormone preparations is a problem, there are often complaints in this regard as well(İHD/HRA 6/2022, p.35f.). Several transsexual prisoners have gone on hunger strike in protest against mistreatment in prison (OMCT 2022).

In cases where prison conditions are inadequate and the capacity or number of wards is low, LGBTI+ prisoners may be placed in cells where serious offenders, i.e. people sentenced to life imprisonment under aggravated conditions, are held. This directly worsens the prisoners' conditions of detention (CİSST 2/4/2024, p.56; cf.Prison Insider 2024).

Deaths in prisons

In response to a parliamentary question from MP Newroz Uysal Aslan of the DEM party, the Ministry of Justice announced in May 2025 that 1,026 prison inmates died between July 2023 and December 2024. For Aslan, this is proof that human rights violations in prisons are a pressing issue, especially the denial of medical treatment for sick prisoners and the lengthy delays in their release. Aslan also pointed out that deaths in prisons - including those categorised as 'suspicious' - often go uninvestigated. - These deaths could no longer be considered individual

cases, but rather the result of a systemic problem, Aslan said (Velev 22/5/2025; cf.SCF 22/5/2025).

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16 Death penalty

Last modification 2025-08-06 12:59

Turkey abolished the death penalty with Law No. 5170 on 7 May 2004 and the removal of all references to it in the constitution. In addition, Turkey ratified Protocol No. 6 to the European Convention on Human Rights (ECHR) on the abolition of the death penalty on 12 November 2003, which came into force on 1 December 2003, and Protocol No. 13 to the ECHR on the total abolition of the death penalty (i.e. in all circumstances, including for crimes committed in wartime and for imminent threat of war, which does not allow for any exceptions or reservations), which was ratified on 20 February 2006 and entered into force on 1 June 2006. On 3 February 2004, Turkey also signed the Second Optional Protocol to the International Covenant on Civil and Political Rights, which aims to abolish the death penalty. The protocol came into force in Turkey on 24 October 2006 (ÖB Ankara 4/2025, p.17; cf.FIDH 13/10/2020).

The discussion about the death penalty flares up again and again on specific occasions. - At the end of June 2022, the Minister of Justice said that Turkey would reconsider the 2004 decision to abolish the death penalty after President Erdoğan brought the death penalty into play in connection with deliberately set forest fires (REU 25/6/2022; cf. Duvar 24/6/2022). And in September 2024, Fatih Erbakan, the leader of the New Welfare Party (YRP), Mustafa Destici, leader of the Grand Unification Party (BBP) and other politicians called for the reintroduction of the death penalty in light of the murder of an eight-year-old girl, which had led to a public outcry (TR-Today 10/9/2024; cf.fakti.bg 10/9/2024).

A constitutional amendment would be required to reintroduce the death penalty, which would need the approval of at least 400 MPs or at least 360 MPs plus a referendum. At present (June 2025), the governing coalition does not have the specified majorities. The constitutional amendment would therefore also have to be supported by MPs from the opposition parties. Turkey would also have to withdraw its signature from Protocols 6 and 13 to the ECHR. By reintroducing the death penalty, Turkey would not only risk expulsion from the Council of Europe, but also a definitive break in relations with the EU (ÖB Ankara 4/2025, p.17f).

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17 Religious freedom and religious minorities

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How the state sees itself in relation to religion

Turkey does not have a constitutionally enshrined state religion. The constitution postulates secularism as a basic principle. In its concrete form, secularism is designed to protect the state against direct encroachment by religious authorities. At the same time, however, the state claims a monopoly on the organisation and control of religious life. According to the classical Kemalist understanding, Turkish identity is directly linked to Sunni Islam. The constitution guarantees the freedom of conscience of religious views and convictions and prohibits discrimination and the abuse of religious feelings or objects that are considered sacred to the respective religion. In principle, it provides for freedom of religion, albeit with restrictions due to the 'indivisible unity' of the Turkish nation (BMZ/AA 22/11/2023, p.151f.; cf.DFAT 16/5/2025, p.14). This means thatthe country is characterised by a century of Kemalist tradition with the vision of a homogeneous Turkish society of Sunni faith, where the existence of religious minorities was practically not given any space. In order to minimise the potential threat posed by minorities, non-Muslims and Muslims of non-Sunni faiths should not have solid legal structures according to this way of thinking (ÖB Ankara 4/2025, p.30). The Turkish ideal of citizenship thus centres on being Turkish and Sunni. Members of ethnic and religious minorities who deviate from this norm can face problems in the form of marginalisation, discrimination and aggression (MBZ 2/2025a, p.67). The international Catholic aid organisation 'Aid to the Church in Need' describes the situation of religious minorities in the country as 'non-violent persecution', quoting the [note: deceased] Pope. In this sense, bureaucratic hurdles are placed in the way of non-Muslim communities, for example through changes in the law, which also prevent them from carrying out their social activities and significantly restrict the freedom of action of their believers (ACN 2023). According to the Pew Institute, Turkey was in the 'high' category of four categories ('very high', 'high', 'moderate', 'low') in 2021 in terms of restrictions on religious rights by the government (Government Restrictions Index - GRI), while social discrimination (Social Hostilities Index) decreased noticeably, placing Turkey in the 'moderate' category (Pew 5/3/2024, pp.36, 58, 61).

Despite the existence of two national human rights mechanisms in Turkey, the Human Rights and Equality Institution of Turkey (TİHEK, or HREI in English) and the Ombudsman Institution (KDK), which can address discrimination and challenge administrative decisions, and despite the legal background to prevent discrimination, their existence alone is no guarantee that discrimination against minorities will be prevented and that minorities will trust these institutions. A statistic from a recent report by the Freedom of Belief Initiative illustrates this situation. - Although there are numerous articles in legislation aimed at combating discrimination, nine out of ten people choose not to report cases of discrimination or hate crime based on their religious identity. Many believe that it is useless or too difficult to report, or those affected do not trust the police (MRG 29/4/2024, p.11).

Religious demographics

According to government figures, 99% of the population in Turkey is Muslim, including Alevis. Opinion polls published in 2021 by the research and opinion polling company KONDA Research and Consultancy show that around 88% describe themselves as Sunni Muslims, 6% as non-believers, 4% as Alevis and the remaining 2% in the 'other' category. However, the Alevi Foundation assumes that 25 to 31% of the population are Alevis. According to own estimates, 4% of Muslims are Shiite Jafari [Jafari]. The non-Muslim groups are mainly concentrated in Istanbul and other large cities as well as in the south-east of the country. There are no precise figures on this. According to their own information, there are around 90,000 members of the Armenian Apostolic Church, 25,000 Roman Catholics and 12,000-16,000 Jews. There are also 25,000 Syrian Orthodox Christians and around 10,000 Baha'is. The number of Eastern Orthodox Christians rose significantly to over 200,000 in 2023, mainly due to the war in Ukraine, which led to an influx of an estimated 154,000 Russians and 47,000 Ukrainians. The Eastern Orthodox population also includes fewer than 2,500 ethnic Greek Orthodox Christians and a small, undetermined number of Bulgarian Orthodox and Georgian Orthodox Christians. Other groups include an estimated 7,000 to 10,000 members of Protestant and Evangelical Christian denominations; 5,000 members of Jehovah's Witnesses; an estimated 2,000 to 3,500 Armenian Catholics; fewer than 3,000 Chaldean Christians; and fewer than 1,000 Yazidis (USDOS 30/6/2024; cf.DFAT 16/5/2025, p.15). Up to half a million Alawites reportedly live in the southern regions on the border with Syria, particularly in Hatay province (this figure does not include the Syrian Alawites who have fled to Turkey since 2011) (DFAT 16/5/2025, p.15).

The German Federal Ministry for Economic Cooperation and Development, citing official Turkish sources, published slightly different figures in its November 2023 report. According to this report, over 98% of the Turkish population is considered Muslim. The vast majority are Sunnis of the Hanafi school of law (around three quarters). Around 4% of Muslims are Shiite. Alevis are estimated to make up 15%. There are also around 60,000 Armenian Apostolic Christians living in Turkey, most of them in Istanbul. The number of Jews is estimated at around 18,000 (BMZ/AA 22/11/2023, p.151).



Sources 6: BMI/BMLVS 2017, p.23f. *Note: Only the main settlement areas of the religious and denominational groups are shown on this map. There may be minority groups that are not shown. In urban centres in particular, the population is very heterogeneous and cannot be shown on the map in this way. Christians are shown as one group, regardless of their ethnic origin*.

Situation of the religious communities of minorities

Non-Muslim communities and Alevis continue to be burdened with negative perceptions, bureaucratic hurdles and security concerns (MRG 29/4/2024, p.3), despite the fact that freedom of worship is generally respected. This is because the lack of legal personality of non-Muslim and Alevi communities continues to give rise to serious concern, including on the part of the European Commission, particularly with regard to the lack of legal status of patriarchates, the Chief Rabbinate, synagogues, churches and Cem houses (Alevi places of worship). The recommendations of the Venice Commission of the Council of Europe on the legal status of non-Muslim religious communities and on the right of the Greek Orthodox Ecumenical Patriarchate in Istanbul to use the title 'ecumenical' have not yet been implemented and continue to be contested (EC 30/10/2024; cf. ÖB Ankara 4/2025, p.35, EP 7/5/2025, pt.27). Similarly, in May 2025, the European Parliament stated that 'there has been no significant progress in the protection of the rights of ethnic and religious minorities, in particular with regard to their legal personality, including the rights of the Greek Orthodox population on the islands of Gökçeada (Imbros) and Bozcaada (Tenedos)' (EP 7/5/2025, pt.27).

The authorities continue to interfere in the internal affairs of religious communities. No training centres for priests can be opened in Turkey. The Greek Orthodox Halki Seminary has been

closed since 1971. The Armenian Apostolic Surp Haç Seminary was closed by decree in 1967. The priests have to be trained abroad. There was also interference in the election of the Armenian Apostolic Patriarch Maşalyan in 2019. Although Patriarch Mutafyan had been unable to hold his office since 2008 due to his illness, the government blocked all attempts by the Armenian community to hold new elections on the grounds that, according to church law, the election was only possible after the death of the previous patriarch. When elections were being prepared after Mutafyan's death in March 2019, the Ministry of the Interior issued a regulation in the run-up to the election in September 2019 stating that only bishops from the Armenian Patriarchate of Istanbul were eligible to stand as candidates for the office. This restricted the group of people available for selection and excluded people who had worked abroad (ÖB Ankara 4/2025, p.35; cf.USCIRF 5/2024, p.70).

Turkey restricts the scope of the Lausanne Treaty, which only distinguishes between Muslims and non-Muslims, to three ethnic-religious minority groups. Accordingly, only Armenians, Greeks, and Jews are explicitly recognized, as well as Bulgarians on the basis of the separate Turkish-Bulgarian Friendship Treaty. Only these benefit from the guarantees enshrined in Articles 37 to 43 of the Lausanne Treaty, although even these provisions have never been fully implemented. In 2013, a court ruling on the permissibility of teaching Syriac [note: a form of Aramaic, not to be confused with the Syrian dialect of Arabic] established that Assyrians have the status of non-Muslim Turkish citizens and are therefore beneficiaries of the Lausanne Treaty. According to information from the Syriac Orthodox Church, implementation is unsatisfactory. Other religious minorities, such as Alevis, Baha'is, Protestants or Roman Catholics, have no status (ÖB Ankara 4/2025, p.30f.). Nevertheless, at the end of November 2024, the United Nations Human Rights Committee regretted that Turkey, as a state party to the International Covenant on Civil and Political Rights (ICCPR), maintained its reservation to Article 27 and at the same time recommended that Turkey withdraw this reservation. Article 27 of the Covenant guarantees the rights of ethnic, religious and linguistic minorities (UNHRCOM 28/11/2024, p.2).

Religious communities can only become legally active indirectly through foundations (vakıflar) established by private individuals. The system of 'vakıflar' dates back to the Ottoman Empire and was consolidated over time by the Treaty of Lausanne and various foundation laws. There are currently 167 such foundations, including 77 Greek Orthodox, 54 Armenian Orthodox, 19 Jewish, ten Assyrian, three Chaldean Catholic, two Bulgarian Orthodox and one Georgian and one Maronite Turkish Orthodox (as of August 2022). The establishment of new community foundations (cemaat vakıfları) is legally impossible. Registration as an association or foundation is possible if the declared objective is primarily charitable, educational or cultural in nature and not religious. In the absence of a legal basis, cemaat vakıfları were unable to renew their foundation board members from 2013 to 2022, which led to problems in the foundation's management and the loss of property rights. In practice, this made it much more difficult for non-Muslim religious communities to become active (ÖB Ankara 4/2025, p.31; cf. USCIRF 5/2023, p.67, Bianet 12/4/2022). Non-Muslim communities continue to face challenges in the restitution of their property. All aspects of the lengthy restitution process fall back on the foundations, from

eviction by the current occupants to the high financial burdens involved. There are still problems with the allocation of property belonging to the foundations (MRG 29/4/2024, p.13).

According to the Turkish interpretation, only the three ethno-religious communities covered by the Lausanne Treaty [mentioned above] can rely on their religious foundations (vakıflar). The remaining religious groups can also organise themselves as foundations or associations if they fulfil the administrative requirements (AA 20/5/2024 p.10).

Other Islamic movements besides Sunni Islam enjoy individual and - increasingly since the 1990s - de facto collective freedoms. However, they are still not recognised as religious communities due to the Kemalist understanding of an 'indivisible unity' of the (Sunni Muslim) Turkish nation. Their prayer houses are not recognised as such (BMZ/AA 22/11/2023, p.153).

The law prohibits Sufi and other religious-social orders (tarikat) and lodges (tekke or zaviye), although the government generally does not enforce these restrictions (USDOS 30/6/2024; cf. BMZ/AA 22/11/2023, pp.153). The Islamic brotherhoods are not generally hindered in their economic and political activities (BMZ/AA 22/11/2023, p.153).

Individual religious freedom and discrimination

Conversion: In Turkey, the individual right to believe, not to believe and to change one's faith is protected by law (NORHC 11/9/2020, p.10). The Turkish legal system does not prohibit conversion (NORHC 25/8/2022, p.16). There are no legal obstacles to conversion, such as conversion to Christianity. However, converts are often subsequently ostracised by their families or social environment (AA 20/5/2024, p.10; cf. BMZ/AA 22/11/2023) or shunned in the workplace (USDOS 12/5/2021). This means that, despite these legal guarantees, professing a religion or belief other than that which is accepted in the family, in the social network and in society jeopardises the rights of the individual in practice. Individuals can be discriminated against and prosecuted if they express their religious or philosophical views. There is also widespread concern about the risk of discrimination on the basis of religion or belief in the workplace. Those affected often report that they feel forced to adhere to 'acceptable norms'. Practising Muslims fear discrimination in secular workplaces; non-Sunni Muslims fear discrimination in conservative and some secular workplaces. Atheists report that they do not feel comfortable speaking openly about their identity as atheists in the workplace for fear of dismissal. The resulting pressure forces people to lead a double life. A survey conducted by Kadir Has University on religious tolerance in 26 cities in 2021 found that 57.3% of respondents do not want atheists, 43.9% do not want Christians, 37.1% do not want Jews, 21.3% do not want Alevis and 16.2% do not want strictly religious people as neighbours (NORHC 25/8/2022, p.16).

Missionary activity: Religious missionary activity has not been prohibited since 1991 (BMZ/AA 22/11/2023, p.152; cf.NHC-FBI 19/4/2022, p.37). The large Muslim majority continues to view both the conversion to a faith other than the Muslim faith and any missionary activity with great suspicion (AA 20/5/2024, p.10; cf.NHC-FBI 19/4/2022, p.37). The state sees a danger in missionaries, not for religious reasons, but rather for nationalistic motives. The state feared that

missionaries were being used by the West to infiltrate Turkey. This explains the expulsion of numerous Protestant priests in the recent past (DIF 12/7/2020).

Alevis and non-Muslims are **systematically discriminated against** in schools and in the public sector (FH 26/2/2025, F4; cf.AA 20/5/2024, p.11). With the exception of academic institutions, members of non-Muslim religious communities can only in isolated cases be found in the civil service and as professional soldiers. At the end of October 2021, for the first time in the history of the republic, a candidate belonging to the Armenian community was admitted to the procedure for training as a district governor. And in mid-August 2022, he was appointed district governor of Babadağ/Denizli. Previously existing provisions that had also legally restricted the admission of minority members to the civil service have since been repealed, but they are still observed as an established practice. In the knowledge that an application would be futile, members of minorities, such as Christian minorities, usually no longer even apply for admission. - As of May 2023, only the Green Left Party - YSP (the successor to the HDP) has a Christian MP in its ranks in the Turkish parliament (ÖB Ankara 4/2025, p.35).

State action against blasphemy and violation of religious values

Article216 (3) of the Turkish Criminal Code (TCK) and its application represent an important challenge to the right to freedom of religion and belief, including the right to non-belief. Anyone who expresses criticism of religion or belief or of certain interpretations, particularly of Islam, must expect to be reported to the police and risks being prosecuted under the Criminal Code. This occurs in particular under Article216 (3): public disparagement of religious values of a section of the population (NORHC 25/8/2022, p.17 ; cf.DFAT 16/5/2025, p.15, USCIRF 3/2025, p.66). In its 2016 opinion, the Venice Commission of the Council of Europe assessed the compatibility of Article216 (3) with international human rights standards. The opinion referred to Recommendation 1805 (2007) of the Parliamentary Assembly of the Council of Europe on blasphemy, religious insults and hate speech against persons on the basis of their religion, which states that 'national law should only penalise statements on religious matters that intentionally and seriously disturb public order and incite public violence'. Article 216 (3) 'should not be applied to punish blasphemy, but should be limited to cases of religious insults that intentionally and seriously disturb public order and incite public violence' (NORHC 25/8/2022, p.17; cf.DFAT 16/5/2025, p.15).

In Turkey, there is a strong tendency to apply Article 216 (3) only in the context of Islam and not in the context of insult or hatred against other religions or beliefs (NORHC 25/8/2022, p.17; cf.USCIRF 3/2025, p.66). However, in February 2023, a folk singer was sentenced to six months in prison for mocking a holy figure of the Alevis in a song lyric and thus insulting 'religious values'. The sentence was later commuted to a fine (DFAT 16/5/2025, p.15).

The Criminal Code not only prohibits the 'incitement of hatred and hostility', but also criminalises public disrespect for religious beliefs. The law penalises offensive statements against values that are considered sacred by a religion (USDOS 30/6/2024; cf. BMZ/AA 22/11/2023, p.152). The offence of insulting a religion is punishable by six months to one year in prison. Disrupting the worship of a religious group is punishable by one to three years, damaging religious property

by three months to one year and destroying religious property by one to four years in prison. As it is illegal to hold religious services in places that are not registered as places of worship, these legal prohibitions only apply in practice to recognised religious groups (USDOS 30/6/2024). The Criminal Code also prohibits religious leaders from 'rebuking or denigrating' the government or the laws of the state while performing their duties. This carries a prison sentence of up to one year, and up to three years in the case of incitement to disobey the law (USDOS 15/5/2023).

Numerous individuals and organisations were prosecuted for 'insulting religious values' or blasphemy (USCIRF 5/2023, p.66; cf.USCIRF 3/2025, p.66). According to the latest statistics from the Ministry of Justice, which still showed Article 216 separately, a total of 317 people (296 men and 21 women) were sentenced to various penalties under Article 216 in 2020. A total of 94 were sentenced to prison, 19 to conditional imprisonment and 45 to an administrative penalty. (The rest were sentenced to other categories of punishment.) (MoJ - GDJR&S 2021, pp.109, 118, 127, 136; cf. NORHC 25/8/2022, p.17).

Turkey not only makes use of the relevant article of the Criminal Code, but is also among the top 10 countries in the world where cases of alleged blasphemy through the use of social media are prosecuted. **Examples:** In January 2022, Turkish pop singer Sezen Aksu made headlines after sharing a clip of a five-year-old song of hers on YouTube. The song attracted a lot of attention on social media and was criticised by several government representatives because the lyrics described the religious figures Adam and Eve as 'ignorant'. After Friday prayers that month, President Erdoğan warned, without mentioning Aksu by name, that 'no one should speak against His Holiness Adam. If need be, it is our duty to tear out these tongues. No one can speak against our mother Eve. It is our duty to put those who speak against her in their place.' Lawyers close to the government filed charges against the singer, and the state religious authority Diyanet and the broadcasting authority RTÜK also intervened (USCIRF 12/2022, p.3; cf. NZZ 1/2/2022). In January 2024, the Diyanet filed a criminal complaint against the Armenian author Sevan Nişanyan because he had denigrated the Islamic call to prayer on YouTube in 2021 by complaining about its volume (Duvar 25/1/2024; cf.USCIRF 3/2025, p.66). In February 2024, the Istanbul Public Prosecutor's Office had the lawyer Beykoz Feyza Altun arrested for a social media post in which she denigrated or condemned Sharia law. The Istanbul Public Prosecutor General's Office accused her of 'incitement to hatred and hostility' under Article 216 of the Criminal Code. Although the court released her a day later, she was banned from leaving the country (Duvar 19/2/2024; cf.Cumhuriyet 20/2/2024, USCIRF 3/2025, p.66), and in May 2024 she given a nine month suspended sentence (TM 17/5/2024).

A cartoon in the satirical magazine LeMan, which is critical of the government and repeatedly comes under fire from the judiciary and pro-government Islamist brotherhoods, sparked heated debate and street protests. The published cartoon shows two hovering men with angel wings who introduce themselves as Mohammed and Moses. A hail of bullets and burning houses can be seen in the background, symbolising Gaza. The Istanbul public prosecutor's office investigated for incitement to hatred and disparagement of religious values under Article 216 of the criminal code. Arrest warrants were issued for six employees of the magazine, four of whom were taken away. Interior Minister Yerlikaya described the cartoon as 'abhorrent' and

a ‘provocation’. Conservative Islamist groups gathered outside the LeMan editorial office at night, throwing stones at windows and attacking the café in particular, which is known as a meeting place for LeMan staff and their fans (DW 1/7/2025; cf.Standard 1/7/2025b, TM 1/7/2025). The police were present but did not intervene. Instead, other police officers stormed the editorial office. A riot developed involving around 300-400 people: Guests of the pub, who defended themselves against the Islamists, and police officers, who arrested guests. (Standard 1/7/2025b; cf.TM 1/7/2025). LeMan clarified that the man depicted in the cartoon was not the Prophet Mohammed, but an innocent Muslim killed in Gaza, who was called Mohammed (DW 1/7/2025; cf.TM 1/7/2025). Tuncay Akgün, editor-in-chief of Leman, said that the picture had been deliberately misinterpreted (Standard 1/7/2025b). President Erdoğan condemned the cartoon as a hate crime and added that ‘those who behave disrespectfully towards our Prophet and other prophets will be held accountable before the law’ (TM 1/7/2025).

The **example of** October 2023, when a man was sentenced to 7 1/2 months in prison for ‘insulting the religious values of a section of the public’ when he posted a photo on social media showing alcohol in a mosque, shows that **prison sentences** can also be handed down. In the same month, the authorities arrested three 16-year-olds for insulting religious values on social media. In a case of official censorship, a court banned the Koran translation by theologian İhsan Eliaçık in February because it allegedly contained elements that were objectionable with regard to the fundamental characteristics of Islam (USCIRF 5/2024, p.70).

The state religious administration and religious policy

The Office for Religious Affairs (Diyanet), a state institution established by the constitution, regulates and coordinates religious matters relating to Islam. By law, the Diyanet is tasked with facilitating and promoting the beliefs, practices and moral principles of Islam - with a focus on Sunni Islam - educating the public on religious issues and administering mosques (USDOS 30/6/2024; SE 2/1/2024). In June 2025, the Diyanet Council was given the authority by law to monitor the religious content of publications and censor translations of the Koran that it deems ‘inappropriate’. According to the new law, if the council classifies such texts as ‘offensive in terms of the basic principles of Islam’, it can prohibit their distribution, confiscate existing copies and have the materials destroyed. In the case of online publications, the Diyanet can have content removed or blocked by court order (TM 4/6/2025).

The Diyanet is administratively located under the Office of the President. The head of the Diyanet is appointed by the president and administered by a 16-member council elected by clerics and university theological faculties. Although the law does not stipulate that all members of the council must be Sunni Muslims, this is the case in practice (USDOS 30/6/2024; SE 2/1/2024). Diyanet is one of the largest religious institutions in the world, operating worldwide beyond Turkey. It is financed from the state budget. In 2023, Diyanet’s budget was already increased to 3.18 billion US dollars (SE 2/1/2024) and for 2025, 130.1 billion lira, around 3.8 billion US dollars, was already estimated, which is more than the budget funds for the Ministry of Interior or Foreign Affairs (Duvar 20/10/2024). While the Diyanet manages all matters relating to the

practice of Islam, the Directorate General for Foundations (Vakiflar) is responsible for all other religions (DFAT 16/5/2025, p.14).

Critics accuse the AKP of favouring Sunni Muslims (FH 26/2/2025, B4) and point to the reorganisation of the education system, which has favoured Islamic education in secular schools and promoted the rise of religious schools. The AKP also expanded the Diyanet and used this institution as a channel for political patronage. Among other functions, the party uses the Diyanet to disseminate pro-government sermons in mosques in Turkey as well as in countries where the Turkish diaspora is present (FH 10/3/2023, B4). Since coming to power, the AKP government has taken a number of measures that reflect its view of Islam and society. These include adapting curricula to eliminate topics such as Darwin's theory of evolution. In addition, the government is trying to reduce alcohol consumption by introducing high taxes and banning advertising for alcohol. The government also promotes so-called 'national and spiritual values' through the media it controls and supports Islamic civil society with resources. As early as 2010, the AKP government lifted the ban on wearing a headscarf if they want to work or study in state institutions, which some Turkish women perceived as discriminatory (MBZ 31/10/2019). The headscarf is the only religious symbol that is permitted for civil servants or students in primary, secondary or high schools. Other religious symbols such as the kippa, the cross or the zulfikar [symbol of Shiites, Alevis and Alawites] are not permitted (NHC-FBI 19/4/2022, p.39).

The Turkish **education system** does not guarantee neutrality and impartiality towards different religions, denominations and faiths (EC 30/10/2024, p.31). The number of religious schools that promote Sunni Islam has increased under the AKP government (MBZ 31/10/2019). State education includes compulsory religious education, although the government has continued to fail to comply with a 2013 judgement by the ECtHR that the compulsory religious education in public schools imposed by the government violates freedom of education (USDOS 30/6/2024; cf.EC 30/10/2024, p.31). On the contrary. - In August 2023, the government issued a decree requiring middle school students (fifth to tenth grade) to attend two additional hours of religious instruction in Sunni Islam per week. The teachers' union Eğitim Sen described this change as a violation of freedom of religion and conscience (USDOS 30/6/2024). The compulsory religious education is strongly Sunni Hanafi in character and does not meet pluralistic standards (BMZ/AA 22/11/2023, p.152; cf.USCIRF 3/2025, p.67). Secularists, Alevis, Protestant Christians and other communities voiced additional complaints about supposedly 'freely selectable' courses (e.g. music, sports), in which the lessons often explicitly refer to Sunni Islam (USCIRF 3/2025, p.67).

In April 2022, the Constitutional Court ruled that compulsory religious education violates religious freedom, thus confirming the two earlier judgements of the European Court of Human Rights (ECtHR), which had criticised Turkey for the principle and content of compulsory religious education (AlMon 12/4/2022; cf. BMZ/AA 22/11/2023, p.152). The judgement has not yet been implemented (BMZ/AA 22/11/2023, p.152). The Ministry of Education officially granted the exemption option for all non-Muslim pupils (not just those named in the Lausanne Treaty) in 2009, provided that the corresponding religious affiliation is entered in the civil status register (BMZ 10/2020). There is no possibility of exemption for non-believers. Since 2016, religious

affiliation no longer appears on the identity card (BMZ/AA 22/11/2023, p.152) but is still recorded in the civil status register and can be viewed by the administration, including the police (BMZ/AA 22/11/2023, p.152; cf.ÖB Ankara 4/2025, p.30) Atheists, agnostics, Baha'is, Yazidis, Hindus, Buddhists, Alevis, other non-Sunni Muslims or those who left the 'Religion' section on their national identity card [before 2016] blank are rarely exempted from religious education (USDOS 30/6/2024).

Religious attitudes of the population

While a large part of the population adheres to the values of social conservatism and religious piety promoted by the ruling Justice and Development Party (AKP), there is also a large section of the population that views religion primarily as a private matter. This group includes people from very different backgrounds and lifestyles, with secularism being the main common denominator. They feel increasingly marginalised by state measures in the sense of Islamisation (MBZ 31/10/2019). A study conducted by the Ankara Institute found that 92.3% of the Turkish population describe themselves as Muslims, while6% are atheists (2.7%) or deists (3.2%). The majority of participants, 86%, believe in the existence of God, and 62% believe in the fulfilment of religious requirements. Those who describe themselves as religious accounted for 70% (BNN 7/11/2023). According to the results of a survey by the KONDA Institute, the proportion of respondents who described themselves as strictly religious or devout fell from 55% in 2008 to 46% in 2025. In contrast, the proportion of people who described themselves as atheists or non-believers rose from 2% to 8% over the same period. The proportion of respondents who described themselves as 'believers' but did not consider themselves to be 'strict believers' rose slightly from 31% to 34%. The only group that remained unchanged were the 'very strict believers', whose share was 12% in both surveys (TM 30/5/2025).

Religious minorities as targets of state and social hostility

Government representatives are increasingly using rhetoric that targets or marginalises religious minorities (USCIRF 5/2024, p.70). In addition to the rhetoric against minority groups, the aggressive campaign by the government and the media against Israel in connection with the Middle East conflict is a cause for concern. The choice of words has intensified massively since the Hamas terrorist attack on 7 October 2023 and Israel's subsequent military operation in Gaza.
- President Erdoğan has categorised the terrorist attack by Hamas as a freedom fighter. An anti-Western, particularly anti-European Islamophobia narrative dominates the discourse. The interplay of these tendencies favours a hostile atmosphere towards religious minorities, which is also expressed in hate speech on social media. The latter is often tolerated by the judicial authorities as an expression of free speech, which implicitly encourages violence and aggression (ÖB Ankara 4/2025, p.33; cf.EC 30/10/2024, p.31). Hostilities are directed against religious or ideological communities and their places of worship, associated institutions, religious/spiritual leaders and members, and these offences go unpunished. Current legislation is inadequate to tackle hate crime. The offences are neither sufficiently reported nor adequately recorded by the authorities (NHC-FBI 19/4/2022, p.37). There is vandalism and the destruction of places of worship and cemeteries belonging to minorities (EC 30/10/2024, p.31). In May 2025, the

European Parliament called on ‘Turkey’s state authorities to effectively investigate cases of hate crimes, including hate speech, against minorities and to prosecute those responsible’ (EP 7/5/2025, p.27).

Anti-Semitic and anti-Christian resentment is not only part of the standard repertoire in the (pro-government) tabloid press and social media. High-ranking politicians up to the very top of the state and opposition leaders also occasionally resort to anti-Semitic or anti-Armenian conspiracy theories in their public statements(BMZ/AA 22/11/2023, p.154; cf. USDOS 30/3/2021, p.90).

See also: Religious freedom and religious minorities / Christians and Jews

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17.1 Alevis

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Alevi is the name for a large number of heterodox Shiite communities with different characteristics. This makes the Alevis the largest religious minority in Turkey. Technically, they fall under the Shiite denomination of Islam, but follow a fundamentally different interpretation than the Shiite communities in other countries. They also differ significantly in their practice and interpretation of Islam from the Sunni majority (MRG 6/2018a; cf.BPB 14/9/2014, MBZ 2/2025a, p.67). While most Alevis regard their faith as an independent religion, some identify as Shiites or Sunnis or see their Alevi identity predominantly within a cultural and non-religious framework. Alevis are mostly secularly orientated and support a strict separation of religion and politics. Alevis report that they were generally able to hold religious ceremonies and festivals without interference from the authorities (DFAT 16/5/2025, p.15; cf.MBZ 2/2025a, p.67).

The number of Alevis in the country is disputed. Estimates from various sources vary considerably, from around 10% to 40% of the total population. Current figures suggest a number of ten to 25 million (USCIRF 3/2025, p.67; cf.MRG 6/2018a, DFAT 16/5/2025, p.15).

The Alevis have traditionally had a problematic relationship with the Turkish state. - One reason for this is the historical acts of state or social violence. Tragic highlights were the destruction of the Alevi province of Dersim (now Tunceli) in 1938, which claimed thousands of lives, the pogroms in Kahramanmaraş in 1978 and Çorum in 1980 (BPB 14/9/2014) and the massacre in Sivas on 2 July 1993, in which a hotel was set on fire by Sunni fundamentalists during an Alevi festival, resulting in the deaths of 37 people (BPB 14/9/2014; cf.DFAT 16/5/2025, p.16).

Two main issues can be identified in this regard, namely the recognition of the Alevis as a religious community and the exemption from religious education (MBZ 2/2025a, p.68). - Alevis are not recognised as a religious minority and therefore do not enjoy minority rights (BMZ/AA 22/11/2023, p.151; cf.GfbV n.d, USCIRF 5/2024, p.70). The Turkish government classifies Alevism as a denomination within Sunni Islam, which is why Alevis are officially labelled as ‘Islamic’ in the registration offices (BMZ/AA 22/11/2023, p.151; cf.GfbV n.d, DFAT 16/5/2025, p.16, USCIRF 3/2025, p.66).

Many Alevis are also ethnic Kurds, with estimates of their numbers ranging from half a million to several million (DFAT 16/5/2025, p.15). According to another source, which is based on the language, around two thirds are Turkish-speaking, while the remaining third speak one of the two north-west Iranian languages Kurmanci [one of the variants of Kurdish] and Zazaki [note: according to some linguists, considered a language in its own right, separate from Kurdish] (BPB 14/9/2014). Kurdish Alevis tend to identify primarily as Alevis (DFAT 16/5/2025, p.15). Politically, Kurdish Alevis are faced with the dilemma of whether they should be loyal to their ethnic or religious community. Some are more concerned with religious solidarity with the Turkish Alevis than with ethnic solidarity with the Kurds, especially since many Sunni Kurds disapprove of them (MRG 6/2018a). While the Alevis are scattered throughout Turkey, the Alevi Kurds are concentrated in central and eastern Anatolia, Istanbul and other major cities. Tunceli (Dersim) [east central Turkey] is the centre of the Alevi faith. Its population is predominantly Alevi (95%). Average Alevis generally behave inconspicuously in society and do not emphasise their religious identity (DFAT 16/5/2025, p.15f.).

Alevis are affected by systemic discrimination in schools and in the public sphere (FH 26/2/2025,F4; cf.USCIRF 5/2024, p.70). The activities of Alevi associations and foundations are often hampered by bureaucratic hurdles. Alevis are underrepresented in government, administration and parliament. Their efforts to make themselves heard politically are often seen as an attempt to artificially create a minority and jeopardise the territorial unity and integrity of the Turkish nation (BAMF 4/11/2024c, p.1).

Religious policy regarding Alevi places of worship - Cemevis

Alevism continues to be officially treated as a heterodox Muslim ‘sect’ or cultural group, but is not recognised as a religious denomination. As a result, Alevi houses of worship (cemevis or

cemevleri) are not recognised as places of worship in many communities, despite rulings to the contrary by the Supreme Court of Appeal (Court of Cassation) in November 2018 and the European Court of Human Rights (ECtHR) (USDOS 30/6/2024; cf.ÖB Ankara 4/2025, p.37, AA 20/5/2024, p.11). As a result, houses of worship are not protected by the Turkish Criminal Code (ÖB Ankara 4/2025, p.37). At the end of September 2021, the Committee of Ministers of the Council of Europe stated that it saw the unjustified and discriminatory refusal to recognise the faith of the Alevi community as a religion as a reason to continue monitoring Turkey (CoE 15/6/2023, p.2).

Alevi leaders cited the number of 2,500 to 3,000 houses of worship as insufficient to meet the needs of the faithful. The government also stated that the Sunni mosques financed by the Diyanet religious office are available to Alevis and all Muslims, regardless of their religious beliefs (USDOS 30/6/2024). Diyanet spends the money allocated by the state exclusively in favour of Sunni Islam. As the Alevis are not recognised as a religious community by the Turkish government, the Alevi community cannot count on financial support from Diyanet (MBZ 2/2025a, p.68). - Deviating from the government line, the Alevis were occasionally granted rights and support at local level. In İzmir, seven cemevis were given the status of a place of worship. In Istanbul, free municipal services were also granted to Alevi prayer centres, just like to other religious communities (USDOS 12/5/2021). Istanbul City Council officially recognised cemevis (and places of worship of other religions) as part of the responsibilities of the relevant department of the municipality in September 2024, despite opposition from the AKP faction in the city council (Duvar 13/9/2024; cf.USCIRF 3/2025, p.67).

The government has still not implemented the action plan regarding the ECtHR's judgements on Cem houses and compulsory religious education, which was submitted to the Committee of Ministers of the Council of Europe in 2016 (ÖB Ankara 4/2025, p.37; cf.AA 20/5/2024, p.11). Other judgements of the ECtHR, according to which only Alevi leaders are allowed to decide on the religious affiliation of their community and that Alevi pupils should be exempted from compulsory religious instruction by Sunni imams, have not been implemented according to representatives of the Alevi community (DFAT 16/5/2025, p.16).

Presidential Decree No. 112 (dated 9 November 2022) established a **Presidium for Alevi Culture and Prayer Houses** in the Ministry of Culture and Tourism, which is responsible for coordinating the effective and efficient implementation of services in Cemevleri, among other things. At the same time, Law No. 7421 (dated 8 November 2022) was passed by Parliament, which allows the construction, maintenance and repair of cemevleri to be taken over by municipalities and the costs of lighting the cemevleri to be covered by the Ministry of Culture and Tourism. Numerous Alevi associations and CHP and HDP MPs protested against this. The main point of criticism is that the main Alevi demand that cemevleri be recognised as places of worship is not included (ÖB Ankara 4/2025, p.37; cf. (BMZ/AA 22/11/2023, p.153). Alevi associations also view the development very critically in some cases, as they fear state control of Alevism (BMZ/AA 22/11/2023, p.153).

In January 2025, President Erdoğan met with Ahmet Uğurlu, a leading figure in the Alevi community. Uğurlu expressed several wishes, including the establishment of schools in which Alevi clergy could be trained and the provision of financial resources to pay the staff of Cemevis (DS 22/1/2025; cf.AnA 23/1/2025).

Religious education

The national curriculum prescribes compulsory religious education, and although Alevis (and non-Muslim pupils) are officially exempt from these classes, in practice they cannot opt out (FH 26/2/2025, D2). - Alevi parents still face problems when they want to withdraw their children from Sunni religious education, as the authorities do not recognise Alevis as a religious minority (USCIRF 12/2022, p.3). In April 2024, the Ministry of Education presented its new education system with a series of reforms to the curricula for primary and secondary schools. Some Alevi groups expressed concern about the misrepresentation of their tradition (USCIRF 3/2025, p.67).

Examples of attacks

As the second largest religious group in the country, the Alevis are seen as alien and unreliable by parts of the majority society (BMZ 10/2020). Hate speech and hate crimes against Alevis continued (EC 30/10/2024, p.35; cf.FH 26/2/2025, D2, DFAT 16/5/2025, p.16). In 2022, violent attacks against Alevi institutions increased significantly. Between July and August 2022, at least five Alevi NGOs and places of worship were attacked and vandalised (FH 10/3/2023, D2). In addition to attacks on Cem houses, Alevi religious leaders were also attacked (EC 8/11/2023, p.32).

On 30 July 2022, the first day of the holy month of Muharram for the Alevis, attacks were simultaneously carried out in Ankara on the Alevi prayer houses and associations Tuzluçayır Ana Fatma Djemevi, Ege Mahallesi Şah-ı Merdan Djemevi, Gökçebel Village Association and the Turkmen-Alevi Bektashi Foundation. During the attack on the Bektashi Foundation, a woman was stabbed and taken to hospital. Stones and chairs were thrown at the other facilities. One suspect was arrested (Duvar 31/7/2022; cf.BAMF 8/8/2022, p.10, USDOS 15/5/2023, USCIRF 5/2023, p.66). On 5 August 2022, Selami Sarıtaş, the leader of the Kartal-Cemevi Alevi community, was physically attacked and injured by two unknown perpetrators in front of his home in Istanbul (BAMF 8/8/2022, p.11; cf.HDN 8/8/2022). The police responded by setting up a special team to apprehend the attackers (HDN 8/8/2022). A Cemevi and houses belonging to Alevis were sprayed with swearwords in November 2022 (ÖB Ankara 28/12/2023, p.34). The court proceedings in connection with the July 2022 attacks in Ankara were concluded in July 2023 in the first instance, with the main perpetrator sentenced to three years in prison for damaging places of worship and intentional bodily harm (EC 8/11/2023, p.32). According to sources from the Australian Department of Foreign Affairs, there were also religiously motivated attacks on Alevi homes in 2023 (DFAT 16/5/2025, p.16).

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17.2 Christians and Jews

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Turkey restricts the scope of application of the Lausanne Treaty of 1923 to three ethnic-religious minority groups (ÖB Ankara 4/2025, p.30). In addition, the state intervenes heavily in the affairs of the three non-Islamic, so-called 'Lausanne' religious communities. The Ministry of the Interior authorises the election of the respective community leader and claims a right of veto. The heads and clergy (as well as electoral bodies) of the three 'Lausanne' communities must be Turkish citizens. In 2011, however, the naturalisation process was simplified for those affected (BMZ/AA 22/11/2023, p.153). Other Christian minorities, such as Protestants, Roman Catholics or Syrian Orthodox, have no status (ÖB Ankara 4/2025, p.31).

New regulations restrict the foundations of religious minorities. - For example, persons running for the governing body of a minority foundation must have lived in a certain area for at least six months, regardless of whether other members of their religious community live there at all. For example, some Greek Orthodox communities only have a small number of voters and do not fulfil the requirements of the new electoral regulations. This means that they are unable to set up their own governing body and are forced to give up their foundation. Assyrian and Jewish communities face the same problem because their foundations are not located in the same place as the communities. The lack of training centres for priests is another major problem for all Christian denominations in Turkey (ACN 2023).

These developments cause a feeling of permanent insecurity and threat among members of the Christian minorities. They also reinforce the fear that the space for Christian religious communities in Turkey will continue to shrink (Christians make up less than 1% of the population) (ÖB Ankara 4/2025, p.36).

In practice, non-Sunni persons have more difficulty accessing careers in the civil service (BMZ/AA 22/11/2023, p.153). Christians are denied access to jobs in the civil service, the security apparatus of the state and the forces of law and order, as well as promotions in the army. In general, Christians have limited access to employment in the civil service and experience discrimination in the private sector, especially when employers have links to the government. Although religious affiliation is no longer visibly displayed on the new ID cards, it is still registered on the chip in the card. This makes it easy to discriminate against Christian applicants (OpD 1/2024, p.7, 39).

According to a decision by the Turkish Higher Education Council in 1990, only children from Christian and Jewish families are exempt from Islamic religious education. The right to exemption can only be claimed if the religious affiliation is disclosed in the population register. This information is therefore mandatory. Although the essential principles and practices of Christianity and Judaism are largely included in the Year 11 textbook, Christian and Jewish theologians believe that these are based on inaccuracies and are not compatible with the fundamental teachings of Christianity and Judaism, not least due to an interpretation from an Islamic perspective (NHC-FBI 19/4/2022, p.56f).

There are still acts of vandalism against religious sites. Although many attacks on cemeteries in Turkey appear to be the work of non-state actors, the Turkish government is also involved in the destruction of burial sites of religious minorities. Furthermore, the authorities often fail to apprehend or prosecute non-state actors responsible for these acts, creating a climate of impunity. Similarly, the Turkish government often fails to stop construction projects that threaten cemeteries (USCIRF 12/2021, p.2f.).

[Note: on conversion, see the chapter on religious freedom and religious minorities].

Christians

There are around 165,000 Christians of various denominations, including mainly Armenian Apostolic Orthodox, Syrian Orthodox Christians, Roman Catholics and Protestants (these figures exclude Russian and Ukrainian Orthodox, who have reportedly moved to Turkey in large numbers since Russia's invasion of Ukraine in 2022). Smaller Christian communities include Greek Orthodox Christians, Jehovah's Witnesses, Armenian Catholic Christians and Chaldean Christians (DFAT 16/5/2025, p.15).

The increasing Islamisation of the country under President Erdoğan has resulted in a number of restrictions and forms of structural discrimination for Christian believers, which affect different groups in different ways. The majority of Christian communities are located in the cities on the west coast, where a moderate, more secular atmosphere prevails, while the majority society in the more conservative, Islamic-dominated interior of the country is more hostile towards

Christians and Christian converts. Christian groups are under the greatest pressure in south-east Turkey, where they have been victims of the conflict between the army and Kurdish nationalist groups for decades (BAMF 4/11/2024c, p.3).

Religious nationalism, which is very pronounced in society, exerts great pressure on Christians. Nationalism and Islam are inextricably linked in Turkey. Anyone who is not a Muslim or even a convert, or who openly expresses a faith that differs from the majority religion, is not seen as a loyal Turk. This applies both to converts with a Muslim background and to Christians, who usually belong to a national minority, for example Greeks, Syriac Christians [note: Arameans and Assyrians] or Armenians (OpD 1/2024, p.6, 33; cf.EC 30/10/2024, p.35), Alevis or Jews (EC 30/10/2024, p.35).

Threats and violence against members of Christian minorities, although not on a widespread scale, still occur regularly. Priests, religious, churches and monasteries of the Christian minorities remaining in Turkey continue to be harassed or threatened (ÖB Ankara 4/2025, p.33f.). In addition to the terrorist attack on St Mary's Church in Istanbul by IS-Khorasan Province in January 2024, which claimed one life - see Security situation / Terrorist groups: so-called IS - Islamic State (aka Daesh) / Islamic State - Khorasan Province (ISKP) - on New Year's Eve 2024, a gunman opened fire on the building of an association associated with the Kurtuluş Church in the Çekmeköy district of Istanbul, apparently shouting slogans suggesting religious intolerance. According to media reports, he shouted: 'We will not allow you to brainwash our Muslim youth! You infidels will be defeated and driven to hell!' The association had already suffered similar attacks before (SCF 2/1/2025; cf.Haberler 1/1/2025). In addition to attacks by non-state actors, attacks and arrests of religious representatives and attacks against institutions are also reported. Sometimes violations of property rights in the course of construction projects are officially tolerated (ÖB Ankara 30/11/2021, p.25; cf.USCIRF 4/2020). For example, the construction of a business complex on the site of an Armenian Catholic cemetery in Ankara was also authorised despite protests from the local Chamber of Architects (ÖB Ankara 30/11/2021, p.25). Positive developments included the consecration of the Syrian Orthodox Church of Mor Ephrem on 8 October 2023 in Istanbul, the first new church building since the founding of the Republic of Turkey in 1923, the renovation and consecration of the Armenian Orthodox Church of Üç Horan on 29 August 2021 in Malatya (ÖB Ankara 4/2025, p.36; cf.USCIRF 5/2024, p.71) and the announcement of the repair of the earthquake-damaged Greek Orthodox Church of St George in Antakya (USCIRF 5/2024, p.71) as well as the start of the renovation of the Armenian Church of Surp Sarkis in Diyarbakır in spring 2024 (USCIRF 3/2025, p.66; cf.AnA 30/5/2024).

Hate crimes and hate speech against Christians and Jews continue to occur (EC 8/11/2023, p.33; cf.EC 30/10/2024, p.35). Anti-Semitic and anti-Christian resentment is not only part of the standard repertoire in the (pro-government) tabloid press and social media. High-ranking politicians right up to the top of the state and the leadership of the opposition also occasionally resort to anti-Semitic or anti-Armenian conspiracy theories in their public statements (BMZ/AA 22/11/2023, p.154). In May 2021, for example, Turkish President Erdğan also used anti-Semitic language in a televised speech (USCIRF 4/2022, p.62). The COVID-19 pandemic had also led

to an increase in anti-Semitism and anti-Semitic rhetoric in Turkey. In March 2021, the gate of the historic Kasturya Synagogue in Istanbul was set on fire (USCIRF 12/2021, p.4) and in mid-July 2022, unknown perpetrators vandalised Jewish graves at the Hasköy Cemetery in Beyoğlu, Istanbul. According to the Foundation of the Chief Rabbinate of Turkey, thirty-six gravestones were damaged in the attack (Bianet 15/7/2022).

The authorities have recently stepped up their crackdown on evangelical preachers and their families. Since 2019, over 200 preachers and their families have had to leave Turkey (as of August 2022). While foreign Protestants are repeatedly expelled from the country, in most cases the residence permits of those affected are no longer renewed, even after decades of living in the country. Others are denied re-entry after a stay abroad. The accusation is that they jeopardise public security as missionaries, and the reasoning that missionary activities pose a threat to public security is also confirmed by the Constitutional Court. In many cases, this is based on reports from the Turkish secret service MİT, but these cannot be viewed in court either, so it is unclear what the accusations are based on (ÖB Ankara 4/2025, p.34; cf.AlMon 23/3/2022). The Protestants continued to have problems with the official recognition of their places of worship (EC 8/11/2023, p.33).

Jews

An estimated 16,000 to 17,000 Jews live in Turkey. Concerns about anti-Semitism in Turkey have increased, especially after the Hamas terrorist attacks of 7 October 2023 and the subsequent war between Israel and Hamas. Incidents in 2023 included, for example, a taxi driver refusing to carry Jewish passengers, a bookseller hanging a sign saying ‘No Jews allowed’ in his shop window, and the vandalisation of the Etz Hayim synagogue in Izmir (DFAT 16/5/2025, p.17; cf.Algemeiner 27/10/2023). On 17 October 2023, the pro-government Islamist daily Yeni Akit attacked the Jewish Turks with the headline ‘Deport the Zionist servants from citizenship’ on its front page. Yeni Akit claimed that Jewish Turks were ‘citizens of Israel by nature’ and accused them of travelling to the Jewish state to take part in its war efforts. The following day, the pro-government daily Yeni Şafak ran the headline on its front page: ‘This terrorist state must be destroyed’ (Algemeiner 27/10/2023). The Turkish-Jewish community expressed its concern about anti-Semitic statements in the media and by high-ranking government representatives (DFAT 16/5/2025, p.17).

While Jewish communities in Istanbul and Ankara expressed gratitude for police protection at their religious services, inflammatory statements by political leaders about Israel, including falsifications of the Holocaust, echoed historical anti-Semitic narratives and contributed to popular sentiment against Jews (USCIRF 3/2025, p.67).

While President Erdoğan denounced anti-Semitism as a ‘crime against humanity’ in front of US Jews on the same day of his meeting with Israeli Prime Minister Benjamin Netanyahu (Haaretz 21/9/2023), this changed radically from 7 October 2023. - Erdoğan has repeatedly caused irritation and outrage since the terrorist attack by Islamist Hamas on Israel on 7 October and the subsequent Gaza war. Erdogan criticised Israeli ‘fascism’ and openly questioned the right of the state of Israel to exist, which he also literally dubbed a terrorist state that was committing

genocide in Gaza (MM 17/11/2023; cf.AnA 22/11/2023). With the escalation of the conflict between Israel and Hamas, Turkey is experiencing a worrying rise in anti-Semitic statements, which are exacerbated above all by media coverage and political discourse that, among other things glorify Adolf Hitler and Nazi ideology (DW 26/10/2023; cf.FAZ 26/10/2023, USCIRF 5/2024, p.70).

In view of the ongoing conflict between Israel and Hamas, the Jewish community in Turkey has expressed its concern about the rise in anti-Semitism. Karel Valansi, a columnist for the Turkish-Jewish newspaper Şalom, among others, told Deutsche Welle that Jews in Turkey are increasingly associated with Israeli politics. According to Valansi, the perception is that Jews are completely removed from the position of citizens of Turkey and turned into ambassadors and the extended arm of Israel, and the anger against this state is then directed against Turkish Jews (DW 26/10/2023). To avoid causing a stir, the Turkish Jewish community, for example, has not celebrated the Jewish Hanukkah festival in public since 7 October 2023 (MBZ 2/2025a, p.73).

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17.3 Atheists, agnostics and other non-religious groups of people

A survey conducted by the Konda Institute in October 2024 showed that the percentage of atheists and non-believers had risen from 2% to 8% since 2008 (TM 30/5/2025). And in 2022, according to Konda, 12.4% of teenagers considered themselves non-believers or atheists (TA 27/9/2024).

Although atheists have the right to express their beliefs freely, and some do so actively online and in the media, atheists are often criticised and insulted by religious Turks (DFAT 16/5/2025, p.18). Hate speech and insults against atheists and deists continued in 2023, according to the European Commission (EC 8/11/2023, p.33). - Atheists, agnostics and deists are discriminated against in their right to freedom of thought and belief at work, in the family and in the education system. Anyone who expresses criticism of religion or faith in general or of certain interpretations, particularly of Islam, must expect to be reported to the police and runs the risk of being prosecuted under the Turkish Criminal Code. This occurs in particular under Article 216/3: 'public disparagement of the religious values of a section of the population'. Conversely, Article 216/3 is not applied to protect these minorities from hateful or defamatory statements (NHC-FBI 19/4/2022, p.6; cf.DFAT 16/5/2025, p.18).

On 23 October 2020, the head of the state religious authority (DIYNET), Ali Erbaş, gave a speech on the occasion of the opening of a mosque in Patnos/Ağrı by President Erdoğan. In it, Erbaş spoke out against non-believers and said: 'All evil is expected from people who do not believe in life after death'. The Association of Atheists in Turkey responded by filing a criminal complaint with the Istanbul Public Prosecutor's Office for openly insulting non-believing citizens (AD 6/12/2020). Undeterred by the complaint, Erbaş announced at the end of March 2021: 'Let's protect our children from ideologies other than Islam and various organisations and structures that promote unbelief, atheism, deism and Zoroastrianism. We would be committing a sin if we did not protect them' (Duvar 29/3/2021).

The Turkish Atheism Association reports that the term 'atheist' is used as an insult or equated with Satanism or terrorism. The potential discrimination in the workplace leads to non-religious people not revealing themselves as such. In 2020, the association filed two relevant lawsuits triggered by derogatory statements against atheists, including against a teacher who taught his students that '[A]theism makes you a vicious person. Atheism leads to Satanism. Atheism leads to torturing animals. Atheism leads to committing suicide', and against the Yeni Akit newspaper, which published an article claiming that atheists are potential serial killers (HumInt 28/10/2022).

Non-religious people come into conflict with the authorities when they criticise religion. - In September 2022, for example, the authorities launched an investigation into a scholar and atheist who described the existence of certain religious figures as 'fairy tales'. Another person was charged with sedition after he posted a photo of himself and others drinking alcohol during the holy month of Ramadan with the caption 'May the Lord accept it' (USCIRF 5/2023, p.67).

A report on a survey on polarisation in Turkey conducted by KONDA, a research and consultancy firm in Turkey in 2019, found that the percentage of atheists who believe that their rights as

citizens are adequately respected was only 7% . 63% of atheists felt they were treated as second-class citizens and 69% agreed with the statement that they felt like a foreigner in their own country. Conversely, a survey conducted by the Center for American Progress (CAP) and the Turkish polling institute Metropoll in October 2019 found that 32% of Turks considered deism/atheism to be more dangerous than religious extremism (IRB 25/11/2021).

Atheist and agnostic pupils, but also deists, cannot be exempted from compulsory (Sunni) religious education in the subject 'Religious Culture and Ethics' (MBZ 2/2025a, p.68; cf.NHC-FBI 19/4/2022, p.6, DFAT 16/5/2025, p.18). Religion is a compulsory subject in Turkish primary and secondary schools (MBZ 2/2025a, p.68)

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18 Ethnic minorities

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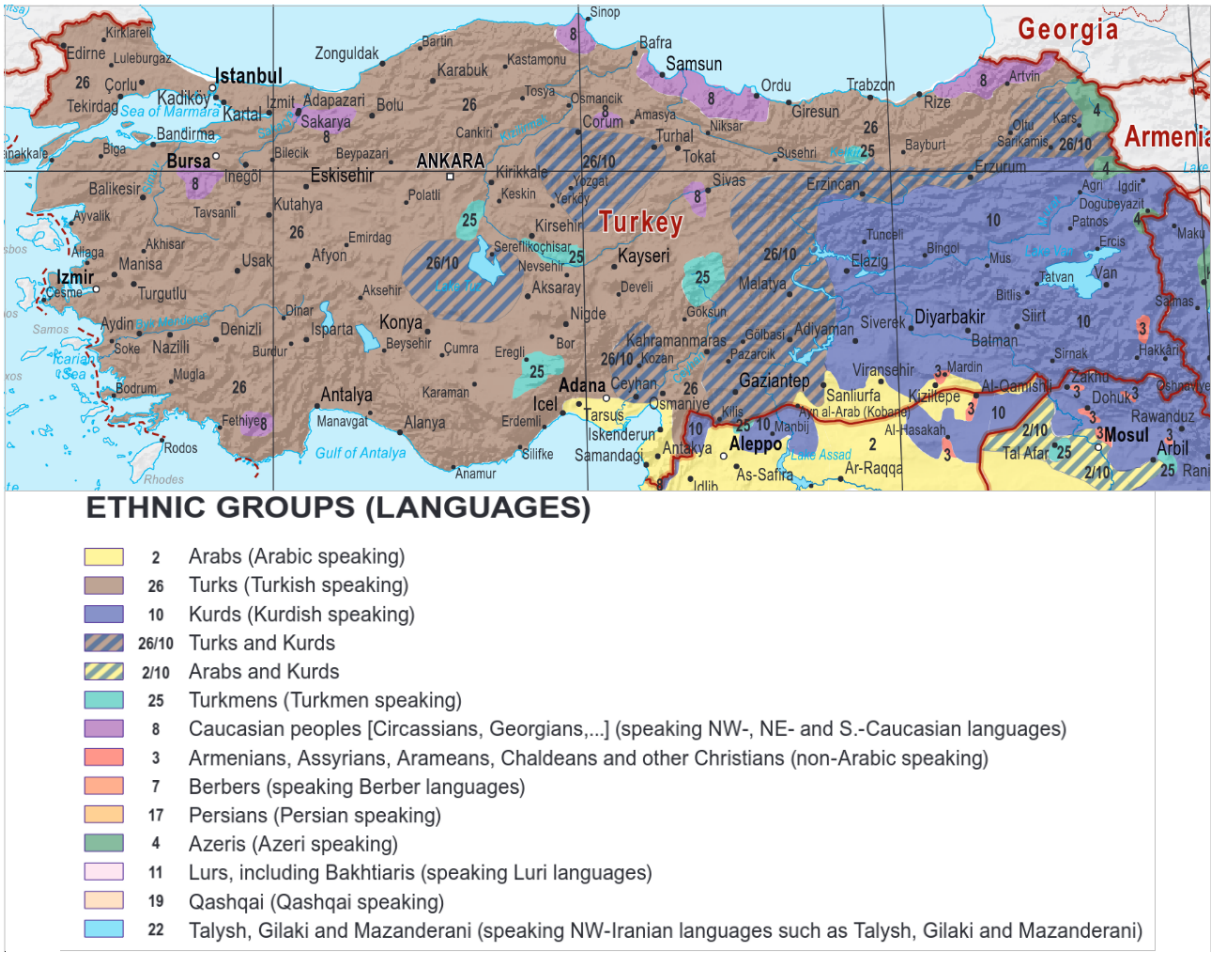
Legal situation and legal reality

Kemalist ideology saw Turkey as a country with a single ethnic identity. The assimilation policy, which suppresses the language, culture and identity of ethnic minorities, has long caused resentment, especially among the Turkish Kurds (DFAT 16/5/2025, p.5). The Turkish constitution provides for only one nationality for all citizens. It does not recognise any national or ethnic minorities, with the exception of the three non-Muslim groups defined primarily by religion, namely the Armenian Apostolic and Greek Orthodox Christians and the Jews (USDOS 22/4/2024, p.67; cf.ÖB Ankara 4/2025, p.30, 39) as well as the Bulgarians on the basis of the Turkish-Bulgarian Friendship Treaty and the Assyrians on the basis of a court ruling (ÖB Ankara 4/2025, p.39). Other national or ethnic minorities such as Jafari [mostly Shiite Azeris], Yazidis, Kurds, Arabs, Roma, Circassians and Lases are not allowed to fully exercise their linguistic, religious and cultural rights (USDOS 22/4/2024, p.67; cf.ÖB Ankara 4/2025, p.39). However, minorities have been granted cultural rights to a limited extent in recent years (ÖB Ankara 4/2025, p.39). Nevertheless, at the end of November 2024, the United Nations Human Rights Committee regretted that Turkey, as a state party to the International Covenant on Civil and Political Rights (ICCPR), maintains its reservation to Article 27 and at the same time recommends that this reservation be withdrawn. Article 27 of the Covenant guarantees the rights of ethnic, religious and linguistic minorities (UNHRCOM 28/11/2024, p.2). - Citizens of non-Turkish ethnic groups are not subject to state repression on the basis of their origin. Identity documents do not contain any statement on ethnicity (ÖB Ankara 4/2025, p.39).

Although Turkey has some legal provisions to protect the rights of minorities, these often do not offer comprehensive protection and do not guarantee equality. There is a significant discrepancy between the legal framework to prevent discrimination and protect minority rights and its practical implementation. The institutional mechanisms are ineffective. - Despite the establishment of institutions such as the Human Rights and Gender Equality Institution of Turkey (TİHEK) and the Ombudsman Institution (KDK), their effectiveness in combating discrimination against minorities remains limited as they are reluctant to address issues directly. Both institutions are authorised to deal with discrimination complaints from minorities as part of their mandate. Although there is no specific reference to ‘minority’ as an identifying term, they can indirectly address discrimination against any group on the basis of gender, race, language, religion and ethnicity, as stipulated in the TİHEK Law. TİHEK could also monitor and report on rights violations against these groups as part of its mandate. However, it has not yet taken any proactive measures in this regard. Despite the competence of both institutions, the number of applications related to minorities remains low, mainly due to the apparent reluctance of these institutions to address the issue. Between 2018 and 2022, out of a total of 43 decisions, TİHEK issued one decision dealing with ethnic discrimination. However, this decision did not concern minorities living in Turkey, but a refugee (MRG 29/4/2024, p.3, 11).

Demographics

An estimated 70 to 75% of the population are ethnic Turks. Around 19% are Kurds, with the remainder made up of various small ethnic minorities (DFAT 16/5/2025, p.5). In addition to the officially recognised religious minorities, there are the following ethnic groups: Kurds (approx. 13-15million), Roma (between 2 and 5million), Circassians (around 2million), Bosniaks (up to 2million), Crimean Tatars (1million), Arabs [excluding refugees] (before the Syrian war 800.000 to 1 million), Lases (between 50,000 and 500,000), Georgians (100,000) and Uyghurs (around 50,000) and other groups in small numbers that are difficult to determine (AA 20/5/2024, p.10). In addition, if they are not counted as a religious minority, there are Yazidis, Greeks, Armenians (60,000), Jews (less than 20,000) and Assyrians (25,000), mainly in Istanbul and a smaller proportion of these (3,000) in the south-east (MRG 6/2018b).



Sources 7: BMI/BMLVS 2017, p.33f. *Note: Only the main settlement areas of the ethnic and linguistic groups are shown on this map. There may be minorities that are not shown. In urban centres in particular, the population is very heterogeneous and cannot be shown on this type of map. The group 'Caucasian peoples' refers to Georgians, Lases and Circassians in Turkey, Jordan and Syria. In Turkey, the Kurds also include the Zaza. In south-east Turkey, the ethnic groups subsumed under the code number 3 are Assyrians and not Armenians. The latter are only found in the major cities and one village in the province of Hatay (not shown here).*

Intolerance, discrimination, hate speech

Despite the fact that all citizens have equal civil rights and although any discrimination based on cultural, religious or ethnic affiliation is outlawed, negative attitudes towards minority groups are widespread. The level of trust and tolerance towards ethnic minorities and non-Muslims has declined (BS 19/3/2024, p.7, 17). To this day, there is no place for independent minorities in Turkey's understanding of the nation. The term 'minority' (in Turkish 'azınlık') has negative connotations. Even today, these minorities such as Kurds, Alevis and Armenians are still regarded as 'dividers', 'traitors to the fatherland' and a threat to the Turkish nation. In the meantime, the rules of procedure of the Turkish parliament have even been amended so that the use of the terms 'Kurdistan', 'Kurdish regions' and 'Armenian genocide' in parliament is prohibited, punishable by a heavy fine and MPs who use these terms can be excluded from meetings (BPB 17/2/2018). In June 2022, the European Parliament condemned 'the oppression of ethnic and religious minorities, including the prohibition of the languages of groups such as the Kurdish community, which are not classified as "mother tongues' under the Constitution of Turkey, in education and in all areas of public life" (EP 7/6/2022, p.18, pt.30).

Legislation on hate crimes, including hate speech, still does not meet international standards, which is a serious problem. Hate speech and hate crimes continue, with the main target groups being Kurds, Syrians (often refugees), Greeks, Armenians, Jews and Alevis (EC 30/10/2024, p.21, 35). This also includes hate comments in the media that are directed against national, ethnic and religious groups (EC 6/10/2020, p.40).

Representatives of the Armenian minority report an increase in hate speech and verbal insinuations directed against the Armenian community, including from high-ranking government representatives. The Armenian Patriarchate has received anonymous threats around the Armenian Remembrance Day. President Erdoğan described the Armenian member of parliament, Garo Paylan, as a 'traitor' because he had introduced a bill in parliament calling for the Armenian genocide to be recognised (USDOS 20/3/2023, p.87). The massacres of Armenians in the years 1915-1917 continue to be a sensitive issue. For example, when human rights defender Öztürk Türkdoğan called for the aforementioned events to be recognised as 'genocide', he was charged with insulting the Turkish nation under Article 301 of the Criminal Code, but was acquitted in July 2023 as his call fell under the right to freedom of expression. On 24 April 2024, a guest speaker at Açık Radyo described the events of 1915-1917 as genocide. As a result, the Radio and Television Supreme Council (RTÜK) imposed a fine on the radio station. Açık Radyo did not pay the fine, whereupon the RTÜK revoked the broadcasting licence (MBZ 2/2025a, p.71).

Education and culture

During the EU harmonisation process, the right to use minority languages was extended to a certain extent, although the term 'mother tongue' was not used. Instead, a definition such as 'various languages and dialects traditionally used by Turkish citizens in their daily lives' was adopted, which is in line with Article 28 of the Constitution, which stipulates that only Turkish may be taught as a mother tongue (MRG 29/4/2024, p.16f.; cf.USDOS 22/4/2024, p.67f.). This is subject to the condition that the schools are subject to the provisions of the law on private educational institutions and are inspected by the Ministry of Education (USDOS 22/

4/2024, p.67f.). This expansion took place in three important areas. First, despite bureaucratic obstacles, the learning of these languages was facilitated through online courses and initiatives by civil society organisations, especially during and after the pandemic. Secondly, the teaching of these languages in private schools was authorised. Finally, in 2012, 'Living Languages and Dialects' was included as an elective subject in all secondary school curricula, including Adyghian (i.e. Circassian), Abkhazian, Albanian, Bosnian, Georgian, Kurmancî [note: main variant of Kurdish in Turkey], Laz and Zazakî. Looking at the range of private language courses on offer, it is clear that Kurdish continues to be subject to strong state repression (MRG 29/4/2024, p.17). However, the minimum number of ten students for a course and the lack or even absence of specialised teachers limit the opportunities for teaching minority languages (EC 30/10/2024, p.35). Despite the establishment of specialised departments at universities and the number of graduates these departments produce, the necessary positions for teachers for these courses have been largely overlooked for almost every minority language. Moreover, however, many school headmasters hinder the learning of these languages. They leave them off the list, warn of possible stigmatisation by stoking parents' existing fears, claim that the languages are unnecessary for the children's future, and sometimes reject or do not process applications. The fear of being labelled due to historical and existing discrimination against minorities in Turkey also discourages parents and students from choosing these courses (MRG 29/4/2024, p.17f.). University programmes are available in Kurdish, Zazakî, Arabic, Assyrian and Circassian (EC 8/11/2023, p.44; cf.EC 30/10/2024, p.35).

The expanded powers of the governors and arbitrary censorship have continued to have a negative impact on the art and culture of minorities, especially the Kurds (EC 8/11/2023, p.44 ; cf.EC 30/10/2024, p.35).

The law permits the restoration of former non-Turkish place names of villages and settlements and allows political parties and their members to campaign and disseminate information material in any language. In practice, however, this right is not protected. The law restricts the use of languages other than Turkish in government and public services (USDOS 22/4/2024, p.67f.). However, with the 4th judicial reform package in 2013, the use of languages other than Turkish (especially Kurdish) **in court** and in public offices (hospitals, post offices, banks, tax offices, etc.) was made possible by law (ÖB Ankara 4/2025, p.39).

See in particular the sub-chapter: Ethnic minorities / Kurds

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18.1 Kurds

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Demographics and self-definition

According to estimates, the Kurdish ethnic group makes up between 15 and 20% of the total population and lives mainly in the south-east of the country and in the major cities of Adana, Antalya, Gaziantep, Mersin, Istanbul and Izmir to the south and west (ÖB Ankara 4/2025, p.39; cf.MRG 2/2024, MBZ 31/8/2023, p.47, UKHO 10/2023b, p.6, DFAT 16/5/2025, p.12). Traditionally, the Kurdish population is concentrated in south-east Anatolia, where they form the largest ethnic group, and in north-east Anatolia, where they represent a significant minority. The east and south-east of Turkey are historically less developed than other parts of the country, with lower incomes, higher poverty rates, less industry and less government investment. In recent decades, many Kurds have migrated to western Turkey to escape conflict and seek economic opportunities. Some Kurds lead a traditional lifestyle, especially in rural areas, while others are highly assimilated and hardly different from other Turks (DFAT 16/5/2025, p.12).

The Kurds are the largest ethnic minority in Turkey, but no data is available on their exact size. This is due to a number of factors. - Firstly, Turkish censuses do not record people's ethnicity. Secondly, some Kurds hide their ethnicity because they fear discrimination due to their Kurdish origin. And thirdly, it is not always easy to determine who belongs to the Kurdish part of the population. For example, speakers of Zazaki - a language variant related to Kurmancî ('Kurdish') - sometimes identify themselves as Kurds and sometimes as a completely separate population group (MBZ 31/8/2023, p.47).

General situation, political orientation and representation

Although Kurds are represented in all areas of public life and some of them hold high positions, they tend to be underrepresented in leadership positions and are sometimes reluctant to disclose their Kurdish identity in case this proves to be an obstacle. There is evidence of persistent social discrimination against Kurds and numerous reports of racist attacks against Kurds. In some cases, these attacks may not have been properly investigated or recognised as racist. Kurds living in cities in western Turkey are sometimes afraid to reveal their Kurdish identity or speak Kurdish in public, and employment opportunities for Kurds can be limited, especially if they are active in Kurdish politics or openly support the Kurdish cause. Most politically inactive Kurds and those who support the AKP can live in the cities of western Turkey without discrimination. There is evidence that Kurds have been denied access to certain rental flats because of their ethnicity. Kurds who do not speak Turkish can have difficulties accessing services, e.g. in the health sector (UKHO 10/2023b, p.8f.; cf.DFAT 16/5/2025, p.12f.).

The Kurdish community is diverse and encompasses a wide range of political views and socio-economic backgrounds (DFAT 16/5/2025, p.12; cf.ÖB Ankara 4/2025, p.39). Among the Kurds not living in south-east Turkey, especially the religious Sunni Kurds, there are many Islamic-conservative voters who vote for the AKP or the YRP (Yeniden Refah Partisi - New Welfare Party). Conversely, especially in the major cities of Ankara, Istanbul and Izmir, many liberal to left-wing ethnic Turks also vote for the pro-Kurdish DEM party [note: formerly HDP] (ÖB Ankara 4/2025, p.39; cf.MBZ 31/8/2023, p.48). In the Kurdish-dominated south-east, there is still a considerable division in society between the religious conservative and secular left-wing elements of the population. The Islamist-conservative Free Cause Party (Hür Dava Partisi - Hüda-Par for short), which is in favour of the introduction of Sharia law, is an internal Kurdish rival to the left-wing HDP, albeit to a limited extent. Like the HDP, it is in favour of Kurdish autonomy and the strengthening of Kurdish in the education system, but politically it supports President Erdoğan, for example in the 2018 presidential elections (MBZ 31/10/2019). This support was also repeated in the presidential and parliamentary elections in spring 2023 - in the 2023 parliamentary elections, four members of the Hüda-Par entered the Turkish parliament via the AKP list. This was made possible by an extensive deal with President Erdoğan. In return for the four safe list places, he received the support of the Hüda-Par in the presidential elections taking place at the same time (FR 19/5/2023; cf.Duvar 9/6/2023). The Hüda-Par, for example, is not only considered an opponent of the Istanbul Convention, but also of women's emancipation in general. For Hüda-Par, a woman is first and foremost a mother. The party also wants to ban extramarital relationships (FR 19/5/2023). With the outbreak of the Gaza war in October 2023,

Huda-Par turned out to be a supporter of HAMAS, which is considered a terrorist organisation in the EU, the USA and other countries, but not in Turkey. The parliamentary group of Hüda-Par received a delegation from HAMAS in the Turkish parliament as soon as 11 October 2023. At a joint press conference, Şehzade Demir, a Hüda-Par MP, not only accused Israel of war crimes, but also declared that 'the Zionist regime has declared war on the entire Islamic community and our sacred values' (Duvar 12/10/2023). Demir also welcomed the HAMAS attack of 7.10.2023 and called Israel a terrorist organisation with which all diplomatic and economic relations should be terminated (FR 12/10/2023).

The relationship between the HDP and the Kurdistan Workers' Party (PKK) and the Hüda-Par is hostile. In October 2014, during the Kobanê protests, violence broke out for the last time between PKK sympathisers and supporters of the Hüda-Par, with dozens of people being killed (MBZ 31/10/2019; cf.AI 7/7/2015, p.5).

Religious and ideological orientation

In religious terms, the Kurds in Turkey are not uniform. According to one estimate, seventy per cent of Kurds are Sunnis, while the remaining thirty per cent are Alevis and Yazidis [a negligible number] (MBZ 31/8/2023, p.48; cf.MRG 2/2024). However, the Sunni majority among the Kurds generally belong to the Shafi'i school and not the Hanafi school like most ethnic Turks. The Turkish religious authorities regard both schools as equal, and followers of the Shafi'i school are not treated differently on religious grounds (DFAT 16/5/2025, p.12). According to a study conducted by the Kurdish Studies Centre in December 2023, Kurds define themselves as devout Muslims and libertarians (özgürlükçülük). The lower the age, the more libertarian, and the higher the age, the stronger the Muslim religious identity. The peace between religion and liberal (libertarian) values characterises the Kurdish identity. 53.5% of Kurds (multiple answers were possible) saw themselves as Muslims and a further 24.8% as religious, while 28.1% saw themselves as libertarian or liberal in terms of values. 11.9% defined themselves as conservative, 11.5% as socialist, 9.9% as Kurdish nationalist, 9.2% as democrats, 8.4% as defenders of Kurdish rights and 8.0% as social democrats, along with other categories (KSC 12/2023, p.7).

General assessments of the situation of the Kurds

In its annual report for 2024, the 'Kurdish Language Rights Monitoring and Reporting Platform' recorded 109 incidents of 'systematic violations against Kurdish language and culture' - in the field of art and culture: 27, in public space: 53, in the media: 11 and in prisons: 18. - Violations in the field of arts and culture included the cancellation or banning of plays, concerts and cultural events in Kurdish by governorates or municipalities; the closure of social media accounts of actors, singers and writers; the arrest or imprisonment of members of music groups or musicians; investigations and legal action against cultural workers. Violations in the public sphere included restrictions on the use of Kurdish in parliament and the removal of public signs and inscriptions in Kurdish. 375 people were arrested, 47 of them for performing Kurdish songs or dances at weddings. Workers were dismissed for speaking Kurdish, e.g. at Bodrum and Istanbul airports. According to the report, discrimination in the areas of education and health included the reduction

of jobs for Kurdish-speaking teachers to ten, the refusal of medical examinations for patients who did not speak Turkish, as well as ongoing pressure on institutions that offer Kurdish language lessons and the arrest or dismissal of teachers. The murder of an Iraqi citizen from the Kurdistan Region of Iraq in Istanbul for speaking Kurdish in public is also cited as a hate crime. Violations in the field of media included internet and broadcasting censorship, e.g. access restrictions to the Kurdish accounts of the newspaper Xwebûn, the Mezopotamya agency and Jinnews; the closure of social media accounts and the banning of 120 Kurdish books and press articles. There were restrictions on communication in prisons: the prohibition of prisoners from speaking Kurdish with their families and the confiscation of their letters; the interruption of telephone calls. There were cases of punishments and disciplinary measures. These included the imposition of solitary confinement for prisoners who sang in Kurdish; disciplinary proceedings for poems written in Kurdish and the handing over of Kurdish books in exchange for a translation fee or the simple confiscation of books translated into Kurdish (KurdLRMRP 2/2025, pp.4-6).

In 2023, the European Parliament (EP) also expressed 'particular concern about the ongoing crackdown on Kurdish politicians, journalists, lawyers and artists, including mass arrests before the [2023] elections, as well as the ongoing ban proceedings against the Peoples' Democratic Party' (EP 13/9/2023, p.13, 16). In a resolution of May 2025, the European Parliament once again deplored 'the ongoing political repression, judicial harassment and curtailment of the cultural and linguistic rights of Kurdish citizens' (EP 7/5/2025, pt.28). According to the EP, of particular concern is the persistent discrimination against Kurdish women, which is further exacerbated by prejudice based on their ethnic and linguistic identity, further restricting them in the exercise of their civil, political, economic, social and cultural rights (EP 19/5/2021, p.17, para.44). According to the European Commission, hate crimes and hate speech against Kurds continue (EC 30/10/2024, p.21).

Kurdish civil society

There have been several attacks against ethnic Kurds which, according to human rights organisations, were racially motivated. Kurdish and pro-Kurdish NGOs and political parties continue to be restricted in their exercise of freedom of assembly and association (USDOS 22/4/2024, p.69). Hundreds of Kurdish civil society organisations and Kurdish-language media were closed by government decree in 2016 and 2017 following the coup attempt (USDOS 20/3/2023, p.85). Kurdish-language media and cultural rights organisations have remained closed since 2016 (EC 30/10/2024, p.21). However, in April 2021, the Constitutional Court annulled a provision of the emergency decree that formed the basis for the closure of media outlets on the grounds that the latter posed a 'threat to national security' (2016). The Constitutional Court also annulled a provision that paved the way for the confiscation of the property of the closed media. However, the Constitutional Court's judgement (as of November 2023) has not been implemented (EC 8/11/2023, p.18f.; cf.CCRT 8/4/2021).

Effects of the armed conflict with the Kurdistan Workers' Party - PKK

The conflict with the PKK is used by the government to justify discriminatory measures against Kurdish citizens, including the ban on Kurdish festivals. Kurdish schools and cultural organ-

isations, many of which were opened during the peace talks, have been under investigation or closed since 2015. The authorities regularly carry out mass arrests in Kurdish-dominated provinces and accuse those arrested of supporting the PKK. In September 2024, the authorities raided a number of Kurdish organisations and cultural institutions (FH 26/2/2025, F4). The arrests of individuals also continued in 2024. On 16.1.2024, for example, the police arrested a total of 165 people in several raids in 28 provinces, including members of the pro-Kurdish Democracy and Equality Party (DEM Party), for suspected links to terrorist organisations. The Interior Ministry stated that the detainees were arrested for allegedly supporting the PKK or spreading PKK propaganda on social media. Among those arrested were several members of the so-called Peace Mothers, a group of women activists campaigning for a peaceful solution to the conflict between the state and the PKK, as well as members of the DEM party's youth and women's networks (BAMF 30/6/2024, p.1).

For further information, see chapter or subchapter: Security situation, Security situation / Terrorist groups:PKK - Partiya Karkerên Kurdistan (Kurdistan Workers' Party)Freedom of assembly and association / Opposition.

According to the European Commission, the very broad interpretation of the fight against terrorism and the increasing restrictions on the rights of journalists, political opponents, bar associations and human rights defenders dealing with the Kurdish issue repeatedly give cause for concern (EC 30/10/2024, p.21). Statements of support for the people of Kobanê and terms such as: Kurds, Kurdistan, guerrillas, resistance, martyrs are the subject of extensive proceedings (Pro Asyl 9/2024, p.99f.).

Kurdish journalists are disproportionately affected. In July 2024, at a trial in Ankara against eleven Kurdish journalists, eight of them were sentenced to six years and three months in prison each for 'membership in a terrorist organisation'. In Diyarbakır, the trial against 20 Kurdish journalists and media employees continued on the same charges (HRW 16/1/2025; cf.ÖB Ankara 28/12/2023, p.36). According to their own statements, Kurdish journalists are being charged simply because of their reports on the worsening human rights situation in the Kurdish regions (BIRN 8/12/2023). Most of the journalists in pre-trial detention are of Kurdish origin. In the criminal proceedings, according to Pro Asyl sources, accused Kurdish journalists are perceived from the outset as members of an organisation and treated as such. Accordingly, the attitude of the judges in these proceedings is much tougher from the outset, which is also reflected in the particularly aggressive language used by the public prosecutors in their pleadings (Pro Asyl 9/2024, p.40).

In addition to pro-Kurdish political parties *[see the subchapter on freedom of assembly and association / opposition]*, representatives of Kurdish NGOs and associations are also affected by the accusation of supporting terrorism. - In September 2023, a court in Diyarbakır sentenced Narin Gezgör, a founding member of the 'Pink Women's Association', a Kurdish women's rights group, to seven years and six months in prison for terrorism. The evidence presented against Gezgör included her membership of the association as well as her media interviews and anonymous witness statements incriminating her (SCF 11/9/2023; cf.ANF 11/9/2023).

On the persecution of Kurdish journalists, see also the chapter: Freedom of expression and the press / Internet

Events or demonstrations relating to the Kurdish problem and protests against the appointment of trustees (instead of elected Kurdish mayors) are banned under the pretext of the security situation (EC 19/10/2021, p.36f). Even public criticism of the actions of the Turkish security forces in the Kurdish regions of south-east Turkey or the sharing of PKK-related posts on social media can, if interpreted accordingly, constitute terrorist propaganda (AA 20/5/2024, p.8f.). Arrests of Kurdish activists regularly occur on the occasion of demonstrations or celebrations for International Women's Day (WKI 22/3/2022), 1 May (WKI 3/5/2022) or routinely for the Kurdish New Year's festival Newroz (Duvar 20/3/2023). On 19 March 2023, thousands of people celebrated the Kurdish New Year in Istanbul. Participants chanted and demanded the release of former HDP co-chair Demirtaş. The authorities arrested more than two hundred people. They had been carrying 'illegal banners' and shouting 'illegal slogans'. At the celebrations in Istanbul on 18 March 2024, 70 people were arrested, three of whom, according to the authorities, were allegedly holding up a poster of the imprisoned PKK leader Öcalan (ÖB Ankara 4/2025, p.40).

Violent attacks and official action

There are repeated violent attacks, which some attribute an anti-Kurdish dimension to (MBZ 2/2025a, p.57; cf.USDOS 22/4/2024, p.2). In 2023 and 2024, the media also repeatedly reported on measures and acts of violence against people who spoke Kurdish in public or were perceived as Kurds (ÖB Ankara 4/2025, p.39).

Examples 2024: A Kurdish operator of a café in Diyarbakır was arrested at the end of May 2024 after he announced on the occasion of Kurdish Language Day (15 May) that he would serve his customers exclusively in Kurdish in future. The authorities accuse the restaurateur of carrying out terrorist propaganda through his plan, and criminal proceedings have been initiated in this regard. The café owner had previously been criticised on social media (BAMF 3/6/2024, cf.BIRN 30/5/2024).

In the summer of 2024, wedding guests who sang Kurdish songs and danced Kurdish dances were arrested by the police in several places or charged with 'spreading terrorist propaganda'. This offence can be punished with up to five years in prison. The European Court of Human Rights had previously ruled that singing folk songs or reciting poetry, shouting general slogans, including at public gatherings, or referring to the 40-year uprising of the armed Kurdistan Workers' Party (PKK) against the Turkish military are legally permissible expressions of opinion. This is because the content of the songs and slogans at the wedding celebrations and elsewhere neither calls for violence nor poses an immediate danger to people that could justify criminal prosecution (HRW 15/8/2024). - More than 30 arrests were made in July in the provinces of Istanbul, Aydın, Mersin, Ağrı, Siirt, Batman and Hakkâri. According to press reports, a total of eleven people were arrested on 27.7.2024 for allegedly carrying out 'propaganda for terrorist organisations' at various weddings in Istanbul, according to an Istanbul court. On 28 July 2024, raids were carried out in Hakkâri during wedding celebrations because Kurdish songs were played and danced to. According to reports, an unknown number of musicians and wedding guests were also

arrested during the raids on the charge of ‘propaganda for a terrorist organisation’. On 5 August 2024, five people were arrested for allegedly singing Kurdish-language songs at a wedding in Osmaniye province, performing the Kurdish folk dance ‘Halay’ and decorating the wedding vehicles with yellow and red streamers. Among those arrested were the two co-chairs of the Osmaniye district’s Equality and Democracy Party (DEM) (BAMF 12/8/2024, p.7; cf.Bianet 30/7/2024, MLSA 1/8/2024). On 10 August 2024, Istanbul police raided a wedding in the Esenyurt district and detained eight people, including the hosts of the wedding and musicians. The raid was reportedly triggered by the playing of ‘political songs’. Five of the eight people, who were charged with ‘propaganda for a terrorist organisation’, were released after making statements at the Kıraç police station. Three musicians who were referred to the public prosecutor’s office after their testimony were referred to the court with a request for release on probation, which subsequently released the musicians on probation (Mezopotamya 12/8/2024; cf.Bianet 12/8/2024). And also at the end of October 2024, according to media reports, a Kurdish family was attacked, this time by Turkish nationalists, after playing Kurdish music at a wedding in the Turkish district of Çanakkale (SCF 28/10/2024; cf.Medya 28/10/2024).

[Note: For examples before 2024, see previous versions of the country information Turkey].

Position of the Kurdish language in the education system

The use of Kurdish is in sharp decline, especially among Kurdish youth, even though there is no official ban. The private use of Kurdish has not been subject to any restrictions since the early 2000s. However, the Turkish constitution only recognises Turkish as the official language of the country. This means that Kurdish does not enjoy any legal protection (MBZ 2/2025a, p.55; cf.AA 20/5/2024, p.10), including as a language of instruction (ÖB Ankara 4/2025, p.40). Teaching in Kurdish has been possible at public schools since 2012 to the extent of two lessons for ten or more pupils (Duvar 5/12/2024; cf.AA 20/5/2024) and at private institutions since 2014 (as a compulsory elective subject). In practice, however, lessons are often not offered due to factual barriers (AA 20/5/2024). As of December 2024, this option was only available in 13 cities. Surveys show that there is a lack of teachers for Kurdish lessons. In other cases, parents did not know that their child was allowed to take Kurdish lessons. - According to a survey in 2020, only 30% of Kurdish parents knew that Kurdish lessons were available. - Parents were often afraid to ask. In the latter case, they feared being associated with the PKK (Duvar 5/12/2024; cf.MBZ 2/2025a, p.57). Children with Kurdish as their mother tongue cannot learn Kurdish as their main language in the state school system. Only 18% of the Kurdish population speak and write their mother tongue, with Kurdish language skills declining, especially in the major cities (ÖB Ankara 4/2025, p.40; cf.ÖB Ankara 28/12/2023, p.36). Optional courses in Kurdish are still offered at public state schools, as are university programmes in Kurdish (Kurmanci and Zazaki). Only a few political parties have explicitly included mother-tongue education in their election programmes. The expanded powers of the governors and arbitrary censorship continue to have a negative impact on art and culture, and a number of Kurdish-language art and cultural groups have been dismissed by the trustees (EC 8/11/2023; p.44; cf.ÖB Ankara 4/2025, p.40). Countless concerts, festivals and cultural events were banned by the governorates and municipalities on the grounds of ‘security and public order’. Kurdish cultural and language

institutions, media and numerous art spaces remained largely closed, as has been the case since the attempted coup in 2016 (EC 30/10/2024; p.35). In this context, the low number of Kurdish teachers and their distribution, often not in the areas where they are needed, is problematic. There are also reports of administrative problems at the schools. In addition, state subsidies for minority schools have been significantly reduced (ÖB Ankara 4/2025, p.40f.). In 2024, the Ministry of Education's decision to allocate only ten of 20,000 new teaching positions to Kurdish teachers (six teachers for the Kurmanci dialect and four for Zazaki) led to strong reactions from politicians and civil society organisations, who argue that this undermines the right of Kurds to education in their mother tongue (SCF 9/5/2024; cf.VOA 9/5/2024).

According to a recent report published by the Kurdish Studies Centre, 30% of Kurds speak Kurdish at an advanced level and 31% at an intermediate level. For two out of five people, the language plays almost no role in their lives. There is also a strong correlation between the strength of Kurdish identity and the level of Kurdish language proficiency: while among those with a very strong Kurdish identity, the proportion of Kurdish speakers reaches 50%, only 7.5% of those with a weak Kurdish identity speak Kurdish well (KSC 12/2023, p.15). The same study shows that more than half of the children of Kurdish-speaking parents do not speak Kurdish well (MRG 29/4/2024, p.19).

From 2016 onwards, increasing pressure on the Kurdish political movement directly targeted these language courses and the associations that offered them, leading to their closure. Although both face-to-face and online courses are offered by new associations such as the Mesopotamian Language and Culture Research Association (MED-DER), founded in 2017, these institutions are under constant state surveillance. Participants in these courses run the risk of being categorised as suspicious without having the possibility to foresee such profiling (MRG 29/4/2024, p.17).

Use of Kurdish in the media, in the cultural sector and in prisons

Since 2009, there has been a channel on **state television** with a 24-hour programme in Kurdish (ÖB Ankara 4/2025, p.40; cf.FES 11/12/2024). Non-state Kurdish media, on the other hand, have great difficulties both economically and politically (FES 11/12/2024). There are a total of eight television channels that broadcast exclusively in Kurdish and 27 radio stations that either broadcast exclusively in Kurdish or offer Kurdish programmes (ÖB Ankara 4/2025, p.40). However, with the imposition of the state of emergency in 2016, many associations, private theatres, art workshops, media companies and similar institutions active in the field of Kurdish culture and art were closed (İBV 7/2021, p.8; cf.ÖB Ankara 4/2025, p.40), or restrictions were imposed on their use of Kurdish (K24 10/4/2022). There are documented examples of concert cancellations due to planned music in Kurdish, as of the summoning of Kurdish wedding singers for interrogation by the authorities because they allegedly sang 'terrorist songs' (AlMon 10/8/2022; cf.KurdLRMRP 2/2025, pp.14-18).

The Kurdish language was also curtailed in the cultural sphere **in 2024**. On 16 January 2024, the Turkish authorities banned a theatre performance in Kurdish (entitled 'Qral û Travis' - 'The King and Travis') in the eastern city of Patnos in the province of Ağrı. In addition to the poster and script of the play, the organiser was also asked by the security office for his criminal record.

The only reason given by the authorities was that the performance was ‘inappropriate’. This caused astonishment, as the performance had already been staged in other parts of Turkey (Duvar 23/1/2024). However, the performance of the same play was also prevented in several cities in February 2024. In Istanbul, the Şişli district administration banned the play without giving a reason. The audience was prevented from entering the theatre. The actors were forcibly removed from the venue. Actors and others who protested against the ban were arrested (KurdLRMRP 2/2025, p.9). On 21 February 2024, International Mother Tongue Day, the authorities banned a concert by Kemal Kahraman in Kurdish in the eastern city of Bingöl. The authorities did not give a reason for this (Bianet 22/2/2024; cf.Rudaw 21/2/2024). In May 2024, several concerts by the Kurdish singer Sasa Serap were cancelled by the authorities (KurdLRMRP 2/2025, p.9). In September, three members of the Kurdish music group Koma Hevra were arrested for singing Kurdish songs in Diyarbakır during a concert organised by the Diyarbakır Municipality in Dağkapı Square. The members were accused of making ‘propaganda for an organisation’ due to the content of the Kurdish songs they performed. After being questioned by the anti-terrorism department of the Diyarbakır Police Department, they were released the same day (MLSA 1/10/2024; cf.KurdLRMRP 2/2025, p.10). In October 2024, the Turkish Ministry of Culture and Tourism decided that the film Rojbash was not suitable for distribution. This feature film starred a group of Kurdish actors. The film mainly featured the Kurdish language. The authorities did not give a specific reason for this decision. The filmmaker interpreted the decision as a measure to restrict the use of Kurdish (MBZ 2/2025a, p.56; cf.MLSA 10/10/2024). On 22 December 2024, YEWKURD, an association of Kurdish publishers, announced that the authorities had banned 120 books, magazines, newspapers and other publications in Kurdish in the previous three weeks. Some books dealt with politically sensitive topics, such as the course of the Syrian civil war in Afrin, a region where many Kurds live. Other books did not, but were also banned, such as a book on Kurdish mythology (MBZ 2/2025a, p.57; cf.Duvar 22/12/2024).

The police arrested four Kurdish book authors on 5 March 2025 as part of an ongoing investigation led by the Istanbul Chief Public Prosecutor’s Office. The authorities cited their involvement in the creation of ‘Hînker’, a textbook in Kurdish, as the reason for their arrest. The book, which was first developed in 2008, is widely used as an educational resource by Kurdish institutions, including the Kurdish Institute Istanbul (Duvar 5/3/2025; cf.C8 6/3/2025, Medya 6/3/2025). The public prosecutor’s office stated that the authors were arrested due to the content of the book, which contained ‘organisational ideology’. It is alleged that the PKK used the book to teach its members the Kurdish language (C8 6/3/2025; cf.Medya 6/3/2025).

In a politicised context, the use of Kurdish can also lead to difficulties **in prisons**. - Prisoners in Afyon Type-T Prison reported in March 2024 that the prison administration intervenes with those who listen to Kurdish music. In their statement, the prisoners said that the guards intervened with the words: ‘You listen to Kurdish songs, don’t switch on Kurdish songs’. The inmates complained and described the procedure as an attack on their (Kurdish) language. The guards are said to have replied: ‘Don’t listen to Kurdish songs or Kurdish news’. The inmates also reported that the letters they had written or received in Kurdish were confiscated, with the justification that there was no interpreter. Inmates from Tekirdağ High Security Prison (F-Type) who contacted the

Human Rights Association (İHD) stated that they are prevented from receiving books, especially in Kurdish, that they are asked to pay for a translator to translate the books, and that they are not given letters and writings in Kurdish. High-security prison Kırşehir also demanded that inmates pay for the translation of Kurdish books (KurdLRMRP 2/2025, p.21). In August 2024, a prison in the Turkish province of Şırnak imposed a ban on the use of the Kurdish language in telephone conversations between inmates and their families (SCF 12/8/2024; cf.TR724 12/8/2024). Families were forced to 'speak in Turkish' during open visits to Erzincan L-Type Prison (KurdLRMRP 2/2025, p.21).

Further examples from the years before 2024 can be found in the country information on Turkey before 2025.

Official use of Kurdish and its renewed restriction

In recent years, the authorities have reintroduced Kurdish place names in many villages and neighbourhoods, although in some cases these have since been removed (DFAT 16/5/2025, p.12; cf.MRG 29/4/2024, p.19). The state-appointed trustees in the south-east continued to change the original (Kurdish) street names and names of cultural centres (EC 30/10/2024; p.35). In August 2024, Kurdish-language road signs were once again removed in Diyarbakır province on the instructions of the governor's office. The Ministry of Interior had previously issued a directive stating that all road signs must comply with the standards set by the Turkish General Directorate of Motorways (KGM). The KGM had ordered the removal of the Kurdish road signs on the instructions of the ministry, but the municipalities 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 vice-chairman of the Diyarbakır Bar Association, there are no legal obstacles preventing municipalities from offering public services in different languages and there have been warning signs in Kurdish in Diyarbakır for 15 years (BAMF 12/8/2024, p.7f., cf.Bianet 31/7/2024a, MLSA 1/8/2024).

In 2013, a law was passed to allow the use of languages other than Turkish, primarily Kurdish, in court and in public offices and institutions (hospitals, post offices, banks, tax offices, etc.) (ÖB Ankara 4/2025, p.41). Despite some progress, the lack of translation services for non-Turkish speakers in public spaces, especially in important areas such as healthcare and social services, remains a major challenge. Furthermore, despite the existing legal framework, translation services are not provided in court (MRG 29/4/2024, p.19). In 2013, as part of a series of reforms, the Turkish government also announced that it would lift the ban on the Kurdish alphabet and officially authorise Kurdish names. However, the use of special Kurdish letters (X, Q, W, Î, Û, Ê) is still not permitted, which means that children cannot be given the correct Kurdish name (Duvar 2/2/2022; cf.MRG 29/4/2024, p.19). However, the Constitutional Court did not consider the ban by a local court to be a violation of the rights of those affected (Duvar 25/4/2022).

See also the subchapter: Freedom of assembly and association /oppositionprison conditions

Use of the term 'Kurdistan'

Although the former Turkish President Abdullah Gül used the word ‘Kurdistan’ in public for the first time during his historic visit to neighbouring Iraq in 2009, even though he was referring to the Iraqi autonomous region, this was considered a breach of taboo at the time (FAZ 24/3/2009). According to the pro-Kurdish internet portal Bianet, several examples can be found of the word ‘Kurdistan’ being said or not said in Turkey, depending on the political atmosphere. Saying the word ‘Kurdistan’ may or may not be an insult. But it is always most dangerous when Kurds say ‘Kurdistan’ (Bianet 16/7/2019). - While Erdoğan, then head of government, also used the term on the occasion of the visit of the president of the Kurdish region in northern Iraq, Massoud Barzani, to Diyarbakır in October 2013 (DW 19/11/2013), tensions arose in the Turkish parliament barely a month later because the term ‘Kurdistan’ appeared in a report by the pro-Kurdish BDP [predecessor party of the HDP] on the government’s draft budget to describe the Kurdish settlement areas in eastern and south-eastern Anatolia. The other parties in parliament opposed the use of the word, which Turkish nationalists regard as an expression of Kurdish separatism. During a debate on the BDP report, MPs from the BDP and the ultra-nationalist MHP clashed (Standard 10/12/2013). - According to the parliamentary rules of procedure, MPs can be warned or temporarily expelled from parliament for using the word ‘Kurdistan’ or other sensitive terms in the plenary session of parliament. The authorities did not apply this procedure uniformly (USDOS 22/4/2024, p.28).

In 2019, Binali Yıldırım, the AKP candidate for mayor of İstanbul and former prime minister, said ‘Kurdistan’ at a pre-election rally, and when asked about it, he replied that the word Kurdistan was the one Mustafa Kemal Atatürk had used for the representatives who came from that region during the independence struggle before the establishment of the Republic. For the ‘Kurdistan Youth Movement Association’ in Istanbul, on the other hand, the Ministry of the Interior declared that the use of the word ‘Kurdistan’ was a violation of Article 14 of the Constitution and Article 302 of the Turkish Criminal Code. It may not be used in the name of an association. This was followed by a lawsuit against the association (Bianet 16/7/2019). And in October 2021, police in Siirt temporarily arrested a Kurdish businessman after he referred to his city as part of ‘Kurdistan’ during an argument with a nationalist politician. He was accused of making propaganda for the Kurdistan Workers’ Party (PKK) (Rudaw 29/10/2021).

The dispute regarding the use of the term ‘Kurdistan’ has now even reached the European Court of Human Rights (ECtHR). - On 13 June 2023, the Court ruled that the Turkish authorities had violated the rights of former People’s Democratic Party (HDP) MP Osman Baydemir by imposing a fine on him for using the term ‘Kurdistan’ during a speech in parliament in 2017. In its judgement of 13 June 2023, the ECtHR found that Article 10 of the European Convention on Human Rights (ECHR) on ‘freedom of expression’ had been violated. The ECtHR ordered Turkey to pay Baydemir compensation of almost 17,000 euros (Duvar 13/6/2023; cf.ECHR 13/6/2023).

However, the issue remains topical. - For example, the Constitutional Court ruled in favour of Abdurrahim Kılıç, who had previously been convicted of wearing a T-shirt with the word ‘Kurdistan’ and the emblem of the Mesopotamian Sun. In 2016, the Midyat Heavy Penal Court sentenced him to a fine of 7,300 lira [note: around 2,200 euros at the exchange rate at the

time] for ‘terrorist propaganda’. Following the confirmation of the judgement by the Court of Cassation in 2021, Kılıç filed an individual complaint with the Constitutional Court. On 12 June 2024, the Constitutional Court ruled that Kılıç’s right to freedom of expression, which is protected by Article 26 of the Constitution, had been violated. In its detailed judgment, the court criticised the lower court’s lack of reasoning for Kılıç’s conviction, noting that the judgment did not explain the meaning of the symbols on the T-shirt or their alleged connection to a terrorist organisation. Furthermore, the court pointed out that no assessment was made of the extent to which wearing the T-shirt incited violence or threatened public order (Bianet 31/7/2024b; cf.IFE 2/8/2024, Duvar 30/7/2024).

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18.2 Roma

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Living situation

Poverty and social marginalisation are widespread among the Roma. The majority are exposed to discrimination, particularly in the areas of education, employment and housing. The Covid-19 pandemic and the earthquakes of 6 February 2023 exacerbated existing structural problems for Roma. Roma had particular difficulties gaining access to earthquake aid. For most Roma, discrimination and a lack of access to education, healthcare and formal employment are everyday experiences. The situation in the south-east of the country, for example for the Syrian Dom refugees [note: the Dom are sometimes counted as a separate group, sometimes as Roma] around Gaziantep, is likely to be particularly precarious. Due to the economic crisis and the massive wave of inflation, even the end of the pandemic-related restrictions did not bring any relief for the Roma communities, the majority of whom live in deep poverty (ÖB Ankara 4/2025, p.41; cf.MRG 12/4/2024, p.2, USDOS 22/4/2024, p.68, EC 30/10/2024, p.35). Roma activists in the region have documented numerous forced evictions from emergency shelters, denial of access to shelter, food and water for families, who have also been labelled 'dirty gypsies' by volunteers. Aid deliveries to Roma settlements are said to have been restricted, leaving these communities on the brink of starvation without access to basic services (ERRC 6/3/2023; cf.MRG 12/4/2024, p.2).

The informal economy has a detrimental effect on social security and welfare systems, which particularly affects the Roma community (EC 30/10/2024, p.68). The estimated 2.5 to 5 million Roma living in Turkey suffer from extreme poverty and most of them are heavily indebted (Duvar 13/1/2022).

According to the European Commission (EC), the national Roma strategy 2023-2030 and the associated action plan are being implemented. Local action plans for Roma have been drawn up for the first time. However, according to the EC, the strategy needs to be improved in terms of initiatives and concrete measures to combat direct discrimination and prejudice (EC 30/10/2024, p.35).

The average household income of Roma was only one third of the official minimum wage for 2022. According to the latest study in the wake of the COVID-19 pandemic, 77.5% of those surveyed were struggling with unemployment. Of those who had jobs, most of the Roma surveyed worked as cleaners, waste collectors or municipal workers. Others worked as water or flower sellers or begged on the street (Duvar 13/1/2022).

Although access to healthcare is generally guaranteed for Roma, many of them can no longer afford the cost of treatment due to the rising cost of medication and transport. Problems repeatedly arise when issuing the health card to Roma, which is necessary for free access to healthcare services (ÖB Ankara 28/12/2023, p.38; cf.EC 6/10/2020, pp.7 , 41). It is more difficult for Dom who have fled Syria, as most of them do not have ID cards (ÖB Ankara 28/12/2023, p.38; cf. GfbV 2/9/2022).

Roma generally live in very poor housing conditions (EC 8/11/2023, p.43). Overall, the housing situation has not improved, and the sudden increase in housing prices has mainly affected socially vulnerable Roma families (EC 8/11/2023, p.43; cf.ÖB Ankara 4/2025, p.42). In the earthquake region, Roma families often lived in poor housing conditions and were therefore among the hardest hit. Roma living in informal settlements are regularly confronted with forced evictions without being provided with alternative accommodation. (ÖB Ankara 4/2025, p.42).

Roma children

Children's access to education and schooling has deteriorated further as a result of the pandemic. The pandemic-related switch to distance learning from March 2020 to July 2021 had a negative impact on Roma children's participation in lessons, as most of them come from socially disadvantaged families who do not have access to the internet and do not have the electronic devices needed for lessons. Drug abuse among Roma children increased during the pandemic, particularly in south-east Turkey. Early marriages continue to take place. Public schools in Roma-inhabited neighbourhoods lack human resources and equipment, which in turn leads to high dropout rates among Roma children. Where Roma children go to better schools, they are repeatedly subjected to bullying by classmates and teachers. Many Roma children are sent to special educational institutions for children with learning disabilities instead of mainstream schools. These children receive false diagnoses about their mental condition and are registered as disabled. Families who send their children to these special schools receive an additional subsidy. They therefore have vested interests, as state subsidies increase with the number of children enrolled (ÖB Ankara 4/2025, p.41).

Violence against Roma

In addition to discriminatory treatment, Roma are also subjected to hate speech, regular hate attacks and police violence (ÖB Ankara 4/2025, p.42; cf.MRG 12/4/2024, p.2). Roma are labelled as thieves, looters and arsonists by members of the majority groups. The tensions between the majority groups and the Roma reached the level of physical violence in many places after the earthquake (MRG 12/4/2024, p.2; cf.ERRC 5/7/2023). While structural racism against the earthquake victims continued, right-wing extremist groups used the situation to incite violence

against Roma communities (as well as Syrian refugees). Numerous attacks against Roma were recorded across the country, often directly provoked by right-wing extremists who publicly accused Roma of looting (MRG 12/4/2024, p.2).

Examples: In January 2023, Roma Resül Bayır and his son were charged in a criminal court in Istanbul with 'insulting' three police officers and 'resisting state authority'. The two had previously filed a complaint against four police officers for torture (ÖB Ankara 28/12/2023, p.38). On 11 May 2023, 33-year-old Semih Gürler was shot dead by a police officer as he stood outside on the balcony of a house in the Konak district of Izmir. On 26.6.2023, a group of police officers attacked a wedding party in the Roma neighbourhood of Çerkezköy in the city of Tekirdağ in the Marmara region. The police claimed that the celebrations had gone on too long. They warned the wedding guests in an insulting tone and then beat those present with batons. Many of those injured went to hospital for medical treatment and confirmed that their injuries had been inflicted by the police. The officers did not want their actions to be recorded and attacked those who tried to film the incident. The second incident took place in Hendek in the city of Sakarya, near Istanbul, where numerous Roma, including Ferdi Sepetçioğlu, the chairman of the Hendek Roma Association, were beaten by police and security personnel. A video of this second incident shows people fleeing from baton-wielding uniformed officers as they violently enter the crowd (ERRC 5/7/2023). The family of the detained Vahdet Akın contacted their lawyer after his 'suspicious' death in December 2023 at the closed Maltepe No. 1 Prison in Istanbul, claiming that Akın was clearly beaten and that injuries to his left eye and legs were found in the investigation reports. According to an official statement, Akın died of a brain haemorrhage. The public prosecutor categorised the case as a 'suspicious death' and, according to the lawyer, launched the necessary investigation (ERRC 9/1/2024; cf.SCF 4/12/2023).

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19 Relevant population groups

19.1 Women

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General legal framework, legal deficits and the general situation of women

Turkish legislation enshrines the equality of men and women in Article 10 of the Constitution (ÖB Ankara 4/2025, p.49; cf.USDOS 22/4/2024, p.65f., DFAT 16/5/2025, p.28). Women are represented in almost all areas of public life. Nevertheless, there are still considerable social, cultural and religious obstacles to gender equality, and men generally dominate the positions of power (DFAT 16/5/2025, p.28; cf.USDOS 22/4/2024, p.65f.). Women face de facto barriers to political participation and continue to be underrepresented in politics and government leadership positions. After the 2023 elections, women held about 20% of the seats in the Grand National Assembly, a slight increase compared to the 2018 elections (FH 26/2/2025, B4; cf.DFAT 16/5/2025, p.28). Women reportedly suffer from gender-based discrimination and violence, and despite a relatively progressive legal environment and the historical recognition of gender equality, state protection for women has not always been available or effective (DFAT 16/5/2025, p.28; cf.USDOS 22/4/2024, p.65f.).

Violence against women and sexual assault, including rape - also within marriage - are punishable by law (ÖB Ankara 4/2025, p.49), with two to ten years imprisonment for conviction of attempted sexual assault and at least twelve years for conviction of rape or sexual assault (USDOS 22/4/2024, p.63). However, violence against women, including honour killings, forced marriages and domestic violence, remains widespread due to the lack of effective and dissuasive penalties, poor enforcement of the law and the low quality of support services available. The number of femicides also remains high. Deep-rooted cultural norms and persistent gender stereotypes continue to hinder progress towards gender equality (EC 30/10/2024, p.34; cf.ÖB Ankara 4/2025, p.49, USDOS 22/4/2024, p.63).

Although numerous new laws - in particular Law No. 6284 on the Protection of the Family and the Prevention of Violence in 2012 - and political measures to combat violence against women and girls have been passed in the last 15 years, including the fight against domestic violence, there are significant implementation gaps in almost all areas of social policy related to women's rights - from sexual violence to domestic violence to human trafficking - which continue to pose a major challenge. For example, not all types of violence against women are defined as criminal offences in the Criminal Code. Forced marriage or psychological violence are not explicitly criminalised. According to the United Nations Special Rapporteur on violence against women and girls, the incompatibility and lack of harmonisation of Turkey's national laws with its international human rights obligations is also a cause for concern (OHCHR 27/7/2022a, p.4). In 2022, the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) welcomed the significant legal reforms to combat violence against women and domestic violence, and that Law No. 6284 of 2012 on the Protection of the Family and Prevention of Violence against Women provides an important framework for the prevention of violence and the protection of victims. However, CEDAW noted with concern that both the scope of the existing legislation and its implementation still have gaps (UN-CEDAW 12/7/2022, p.7f.) and that the implementation and enforcement of the existing legal remedies, as provided for in the Protection Act, still leave much to be desired (MBZ 2/2025a, p.79). The European Committee of Social Rights of the Council of Europe stated in its 2023 country report on Turkey that the situation in Turkey is not compatible with Article 16 of the Charter because it has not been demonstrated that women are guaranteed adequate protection against domestic violence in law and in practice (CoE-ECSR 3/2024, p.26).

The UN Committee Against Torture (CAT) expressed concern in August 2024 regarding allegations that preventive and protective restraining orders are not granted for a sufficient period of time, that complaints of gender-based and domestic violence are often dismissed, especially in rural areas and when it comes to LGBT persons, and that the provision of shelters is discriminatory against older women and women with teenage sons or children with disabilities (CAT 14/8/2024, p.9/32). In line with the Committee's concerns, according to the Turkish women's rights organisation Mor Çatı, conviction rates for violence against women are low and there are major problems in investigating cases of violence against women and prosecuting perpetrators (Mor Çatı 17/7/2024).

In November 2024, the UN Human Rights Committee expressed concern about the very high number of femicides and other killings related to domestic violence and so-called honour crimes, as well as the lack of effective prevention and protection measures, effective investigations and prosecution of perpetrators. The Committee was concerned about reports of the normalisation of violence against women and credible reports of violence, including sexual violence, against women in detention centres and the lack of access to medical care for women suspected of being associated with the Gülen movement. The Committee was also concerned that women who have been victims of any kind of violence face the passivity of the authorities and the risk of stigmatisation and revictimisation (UNHRCOM 28/11/2024, p.4).

Most recently, the European Parliament ‘expressed its deep concern about the regression in women’s rights, gender-based violence and the increase in femicides in Turkey in 2024, which reached the highest level since 2010 […] and urge[d] the Turkish state authorities to improve the legal framework and its implementation, including through the full application of the Protection Law no. 6284 in order to effectively address all forms of violence against women and the practice of so-called ”honour killings’ and to put an end to the persistent policy of impunity by holding perpetrators accountable” (EP 7/5/2025, pt.27).

Withdrawal from the ‘Istanbul Convention’ - political reasons

Turkey’s withdrawal from the Istanbul Convention came into force on 1 July 2021 (ÖB Ankara 4/2025, p.49; cf.AP 19/7/2022). However, the Law on the Protection of the Family and Prevention of Violence against Women (Law No. 6284) from 2012 incorporated many aspects of the Istanbul Convention into domestic law and remains in force despite Turkey’s withdrawal from the Convention. Turkey is also bound by other international human rights laws that oblige it to combat violence against women. These include, in particular, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the European Convention on Human Rights (ECHR) (HRW 5/2022, p.2, 5). Assessing the impact of Turkey’s withdrawal from the Istanbul Convention proved to be quite difficult. According to a source from the Dutch Ministry of Foreign Affairs, Turkey’s withdrawal from this treaty mainly had an impact at the political level. After Turkey’s withdrawal from the Istanbul Convention, the Turkish authorities presented their own action plan to combat violence against women. The action plan made no reference to ‘gender equality’, nor were women’s rights organisations consulted in its preparation (MBZ 31/8/2023, p.59).

At the time, Prime Minister Erdoğan was one of the first to sign the Istanbul Convention, the first international agreement binding under international law, in 2011, and it was ratified by Parliament in 2012. For years, Islamists inside and outside the ruling Justice and Development Party (AKP) in particular have increasingly criticised the convention, arguing that it undermines order in the family, increases the divorce rate and generally makes women disobey their husbands. In addition, Islamic-conservative circles also saw the convention as a door opener for the ‘LGBTIQ culture’ they hated and for the advance of supposed Western decadence in general (Standard 20/3/2021; cf.AP 20/3/2021, NZZ 21/3/2021).

Child, early and forced marriages

Child, early and forced marriages have declined in recent years, but still occur. According to local sources from the Australian Department of Foreign Affairs, in strictly religious communities, including in urban areas, marriages are sometimes performed with girls as young as ten years old and are not reported until the girl is hospitalised for delivery. Child marriages are also said to be widespread in some Syrian refugee communities (DFAT 16/5/2025, p.29).

During its many years in power, the conservative AK Party has pushed a strong family values agenda: Women should marry or not divorce and have three children, according to President

Erdoğan, for example (FH 26/2/2025, G4 cf.NYRB 20/2/2019). Contraception is still legal, but access to it is becoming increasingly difficult (FH 26/2/2025, G4).

There are legal restrictions on women's right to remarry, which prescribes a 300-day waiting period after the dissolution of a marriage (the waiting period also ends with the birth of a child) (USDOS 22/4/2024, p.65f.).

Trafficking in human beings

According to the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA), 82% of 1,466 victims of human trafficking in 2023 were female. The predominant form of exploitation [without gender differentiation in the figures] continues to be sexual exploitation (758 victims, i.e. 52%), followed by labour exploitation (441 victims, i.e. 30%) and forced marriage (132 victims, i.e. 9%). According to NGO representatives reports to GRETA, women's shelters for victims of trafficking are inadequate for accommodating victims of trafficking as they do not meet their needs and their staff have no or very limited knowledge of trafficking. The State Institution of the National Rapporteur (HREI) has recommended to the Ministry of Family and Social Affairs to open a specialised shelter for victims of trafficking (CoE - GRETA 22/10/2024, p.6, 36; cf.TİHEK/HREI 3/2023, p.36).

Legal protection measures and their practical implementation/tightening of criminal law regarding violence against women

The law obliges the police and local authorities to provide various protection and support services to survivors of violence or persons at risk of violence. It also prescribes state services such as accommodation and temporary financial support for survivors and stipulates that family courts can impose sanctions on perpetrators (USDOS 22/4/2024, p.63). Victims of domestic violence can apply to the police or the public prosecutor at court for a preventive warning, which can include a range of measures aimed at forcing perpetrators of domestic violence to stop all forms of harassment and abuse, including a ban on approaching and contacting the victim. Victims also have the right to apply for protection orders to obtain various forms of physical protection, including immediate access to a women's shelter or short-term accommodation if no shelter is available in the immediate vicinity. There is also the possibility of requesting police protection and in some cases women can have their identity and location anonymised. The courts issue a restraining order for a specific period of up to six months. The victim can apply for an extension. Offenders can be given short prison sentences (zorlama hapsi) or be required to wear an electronic ankle bracelet if they violate the terms of the preventive warning (HRW 5/2022, p.2).

According to the General Directorate for the Status of Women of the Turkish Ministry of Family, Labour and Social Services, there are various public institutions that serve to protect women. In addition to the police, gendarmerie, hospitals, etc., the following should be mentioned as examples: **The Violence Prevention and Monitoring Centres** (VPMCs/ Şiddet Önleme ve İzleme Merkezleri - ŞÖNİM) provide psychosocial, legal, health and economic support, educational and vocational counselling as well as monitoring and control measures for victims of

violence within the framework of Law No. 6284 on the Protection of the Family and the Prevention of Violence against Women. Under Law No. 6284, the VPMC/ŞÖNİM currently provides services in 81 provinces. If not available, other institutions, such as the provincial directorates of the Ministry of Family, Labour and Social Affairs, assume the role of ŞÖNİM. **Domestic violence investigation offices** have been set up in major cities (there were 225 such offices in July 2023), which are **subordinate to** the **public prosecutor's offices**. The tasks of these offices include the supervision of investigations into crimes against women and the completion of these investigations, the implementation of the tasks and procedures under Law No. 6284 and the control and supervision of the proper implementation of prevention and protection measures. Victims of violence can turn to the **family court** by submitting an application to invoke the law. With the decision of the Council of Judges and Public Prosecutors of 27 December 2019, the family courts were turned into specialised courts in order to ensure the efficiency and effectiveness of the courts and to make urgent decisions. As of July 2023, there were 406 such courts. Finally, the 83 **women's advice centres of the bar associations** offer free counselling services for those who do not have enough information on where and when to seek legal redress. In the counselling centres of these organisations, women receive legal and psychological advice and can be accommodated in shelters if necessary (MFLSS/GDSW 7/2023, pp.99-104).

However, the women's rights organisation Mor Çatı Women's Shelter Foundation criticises the effectiveness of the state ŞÖNİM. - In the twelve years since the establishment of ŞÖNİM, there are still difficulties with the functioning of the support mechanisms. One of the main problems is that the law enforcement authorities and the public prosecutor's office are defined as the first point of contact, even in the case of the allocation of emergency accommodation, and ŞÖNİM is only in second place. They are not defined as institutions that offer holistic and specialised support. Women also do not turn to ŞÖNİM because they are unaware of its existence. Other common problems that women face when they turn to ŞÖNİM are incorrect or incomplete information. In addition, ŞÖNİM staff tries to mediate the conflicts and also adopts an accusatory and judgemental attitude towards women (Mor Çatı 17/7/2024).

On its website, the 'Kadın Dayanışma Vakfı - Foundation for Women's Solidarity' lists all of the state agencies to which women threatened or affected by violence can turn (for details, see the English-language website: https://www.kadindayanismavakfi.org.tr/en/what-to-do-when-exposed-to-violence/). It describes what to do, depending on the institution. The institutions listed are Police/gendarmerie stations, police hotline 155, gendarmerie hotline 156, social welfare hotline 183, the public prosecutor's office, the family court, the centres for violence prevention and monitoring (ŞÖNİM), the provincial directorates for family, labour and social services, women's organisations, women's aid offices of municipal administrations, hospitals, centres for social services, provincial governors' offices (KDV/FWS n.d; cf.MFLSS/GDSW 7/2023, pp.99-104).

Practice: Women are reluctant to report for a variety of reasons, including their mistrust of the system, their fear that the perpetrator will cause more harm if a report is made, their fear that this will prolong divorce proceedings or that the perpetrator will not pay alimony, and the influence of family dynamics. Apart from this, women also face other barriers to taking action, including the lack of information about the complaint process, the very lengthy court process that follows the

complaint, inadequate services to prevent violence during the investigation/court process and the challenge of bearing the financial burden of court proceedings. In addition, in most cases, both investigations and court proceedings are not conducted within a reasonable period of time. - After the conclusion of proceedings before the local court, which can take one to two years, it can take an average of two to three years for the appeal judgements to be handed down. It can take a further two to three years before the court of cassation (Mor Çatı 17/7/2024).

With the **fourth judicial reform package of July 2021**, the crimes of intentional homicide, intentional bodily harm, persecution and deprivation of liberty of a former spouse were included in the list of so-called 'qualified crimes', which previously only applied during an ongoing marriage. The penalties were increased. In May 2022, an emergency judicial package to combat violence against women came into force. Despite positive changes, such as the increase in the minimum custodial sentences for some offences, experts consider the new regulations to be ineffective, especially due to the still comparatively low maximum sentences (ÖB Ankara 4/2025, p.49f.). They also criticised the restriction to the formal criterion of a (previous) marriage, disregarding other partnerships (ÖB Ankara 30/11/2022, p.13f.). Reem Alsalem, UN Special Rapporteur on violence against women and girls, criticised the fact that the amendment to the Code of Criminal Procedure stipulates that, in addition to 'strong criminal suspicion', 'concrete evidence' is also required for the imposition of pre-trial detention during the trial for criminal offences, including sexual assault and abuse. According to information received by Alsalem, men who perpetrate violence against women continue to successfully invoke 'habit' as a mitigating circumstance to reduce their sentence under Article 29 of the Criminal Code, in violation of international human rights law. Also of concern are be the limited scope of legal aid, which means that women earning the minimum wage are not eligible for legal aid, the cumbersome process of proving eligibility, and the language barriers faced by women seeking justice, particularly women from ethnic minorities, including Turkish-Kurdish women, and women who are refugees, migrants or under temporary protection. According to Alsalem, gender stereotypes and the lack of female judges are also problematic (OHCHR 27/7/2022a, p.6).

On 27 May 2022, **Law No.7406**, which among other things amends the Turkish Criminal Code and the Code of Criminal Procedure (CCP), was published in the Official Gazette. This amendment law makes the intentional killing of a person an aggravated offence if the victim is a woman. Previously, the killing of a 'woman who is known to be pregnant' was considered an aggravating circumstance. As a result of the change in the law, the intentional killing of a woman is now punishable by an aggravated life sentence. The amended law also introduces increased minimum penalties for the offences of intentional bodily harm (Art. 86 Criminal Code), torment (intentional infliction of pain and suffering on a person that is incompatible with human dignity, Art. 96), torture (acts similar to torture by public officials and their assistants, Art. 94) and threatening to harm life or physical or sexual integrity (Art. 106) if the victim is a woman. The amendments also introduce a new offence of causing serious alarm [disquiet] or fear to a person with regard to their own safety or that of their relatives by persistently physically pursuing the person or persistently attempting to contact the person via communication media, information technology systems or a third person. The prosecution of the offence, which is punishable by a prison

sentence of six months to two years,requires the victim to report it. The penalty is increased to one to three years' imprisonment if the offender is a divorced or separated spouse. Finally, amendments have been made to Article 62 of the Code of Criminal Procedure (CCP) by defining the grounds for mitigation at the discretion of the court. The amendments clarify that 'the offender's behaviour after the commission of the offence and during the trial' must show remorse in order to be considered grounds for mitigation. The reasons are now specifically listed, such as the offender's background, their social relationships and the offender's remorseful behaviour after committing the offence. A new exception has been added, which states that an offender's pretextual actions aimed at influencing the court cannot be considered grounds for a reduced sentence. A number of women's groups and legal experts have criticised the new amendments for focusing on tougher penalties rather than on measures to prevent and effectively investigate and prosecute violent crimes against women and support victims. The criminalisation of stalking seems to have been received more positively by them, although they criticised the fact that prosecution of the offence is made dependent on the victim reporting the crime (LoC 20/6/2022).

According to information from the Dutch Ministry of Foreign Affairs, citing the 'shadow report' of the Turkish women's organisation 'Mor Çatı Women's Shelter Foundation' to the UN Committee against Torture (CAT) in July 2024, there were several cases of women who had reported violence to the police or the public prosecutor's office but were not taken seriously. They were discouraged from reporting or referred to women's organisations, although the latter had no mandate to take action against violence. It also happened that police officers or prosecutors treated women in a sexist or misogynistic manner. These officers and prosecutors were not held accountable. Mor Çatı also reported situations in which aggressive men repeatedly violated a no-contact order with impunity. It was also observed that the duration of a restraining order was short, ranging from 24 hours to six months. As a result, the women had to repeatedly submit new applications for a restraining order. Mor Çatı reported that the authorities also intervened appropriately in some cases. A confidential source from the Dutch Ministry of Foreign Affairs pointed out that the police have not standardised their approach to complaints from women. As a result, police officers act at their own discretion, which leads to complaints being treated differently. The police are more inclined to help women who have visible signs of physical violence or suffered sexual violence. In contrast, victims of 'invisible' violence, such as psychological violence and financial abuse, are taken less seriously (MBZ 2/2025a, p.79). The police and courts do issue preventive and protection orders. However, failure to comply with these leaves dangerous gaps in protection for women (HRW 5/2022, p.3). In many cases, men who had been subject to a no-contact order were able to approach the home address of the woman concerned without facing any consequences. There were also delays in imposing no-contact orders, or requests to do so were simply not complied with (MBZ 2/3/2022, p.53; cf.HRW 5/2022, p.3). Not only do courts often issue cautions for far too short a period of time, but authorities fail to carry out effective risk assessments or monitor the effectiveness of orders, leaving survivors of domestic violence at risk of continued - and sometimes fatal - violence. For those who have been prosecuted and convicted, this often comes too late and the penalties are too light to act as an effective deterrent. In the most serious cases, women were murdered even though the

authorities were aware of the danger to which they were exposed and the perpetrators had been served with formal prevention orders (HRW 5/2022, p.3).

Insufficient data collection prevents the authorities and the public from gaining a solid overview of the extent of domestic violence in Turkey or the gaps in the implementation of protection that contribute to the ongoing risks to victims (HRW 5/2022, p.4; cf.EC 30/10/2024, p.34).

According to (then) Interior Minister Süleyman Soylu, the state mobile application KADES, which offers women a hotline to report domestic violence, had been downloaded by 5.2 million women by April 2023 since its launch in 2018. In practice, the KADES app has not lived up to expectations. To make sure, the police often call the woman in question before responding, asking whether she is actually in danger. Another problem is that women are not always able to answer the phone in dangerous situations. In addition, the men involved become more aggressive when they learn that the women have called the police. Officers, when they have actually responded to emergency calls, have usually tried to mediate between the women and their abusers to bring about reconciliation (MBZ 31/8/2023, p.61; cf.USDOS 22/4/2024, p.64).

The courts often pass lenient sentences on perpetrators of sexual violence, even in the case of honour killings, and sentences are often reduced if the accused displays ‘good behaviour’ during the trial or, in the case of an honour killing, was ‘provoked’. For example, in February 2025, a court sentenced a man who had killed his daughter-in-law to a reduced sentence on the grounds that he had been ‘provoked’ (DFAT 16/5/2025, p.29f.; cf.SCF 20/5/2025).

Women’s rights activists in Turkey have stated that perpetrators of gender-based violence, femicide and sexual abuse go unpunished thanks to reduced prison sentences. According to the activists, at least 17 perpetrators were sentenced to reduced prison terms in the first nine months of 2023. Some of these cases involved the sexual abuse of underage girls. Canan Güllü, chairwoman of the Federation of Turkish Women’s Associations, said that such sentence reductions have led to an increase in cases of physical and sexual abuse. She also criticised the fact that judges and prosecutors do not have the necessary training to fully understand gender-based violence and abuse. - Turkish courts have repeatedly come under criticism for their tendency to punish offenders leniently by claiming that the offence was committed ‘out of passion’ or by interpreting the silence of the victims as consent (SCF 3/10/2023). This is illustrated by the example of an ex-policeman who abducted his former girlfriend and tortured her for days. He was sentenced to two and a half years in prison, but after just two months in a detention centre, he was released on conditions. He threatened the woman again. The woman posted a cry for help on social media. The perpetrator obtained a ban on the dissemination of her post because it allegedly violated his personal rights. Such impunity further encourages men to commit violence against women, says women’s rights activist Uysal, ‘because they know that they will be free again after a few days or months’ (DW 15/10/2024). Lenient sentences for men who have beaten, raped or murdered women have created a culture of impunity for gender-based violence (DFAT 16/5/2025, p.29).

Femicides and so-called ‘honour killings’

Violence against women remains a highly topical issue in Turkey. According to reports from women's rights organisations, there were 394 femicides and 259 'suspicious' deaths in 2024. This makes 2024 the year with the highest female murder rate since the survey began in 2010. The issue has received increasing attention in recent years. Awareness is growing in parts of the population. NGO projects aim to further raise awareness of the problem (ÖB Ankara 4/2025, p.50; cf.DFAT 16/5/2025, p.29). Although violence against women is not new, according to Esin Izel Uysal, a lawyer from the platform 'We will stop the murders of women', it has taken on a new dimension. 'The crimes are becoming more brutal and the victims and perpetrators younger,' says Uysal. The violence usually happens at home, but more and more often on the street. In most cases, the perpetrators are partners, ex-partners or family members. In 2024, 65% of perpetrators stated that they had killed the women because they wanted to separate or because they had rejected a partnership or marriage (DW 15/10/2024; cf.BAMF 27/11/2023). Honour killings are particularly common in the south-east of the country (USDOS 22/4/2024, p.64f.)

There are still so-called honour killings of women or girls who are suspected of so-called 'shameless behaviour' due to a (sexual) relationship before marriage or a 'crime in marriage'. This can also affect rape victims (AA 20/5/2024, p.14). In its report on Turkey, the UN Committee on the Elimination of Discrimination against Women expressed concern about the persistence of crimes, including killings committed in the name of so-called 'honour', and the relatively high number of forced suicides or disguised murders of women. The CEDAW Committee noted with concern Turkey's limited efforts to educate the public about the criminal nature and misleading concept of so-called 'honour crimes'. The Committee noted the information provided by Turkey that Article 29 of the Criminal Code, which provides for mitigating circumstances in cases of 'unjustified provocation', is not applied to killings in the name of so-called 'honour'. However, the Committee remains concerned that this does not provide sufficient legal protection, as the provision explicitly prohibiting the application of Article 29 only refers to killings in the name of 'custom' (töre) and therefore may not always cover killings in the name of so-called 'honour' (namus) (UN-CEDAW 12/7/2022, p.9).

Protection centres

Support services for women survivors of violence remain very limited and the number of centres offering such services remains inadequate (USDOS 22/4/2024, p.64; cf.ÖB Ankara 28/12/2023, p.46, SCF 20/5/2025). The staff there, particularly in the south-east of the country, are unable to provide adequate care and services. According to some NGOs, the lack of services for older women, LGBTI women and women with older children is even more acute (USDOS 22/4/2024, p.64). The need for shelters is particularly high in south-east Anatolia (ECRE/AIDA 20/8/2024a).

The number of women's shelters is not regularly published by the responsible Ministry of Family Affairs. According to NGOs, in 2024 there were 112 women's shelters affiliated with the Ministry of Family Affairs with a capacity of 2,805 places for female victims of violence and their children. There are also at least 37 women's shelters run by NGOs (ÖB Ankara 4/2025, p.50). According to the human rights organisation İHD, there were 145 women's shelters, 110 of which are run by the Ministry of Family and Social Affairs and one each by the Migration Administration and

the Mor Çatı Women's Shelter Foundation. However, boys older than twelve and women older than 60 cannot be accommodated in these shelters, with the exception of Mor Çatı's shelter. The number of shelters that can accommodate asylum seekers, refugees and migrant women is also limited. According to İHD, the mayor's offices did not fulfil their obligations to establish and maintain women's shelters in 2021 either. Although 237 mayoral offices are obliged to set up women's shelters, only 33 municipalities have such facilities (İHD/HRA 2/8/2022, p.2). Shelters for women and girls are particularly lacking in rural and remote regions. Refugee and migrant women (OHCHR 27/7/2022a, p.7) as well as women and girls with disabilities face significant barriers in accessing shelters (OHCHR 27/7/2022a, p.7; cf.ÖB Ankara 4/2025, p.51).

Most government-run women's shelters are considered overcrowded and offer only basic care, without professional counselling or psychological support. The living conditions in most of these women's shelters are similar to those in prisons (ECRE/AIDA 20/8/2024a; cf.MBZ 2/3/2022, p.55, MBZ 2/2025a, p.81f.). - The freedom of movement of women in state-run accommodation is severely restricted. They are only allowed to leave the accommodation for shopping, job applications and work. In the state-run shelters, the women are monitored by cameras and are not allowed to use mobile phones. There is also a lack of opportunities for leisure activities (MBZ 2/2025a, p.82). - The waiting times for admission are long, meaning that women who urgently need help and counselling do not receive it promptly. In addition, there are officials who only accept victims of physical violence, but not victims of psychological violence, although the latter group of victims is also entitled to protection. Furthermore, although they are not authorised to do so, in some cases officials demand medical documents or other official reports as proof that the woman was physically assaulted (MBZ 2/3/2022, p.55; cf.MBZ 2/2025a, p.81f.). In 2022, the UN CEDAW Committee criticised the lack of support and legal remedies available to women trying to escape a violent relationship. This is reflected, among other things, in the insufficient number of women's shelters throughout Turkey and the inadequate conditions for women in women's shelters (UN-CEDAW 12/7/2022, p.8).

In general, measures in this area are taken in cooperation with the Ministry of the Interior, the Ministry of Health, the Ministry of Justice, the Ministry of Defence and the Religious Affairs Office (Diyanet). Police officers, healthcare workers and religious representatives have been trained accordingly (ÖB Ankara 4/2025, p.50). However, there is still a lack of sufficient coordination between individual institutions and sensitisation of law enforcement officers on how to deal with cases of violence (ÖB Ankara 4/2025, p.51; cf. EC 6/10/2020, p.38). NGOs complain that religious dignitaries, who are apparently granted easier access to women's shelters than psychologists and social workers, often persuade women to return to their families (ÖB Ankara 4/2025, p.51).

Official action against women's organisations and women's rights activists

The women's movement continues to face repression from the Turkish state. Nevertheless, the women's movement in Turkey has proven to be militant and vital (MBZ 2/2025a, p.80). Women's organisations are put under pressure through defamation, arrests, investigations and detentions. Activists have also been arrested for exercising their right to freedom of assembly and have been

subjected to police violence. Closure proceedings and court cases have been or are ongoing against some women's organisations. Several women human rights defenders and activists have been detained and fined for participating in demonstrations in favour of women's rights. (EC 8/11/2023, p.16, 30).

As in previous years, there were arrests and a ban on demonstrations on International Women's Day in 2025. - Despite the ban on demonstrations by the head of Istanbul's Beyoğlu district, including Taksim Square and Gezi Park, 3,000 people gathered in Istanbul on 8 March and marched through the city centre. The march ended without incident, but according to the organisers, the security forces rounded up 200 demonstrators and arrested 112 of them, with all but one being released the following day after interrogation. In addition to the Istanbul district of Kadıköy with several hundred demonstrators, there were also demonstrations in other cities such as Ankara and Diyarbakir, which according to press reports were largely peaceful (BAMF 10/3/2025, p.10f.; cf.TM 9/3/2025, Bianet 10/3/2025).

Hate speech against independent women's organisations has increased. Statements by the Ministry of the Interior targeting women's organisations and feminists for alleged terrorist links threaten the existence of women's associations. Women's marches have been met with police violence, and legal proceedings have been initiated to shut down the well-known women's platform called 'We Will Stop Femicides Platform' (EC 12/10/2022, p.41).

Socio-economic position

Despite slight progress, the gender gap in the labour market remains very wide. Women are exposed to a higher risk of poverty than men. A new project has been launched to promote female employment, but its scope is limited given the large number of women of working age and its impact needs to be monitored. The directive on work-life balance has been partially implemented. The gender pay gap in earnings is 6.2%. The insufficient availability of affordable childcare services, the gender gap in caring responsibilities and the lack of decisive policy measures continue to hinder a higher employment rate for women. Policy measures to reconcile work and family life, social benefits and social assistance are limited (EC 30/10/2024, p.69).

Women are discriminated against in employment. To encourage the recruitment of women, the state, rather than employers, pays the social security premiums for all female employees over the age of 18 for several months (USDOS 22/4/2024, p.65f.). The employment rate in 2024 was 49.5%. For women, the rate was 32.5%, in contrast to men, who had an employment rate of 66.9% (TUIK 20/3/2025).

With a value of 0.633 (2024: 0.645) [1 = best value], Turkey was ranked 135th (2024: 127th) out of 148 countries analysed in the Global Gender Gap Index 2025. In the sub-indices, Turkey was ranked 133rd for 'Economic participation'. Meanwhile, the rankings for 'Educational attainment' and 'Health' were better at 92nd and 82nd respectively. There was a clear decline in the sub-category 'Political empowerment'. Here, the country slipped from 114th to 139th place within a year (WEF 11/6/2025; cf.WEF 11/6/2024).

For the general situation of Kurdish women, see chapter: Kurds; for the situation of imprisoned women, see chapter: Prison conditions.

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19.2 Children and minors (up to 18)

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Legal situation and state measures

Turkey is a state party to the following international human rights instruments relating to the rights of the child: the Convention on the Rights of the Child (CRC) and its Optional Protocols on the involvement of children in armed conflict and the sale of children, child prostitution and child pornography (DFAT 16/5/2025, p.9).

The implementation of children's rights is not in line with international standards and the EU acquis. While national legislation and policies are in place to ensure the full realisation of children's rights in Turkey, their implementation is insufficient, partly due to a lack of adequate resources. Although the principle of the 'best interests of the child' is recognised in legal documents, its implementation depends on subjective assessments. Services specifically tailored to the needs of child victims of various offences are limited. The situation of juveniles arrested and detained for membership of terrorist organisations remains worrying (EC 30/10/2024, p.34). The pro-

tection of children's rights is still inadequate in the juvenile justice system. - In January 2023, a parliamentary commission was set up to investigate child abuse. However, according to the European Commission, a national action plan must be established to combat and prevent child, early and forced marriages and to raise awareness of the harmful effects of child marriages. Consistent efforts are needed to eliminate child labour, especially among refugees, according to the Commission (EC 8/11/2023, p.40f.).

While child abuse is a criminal offence, corporal punishment by parents and other caregivers is not explicitly prohibited. Corporal punishment still occurs, especially within the family. According to local sources, corporal punishment in child rearing is widely accepted socially and culturally, despite government efforts. Corporal punishment in schools is less common, but still occurs (DFAT 16/5/2025, p.37).

Juvenile offenders in the legal system

Children are entitled to free legal aid in criminal disputes, but there is no such provision for civil cases and/or other complaints mechanisms. According to the European Commission (EC), the fact that young people are arrested and imprisoned on charges of membership of terrorist organisations remains a cause for concern. According to the EC, non-custodial measures for children must be improved. The ability of NGOs and bar associations to intervene, monitor and be involved in legal disputes is limited both legally and practically. There are not enough specialised children's courts, children's tribunals and qualified personnel such as judges, public prosecutors, lawyers and experts. Almost half of the children affected still face non-specialised courts. There are currently 81 juvenile courts and twelve high juvenile criminal courts, which is in line with the law, according to which there must be a juvenile court in every province. However, this is not enough to meet the needs of large cities (EC 8/11/2023, p.41).

Every year, around 1,000 criminal proceedings are conducted against minors under the Anti-Terror Law No. 3713. According to the statistics of the Turkish Ministry of Justice, minors were listed as defendants in 762 cases in 2022, 1,414 in 2021 and 1,003 in 2020 in proceedings in Turkish courts under Anti-Terror Law No. 3713. In 2021, there were 167 convictions under the Anti-Terror Law, with 12- to 14-year-olds being sentenced to prison in 23 cases and 15- to 17-year-olds in 50 cases. According to Article 220 of the Criminal Code, which may also apply to the punishment of the same offence, minors were convicted in 25 cases in 2021 and imprisonment was imposed on 12- to 14-year-olds in six cases and on 15- to 17-year-olds in eight cases (SFH 13/4/2023; cf.MoJ - GDJR&S 2022, p.118. 121f.).

According to Article 107 of Law No. 5275 on the Execution of Sentences and Security Measures, the conditions for release on parole are very strict for children and minors convicted of founding or leading an illegal organisation, for offences committed in the context of the activities of such an organisation and for offences covered by Anti-Terror Law No. 3713. The condition for release on parole is that two thirds of the sentence has been served. According to the respondent from Swiss Refugee Council, minors who have been convicted of offences falling within the scope of the Anti-Terror Law are not granted any facilitating decisions, such as a postponement of their sentence or other measures, simply because they are minors (SFH 13/4/2023).

Human rights violations against children

In June 2023, the UN Committee on the Rights of the Child expressed deep concern about the continued repression of children's freedom of expression, association and assembly in the name of counter-terrorism, noting that thousands of children have been arrested, detained and convicted on terrorism-related charges since 2016. Referring to the recommendations of the Human Rights Committee, the committee also recommended that Turkey ensure that the 1991 Anti-Terror Law (Law No. 3713) is not used to suppress children's right to freedom of expression and assembly, that anti-terror measures are proportionate and in line with the rule of law, human rights and fundamental freedoms, and that any violence inflicted on children by security forces in the course of anti-terror measures is investigated and perpetrators prosecuted and punished accordingly. The UN Committee also expressed deep concern about reports of torture and inhuman and degrading treatment and incommunicado detention of children by prison guards in closed facilities, including the closed prison in Diyarbakır (UN-CRC 2/6/2023b).

The specific needs of detained children in terms of education, rehabilitation and reintegration into society are not fully met, with girls being the most affected, as the regulations and facilities are not designed with gender in mind. The United Nations Committee against Torture also expressed concern about the low minimum age of criminal responsibility in Turkey (CAT 14/8/2024, p.4).

Child labour and child poverty

Efforts to build capacity to combat child labour have continued at national and local levels. However, child labour practices that violate international standards still exist and particularly affect migrant adolescents and boys. Turkey lacks adequate data on child labour that would provide the necessary evidence to tackle the root causes of the problem. The implementation of Turkey's National Programme for the Elimination of Child Labour is at an advanced stage. However, child labour is still widespread, especially among children with a migrant background (EC 8/11/2023, p.100f.). For example, the proportion of working children in the 15-17 age group rose to 22.1% in 2023 (EC 30/10/2024, p.68).

The government declared 2018 the year of the abolition of child labour, but only made moderate progress. In addition, 355 labour inspectors, 81 provincial directors and 320 teachers were trained on child labour. Nevertheless, children in Turkey are exposed to the worst forms of child labour, including commercial sexual exploitation and recruitment by non-state armed groups. Inconsistent enforcement of laws leads to inadequate protection of children engaged in child labour. For example, children perform hazardous labour in seasonal agriculture and in small and medium-sized production companies (USDOL 26/9/2023). According to a recent report by the NGO İSİG on child labour, at least 695 working children have died in Turkey in the last eleven years (since 2013). According to ISIG, at least 24 working children died in the first five months of 2024 (VOA 14/6/2024; cf.İSİG 11/6/2024).

In its 2023 country report on Turkey, the European Committee of Social Rights of the Council of Europe found that there was no conformity with the European Social Charter in 27 out of 36 points.

The Committee found that the situation in Turkey is not in conformity with the Social Charter for the following reasons, among others: It has not been demonstrated that work performed at home by children under the age of 15 is effectively monitored by the authorities and that the prohibition of employment of children under the age of 15 is guaranteed in practice (Art. 7 §1). Furthermore, the Committee concludes that the prohibition on the employment of persons under the age of 18 for hazardous or unhealthy work is not effectively guaranteed (Art. 7 §2); the duration of light work allowed for children during school holidays is excessive and children may therefore not be able to take full advantage of education (Art. 7 §3); the daily and weekly working hours for working minors under the age of 16 are excessive (Art. 7 §4); the wages of young workers are not fair and the allowances paid to apprentices are not adequate (Ar. 7 §5) and not all forms of sexual exploitation of children are punishable, and children who are themselves victims of sexual exploitation can be prosecuted (Art. 7 §10) (CoE-ECSR 3/2024, p. 2-5).

Up to two million children are engaged in child labour in Turkey. Although prohibited by law, need often forces families to send their children to earn money instead of to school, e.g. during the cotton harvest (ARD 25/10/2020, min.1). Although child labour has decreased considerably, it is still a problem in seasonal agricultural production. In the agricultural economy, with the exception of family farms, mobile and seasonal agricultural work is classified as one of the worst forms of child labour in the National Programme for the Elimination of Child Labour (2017-2023), not least because of the numerous risks involved. Children engaged in seasonal agricultural labour are one of the most disadvantaged groups in terms of working and living conditions in combination with environmental, educational and health problems (ILO 5/3/2021, p.3). According to official figures, 720,000 children are forced to contribute to their families' household income. Around 31% of these children work in agriculture, almost 24% in industry and 45.5% in the service sector. 20% of the children are seasonal workers (Duvar 7/6/2021b; cf.ILO 5/3/2021, p.2). The US Department of Labour even estimates that 57% of children in the six to 14 age group work in agriculture, followed by almost 16% in industry and 27% in the service sector (USDOL 26/9/2023). The proportion of working children in the 5-17 age group is estimated by the Turkish Statistical Institute at 4.4%. 79.7% of working children are in the 15-17 age group, 15.9 % in the 12-14 age group and 4.4% in the 5-11 age group. An analysis by gender shows that 70.6% of working children are male and 29.4% are female (ILO 5/3/2021, p.2; cf. CoE-ECSR 3/2024). In 2020, 22 minors under the age of 14 and 46 between the ages of 15 and 17 died in work-related accidents (Duvar 11/6/2021).

According to a study by the Economic Policy Research Foundation of Turkey (TEPAV), almost ten million children in Turkey live in poverty. The results show that younger children are particularly vulnerable, as over 43% of 0 to 14-year-olds were living in poverty in 2022 (SCF 9/8/2024; cf.TEPAV 5/2024). According to a joint report by UNICEF and the Turkish Statistical Institute from 2023, around seven million of the approximately 22.2 million children in Turkey live in poverty. This means that their family income is below 60% of the national average. 3.5 million of these children are between the ages of 0 and 8, which is crucial for their development. The data points to a steady rise in child poverty since 2017, exacerbating the country's already pressing poverty problems. UNICEF ranked Turkey 38th out of 39 countries in the European Union and

the Organisation for Economic Co-operation and Development (OECD), with a child poverty rate of 33.8% (TR-Today 26/9/2024; cf.AP 25/12/2024, VOA 25/12/2024). The social exclusion of children in Turkey remains alarmingly high, with the latest data showing little or no improvement. The report also points to significant regional disparities, with the south-eastern region [note: majority Kurdish population] being the most affected by child poverty. Although only 29.6% of children in Turkey live in this region, 48.5% of children in the region are affected by poverty. The provinces of Şanlıurfa and Diyarbakır alone are home to 13.1% of Turkey's impoverished youth (SCF 9/8/2024; cf. TEPAV 5/2024).

In addition to child labour, the economic crisis is also increasing general poverty, which particularly affects children. - According to reports, millions of children have to do without a basic human right due to the economic crisis: the right to adequate nutrition. One in four pupils goes to school hungry (FAZ 15/12/2022). In Turkey, children are dropping out of school at an unprecedented rate because their parents can no longer afford to send them to school, especially when it comes to food. According to Omer Yilmaz, chairman of the Student Parents' Association, official statistics show that around 1.2 million children aged five to 17 were not enrolled in school in the period 2021-2022. If you add the students who attend vocational schools and open schools where they work four days a week, almost four million children are now outside the regular education system and are either working for low wages or looking for a job, Yilmaz said (AlMon 23/11/2022).

According to a UNICEF study, which included 43 EU, OECD and G7 countries, Turkey ranked last in terms of life satisfaction among 15-year-olds, with the score deteriorating by more than 10% between 2018 and 2022. Turkey was the only country where life satisfaction was below 50% (UNICEF 5/2025, p.17).

Marriages of children and minors

Although child marriages are illegal, they are frequently performed, especially as part of unofficial religious ceremonies or by obtaining marriage licences with fake IDs (FH 26/2/2025, G4). So-called 'child marriages' continue to be a major problem, particularly in rural areas and the south-eastern provinces. Under exceptional circumstances (usually pregnancy), a judge can grant 16-year-olds permission to marry, provided the parents agree, otherwise marriages of minors under 17 are prohibited. Marriage of children under the age of 16 is not legally permitted under any circumstances. Marriages can only be confirmed by the registry office. However, on 18 October 2017, parliament passed a law that also allows muftis [Islamic legal scholars] to perform marriages. According to the statistics office, the proportion of marriages of underage girls has fallen to 3.8% (2018). The obvious problem with this figure is that only official marriages are recorded. However, most marriages of children are only performed in front of an imam (ÖB Ankara 10/2019; cf.DFAT 16/5/2025, p.29). NGOs criticise the fact that the age of underage girls is 'corrected' upwards by the authorities in order to facilitate a civil marriage. Particularly in the case of civil marriages concluded by muftis, there are reports of a lack of monitoring of age regulations and thus of the possibility of circumventing these regulations. There are no state statistics on purely religious marriages, nor are there any data on marriages with minors

or forced marriages (AA 20/5/2024, p.14). The birth statistics of the Turkish Statistical Institute (TÜİK) state that a total of 7,190 girls gave birth to a child themselves in 2021 (Duvar 29/6/2022, cf.BirGün 27/6/2022), of which 117 were children under the age of 15 and 7,073 were in the 15 to 17 age group (BirGün 27/6/2022). See also the chapter: Relevant population groups / women

Although Turkey has a solid legal framework to combat the sexual exploitation of children, including girls, according to the 'UN Special Rapporteur on violence against women, its causes and consequences', some of the recent amendments to Turkish legislation on child sexual abuse (December 2016) are considered to be in violation of the country's international obligations (OHCHR 27/7/2022b, p.4).

Early and forced marriages are particularly widespread in the south-east. Women's rights activists report that the problem is still serious. Furthermore, bride kidnappings occur, especially in rural areas, although these practices are not widespread. NGOs report children as young as twelve being married off in unofficial religious ceremonies, especially in poor and rural areas and among the Syrian community (USDOS 22/4/2024, p.70f.; cf.DFAT 16/5/2025, p.29). *See also the subchapter: Relevant population groups / Children and underage youth (up to 18) / Refugee children and underage refugees*

Sexual abuse, violence and exploitation

The law criminalises the sexual exploitation of children and provides for a minimum sentence of eight years in prison. The penalty for a conviction for promoting or aiding and abetting the commercial sexual exploitation of children is up to ten years in prison. If violence or pressure is involved, a judge can double the sentence. Female refugees and asylum seekers are particularly at risk of being exploited by criminal organisations and pressured into commercial sex. This practice is particularly prevalent among adolescent girls. According to NGOs, young Syrian female refugees are particularly at risk of being exploited by criminal organisations and forced into sex work (USDOS 22/4/2024, p.71f.).

With regard to child abuse, the law authorises the police and local authorities to provide various protection and support services to children who have been victims of violence or are at risk of violence. Nevertheless, child rights activists report inconsistent implementation and call for an expansion of support for victims. The law requires the government to provide services to victims, such as shelter and temporary financial support, and authorises family courts to impose sanctions on those responsible for the violence. If the victim of the abuse is between the ages of 12 and 18, sexual assault carries a sentence of three to eight years' imprisonment, sexual abuse carries a sentence of eight to 15 years' imprisonment and rape carries a sentence of at least 16 years' imprisonment. If the victim is younger than twelve years of age, a minimum sentence of five years is imposed for harassment, a minimum sentence of ten years for sexual abuse and a minimum sentence of 18 years for rape. (USDOS 22/4/2024, p.70).

The UN Committee on the Rights of the Child was seriously concerned about the lack of recognition, reporting and investigation of violence against children, including corporal punishment

and domestic violence, and the limited professional capacity and procedures to prevent, identify, report and respond to such cases in a child-sensitive manner, including the provision of victim support and access to remedy. Considering that Turkey is a destination and transit country for human trafficking, the UN Committee was particularly concerned about the high proportion of children in Turkey who are trafficked for sexual and labour exploitation, as well as reports of official complicity (UN-CRC 2/6/2023b). The comparative figures also show that Turkey has increasingly become a destination country for human trafficking in recent years. In the period 2014-2018, the authorities counted 775 victims, while the number rose to 1466 between 2019 and 2023. - In 2023, 29% (422) of these were children (CoE - GRETA 22/10/2024, p.6).

According to the criminal records statistics of the Ministry of Justice, the criminal courts in Turkey recorded an increase of 32.55% in child sexual abuse cases in 2021 compared to the previous year. Accordingly, there were convictions in 16,161 of the 29,822 cases of child sexual abuse, including both custodial sentences and fines (Duvar 29/6/2022, cf.BirGün 27/6/2022). The negative trend continued. - At the end of March 2023, the Ministry of Justice announced that the number of criminal proceedings initiated for child sexual abuse in 2022 had again increased by 33% compared to the previous year. Child abuse offences recorded the second highest increase of all criminal offences in 2023. Human rights organisations accuse the Turkish government of not having established sufficient measures to protect children, even though the country ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (so-called Lanzarote Convention) in 2011 (BAMF 3/4/2023, p.9).

According to the Centre for Children's Rights (FISA), at least 64 children have been murdered in the past two and a half years since autumn 2024, often as a result of domestic violence. The centre collects its data from publicly available sources, as the authorities have not published official data on killed or missing children since 2016. According to the latest published statistics, 104,531 children were reported missing across the country between 2008 and 2016. Experts criticise the lack of transparency and preventative policy in this area and call for the systematic collection and publication of information on missing children. The UN Committee on the Rights of the Child (CRC) has also been appealing to the Turkish authorities for years to provide the relevant information (DW 24/9/2024).

Child soldiers

On 1 July 2021, the USA added Turkey, and thus for the first time a NATO country, to the list of countries that were involved in the use of child soldiers in 2020, namely in the recruitment and use of child soldiers in Syria and Libya (USDOS 1/7/2021; cf.BAMF 5/7/2021, p.15, MEE 1/7/2021). According to the US State Department's Trafficking in Persons Report of 2024, the Turkish government supported elements of the Syrian National Army (SNA), a coalition of non-state armed groups in Syria that recruits and uses child soldiers. The Kurdistan Workers' Party (PKK) also recruited and abducted children to be used as child soldiers (USDOS 24/6/2024).

Impact of the earthquake in February 2023

Access to basic needs such as food, water and shelter was the main challenge after the earthquake, with children often being the most vulnerable. Children in the affected communities no longer had access to education due to mandatory school closures. Finally, the earthquake had increased the likelihood of children being exploited and abused (KRF 20/2/2023). Several human rights violations against children were reported from the earthquake areas (EC 8/11/2023, p.40). Cases of child trafficking and child labour were reported in this context (KRF 20/2/2023).

With regard to children and minors in prisons, see the section on children and minors in the chapter: Detention conditions. Information on Roma children can be found in a separate section in the subchapter: Ethnic minorities / Roma.

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19.2.1 Refugee children and refugee minors

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General situation

Turkey is a party to the Convention on the Rights of the Child and domestic standards for the protection of children are generally in line with international obligations. Under Turkish law, unaccompanied children, once identified, should be taken into state care with due diligence under the supervision of the Ministry of Family and Social Affairs (ECRE/AIDA 20/8/2024a).

According to the UNICEF report from summer 2024, there are 1.7 million Syrian refugee children living in Turkey (UNICEF 7/2024). More than one million are under the age of ten (AsiaTimes 3/1/2022). As of July 2022, over 700,000 Syrian children had been born in Turkey, according to the interior minister (Ahval 11/7/2022). According to the news portal Bianet, which is critical of the government, the number was already more than 1.5 million in spring 2025 (Medya 7/5/2025).

In early June 2023, the UN Committee on the Rights of the Child expressed concern that asylum-seeking, refugee and migrant children, especially unaccompanied children, are discriminated against, have limited access to basic services, are at high risk of statelessness, are held in detention pending deportation and are subject to forcible returns. The Committee called on Turkey to immediately end the practice of 'pushbacks' of children and their families from its

territory and to ensure that they are individually identified and protected from deportation, as this violates international law. Finally, Turkey should guarantee that children are not held in detention pending deportation (UN-CRC 2/6/2023a). The European Committee of Social Rights of the Council of Europe also expressed concern about the serious allegations and the silence of the Turkish government, according to which babies born to Syrian, Afghan, Iranian and Iraqi refugees in Turkey are considered stateless (CoE-ECSR 3/2024, p.33).

In the case of unaccompanied minors, a representative of the institution where the child is placed is usually appointed as guardian by the Civil Justice Peace Court (Sulh Hukuk Mahkemesi). The procedure is reportedly very difficult in practice, as guardians are rarely appointed due to a lack of suitable persons. Otherwise, unaccompanied children under international or temporary protection are either placed in childcare facilities run by the Ministry of Family and Social Affairs or in childcare centres for unaccompanied foreign children that have been opened in ten provinces (Ağrı, Ankara, Diyarbakır, Erzincan, Erzurum, Istanbul, Konya, Tekirdağ, Van and Yozgat). However, there are allegations that unaccompanied foreign children are sometimes placed in deportation centres for accommodation purposes, although since 2019 the Law on Foreigners and International Protection (LFIP) no longer provides for this (CoE - GRETA 22/10/2024, p.21f.).

Child labour and school attendance

Child labour is particularly widespread among refugees and migrants (EC 30/10/2024, p.68; cf.EC 12/10/2022, pp.42, 101), with a serious increase among Syrian children (DIS 6/10/2023). Poverty and a lack of meaningful employment opportunities for adults contributed to an increase in child labour among refugee children. When refugees are unable to meet their basic needs, they send their children to work (USDOL 26/9/2023). Children who do not go to school are very likely to support their families through labour, almost all of them in illegal employment (AsiaTimes 3/1/2022). Boys are most likely to be sent to work as child labourers in informal enterprises, while girls mostly do hidden domestic work and are often married off at a young age because their own families do not have the means to support them (BPB 18/10/2023). Syrian refugee children work in agriculture, begging on the streets, in the service sector and in small and medium-sized manufacturing companies. Children in the manufacturing industry often work up to six days a week and earn only half of what an employer would pay an adult (USDOL 26/9/2023). It is estimated that almost half (46%) of all refugee children or youth under the age of 18 are working. Syrian refugee children in Turkey are highly likely to be in paid employment: 45.1% of 15- to 17-year-olds and 17.4% of 12- to 14-year-old boys are in paid work (IZA 6/2021, p.15f). Although the corresponding rates for girls are lower (4.7% for 12- to 14-year-olds and 8.1% for 15- to 17-year-olds), they are still significant (IZA 6/2021, p.15f). According to the Turkish NGO İSİG, at least 80 migrant children have died at work since 2013 (VOA 14/6/2024; cf.İSİG 11/6/2024).

Efforts to integrate a large number of migrant children into the **education system** have continued. According to figures from the responsible ministry, around 910,000 refugee children were enrolled in formal education in 2023, most of them Syrian children. However, almost 406,000

refugee children of school age were still not enrolled in school in 2023 and had no access to educational opportunities (EC 30/10/2024, p.23, 34; cf.SO 12/8/2024, UNICEF 7/2024). The Turkish think tank 'Education Reform Initiative' confirms that only half of registered Syrian children go to school. Only 26% of 14 to 17-year-olds are enrolled in school (AsiaTimes 3/1/2022). Of the 1,124,000 Syrian children, 35% have dropped out of the education system (DIS 6/10/2023, p.1). According to UNICEF, since 2017, over 800,000 refugee children (cumulatively) have received monthly cash support for education through the Conditional Cash Transfer for Education Programme for Syrians and other refugees (USDOS 20/3/2023, p.66).

Syrian refugee families face numerous obstacles in enrolling their children in school, including language, cost, limited peer support, bullying, personal discouragement due to prolonged school absenteeism and gender bias against girls. The school closures caused by the COVID-19 pandemic contributed to further problems. However, since 2017, the Turkish government has committed to integrating all Syrian refugees of school age into the national public school system and has therefore closed all temporary education centres (UNICEF 16/6/2021; cf.USDOL 26/9/2023).

Question of citizenship

Children of Syrian parents who are born in Turkey are not automatically Turkish citizens. Children of parents with the status of temporary refugees have the same status as their parents. Many Syrians have difficulty reaching the Syrian consulate in Istanbul to obtain Syrian documents for their children, such as proof of Syrian citizenship. For these reasons, there is a risk of statelessness for these children (DIS 6/10/2023, p.1).

The problem with Syrian refugee children born in Turkey is that they are de facto stateless, as neither the Syrian nor the Turkish state automatically grants them citizenship (KAS 9/2019, p.8). As Turkey is not a party to the 1961 Convention on the Reduction of Statelessness or the 1997 European Convention on Nationality, stakeholders have raised concerns about the fact that Turkey does not currently grant these children unconditional citizenship of their place of birth. In addition, the Syrian legal situation does not guarantee the transfer of citizenship from the mother to her children (AIDA 4/2020, p.137).

Violence against refugee children

Violent attacks on refugees and increasingly xenophobic attitudes are now also affecting refugee minors. For example, the Platform for the Protection of Children and their Rights found that more than half of the Turkish parents surveyed did not approve of their children being friends with Syrians (AsiaTimes 3/1/2022).

Child marriages

Many families see child marriage as the only way to secure a future for their children (CARE 4/2020, p.4). In addition to violence, the protection of women and girls under the age of 18 involved in arranged marriages and unofficial polygamous marriages - including 'second wives' and girls sold by their families - is a persistent and significant problem. These problems have also

contributed to an increase in the divorce rate for girls under the age of 18. In 2023, an increase in child marriages was observed, particularly in areas affected by earthquakes. - Initiatives such as the Türk Kızılay Child Protection Centre in Altındağ, Ankara, provide women with information on issues such as early pregnancy, child marriage, sexual harassment, reproductive rights and contraception (ECRE/AIDA 20/8/2024a).

Human trafficking and sexual exploitation

Female refugees and asylum seekers are particularly at risk of being exploited by criminal organisations and pressured into commercial sex (USDOS 22/4/2024, p.71f.). Criminal networks force and push Syrian women and girls into the sex trade. NGOs report cases in which officials and volunteers in refugee camps collaborate with criminal networks to recruit girls into the sex trade with false job offers, while Syrian boys continue to be exposed to the sex trade. Syrian girls as young as twelve years old can be married off to adults in unofficial religious ceremonies, especially in poor and rural areas. They are therefore vulnerable to becoming victims of sex trafficking. The number of Syrian refugee families who have married off their underage daughters to Turkish men to make ends meet has reportedly increased in the wake of the COVID-19 pandemic, as has the number of children used in child labour (USDOS 15/6/2023).

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19.3 Sexual minorities (LGBTIQ+)

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General legal framework

Homosexuality has been legal since the founding of the Republic of Turkey in 1923. There are no laws that prohibit sexual acts between persons of the same sex. The legal minimum age for all sexual acts is 18, even between persons of the same sex. Transgender people can legally change their gender, but a court must first grant authorisation on the basis of a medical report. Legal gender reassignment is subject to the condition that the person remains unmarried and undergoes surgery and sterilisation. For transsexuals, the possibility of a legal gender reassignment has existed in Turkish law since 1988 (DFAT 16/5/2025, p.30; cf.MBZ 31/10/2019, p.42). However, the prohibition of discrimination in Art. 10 of the Constitution does not explicitly cover sexual orientation. Homosexual acts are not specifically covered by the Criminal Code (AA 20/5/2024, p.15; cf.USDOS 22/4/2024, p.75). In this context, the United Nations Human Rights Committee found that the Law on the Human Rights and Equality Institution of Turkey [HREI or TİHEK] also provides a comprehensive legal framework for the prohibition of discrimination, but does not address discrimination based on sexual orientation or gender identity (UNHRCOM 28/11/2024, p.3). The legislation therefore does not explicitly prohibit discrimination on the basis of sexual orientation or gender identity in social organisations, government agencies or businesses. Conversely, the law does not guarantee members of sexual minorities the pension, inheritance or social security rights that are implicitly guaranteed to heterosexuals as a result of marriage (DFAT 16/5/2025, p.30).

Although sexual intercourse between two persons of the same sex is not a criminal offence, various sources indicate that some laws are used to curtail the freedoms of members of sexual minorities. In addition to the Civil Servants Act, which allows for dismissals for ‘immoral behaviour’, LGBTIQ-plus activists and demonstrators can also be charged with ‘incitement to hatred and enmity’ for their publicly expressed views under Article 216 of the Criminal Code. This happened, for example, with students who waved rainbow flags during a demonstration at Bosphorus University (MBZ 31/8/2023, p.67; cf.BAMF 4/11/2024a, p.2). Legal provisions on ‘offences against public morality’, ‘protection of the family’ and ‘unnatural sexual behaviour’ sometimes serve as a basis for police abuse and discrimination by employers and for banning gatherings (USDOS 22/4/2024, p.74; cf.DFAT 16/5/2025, p.30, ÖB Ankara 4/2025, p.52). Events organised by LGBTIQ-plus organisations are also regularly banned on the grounds of protecting public safety and endangering the participants in the assembly. On the other hand, demonstrations against sexual minorities, which regularly take place in various Turkish cities, are not banned (AA 20/5/2024, p.15).

LGBTQ activists were alarmed by a **draft law** that became public in February 2025, based on the 4th strategy paper on judicial reform for the period 2025-2029, which was prepared by the Ministry of Justice and announced by President Erdoğan on 23 January 2025. - If actually adopted as law, ‘biological sex’ would be enshrined in Turkish law and the ‘promotion’ of LGBTQ rights would be criminalised. According to the draft prepared by the Ministry of Justice, the new legislation would also introduce prison sentences for those who perform same-sex marriages.

A provision to be added to the Turkish Criminal Code would stipulate that a 'person who publicly promotes, praises or supports attitudes and behaviours contrary to biological sex at birth and public morals shall be sentenced to imprisonment for a term of one year to three years'. 'If persons of the same sex perform a commitment or marriage ceremony, they shall be sentenced to a term of imprisonment of one year and six months to four years.' Other aspects of the draft law include raising the age at which gender reassignment can be carried out from 18 to 21 and making it more difficult to change gender in official documents. According to the new article to be added to the section 'Offences against physical integrity' of the Criminal Code, persons who undergo gender reassignment surgery without authorisation will be sentenced to three to seven years' imprisonment and a fine of one thousand to ten thousand daily rates; persons who undergo such surgery will be sentenced to one to three years' imprisonment (KAOS-GL 27/2/2025; cf.MEE 27/2/2025, Presse 4/3/2025).

Rights violations and discrimination

Members of sexual minorities face de facto barriers to political participation and continue to be underrepresented in politics and government leadership positions. A handful of people from sexual minorities have run for office, but these groups of people remain politically marginalised, in part because the government uses public morality laws to restrict advocacy for sexual minority rights. The 2023 elections saw successful campaigns by several far-right politicians running on explicitly homophobic platforms (FH 26/2/2025, B4).

The Erdoğan government and the religious conservative opposition parties regularly use discriminatory political statements that amount to hate speech against lesbians, gays, bisexuals and transgender people under the pretext of supporting family values in an attempt to appeal to conservative voters and fuel social polarisation. This puts those affected in great danger (HRW 16/1/2025; cf.DFAT 16/5/2025, p.31).

Discrimination, intimidation and violence against sexual minorities and transgender people in particular have increased, partly due to the lack of effective criminal sanctions. Prisoners belonging to sexual minorities are discriminated against and held in solitary confinement (EC 8/11/2023, p.42). As previously in September 2023 (EP 13/9/2023, pt.15) '[the European Parliament (EP)] strongly condemns that the fundamental rights of LGBTI+ people in Turkey continue to be violated and insufficiently protected, with hate speech and hate crime on the rise, increased use of discriminatory rhetoric and the media continuing to propagate stereotypes about sexual orientation and gender identity; deplores the fact that this ongoing discrimination is often condoned by the authorities, as evidenced by the mass arrests during the Pride parade in 2023 and the ban on the parade in 2024, while anti-LGBTI+ marches were authorised; urges the Turkish authorities to immediately stop banning anti-homophobia events, including Pride parades' (EP 7/5/2025, pt.26; cf.EC 30/10/2024, p.34). In this context, the United Nations Human Rights Committee also expressed concern about the systematic discrimination and violence against LGBTQ people and associations and the restrictions on their rights to freedom of association and freedom of expression (UNHRCOM 28/11/2024, p.3).

Access to legal protection and remedies appears to be restricted for members of sexual minorities. In this context, sources point out that there are no specific references to the protection of the rights of LGBTIQ-plus persons in the legislation and regulations (MBZ 2/2025a, p.88). According to a report by the NGO KAOS GL from autumn 2023, members of sexual minorities complain that access to the justice system is restricted for them and that the ineffectiveness of the system is much more noticeable. When judges, prosecutors and police officers are trained to exclude LGBTIQ-plus people and their mindset is influenced by the heteronormative infrastructure, combined with the climate of homophobic and transphobic hate speech spread by politicians and decision-makers, the use of justice itself becomes a process that leads to violations, according to KAOS GL. As a result, police stations, courthouses and other authorities that accept administrative complaints are not welcoming to LGBTIQ-plus people. Although it is better to turn to other organisations such as the Equality Authority (TİHEK) or the Ombudsperson, these also sometimes discriminate and violate human rights (KAOS-GL 10/2023, p.4).

Examples: Freedom of assembly

Rallies by sexual minority groups are systematically banned or violently prevented, including the country's largest Pride parade in Istanbul in June 2023 for the ninth time in a row. Security reasons are usually given as the reason for the ban. Despite court rulings to the contrary, governors uphold the ban (ÖB Ankara 4/2025, p.52). At the end of June 2024, the Istanbul governor also banned the Pride parade and had the city centre cordoned off, without giving a reason. It was merely stated that 'illegal groups' had called for an unauthorised protest march (FAZ 30/6/2024; cf.Zeit Online 1/7/2024, DIF 1/7/2024). Despite the ban, hundreds of people gathered at a Pride parade. The march took place without clashes or police violence. However, there were some arrests (Zeit Online 1/7/2024; cf.DIF 1/7/2024).

Examples from the years before 2023 can be found in older versions of the country information.

Numerous LGBTI organisations report a persistent feeling of vulnerability, as their freedom of speech, assembly and association continue to be restricted (USDOS 22/4/2024, p.77; cf.EP 7/6/2022, p.15, pt.21, EC 19/10/2021, p.40). Human rights activists attribute what they consider to be increasing negative public sentiment and violence against members of sexual minorities to an increase in rhetoric against the latter by government representatives, which is reinforced by pro-government media. President Erdoğan frequently compared respect for the rights of LGBTQ-plus people to terrorism and spoke of the 'abnormality called LGBT'. Sexual minority organisations report that the government is increasingly equating LGBTQ-plus issues with terrorism in its rhetoric (USDOS 22/4/2024, p.75, 77).

Workplace

Surveys of those affected indicate that discrimination on the basis of gender identity, sexual orientation and gender characteristics is a major obstacle for LGBTQ-plus people in accessing employment. They are often forced to hide their identity in order to avoid the risk of unemployment. As the risk of being discriminated against continues even after the recruitment process, this strategy determines their entire working life. Secrecy seems to be unavoidable in the pub-

lic sector, in contrast to the private sector. While over 17% in the private sector reported fully disclosing their sexual orientation in 2021, the proportion in the public sector was only 5% (KAOS-GL 8/11/2021, p.5f.). This is because Turkish labour law allows the dismissal of government employees who 'behave in a manner unworthy of the public service, that is considered shameful and embarrassing', while other laws criminalise the undefined practice of 'immorality'. Human rights observers report that employers use these provisions to discriminate against members of sexual minorities (DFAT 16/5/2025, p.31).

The Kaos-GL study on the situation of members of sexual minorities working in the public and private sectors found that unemployment is widespread among them and that fear of discrimination and dismissal is on the rise (ILGA 20/2/2023). Courts sometimes rule in favour of those affected. - For example, Larin Kayataş, a transgender doctor who was dismissed from her job in 2021 for allegedly 'undermining general morale', was reinstated after an appeals court ruled that her dismissal was unlawful. Kayataş was also financially compensated (Bianet 21/7/2023).

Freedom of expression and information

Although the law does not ban specific books or publications, court rulings have led to bans on the distribution or sale of certain books and magazines. The Press Council, which is responsible for imposing advertising bans, amended the guidelines on press ethics in July 2022. The amendments included new provisions allegedly targeting sexual minorities and banning publications that 'disrupt the family structure, which is the foundation of society' and 'weaken the common national and moral values of Turkish society'. The panel extended the press ethics obligations to newspapers' websites and social media accounts (USDOS 22/4/2024, p.31; cf.USDOS 20/3/2023, p.39). In November 2020, the Ministry of Commerce decided that all LGBTI and rainbow-related products on online retail websites must be labelled with an 18+ warning (ÖB Ankara 4/2025, p. 52). The Radio and Television Supreme Council (RTÜK) fined Netflix (in 2022) for the animated series Jurassic World Camp Cretaceous because of its LGBT+ characters (ILGA 20/2/2023). The scenes in which 'two girls kissed' violated the 'principle of protecting general morality and the family', the RTÜK judgement said, adding that Netflix's description of the series as a 'series that can be watched with the family' was misleading and could expose children to inappropriate content. - The Ministry of Family and Social Affairs had previously lodged a complaint (Bianet 18/8/2022).

On 22 November 2023, the Constitutional Court ruled that the ban on access to Hornet, a dating app for gays with over three million users, violated freedom of expression. The Constitutional Court also ruled that the courts that rejected appeals against the decision had violated the right to an effective legal remedy. The Constitutional Court's decisions also include the access ban on Hornet imposed by the 8th Criminal Court in Ankara on 6 August 2020 (KAOS-GL 7/2/2024).

Attitudes and actions of social groups and state actors

Following numerous **anti-LGBTIQ demonstrations** in autumn 2022 (BAMF 7/11/2022, p.11; cf.Zeit Online 19/9/2022, AP 18/9/2022), the 'Great Family March' against sexual minorities organised by Islamist groups in Istanbul in September 2023 was held under the motto: 'LGBT

propaganda should be banned for our children, our family and humanity'. The regulatory authority RTÜK (Radio and Television Supreme Council) approved the march's advert entitled 'Say No to LGBT Propaganda', which was then broadcast on national television as a 'public service announcement' (ILGA 2/2024; cf.BIRN 13/9/2023, Duvar 18/9/2023). In Izmir, police arrested ten demonstrators in front of the RTÜK office who were protesting against the Turkish Television and Radio Authority's decision to broadcast a public appeal on television calling on citizens to attend an anti-LGBT rally in Istanbul on Sunday (BIRN 13/9/2023; cf.Duvar 13/9/2023, BAMF 18/9/2023). Conversely, the police did not intervene when a breakfast organised by the Izmir Bar Association as part of Pride Week in June 2023 was attacked by a counter-demonstration consisting of anti-LGBTIQ activists. This counter-demonstration consisted of supporters of the nationalist Vatan Partisi (VP), the youth organisation Türkiye Gençlik Birliği (TGB), the Grey Wolves and the AKP Youth, among others (BAMF 4/11/2024a, p.8).

Turkey's withdrawal from the **Istanbul Convention** on Preventing and Combating Violence against Women and Domestic Violence was linked, among other things, to the accusation that the convention had been misused to protect the rights of sexual minorities. The Communications Directorate of the President's Office stated that the convention had been hijacked by a group of people trying to normalise homosexuality - which is incompatible with Turkey's social and family values. Hence the decision to withdraw (PRT-DC 22/3/2021).

In large cities (Istanbul, Izmir, Ankara) and on the south coast, it is possible to show homosexuality in certain areas. Beyond that, for example in rural areas, it is not socially accepted. If their sexual orientation becomes known, homosexuals, but especially transsexuals, are often marginalised or harassed by their social and professional environment and are often victims of violence and discrimination (AA 20/5/2024, p.15; cf.BAMF 4/11/2024a, p.10). Acceptance of same-sex relationships remains low in Turkish society. In a survey conducted in July and August 2022, 36.6% of respondents stated that homosexuality is a perversion that should be banned by the state. 33.5% described homosexuality as a disease that should be treated. 72.3% of respondents consider homosexuals to be harmful to society. 17.6% stated that homosexuality should be respected. While two thirds of all respondents did not consider homosexuality to be a natural state, this figure was 56.7% for young people between the ages of 18 and 24 (ÖB Ankara 4/2025, p.52). Victims of homophobic violence do not usually turn to the police, and if they do, they are often not treated or protected appropriately by the police. Victims also stated that not every public prosecutor is prepared to prosecute homophobic perpetrators of violence. Moreover, members of sexual minorities have no confidence in due process (MBZ 2/3/2022, p.60).

In individual cases, there are also **'honour killings'** in connection with homosexuality (AA 20/5/2024, p.15). NGOs estimate these to be in the low three-digit range annually (AA 28/7/2022, p.14). Turkey is also one of the countries with the highest rate of murders of transgender people. Between 2008 and 2024, 68 transgender people were murdered (ÖB Ankara 4/2025, p.52). In 2024, there were also attacks on members of sexual minorities, especially transgender women, which also resulted in deaths. - In Alsancak, a trans woman was attacked on the street by a group of men without the police or passers-by intervening. The public questioned the lack of

police presence and the fact that the attackers were released shortly after being arrested. In July 2024, a trans woman in Izmir suffered almost 50 stab wounds in a knife attack in her home (KAOS-GL 16/7/2024; cf.ILGA 2/2025). The perpetrator was arrested for attempted premeditated murder. In November, a trans woman was attacked in Samsun and robbed of her jewellery. The attacker justified his attack by saying that the victim had mocked his masculinity - a defence often used as an excuse for violence against LGBTI people (ILGA 2/2025). A group of people attacked transgender women when they were giving first aid to a man who had an epileptic seizure in İzmir in mid-April 2024. A transgender woman was attacked and, according to her own statements, robbed of her wallet and phone. The group then began throwing stones at the homes of transgender women, as security camera footage showed (Duvar 12/4/2024).

'Sexual orientation and identity' are not listed in the catalogue of hate crimes. It is therefore difficult for LGBTI people to assert their rights in cases of discrimination or hate crime. In court proceedings, discrimination is either trivialised or the perpetrators' intentions are relativised. Hate speech directed against members of sexual minorities is seen as an expression of free speech (ÖB Ankara 4/2025, p.52). In this context, the Turkish Constitutional Court ruled on 23 May 2018 that calling members of sexual minorities perverts in the media cannot be considered hate speech, as this falls under freedom of expression (ILGA 26/2/2019).

Transgender people

Their visibility as a group means that transgender people are subject to discrimination, marginalisation and aggression. For example, transgender people face barriers in accessing the labour market, and trans women in particular are forced to engage in illegal sex work (MBZ 2/2025a, p.89). Transgender people often have difficulties gaining access to the housing market and healthcare. Transgender people have a legal right to turn to the authorities for protection. In practice, however, transgender people rarely report transphobic incidents to the police, mainly because the police themselves have a reputation for being prejudiced against the transgender community (MBZ 31/8/2023). According to trans activist Gök Akyel, the situation faced by the trans community reflects LGBTI-plus phobia in society: trans people and other LGBTI-plus people are among the marginalised minority groups whose rights to life, health, education, social security and housing are violated. They are exposed to poverty and marginalisation due to the economic consequences of hate (Bianet 10/7/2024). In March 2024, the police had the houses of trans women on Bayram Street in Istanbul's Beyoğlu district sealed by order of a district governor. Bayram Street has been an important refuge for trans women for decades, and the sealing left many trans people homeless (ILGA 2/2025). In early June 2022, the European Parliament (EP) also expressed deep concern 'in relation to physical attacks and hate crimes primarily targeting transgender people' (EP 7/6/2022, p.15, pt.21).

Police harassment of transgender sex workers is widespread, even though sex work is not illegal, often to extract bribes. Article 29 of the Criminal Code provides for the mitigation of penalties, including assault or murder, if the accused was provoked by an 'unjust act'. Human rights groups claim that judges have routinely invoked Article 29 to mitigate sentences in cases involving the murder of members of sexual minorities (DFAT 16/5/2025, p.30f.; cf.,USDOS 22/

4/2024, p.74f.). The courts of appeal have partially upheld these judgements on the grounds of the 'immoral nature' of the victim (USDOS 22/4/2024, p.74f.). Turkey is one of the countries with the highest murder rates of transgender people (EC 6/10/2020, p.40).

Access to gender reassignment surgery and to health and social services was still difficult and problematic for trans people (EC 8/11/2023, p.42).

Members of sexual minorities among the refugees

UN organisations report asylum seekers and so-called 'conditional refugees' who belong to a sexual minority, mainly from Iran, Afghanistan and Iraq. According to human rights groups, these refugees face discrimination and hostility from both the authorities and the local population due to their status as members of a sexual minority. Many have experienced gender-based violence. Commercial sexual exploitation also remains a major problem for this group of people, especially for transgender people (USDOS 22/4/2024, p.48f.).

Administrative sanctions and deportations of LGBTI+ refugees have increased according to ILGA 2022. Members of sexual minorities applying for international protection were deported by the regional migration authority to cities where phobia towards members of sexual minorities is more prevalent (ILGA 20/2/2023). During her five-month stay in a deportation centre, the fundamental rights of a trans woman were violated. She was kept in a single room, could not use common rooms, had no access to HIV medication and was subjected to discriminatory behaviour. After her release, her identity papers and health insurance were cancelled, leaving her without access to vital medication until her deportation. In Adana, a refugee trans woman's HIV status was disclosed on social media without her permission, exposing her to massive hate speech (ILGA 2/2025).

NGO country ranking

As in 2022 (ILGA 2022), the NGO ILGA ranked Turkey second to last (ahead of Azerbaijan) out of 49 European countries in terms of the rights of sexual minorities in 2023. With a theoretical top score of 100%, Turkey only achieved 4% [Austria: 19th place with 50.1%] (ILGA 2023).

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20 Freedom of movement

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Article 23 of the Constitution guarantees freedom of movement within the country, the right to leave the country and the unrestricted right of entry for Turkish citizens. However, freedom of movement can be restricted under this provision in order to prevent crime (ÖB Ankara 4/2025, p.14f.; cf.USDOS 22/4/2024 p.41).

For example, freedom of movement is generally restricted in some regions and for groups that are treated with suspicion by the government. In south-east Turkey, freedom of movement is limited due to the conflict between the government and the Kurdistan Workers' Party - PKK (FH 26/2/2025, G1). The authorities are authorised to restrict the **movement** of individuals **within Turkey**. For example, provincial governors can ban people suspected of trying to obstruct or disrupt public order from entering or leaving certain places in their provinces for a period of up to 15 days (ÖB Ankara 4/2025, p.9cf.USDOS 22/4/2024 p.42), although the constitution stipulates that only judges can limit the freedom of movement of citizens, and only in connection with a criminal investigation or prosecution (USDOS 22/4/2024 p.42).

There are general identity checks when **entering Turkey**. Turkish nationals who have a valid Turkish travel document authorising them to enter the country can generally pass through border control unhindered. On entry, checks are carried out to establish whether there is an entry in the wanted persons register or whether there are any pending investigations or criminal proceedings. Travellers' mobile phones, tablets, laptops etc. can be read at border crossings, in particular to identify posts critical of the government, comments on Facebook, WhatsApp, Instagram etc., which in turn can lead to measures such as questioning, arrest, criminal charges etc. In cases of repatriation, the authorities only allow entry with a Turkish passport or passport replacement

document. Turkish nationals may only leave the country with a valid passport. Illegal entry and exit is a criminal offence. Exit checks at Turkish border crossings are generally strict. Entry and exit data is recorded in detail and travellers are checked in the corresponding search systems (AA 20/5/2024, p.24f.).

It is common practice for judges to impose an **exit ban** on people who are under criminal investigation or who have been released on parole. This means that a person does not have to be charged or convicted in order to be banned from leaving the country (MBZ 18/3/2021, p.27f.; cf.ÖB Ankara 4/2025, p.14f.). There is no clear answer to the question of the extent to which a person who has attracted the negative interest of the Turkish authorities can or cannot legally leave the country while criminal proceedings are still pending. It depends on the circumstances of the individual case (MBZ 2/3/2022, p.27). Nevertheless, sources from the Dutch Ministry of Foreign Affairs confirmed that in most cases with a political dimension, which are considered 'terror cases' in the context of criminal law, a travel ban is imposed. In cases with a political context, Kurdish activists and (alleged) Gülenists are particularly affected. The frequency of exit bans in cases with a political dimension is considered 'widespread' and 'systematic'. However, there are cases of inconspicuous political activists who have not been banned from leaving the country (MBZ 2/2025a, p.37).

Sometimes even members of parliament are banned from leaving the country. - In March 2022, for example, HDP MP Ömer Faruk Gergerlioğlu was banned from leaving the country at the court's behest and his passport was confiscated as part of the investigations launched against him (Duvar 10/3/2022). At the end of December 2022, a travel ban was also imposed on an HDP parliamentarian. Zeynel Özen, who is also a Swedish citizen and member of the European Union's Committee on Harmonisation, was refused permission to leave the country at Istanbul airport on the instructions of the Minister of the Interior without justification (Medya 26/12/2022; cf. Duvar 26/12/2022). In October 2023, against the backdrop of the Gaza war, 15 members of parliament from the pro-Kurdish Peoples' Emancipation and Democracy Party - HEDEP [now known as the DEM Party, the predecessor of the HDP and the Green Left Party] were refused permission to leave the country despite their parliamentary immunity (Duvar 20/10/2023).

In June 2024, the authorities confiscated the passports of nine co-mayors from Kurdish-majority municipalities, including the mayor of Diyarbakır Serra Bucak, without a court order. The Ministry of the Interior defended the move on the grounds of national security and public order (Medya 24/6/2024; cf.Rudaw 24/6/2024). In February 2025, an Istanbul court banned two leading officials of the business association TUSIAD from travelling abroad as part of an investigation into their statements on democracy, which Erdogan had described as undermining the government. At the organisation's general assembly, TUSIAD President Orhan Turan and Omer Aras, chairman of the Turkish banking division of QNB, criticised the government's crackdown on opposition activists and journalists (REU 20/2/2025). Three months later, the ban on leaving the country was lifted. However, the proceedings continued, with the public prosecutor demanding up to five years in prison (HDN 20/5/2025; cf.Bianet 22/5/2025).

The right to leave the country may in turn be restricted by a judicial decision in the context of a criminal investigation or prosecution. Criminal judges make generous use of the possibilities for restriction. It is common practice for persons with a foreign connection who are not in pre-trial detention to be banned from leaving the country, possibly for several years, in parallel with the preliminary proceedings. Hundreds of EU citizens, including many Austrians, are affected by this measure, as are thousands of Turkish nationals residing in an EU member state. Conversely, non-Turkish nationals who have come into contact with the Turkish criminal justice system or whose activities outside Turkey have been perceived as negative are banned from entering the country (ÖB Ankara 4/2025, p.14f.). In response to a parliamentary enquiry, the German Foreign Office stated in June 2022 that 104 people with German citizenship had been prevented from leaving the country. 55 had been detained on 'terror' charges and 49 others had been banned from leaving the country (FR 11/6/2022). As of November 2023, at least 65 German citizens were unable to leave Turkey due to travel bans, half of them on terrorism-related charges (Zeit Online 16/11/2023).

Sometimes a travel ban is imposed without the person concerned knowing about it. In this case, they only learn about it during passport control at the time of departure, which is most likely followed by an interrogation. Just like criminal proceedings and penalties, bans on leaving the country are also recorded in the so-called General Information Collection System (Genel Bilgi Toplama Sistemi - GBT). The judicial authorities and the security apparatus, including the police and gendarmerie, have access to the GBT. If a customs officer at the airport enters the identity number of the person in question into the GBT, it becomes clear that the court has imposed an exit ban. However, it is unclear whether an exit ban also appears in the so-called National Judicial Information System (Ulusal Yargi Ağı Bilişim Sistemi - UYAP) and in the e-Devlet (e-Government Portal) and would therefore be accessible and obvious to the person concerned or their lawyer. The police and gendarmerie can also prevent a person from leaving the country legally in other ways by adding relevant notes on the person concerned in the internal database, called PolNet, without the knowledge of a judge. Such notes can alert customs that the person in question is not allowed to leave the country. In this way, a person can be stopped at an airport without a travel ban being registered in the GBT (MBZ 18/3/2021, p.27f).

The government continues to restrict travel abroad by citizens who are suspected of terrorism or who are accused of having links to the Gülen movement or the failed coup attempt in 2016. This also applies to their family members. Media professionals, human rights defenders and others who are facing politically motivated charges. They are often placed under 'judicial control' until the outcome of their trial is known. This often includes a ban on leaving the country. The authorities also prevent some Turkish dual nationals from leaving the country on suspicion of terrorism, resulting in some leaving the country illegally. Curfews imposed by local authorities in response to military operations against the Kurdistan Workers' Party (PKK) and the country's military operation in northern Syria also restricted freedom of movement (USDOS 22/4/2024, p.42f.).

Constitutional Court judgements in favour of freedom of movement

At the end of July 2019, the Turkish Constitutional Court repealed a controversial regulation that had been introduced after the attempted coup and which allowed the Turkish authorities to invalidate the passports of suspects' spouses, even if there were no allegations or evidence of a criminal offence. The practice was widely criticised and cited as an example of collective punishment and a violation of freedom of movement (TM 26/7/2019). At the end of January 2022, the Constitutional Court also ruled that the mass cancellation of the passports of civil servants following the failed coup attempt in 2016 was unlawful. The court found that certain provisions of Emergency Decree No. 7086 of 6 February 2018 were unconstitutional, among other things on the grounds that the provisions stipulating that the passports of those dismissed from the civil service be confiscated restricted the individual's freedom to travel beyond the extent required by the state of emergency. Furthermore, according to the Constitutional Court, the right to the presumption of innocence guaranteed by the constitution was violated (Duvar 29/1/2022).

In spring 2024, the Constitutional Court declared that the international travel ban imposed on human rights activist Nurcan Kaya violated her freedom of expression. Nurcan Kaya was detained at Istanbul airport in October 2019 when she tried to attend a United Nations meeting. Kaya was detained as part of an investigation on charges of 'inciting hatred and enmity among people' after she wrote in a tweet in 2014: 'Not only the Kurds, but all the peoples living in Kobanê are resisting.' During her trial, Kaya was subject to 1.5 months of judicial control, which included an international travel ban and the confiscation of her passport. - The Constitutional Court recognised that the judicial measures impaired Kaya's ability to participate in public discourse and awarded Kaya 13,500 lira (approx. 390 euros) in non-material damages. In addition, the Constitutional Court criticised the judiciary for not considering less restrictive measures before imposing the travel ban and for rejecting appeals against the ban on 'abstract grounds' (Duvar 7/3/2024; cf.MLSA 6/3/2024).

In November 2024, the Constitutional Court annulled the provision in the Passport Law that prohibited the issuance of passports to persons considered by the Ministry of Interior to pose a general security risk when leaving the country. The Constitutional Court found that the legal restriction in question was not of a general nature, but rather targeted specific individuals. It emphasised that, according to Article 23 of the Constitution, the right to leave the country can only be restricted on the basis of a criminal investigation or prosecution. The Constitutional Court ruled that the decision on this matter by administrative authorities constituted a violation. The court found that the provision restricts the constitutional right to freedom of movement in a way that is incompatible with the grounds for restriction set out in the Constitution. Consequently, it annulled the clause of the law that denied the issuance of passports to persons classified as security risks by the Ministry of Interior (Bianet 21/11/2024; cf.TM 21/11/2024).

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21 Refugees

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Variants of refugee status

The Turkish asylum system distinguishes between four categories of refugees: The first is based on the definition of the Geneva Refugee Convention (with a geographical restriction), the second on conditional (secondary) refugee status, the third on subsidiary protection and the fourth on temporary protection (ACCORD 8/2020; cf.ÖB Ankara 4/2025, p.60, MBZ 2/2025a, p.95). There are several legal provisions that regulate refugee status. The Aliens and International Protection Act, which was passed in 2013, initially defines three categories of refugees: Those refugees who fall under the 1951 **Geneva Convention** (Article61). These include only citizens of states that are members of the Council of Europe. In addition to their rights under the Geneva Convention, they are also entitled to the prospect of permanent legal integration in Turkey. Non-European refugees can be granted the status of a so-called **'conditional refugee'** (Article 62). They are granted free health care and education (AIDA 3/2018; cf.ÖB Ankara 4/2025, p.60, MBZ 2/2025a, p.95, ZAR 5/2013, p.16f.). However, the place of residence cannot be freely chosen, family reunification is not possible and permanent integration is not envisaged (AIDA 28/5/2021, p.125). Persons who do not fulfil the requirements for either status, but who would face the death penalty or torture if returned to their country of origin, or who are exposed to an 'individual risk of indiscriminate violence' due to war situations or internal armed conflicts, can be granted **subsidiary protection status** (Article63) (ZAR 5/2013, p.17). The Turkish legal status of subsidiary protection mirrors the definition of subsidiary protection in the EU Directive. Although long-term integration is excluded, beneficiaries of subsidiary protection have a right to family reunification. Refugees with a conditional status and beneficiaries of subsidiary protection are not issued with Convention travel documents, but may be issued with a different type of travel document, stamped 'for foreigners only'. The decision is at the discretion of the Presidency of Migration Management (PMM), so there is no legal entitlement (AIDA 28/5/2021, p.20, 125, 133).

On 22 October 2014, a separate refugee category was introduced for refugees from Syria, namely that of **'persons in need of temporary protection'**. The status grants the beneficiaries a legal right of residence as well as certain access to basic rights and services. Temporary protection status is granted to Syrian nationals and stateless Palestinians originating from Syria on a prima facie group basis. The status is applied to foreigners who have been forced to

leave their country; cannot return to the country they left; have arrived at or crossed the Turkish border en masse or individually; and whose international protection needs are not decided through an individual procedure. However, those who arrive via a third country are excluded from temporary protection status. In practice, they are not allowed to submit an application and only receive a short-term visa and then a short-term residence permit. This also applies to Syrian nationals who may enter via another country, even if their family members in Turkey already benefit from temporary protection status (AIDA 28/5/2021, p.70f.). The amendment to the 'Temporary Protection Regulation' introduced in April 2016 also stipulates that Syrian nationals who entered Turkey after 28 April 2011 and subsequently entered the Aegean Islands illegally may also be granted temporary protection status in Turkey again (AIDA 28/5/2021, p.142; cf.RRT 3/2017). According to the EU and Turkish declaration, holders of temporary protection status who entered Greece illegally and were returned to Turkey can be granted the same status again. A source from the Danish Migration Agency (DIS), on the other hand, stated that in such cases, the status of a holder of temporary protection is withdrawn if they leave Turkey illegally and are apprehended at the border (DIS 6/10/2023, p.41). The return of irregular migrants from the Greek islands has not been resumed. The EU has repeatedly called on Turkey to resume return operations in line with the commitments made in the 2016 EU-Turkey Statement. The resettlement of Syrian refugees from Turkey to EU member states continued during the reporting period and totalled 43,019 persons by 31 August 2024 (EC 30/10/2024, p.23).

In addition to the (four) refugee categories listed above, there is also a residence permit based on the **humanitarianresidence permit**. This is not a protection status, but one of six categories of residence permit for foreigners. However, access to state services is restricted. Although healthcare is free for people who are granted this form of residence permit, the cost of medication is not. In contrast to people who fall under international protection, those with a humanitarian right to stay are free to choose their place of residence (CoE-CommDH 10/8/2016).

Refugee numbers

At the end of 2023, there were 3.4 million refugees and asylum seekers living in Turkey, the majority of whom (3.2 million) came from Syria. Over 200,000 refugees and asylum seekers were of other nationalities, mainly from Afghanistan, Iraq and Iran (UNO-FH 2024; cf.AIDA 20/8/2024a). The official number of Syrian citizens registered as temporary refugees has fallen continuously since 2021. While there were still 3.737 million in 2021, the Turkish Migration Board counted 2.678 million as of 19 June 2025. Most of them lived in Istanbul (approx. 465,600), Gaziantep (approx. 373,600), Şanlıurfa (approx. 234,700) and Adana (approx. 198,700) (PMM 19/6/2025a). If irregular immigrants are added, the actual number is much higher (Economist 12/9/2024). Officially, the number of irregular migrants as of 19 June 2025 was around 67,800 people, of which around 20,300 were Afghans and around 9,400 Syrians (PMM 19/6/2025b). In addition (as of 19 June 2025), there were around 75,400 Syrians with a long-term residence status, 51,600 with a short-term residence permit, 6,600 with a family residence permit and around 6,700 Syrian students (PMM 19/6/2025c).

Registration

To apply for international protection, potential applicants must go to one of the Provincial Directorates of Migration Management (PDMM) to register their application. If the PDMM cannot register the application itself, it will instruct the applicant to report to another province within 15 days, where he or she must reside and register the application. The practice is not standardised and often the PDMM rejects the registration without referring the persons to another PDMM. If they are referred to another province, potential applicants are not given proof of their intention to apply for asylum, which can be a problem if they are checked by the police on the way to the referred province, as they could be treated as irregular migrants and transferred to a detention centre. An applicant for international protection has the right to remain in the territory throughout the asylum procedure, with exceptions for reasons of 'public security', 'public health' and 'membership of a terrorist or criminal organisation' (ECRE/AIDA 20/8/2024b; cf.UNHCR n.d). Applications for international protection are accepted in 81 provinces, while permanent residence in some cities is not permitted by law. In this case, the applicant is assigned to another province. Applications for international protection cannot be made by a lawyer or legal representative. However, an applicant may also apply for international protection for accompanying family members whose applications are based on the same grounds (UNHCR n.d).

Healthcare

Turkey has made significant efforts to support refugees and ensure wider access to healthcare, although access is hampered by registration restrictions. Refugees (mainly Syrians under temporary protection) continue to benefit from free health services provided in 179 migrant health centres, 14 container health stations and hospitals. The capacity of mental health and psychosocial support services, reproductive health services, mobile health services and refugee health literacy has been improved (EC 30/10/2024, p.23; cf.AA 20/5/2024, p.19). In practice, some medicines and medical procedures are not covered. The government has introduced fees for examinations such as MRI scans and X-rays. There is a list of medications that are subsidised by the government. Medicines and medical devices that are not on the list can be difficult to access for both refugees and Turkish citizens (DIS 6/10/2023, p.29).

Labour market

Legally, refugees also have access to the labour market upon application (AA 20/5/2024, p.19). For example, foreigners who are granted temporary protection status (Syrians) can apply for a work permit six months after the temporary protection card has been issued (PMM n.d), provided they have also been registered in the province in which they wish to work for at least the last six months (CoE-ECSR 3/2024). In October 2024, new regulations were introduced exempting refugees and other persons enjoying temporary protection in Turkey from obtaining a work permit for certain periods of time. The exemptions apply to persons registered under the system for the application, assessment and monitoring of foreigners, with the Ministry of the Interior monitoring the scope and duration of these permits. Background: The easing of work permit requirements for refugees and foreign nationals introduced by law is intended to alleviate labour shortages, particularly in key sectors of the economy (TR-Today 16/10/2024; cf.BuS 18/10/2024).

The actual access of refugees and asylum seekers to the labour market, in particular to formal employment, remains difficult (EC 30/10/2024, p.23). For example, around one million Syrians are said to work informally, as bureaucratic obstacles make it difficult for them to access the Turkish labour market (DIS 6/10/2023, p.1; cf. CoE-ECSR 3/2024). As a result, the vast majority of conditional refugees and those under temporary protection are denied the possibility of legal employment, leaving them vulnerable to exploitation, including human trafficking (CoE-ECSR 3/2024). According to a study by Ankara University, 25.2% of Syrians considered themselves to be 'regularly working', a decrease of almost half compared to the 2019 figure (50.2%). While only just under a third (33.6%) were day labourers in 2019 according to the survey, this proportion rose to 52.2% in 2023 (MÜGAM/UNHCR 8/2024; p.181). - The competition between economically weak groups of the local population and the new arrivals on the labour and housing market sometimes leads to social tensions (AA 20/5/2024, p.20).

Child labour, early forced marriage and polygamy

A serious increase in child labour and early forced marriage also remain a major problem among refugees, especially among Syrians (DIS 6/10/2023, p.64; cf.USDOS 22/4/2024, p.48) and especially in view of the deteriorating economic situation and the consequences of the earthquake (USDOS 22/4/2024, p.48). In addition, in some cases Syrian women have to secure their survival through sex work (DIS 6/10/2023, p.64). Half of the Syrian men and women, for example, have never attended school or cannot read or write. According to the United Nations High Commissioner for Refugees, more than 70% of Syrian refugees live in poverty (AsiaTimes 3/1/2022). The European Parliament 'call[s] on the Government of Turkey to improve access to the labour market for Syrian refugees and to take measures to avoid the risk of statelessness for a generation of Syrian children born in Turkey' (EP 7/6/2022 p.22, para.36). This is because approximately 1.6 million Syrians in Turkey are minors, and an estimated 750,000 of them were born there. The vast majority of them are stateless (FP 26/3/2023).

In addition to violence, the protection of women and girls under the age of 18 involved in arranged marriages and unofficial polygamous marriages - including 'second wives' and girls sold by their families - is a persistent problem. These problems have also contributed to an increase in the divorce rate among girls under the age of 18. The rate of early and/or forced marriages, sexual violence, polygamy, unwanted pregnancies, unsafe births and maternal mortality is significantly higher among Syrian refugees than among Turkish women. As the status of the second wife is not recognised in Turkish civil law, they have difficulties asserting their legal rights in the event of abuse and violence (ECRE/AIDA 20/8/2024a).

Local limitation of the proportion of foreigners in the resident population

Since May 2022, it has been prohibited by law for foreigners to make up more than a quarter of the total population in a region or area of Turkey (AIDA 27/2/2023). - The percentage was soon reduced to 20% in June 2022 (EC 8/11/2023, p.55). - This includes both people who have their permanent residence in Turkey and those who only visit the country. Neighbourhoods in various provinces are now closed to foreign nationals who wish to re-register or change their place of residence under temporary protection, international protection and residence permits if they

are foreigners with residence permits or enjoy temporary or international protection, with the exception of newborns and nuclear family reunification cases. Adana, Ankara, İstanbul, İzmir, Muğla and Antalya are some of the cities that fall into this category (AIDA 27/2/2023; cf.HRW 24/10/2022, EC 8/11/2023). People who are not registered with the authorities risk deportation to their country of origin. However, the so-called 'Seyreltme Planı' (dilution plan) to reduce the proportion of foreigners to 20% is not being implemented in an organised manner. In the meantime, so-called 'mobile checkpoints' have been established where government officials check the papers of foreigners in crowded places such as squares, metro and bus stations. According to the Minister of the Interior, there were 270 such checkpoints by the beginning of December 2024 (MBZ 2/2025a, p.96).

For the situation of children and underage refugees, see Relevant population groups / Children and underage youth (up to 18) / Refugee children and underage refugees.

Attitude and behaviour of the Turkish population and policy towards refugees

Since the COVID-19 pandemic greatly increased the economic turmoil that has been ongoing since 2018, anti-refugee sentiment in Turkish society has also increased (AlMon 28/7/2021; cf.TNA 2/9/2022). Part of the political opposition also contributed to this, attacking the government in harsh tones over its migration policy during the election campaign for the parliamentary and presidential elections in spring 2023 (ÖB Ankara 4/2025, p.5). Studies show that the portrayal of refugees and migrants in media coverage often contains biased and discriminatory narratives that contribute to the spread of disinformation in many ways (AIDA 20/8/2024b). In recent years, empirical studies have shown that a clear majority of Turks are in favour of the return of refugees. - In 2023, in the run-up to the elections, the refugee issue was already in second place behind the economic situation, according to a survey by 'Syrians Barometer'. 88.5% of Turks wanted Syrian refugees to return (DW 20/4/2023).

Refugees/migrants are repeatedly the victims **of violent attacks** (ÖB Ankara 4/2025, p.5), **occasionally** resulting in death (SCF 6/2023; cf.Conversation 2/11/2020). Racism and hostility towards Syrian refugees also grew louder in light of the **earthquake** in February 2023, although it was assumed that many of them were among the victims of the earthquake. The mood was exacerbated by comments in the media and demonstrably faked videos on social media alleging that refugees had been involved in looting (AlMon 10/2/2023; cf.Tagesspiegel 11/2/2023, TM 13/2/2023, MEE 13/2/2023).

Things **escalated** on 30 June 2024 in the province of Kayseri in central Anatolia. After a Syrian man allegedly abused a minor, hundreds took to the streets in at least three neighbourhoods in the province, attacking some Syrian businesses and vehicles. There were pictures of residents using bulldozers to set fire to motorbikes and cars and Syrians' shops and throwing stones at houses. The police used tear gas and water cannons to disperse the crowd, which chanted 'We don't want Syrians in our country'. In addition to 67 arrests, more than 60 social media accounts were investigated for posting provocative messages (AlMon 1/7/2024; cf.MEE 1/7/2024). In the two days that followed, seven people were killed in northern Syria after armed protesters clashed with Turkish forces controlling the area. The demonstrations were a reaction to the riots

against Syrian refugees in Turkey the previous day (Standard 3/7/2024; cf.AlMon 2/7/2024). The protests spread to almost the whole of Turkey in the night from 1 to 2 July 2024. From the Syrian-Turkish border, where 30 to 60 per cent of residents in cities such as Reyhanlı, Urfa, Gaziantep and Kahramanmaraş are now of Syrian origin, via Antalya, Hatay and Konya to the Sultanbeyli district of Istanbul, an angry mob took to the streets and attacked Syrian shops and vehicles. Around 470 rioters were arrested (Standard 3/7/2024; cf.AlMon 2/7/2024, Evrensel 3/7/2024). Slogans such as 'Turkey belongs to the Turks, it will remain Turkish' and 'I don't want refugees in my country' were chanted. In Gaziantep, Syrians were unable to open their shops the next day after the attacks. Dozens of Syrian shops were looted and several videos of refugees being beaten were circulated on social media (Evrensel 3/7/2024).

In July 2022, the UN Special Rapporteur on **violence against women**, its causes and consequences noted that Syrian women under temporary protection, refugees, migrants and other undocumented or irregular migrant women and girls in Turkey are particularly at risk of gender-based violence (OHCHR 27/7/2022a, p.5).

Shortcomings in the asylum system (examples)

One of the biggest shortcomings of Turkish asylum law is the lack of an obligation to provide asylum seekers with state-funded accommodation. Article 95 (1) of the Law on Foreigners and International Protection (LFIP) stipulates that applicants for international protection and beneficiaries of international protection must generally secure their own accommodation from their own resources. Neither the LFIP nor the subsequently enacted regulations provide for plans to offer applicants for international protection financial assistance to cover housing costs (AIDA 20/8/2024c), resulting in homelessness or inadequate living conditions that pose a serious risk of discrimination and serious violations. Access to housing remains extremely difficult, partly as a result of high rents and owners' demands for advance payments, which leads to two or three families living together in one place in order to afford the rent (AIDA 28/5/2021, pp.17, 75, 84).

Drahoslav Štefánek, Special Representative of the Secretary General for Migration and Refugees of the Council of Europe, stated in his 2021 fact-finding mission report that the lack of long-term prospects for Syrian migrants in Turkey remains a major concern for their community. The temporary status granted to Syrian refugees remains very uncertain and short-term, as it is explicitly stated that the time spent under this status does not count towards the fulfilment of the residence requirements for a long-term residence permit or the acquisition of Turkish citizenship (CoE 29/11/2021, p.28 , pt.112).

If it is determined (Art. 73 of the Law on Foreigners and International Protection) that an asylum seeker comes from a country in which he or she was previously recognised as a refugee and still has the opportunity to enjoy this protection there, including the right to non-refoulement, his or her application is deemed inadmissible and the procedure for return to the first country of refuge is initiated. If it is established (Art.74) that the applicant comes from a safe third country in which he or she may have lodged an application for international protection equivalent to protection under the Convention [Geneva Convention], or in which he or she has the possibility of making

such an application, the application is assessed as inadmissible and the procedures for return to the safe third country are initiated (ZAR 5/2013).

In July 2019, the Constitutional Court ruled that **appeals against deportations** should automatically have suspensive effect. This led to a legal amendment to Articles 53 (3) and 54 (1) of the Aliens and International Protection Act in December 2019. The authorities are complying with the judgement. Deportations are now often stopped by appeals, so that the rights to prevent refoulement have been strengthened. In December 2020, the Constitutional Court confirmed the suspensive effect of administrative appeals against deportation decisions. The court said that the appeal must suspend the deportation proceedings, as otherwise it violates the prohibition of ill-treatment and the right to an effective remedy (AIDA 28/5/2021, p.16, 25).

Loss of status

The legal framework provides for various grounds on which an applicant who has applied for international protection may lose their right to stay in Turkey. An application for international protection is considered tacitly withdrawn if the applicant fails to fulfil his or her obligation to register three times in a row, does not go to the province assigned to him or her or leaves his or her place of residence without permission. Similarly, Syrians who fall under the temporary protection system are threatened with deportation if they fail to fulfil their obligation to register three times in a row. A deportation order usually involves the termination of any legal right of residence in Turkey. Deportation is also threatened in the event of illegal employment and illegal entry or exit (MI 8/2023, p.24f.). If asylum seekers have left Turkey illegally, the possibility of returning to Turkey may be ruled out. In this case, the Turkish authorities impose a five-year entry ban on these persons and their asylum application is considered withdrawn (UNHCR 13/3/2018). According to the migration authorities, the temporary protection status or protection status card will be cancelled upon departure to a third country, unless an official permit has been granted in advance (PMM n.d). Temporary protection status is revoked if a Syrian leaves Turkey, regardless of whether they entered legally or illegally, or if the Syrian is considered a threat to public order, national security or public health. The Turkish authorities decide on a case-by-case basis whether to restore the status or deport the Syrian back to Syria if he or she returns to Turkey after losing temporary protection status (DIS 6/10/2023, p.1, 42, 123). Although persons enjoying temporary protection lose their status when they voluntarily leave Turkey, if a person did not previously have a ‘Kimlik’, i.e. an official registration number, the person can apply for protection if the deportation order was contested within the seven-day period or if the migration authority exceptionally agrees to cancel the deportation order (MI 8/2023, p.24f.; cf.DIS 6/10/2023, p.123). In the event that Syrians voluntarily return to Syria after signing the voluntary return form, this is not considered a temporary departure and their registration as a person in need of temporary protection is cancelled (DIS 6/10/2023, p.123).

In practice, voluntary returnees to Syria are assigned the restriction code V87 for holders of temporary protection. Due to this code, it is not possible for these individuals to re-enter Turkey and even if they find a way to re-enter Turkey, it is not possible for them to be officially registered under the temporary protection system. However, according to a circular from the Turkish

Migration Board, this restriction code can be lifted for pregnant women, elderly people and children (DIS 6/10/2023, p.41f.).

In mid-August 2024, Interior Minister Yerlikaya stated, according to Daily Sabah, that the authorities had recorded the addresses of all Syrians in the country and that 396,738 people could either not be found at the address they had given or had not updated their address after moving (DS 14/8/2024). Other sources quoted the minister as saying that around 729,000 Syrians could not be found at the address provided (BBC 9/8/2024; cf.MENA Research 1/9/2024). The minister warned that if they did not update their status, their entitlement to social benefits and public services would be suspended, and that those who had not registered a place of residence in Turkey in the last five years would lose their status. According to the minister, messages were sent to affected Syrians who could not be found and they were given a 90-day deadline. More than 330,000 people had registered in response (DS 14/8/2024; cf.MENA Research 1/9/2024).

The question of acquiring citizenship

Regarding the acquisition of Turkish citizenship, there is a provision in the Turkish Citizenship Law Regulation that excludes persons seeking international protection, which includes Syrians seeking temporary protection, from being granted citizenship, as these persons are not in Turkey for long-term residence according to the regulation. According to a special article of the Turkish Citizenship Law, the President of the Republic can grant 'exceptional citizenship'. The number of Syrians granted extraordinary citizenship is unclear. It is also not clear according to which criteria some Syrian nationals have been granted extraordinary citizenship (DIS 6/10/2023). The Migration Board also points out on its website that the Temporary Protection Identity Document provides the right to stay in Turkey, but '[t]his document does not give the holder the right to apply for Turkish citizenship' (PMM n.d). According to information provided by Interior Minister Ali Yerlikaya in mid-August, 238,733 Syrians have been granted Turkish citizenship in the last 13 years (DS 14/8/2024; cf.MENA Research 1/9/2024).

Note: *Enquiries (around a dozen) to the Turkish authorities regarding the* ***alleged Turkish citizenship of Syrians*** *who previously held the status of temporary refugee in Turkey (for a longer period of time) have never resulted in a positive response. Since December 2023, as confirmed by a letter from the Turkish Ministry of Foreign Affairs to the liaison officer of the Federal Ministry of the Interior in Ankara/the Austrian Embassy - Ankara,* ***enquiries of this kind*** *are* ***no longer answered with reference to data protection*** *(TRMFA 13/12/2023).*

Voluntary and forced returns, deportations, pushbacks and use of force by the authorities

There continued to be allegations of pushbacks and violence at the Turkish-Syrian border. Despite the construction of a wall on the eastern border, some people managed to cross the border and enter Turkey. When caught, they were pushed back, but most attempts were labelled by Turkish police as 'blocking' rather than 'pushback'. - Applications for temporary protection are not accepted at the border (AIDA 20/8/2024a).

Since 2018, the Turkish authorities have been accused of using a wide range of arbitrary practices against refugees, even if they have an official registration (STJ 14/2/2022, p.2-6). There

have been repeated allegations of Syrians being forcibly returned to Syria and of migrants of other nationalities in deportation centres allegedly being forced to sign voluntary return forms (STJ 14/2/2022, p.3; cf.EC 6/10/2020, p.50). A judgement by the European Court of Human Rights (ECtHR) on 21 June 2022 confirmed the existence of this procedure. - The ECtHR ruled that Turkey had unlawfully returned a Syrian refugee after he was forced to sign a document stating that he would return voluntarily (REU 21/6/2022). The UN Human Rights Committee also expressed concern about reports on the practice of forced signing under threat of violence or indefinite detention (UNHRCOM 28/11/2024, p.8).

Following a policy change in 2022, Syrians entering the country will be placed in temporary shelters in Gaziantep, Kahramanmaraş, Hatay, Kilis and Malatya. Admission to a temporary reception centre is at the discretion of the regional PDMM, and if access is denied, the only alternative for Syrians is to 'voluntarily' return to Syria. Therefore, the camps have become a new form of detention centre for Syrians who are either not registered under Temporary Protection or whose Temporary Protection status has been withdrawn. Persons detained in the temporary reception centres often face indefinite detention, in contrast to the regular detention centres where the maximum detention period is up to twelve months (AIDA 20/8/2024b).

In mid-July 2023, it was reported that the Turkish authorities had deported at least 160 Syrian refugees to the Turkish military-controlled Syrian area of Tel Abyad in the Raqqa region. According to media reports, the refugees were brought to the area via the At-Terwaziyah line under the pretext of 'voluntary return'. According to the Syrian Observatory for Human Rights (SOHR), this raises concerns about a possible demographic change in the region. The deportations are said to have been carried out by force. Some of the deportees are said to have faced immediate arrest by Turkish-backed groups upon arrival in northern Syria. SOHR also reported that Turkish authorities deported at least 45 Syrian refugees via the al-Hamam border crossing in the Jindires region to the area of the Turkish military offensive 'Operation Olive Branch' on 14 July 2023 (BAMF 10/7/2023; cf.TNA 17/7/2023).

From the beginning of the war in Syria in 2011 until the end of 2022, the Violations Documentation Centre in North Syria (VDC-NSY) counted 524 individuals killed by Turkish border guards, including 103 children and 67 women. In 2022, there were 46, including two women and five children (NPA 2/1/2023). The Syrian Observatory for Human Rights (SOHR) published similar figures for the period from November 2015 to November 2023, according to which 547 civilians were reportedly shot dead by the Turkish gendarmerie at the border and more than 1,349 wounded (SOHR 26/11/2023). In March 2023, Human Rights Watch repeated its allegation that Turkish border guards on the border with Syria were indiscriminately shooting Syrian civilians and using torture and excessive force against asylum seekers and migrants trying to cross into Turkey. According to HRW, Turkish border officials beat and tortured a group of eight Syrians trying to enter Turkey illegally on 11 March 2023. One man and a boy died in Turkish custody, while the others were seriously injured (HRW 27/4/2023). As of early September 2024, SOHR counted 13 people killed by Turkish border guards (gendarmerie) near the Syrian-Turkish border since the beginning of the year. In addition, according to SOHR, 27 civilians were injured by shots fired by the Turkish gendarmerie in the same period (SOHR 7/9/2024).

Return to Syria, especially since the fall of the Assad regime

In August 2024, the Turkish Interior Minister cited the number of 132,288 Syrians who voluntarily returned to their home country in 2023. This would have been 687,706 in the last five years. According to the interior minister, plans to support **voluntary return** include the construction of 240,000 homes in Idlib and Afrin over the next three years. This would be done with the support of Qatar as part of the so-called 'Voluntary, Safe, Honorable Return Project', which was launched in 2023 in Jarablus, a city south of the Turkish border (DS 14/8/2024). President Erdoğan had previously declared that accommodation for around one million refugees would be built in 13 locations in Syria. Back in November 2022, the then Interior Minister Soylu visited 600 newly built houses in the rebel-controlled Syrian region of Idlib (FR24 25/5/2023; cf.AnA 25/5/2023).

On 27 December 2024, Interior Minister Yerlikaya reported that almost 31,000 Syrians had left Turkey to return to their home country. To facilitate this process, the government announced a series of new procedures for the voluntary return of Syrians on 5 January 2025. These included allowing one member of each family to return to Syria three times between 1 January and 1 July 2025 to assess the conditions for return, the establishment of a centralised system for applying for return, the establishment of migration management offices in the Turkish embassy in Damascus and the consulate in Aleppo, and the allocation of five border crossings for people wishing to return to Syria and two more crossings for people wishing to visit the country to assess the situation and make arrangements for their return (ECRE 16/1/2025; cf.MEMO 6/1/2025).

While President Erdoğan announced at the end of April 2025 that 200,000 Syrians had voluntarily returned to Syria since 9 December 2024 (TRT 29/4/2025), Vice President Cevdet Yilmaz announced in June 2025 that more than 273,000 Syrians had already returned home since the fall of the Assad regime (LOT 19/6/2025).

The Refugees and Asylum Seekers Assistance and Solidarity Association, founded in 2014, conducted a survey of 1,544 Syrian families between 18 December 2024 and 20 February 2025. Now that the euphoria over the fall of the Assad regime has subsided and in view of the current situation, 75% of the families are not considering returning to Syria voluntarily, with only 14% intending to return (MSYDD/RASASA 3/2025).

Deportations of Afghans

Since the Taliban took power in Afghanistan in August 2021, the authorities have not accepted any asylum applications from newly arriving Afghans. Young Afghan men in particular have little chance of receiving international protection. But families with women and children are also being turned away. According to confidential sources from the Dutch Ministry of Foreign Affairs, almost all Afghans who are intercepted by the authorities after crossing the Iranian-Turkish border are deported back. Refoulement is 'systematic' at the border with Iran. Aeroplanes regularly return deported Afghans from Turkey to Afghanistan. Several hundred to several thousand Afghans are flown back to Afghanistan every week. For this reason, many Afghans do not register with the authorities after arriving in Turkey. They regard Turkey as a transit country. During their illegal stay in the country, they try to earn enough money together to pay for the journey to Europe

(MBZ 2/2025a, p.97f.) In November 2022, Human Rights Watch repeated the allegation that Turkey routinely turned back tens of thousands of Afghans at its land border with Iran or deported them directly to Afghanistan without examining their claims for international protection. Even Afghans in Turkey have been prevented from applying for international protection (HRW 18/11/2022). The same was reported by Amnesty International in August 2022, based on interviews with 24 Afghan refugees representing 178 affected family members. In addition, those affected mentioned injuries and killings as a result of shelling by Turkish security forces. There are also 21 documented cases of torture or other ill-treatment by Turkish security forces (AI 8/2022, p.7). The deportees also included former members of the Afghan National Security Forces who feared persecution by the Taliban government (MEE 22/4/2022; cf.BAMF 2/5/2022, p.13).

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21.1 Internally displaced persons (IDPs)

Last modification 2025-08-06 13:01

Data on the number of internally displaced persons in Turkey is not publicly available and can only be determined with the help of calculations by NGOs (ÖB Ankara 4/2025, p.59). The Internal Displacement Monitoring Centre (IDMC) also states that no reliable data was available in 2024 to assess the extent of internal displacement due to conflict and violence in Turkey (IDMC 12/2024). The figure of 1.1 million IDPs due to conflict and violence in Turkey (as of 31 December 2023) cited by the IDMC refers to all conflicts between 1984 and 1999 (PKK) as well as 2015/2016 (south-east Anatolia) and 2019 (shelling of border areas with Syria) (ÖB Ankara 4/2025, p.59). IDMC cites significantly lower figures for 2024, whereby the reference here is to domestic disasters (note: armed conflicts are no longer mentioned). Accordingly, the majority of the 538,000 people mentioned are those who were displaced by the earthquakes of February 2023 in the provinces of Adiyaman, Gaziantep, Hatay, Kahramanmaras and Malatya. Other IDPs included in the total number are the people who are still IDPs at the end of 2024 because their homes were destroyed by an earthquake in Yozgat province in April 2024 and by a landslide in Tokat province in February 2024 and by flooding in Giresun province in July 2024 (IDMC 12/2024).

There has been no progress on the situation of internally displaced persons (IDPs) caused by the violence in the south-east in the 1990s and in recent years. People displaced after the February 2023 earthquakes continue to face challenges (EC 30/10/2024, p.23).

According to official figures, 25,000 housing units were severely damaged during the armed clashes in 2015/2016, mainly in Diyarbakır-Sur, the centre of Şırnak, Cizre, Silopi, Idil, Mardin

Nusaybin, Hakkâri and Yüksekova. Other sources estimate that up to 70,000 homes were destroyed or severely damaged (IDMC 1/5/2019). With 25,000 housing units, this would amount to 144,000 IDPs, extrapolated to the average number of inhabitants of Turkish households (ÖB Ankara 4/2025, p.59).

The **reconstruction of** destroyed villages and the return of internally displaced persons is progressing slowly in some cases. Information on this is scarce. Displaced persons accuse the authorities of rebuilding destroyed neighbourhoods for their own benefit and causing the gentrification of these residential areas, in which the former inhabitants would no longer find a place. Although expropriation is not the norm, in Sur, the historical centre of Diyarbakır, for example, there are many cases of inadequate compensation due to expropriation payments that are not in line with the market. In the first years after the clashes, many IDPs complained that they had not received adequate replacement accommodation. The support provided by the authorities for the displaced persons was generally inadequate (ÖB Ankara 4/2025, p.59).

Some affected residents took legal action to obtain permission to remain on the confiscated land and receive compensation. Many of these cases were still pending at the end of 2023. In some cases, the courts awarded compensation to the aggrieved residents, who complained that the compensation was inadequate. In the old city of Diyarbakir, Sur district, the government had not yet completed repairs to many of the confiscated buildings, and residents complained that many partially reconstructed buildings were uninhabitable (USDOS 22/4/2024, p.21). Relatively few IDPs have been offered new homes by the Turkish authorities. The compensation process and the criteria for allocating housing to IDPs are not transparent (MBZ 18/3/2021, p.48; cf.EC 29/5/2019). The court proceedings in connection with the 2016 expropriations in the Sur district of Diyarbakir continued (EC 30/10/2024, p.33).

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22 Basic services / Economy

Last modification 2025-08-06 13:32

The macroeconomic stabilisation measures have reduced uncertainty. Price stability remains the primary policy objective and monetary and fiscal policy is geared towards driving down inflation while strengthening social policy to protect the most vulnerable. Inflation fell from a high of 75% in May 2024 to 38% in March 2025. Food price inflation is lower and, according to the World Bank, could mitigate the impact of rising prices on the most disadvantaged population groups. Inflation is likely to reach a level in the upper 20% range by the end of 2025 (WB 24/4/2025).

Turkey's economic growth could weaken from 3.2% in 2024 and 5.1% in 2023 to 2.6% in 2025 as a result of tighter monetary policy, according to the International Monetary Fund, as momentum is slowing in key sales markets such as the EU. However, consumption and exports are still driving Turkish growth (GTAI 19/2/2025; cf.WB 24/4/2025). The economic situation is slowly showing sustainable signs of improvement. It appears that the stringent orthodox economic policy of the last 18 months is beginning to bear fruit. At the same time, there are first signs that domestic consumption is slowing down, which is good for inflation on the one hand, but on the other hand, too much of a slowdown would reduce growth prospects (WKO 3/2025, p.4).

After winning the election in May 2023, President Erdoğan changed course to a restrictive monetary policy with the primary aim of combating the horrendous inflation. The low interest rate policy of previous years has left its mark. It fuelled inflation and devaluation pressure on the Turkish lira. The central bank's net reserves have fallen, foreign debt and dependence on foreign financial aid is high. The decisions taken so far give hope for a more reliable economic and monetary policy. However, many companies fear further U-turns by Erdoğan. It will be crucial for future economic development to regain the confidence of international investors and the domestic economy. Inflation has reduced the real purchasing power of households. Salary increases usually only cushion the losses. Inflation is still fuelling consumption, as saving is hardly worthwhile. Due to the weak lira, the population is fleeing into gold, foreign currency, shares, cryptocurrency or property (GTAI 19/2/2025).

According to government statistics, the number of unemployed people aged 15 and over fell by 151 thousand to 3 million 113 thousand in 2024 compared to the previous year. The **unemployment rate** fell by 0.7 percentage points to 8.7%. It was estimated at 7.1% for men and 11.8% for women. The youth unemployment rate in the 15 to 24 age group was 16.3%, which corresponds to a decrease of 1.1 percentage points compared to the previous year. While this rate was 13.1% for men, it was 22.3% for young people and women. - The **number of people** aged 15 and over **in employment** was given as 32 million 620 thousand, with the number of people in employment increasing by 988 thousand and the employment rate rising by 1.2 percentage points to 49.5% in 2024 compared to the previous year. This rate was estimated at 66.9% for men and 32.5% for women (TUIK 20/3/2025).

A growing number of mostly young people are leaving the country. These developments herald an impending demographic crisis that will have a negative impact on the Turkish economy

and require a comprehensive adjustment of social policy. Emigration began to increase after 2020, but 2023 was a record year for emigration: 715,000 people left the country permanently, including 291,000 Turkish citizens, an increase of 53% over the previous year. The majority of emigrants were aged between 25-29 and 30-34 (OSW/Z.Krzyżanowska 7/8/2024; cf.FP 27/1/2023). An empirical study conducted by the research agency KONDA in May 2024 among 930 young people aged between 15 and 29 (out of a total of 3,147 respondents of all ages) found that almost 60% of young people aged between 15 and 24 would like to live abroad if they had the opportunity to do so. In the 25 to 29 age group, this proportion fell slightly, but was still more than half (Duvar 24/6/2024). This is confirmed by a study conducted by the Friedrich Ebert Foundation in 2024. - According to this study, 16.1% of 14 to 29-year-olds had a 'very strong', 19.4% a 'strong' and a further 26.6% a 'moderate' desire to emigrate to another country for more than six months, with 57.4% citing economic reasons and 13.1% political reasons (FES 10/2024, p.2, 77f.).

Poverty and social inequality

As far as social inclusion and social protection are concerned, Turkey still does not have a targeted strategy to combat poverty, according to the European Commission. The continuing rise in prices has further increased the risk of poverty for the unemployed and wage earners in precarious employment. The poverty rate reached 14.4% in 2022 compared to 13.8% in 2021, while the severe material deprivation rate reached 28.4% in 2022 (2021: 27.2%). The risk of poverty and social exclusion is highest among children and greatly increased among older people (EC 30/10/2024, p.68). The child poverty rate was particularly high in 2022 at 41.6% (EC 8/11/2023, p.102). The Gini coefficient as a measure of social inequality (this fluctuates between 0, which would theoretically mean complete equality, and 1, which would mean complete inequality) was 0.413 in 2024 after factoring in the dampening effect of social transfers, compared to 0.391 in 2014 (TUIK 27/12/2024). *[Note: According to the Momentum Institute, the Gini coefficient in Austria after taxes and state transfers was 0.28 in 2020].*

One of the known effects of high inflation is that the gap between low and high incomes is widening. From 2014 to 2023, the share of the lowest four income groups (80%) in total income fell, while the share of the highest income group rose from 45.9% to 49.8%. This means that the top 20% have almost half of the disposable income. While households in the lowest income group have to spend more than 36% of their income on food and non-alcoholic beverages, this proportion is only just over 14% in the highest income group. This means that the lowest income group is disproportionately affected by inflation at 78%. Looking at the ten-year period, the proportion of expenditure on food and non-alcoholic beverages in the lowest income group has risen from 28.8% in 2014 to 36.6% in 2023 (FES 11/7/2024).

According to data from the Turkish Trade Union Confederation (Türk-İş), the poverty line in Turkey was 68,675 lira (around 1,875 euros) at the end of December 2024 (December 2023: 47,000 lira/ around 1,400 euros at the time). However, the minimum expenditure of a family of four has increased by 46% in the last twelve months. - The poverty line indicates how much money a family of four needs to have sufficient and healthy food and also covers expenses

for basic needs such as clothing, rent, electricity, water, transport, education and health. - The hunger threshold, which indicates the minimum amount required to prevent a family of four from starving to death each month, was just under 21,000 lira or around 575 euros at the end of 2024 (end of December 2023: 14,431 lira or around 440 euros) (Duvar 1/1/2025; cf.Duvar 3/1/2024).

In order to strengthen purchasing power, the government raised the statutory minimum wage by 30% from 17,000 lira (465 euros) to 22,104 lira (607 euros) as of 1 January 2025 (Tagesschau 3/1/2025; cf.MLSS/CSGB 24/12/2024). While supporters of the measure argue that this is the highest minimum wage in recent years, with an increase of 30%, critics point out that it was well below the annual inflation rate for 2024 of 44%. - Rising rental costs underline the inadequacies of the new minimum wage, especially as 42% of Turks earn only the minimum wage. In Istanbul, the average monthly rent is $709, in Ankara $567 - both figures are above or close to the minimum wage (MEE 27/12/2024). The Istanbul Planning Agency (IPA), which is affiliated with the Istanbul city administration, calculated the average cost of living for a family of four in the megacity at 66,550 lira (USD 1,982) in July 2024. That was almost four times the minimum wage (17,002 lira). The rate of increase over the last twelve months was therefore 71.4% (Duvar 6/8/2024).

Wage income, boosted by minimum wage increases (30% in 2025) and strong labour market performance, is likely to remain the main driver of poverty reduction. However, given the high overall unemployment rate and informal employment, people who are excluded from the labour market may not benefit from growth. Targeted and flexible social protection programmes are needed to protect this group from the effects of high inflation, according to the World Bank (WB 24/4/2025).

For many Turks, the crisis means difficulties in being able to afford food in their own country. Ordinary citizens can no longer afford dairy and meat products: these will no longer be available to everyone, according to Semsi Bayraktar, President of the Turkish Chamber of Agriculture Association. Turkey was in fifth place on the list of global food inflation in 2023 with 69% (DW 13/4/2023). Bülent Mumay, Turkey columnist for the Frankfurter Allgemeine Zeitung, describes the situation at the beginning of 2025 as follows: '[…] Housing rents rose by 52% in 2024. Furniture prices have risen by 555% in the last five years, and prices for large and small household appliances by as much as 615%. For economic reasons, it has already become difficult for young people to continue their studies, let alone start a family. In the last five years, around 325,000 students have dropped out of university to contribute to the family income instead. However, those who choose to work instead of studying are condemned to the minimum wage of around 600 euros - like at least half of all those in employment in the country. 90% of those in employment in Turkey earn less than 1200 euros a month. This situation means that poverty continues to spread in the country. Around 40% of people can no longer afford red or white meat or fish even every other day. 15% can no longer afford their heating costs. 12% were unable to pay their rent last month. 60% cannot replace worn-out furniture, 31% cannot even have a leaking roof repaired. And a week's holiday a year remains unaffordable for 58% […]' (FAZ/Mumay B. 3/1/2025).

Government spending on social benefits amounted to just 10.1% of GDP in 2023. In many cases, extended family structures ensure that basic needs are met (ÖB Ankara 4/2025, p.57). In times of economic hardship, the extended family becomes the most important refuge. Members of the poorer classes in particular, who have recently moved from their villages to the big cities, are now reactivating their relationships in their villages of origin. During the three-month summer holidays, they return to their villages, where usually part of the family has maintained a small subsistence economy (Standard 25/7/2022). NGOs that help those in need can only be found sporadically in large cities (ÖB Ankara 4/2025, p.57).

The basic food supply for the population is guaranteed. Accommodation in the lower price segment is in short supply. The number of homeless people is rising due to refugees, inflation and, most recently, the earthquake. Apart from a few non-profit organisations with a small number of places, there are no state-run shelters for the homeless (AA 20/5/2024, p.21).

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22.1 Social benefits / insurance

Last modification 2025-08-06 13:01

Social benefits for the needy are granted on the basis of Law No. 3294 on the Social Assistance and Solidarity Support Fund and Law No. 5263 on the organisation and tasks of the General Directorate for Social Assistance and Solidarity (AA 20/5/2024, p.21). Assistance is provided by the 973 organisations of the Social Assistance and Solidarity Foundation (Sosyal Yardımlaşma ve Dayanişma Vakfı), which are represented in 81 provinces and 850 district towns and report to the governors (AA 14/6/2019). Eligible beneficiaries are needy nationals who are in poverty and hardship, are not covered by statutory social insurance and do not receive an income or allowance from any social security institution, as well as persons who are able to work in the community and become productive (AA 20/5/2024, p.2 ; cf.ÖSV/Hekimler A. 14/11/2020).

There is no **social assistance** in the Austrian sense. However, on the initiative of the Ministry for Family and Social Policy, there are 46 social assistance benefits, whereby the entitlement is linked to conditions that are difficult to fulfil. - These include (all as of April 2025) Donations in kind in the form of food, school books, heating materials; child benefit: one-off payment based on the number of children, amounting to 300 lira for the first, 400 for the second, 600 from the third child onwards; for needy families with multiples: Child benefit of 400 lira per month for a period of twelve months if the family's per capita income does not exceed 7,368.22 lira; financial support for women giving birth: so-called 'breastfeeding allowance' in a one-off amount of 1.238 TL (if

the spouse has paid social security contributions or the mother herself has previously worked); housing programmes; pensions and care allowance for the disabled and elderly people in need of care: between 3,723.27 and 5,584.91 lira depending on the degree of disability. There is also support of 10,125.56 lira for people who look after severely disabled people at home (degree of disability of at least 50% and proof of the need for support in everyday life). Widow support: Support of 1,000 lira per month from the government's Social Assistance and Solidarity Fund for widows who do not live in a household with a person with social insurance and who are in need. There is also a survivor's pension, which is based on the monthly income of the deceased spouse, up to a maximum of 75% of the deceased spouse's gross monthly salary (ÖB Ankara 4/2025, p.57f.).

The need for long-term care is still not recognised as a risk in the Turkish social security system, and there is no standard definition of the term 'need for long-term care'. Ultimately, there is no system that provides direct or indirect financial support to those in need of care or their carers. In Turkey, care in one's own home is a widespread practice, although it is rarely professional care, as not nearly everyone can afford it. Another increasingly noticeable problem is the shortage of skilled labour in the care sector. The only benefit that has been granted for some years is the so-called care allowance, which, however, cannot be compared with the care allowance in Austria. In Turkey, not every person in need is entitled to a care allowance when they need care. In the existing system, mentally or physically disabled persons with a degree of disability of more than 50% are granted benefits under very strict conditions, although these financial benefits do not cover the costs incurred by far (ÖSV/Hekimler A. 14/11/2020).

The **social security system** consists of two main branches, namely long-term insurance (old-age, disability and survivors' insurance) and short-term insurance (occupational accidents, work-related and other illnesses, maternity leave) (SGK 2016). The Turkish social security system is financed by the allocation method through premiums and contributions paid by employers, employees and the state. For work-related accident and health insurance, including maternity, the employee pays nothing and the employer pays 2%; for disability and pension insurance, the employee contribution is 9% and the employer contribution is 11%. The contribution to general health insurance is 5% for employees and 7.5% for employers (of gross salary). For unemployment insurance, employees pay 1% of gross wages (up to a maximum) and employers pay 2%, supplemented by a state contribution of 1% of gross wages (up to a maximum) (SSA 9/2018).

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22.2 Unemployment benefit

Last modification 2025-08-06 13:01

Unemployment insurance was introduced in 1999 and is designed as compulsory insurance. In principle, all persons who are employed under an employment contract are insured. Certain groups of people are expressly excluded from compulsory insurance, such as civil servants and those who are self-employed. In general, a distinction is made between active and passive benefits. Unemployment benefit paid by the insurance company is a passive benefit, whereas an offer of employment or vocational training is an active benefit. In the event of unemployment, there is only one type of financial support provided by unemployment insurance, namely unemployment benefit. Therefore, after the temporary unemployment benefit, no further financial benefits are paid from unemployment insurance or other institutions (ÖSV/Hekimler A. 14/11/2020).

Unemployment benefit is paid for a maximum of ten months if there has previously been uninterrupted, registered employment of at least 120 days and proof of this can be provided. The amount of unemployment benefit is based on the average earnings of the last four months and amounts to 40% of the average wage of the last four months, up to a maximum of 80% of the gross minimum wage. The duration of benefits depends on how many days the employee has paid contributions in the last three years (İŞKUR n.d; cf.ÖB Ankara 4/2025, p.57).

Persons who have made payments for 600 days are entitled to 180 days of unemployment benefit. With 900 days, the entitlement is 240 days, and with 1,080 days of contributions, the entitlement is 300 days (IOM 10/2024, p.2; cf.ÖB Ankara 4/2025, p.57, İŞKUR n.d). In addition, the employee must have been in uninterrupted employment subject to social insurance contributions for the last 120 days prior to receiving benefits. For the duration of benefit receipt, unemployment insurance covers contributions to health and maternity insurance (ÖB Ankara 4/2025, p.57; cf.ÖSV/Hekimler A. 14/11/2020). The law stipulates that the employment relationship must not have been terminated at the instigation of the employee or cancelled due to misconduct (ÖSV/Hekimler A. 14/11/2020).

Following an increase in the minimum wage in January 2025, the minimum unemployment benefit is currently 10,323 lira (approx. EUR 250) and the maximum amount is 20,646 lira (approx. EUR 500) (İŞKUR 2025; cf.ÖB Ankara 4/2025, p.57, CottGroup 25/12/2024).

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22.3 Pension

Last modification 2025-08-06 13:01

There are pensions for the public and private sectors. Personal contributions are paid to the Social Security Institution (SGK); no further costs are incurred. If the beneficiary fulfils the requirements, he or she receives a monthly pension corresponding to the amount of the premium payment. Persons older than 65, persons with disabilities over 18 and persons with relatives under 18 with disabilities for whom they have legal guardianship can receive a regular monthly payment. Immediate family members of insured persons who have died after retirement and/or have worked for at least ten years are entitled to widow's or orphan's benefits. If the deceased worked for more than five years, their children under the age of 18, children in secondary school under the age of 20 and children under the age of 25 who are enrolled in higher education are entitled to orphan's benefits. The conditions for access for returnees are as follows: Turkish citizens over the age of 18; expatriates who can document their work abroad (including one year of unemployment); spouses and citizens with no occupation over the age of 18 can receive a pension if they have paid their premiums for all or part of their stay abroad in a foreign currency to SGK, Bağkur [self-employed] or Emekli Sandığı [civil servants]. In order to apply for a pension, returnees must register with the social insurance SGK, where they have paid their premiums within two years of their arrival. Premiums paid from abroad can be transferred to Turkey and repaid in Turkish lira at the exchange rate prevailing at the time of transfer. Required documents include a certified copy of the identity card, letters of declaration and commitment, and a receipt confirming payment (IOM 10/2024, p.4).

Disability pension: The most important benefit for disabled persons is the pension for reduced earning capacity. If granted, preventive healthcare measures and treatment are covered by the general health insurance. The prerequisites for a pension due to reduced earning capacity are that the insured person is unable to work and this is established by a medical certificate, whereby

the degree of disability must be at least 60%. Furthermore, the insured person must provide evidence of a certain period of insurance, i .e. they must have been insured for at least ten years and have paid contributions for 1,800 days, whereby there must also be no outstanding contributions. However, if the insured person is dependent on outside help, the ten-year period does not apply (ÖSV/Hekimler A. 14/11/2020).

The amount of the old-age pension (Yaşlılık aylığı) is the insured person's average monthly earnings multiplied by the accrual rate. The average monthly earnings are the total lifetime earnings of the insured person divided by the sum of the days of contributions paid multiplied by 30. The accrual rate is 2% for each 360-day contribution period (reduced aliquot for periods of less than 360 days), up to 90%. A special calculation applies if the initial insurance was taken out before 1 October 2008 (SSA 9/2018).

Shortly before the turn of the year 2022/2023, President Erdoğan cancelled the minimum retirement age, giving more than two million citizens the opportunity to retire immediately. Previously, the minimum retirement age in Turkey was 60 for men and 58 for women (Zeit Online 29/12/2022). From mid-January 2023, only the time worked will count. 7,200 days will then entitle pensioners to retire. However, many pensioners continue to work anyway, as the pension is not enough to live on. Over two million Turks would benefit from the new regulation (ARD 2/1/2023).

With the publication of the latest inflation data for 2024 by the Turkish Statistical Institute (TÜİK), pensions, excluding those of state employees, have been increased by 15.75 per cent. With the adjustment, the lowest pension will rise by less than 2,000 to 14,468 lira [just under 400 euros]. Some 3.7 million pensioners had pensions below 12,500 lira [around 340 euros] before this increase. The lowest pensions for retired civil servants will rise from 17,587 to 19,616 lira [around 535 euros]. The hunger line for a family of four was around 21,000 lira in December 2024, while the poverty line was 68,675 lira according to research by the Turkish Trade Union Confederation (Türk-İş). The lowest pensions will therefore be 6,532 liras below the hunger line (Duvar 4/1/2025; cf.TR-Today 7/1/2025).

Recipients of minimum pensions will no longer receive an automatic increase. The minimum pension is made up of the pension entitlement and an additional payment from the budget, which then tops up the pension to the level of the minimum pension. The statutory increase in the pension by inflation in the first half of the year increases the pension entitlement, but because the minimum pension was not increased by law, this only reduces the additional state payment. For this reason, recipients of minimum pensions did not receive an increase in their payments in 2023. As of in the middle of the year, an increase in the minimum pension was not planned for 2024 either (FES 11/7/2024).

Turkish pensioners are among the poorest in the world. The pension level in Turkey is just under 22% of the national poverty line, which means that the pension is not enough to prevent poverty in old age (ILO 2021 p.56f).

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23 Medical care

Last modification 2025-08-06 13:33

The 2003 healthcare reform restructured the state-centralised healthcare system and established a combination of ‘National Healthcare’ and ‘Social Health Insurance’. Universal health insurance was introduced. This standardised the various insurance systems for pensioners, the self-employed, the unemployed, etc. The state social insurance system provides insured persons with basic medical care, which includes free treatment in state hospitals. However, many medical services, such as expensive medication and modern examination procedures, are not covered by social insurance. 90% of the population is now insured. In addition, the reform has reduced maternal mortality at birth by 70% and infant mortality by two-thirds. If there is no employment relationship, the voluntary minimum amount for general health insurance is 3% of the gross minimum wage. People without a regular income must pay 780.17 lira per month (as at April 2025: approx. EUR 18). The state pays the contributions if proof of very low income is provided (€ 178/month - as at April 2025) (ÖB Ankara 4/2025, p.58f). In addition, the following persons and cases are exempt from any precondition for the use of healthcare services: persons under the age of 18, persons who medically require the assistance of another person, victims of traffic accidents and emergencies, situations of occupational accidents and diseases, infectious diseases with compulsory notification, protective and preventive health services against substance abuse and drug addiction (SGK 2016).

Household out-of-pocket health expenditure on treatments, medicines, etc. amounted to 220 billion 914 million liras in 2023, an increase of 97.2% compared to the previous year. The ratio of out-of-pocket household health expenditure to total health expenditure was 17.8% in 2023 (TUIK 6/12/2024).

People who have social or health insurance can receive free services from hospitals as part of this insurance. The three most important organisations in this area are

- Social Insurance Institution (SGK): for the private sector and public sector workers. According to the law, all persons employed on the basis of a contract of employment are entitled to social insurance and healthcare.
- Social Insurance Institution for the Self-Employed (Bag-Kur): This institution covers the self-employed who are not covered by the Social Insurance Act (SGK). These are craftsmen, tradesmen, small entrepreneurs and self-employed persons in agriculture.
- Pension Fund for Civil Servants (Emekli Sandigi): This is a pension fund for retired state employees that also includes health insurance (EUAA 8/4/2023).

GSS - General Health Insurance

General health insurance is designed as a compulsory insurance financed by contributions. The contribution rate is set at 12.5% of gross wages, of which 5% is paid by the employee and 7.5% by the employer. In principle, all citizens and foreigners who have resided in Turkey for more than one year are included in the scope of protection (ÖSV/Hekimler A. 14/11/2020; cf.DRV-Recht 25/1/2020). The only exceptions to the insurance obligation are for parliament, the Constitutional Court, soldiers/conscripts and prisoners. Furthermore, foreigners who have health insurance cover in their home countries or are staying in Turkey for less than a year are not subject to compulsory insurance. For children up to the age of 18 or 25, spouses and parents (in-law) without their own income, there is the option of family insurance (DRV-Recht 25/1/2020). If the income of the persons concerned in a household is less than one third of the minimum wage, the contributions must be paid by the state. If the income is between one third of the statutory minimum wage and the statutory minimum wage threshold, the contributions are to be paid on the basis of one third of the minimum wage for general health insurance. If income is up to two times the minimum wage, contributions must be paid on the basis of the minimum wage. However, if income is more than twice the statutory minimum wage, contributions must be paid on the basis of twice the minimum wage. - Basically, the group of people who are protected can be divided into three groups. The first is those who are in employment and pay their contributions. The second group includes those who are not in employment but are included in the insurance cover by paying contributions. These include, for example, voluntarily insured persons and foreigners who are resident in Turkey and are not insured from their home country. For the third group, the contributions are paid directly by the state; these are, for example, the needy, asylum seekers and some other persons (ÖSV/Hekimler A. 14/11/2020; cf.DRV-Recht 25/1/2020).

The person with general health insurance must have paid contributions for at least 30 days in the previous year before claiming benefits. In addition, voluntarily insured persons, self-

employed persons and foreign nationals with a residence permit who are not insured from their home country must not have any contribution debts. The general clause of at least 30 days of contributions in the last year before the insured event occurs does not apply in emergencies, occupational accidents, occupational illnesses, infectious diseases, maternity and in some other cases (ÖSV/Hekimler A. 14/11/2020).

The application for general health insurance is submitted to the social assistance and solidarity foundations within the administrative boundaries of the province or district in which the person's place of residence is registered in the address-based population register (EUAA 8/4/2023).

Deductible (co-payments)

The deductible (i.e. co-payment) is a small amount paid by citizens and is known as the co-payment for examinations. In other words, the co-payment or deductible refers to the fee that insured persons and pensioners or their dependants pay for the healthcare services they receive from healthcare facilities such as hospitals, general practitioners, health centres, etc. The co-payment is charged for outpatient examinations, except for those performed at primary health care providers, i .e. family doctors. The co-payment is 6 lira in public secondary healthcare facilities, 7 lira in Ministry of Health training and research hospitals that are shared with universities, and 8 lira in university hospitals. Co-payments or co-payments for medication are charged by the pharmacy when a prescription is first requested. In the case of outpatient treatment, the rates are: 10% of the cost of medication for pensioners and their dependants, 20% of the cost of medication for other insured persons and their dependants (EUAA 8/4/2023).

In order to benefit from the Turkish health and social security system, people living in Turkey must register with the Turkish Social Security Authority (Sosyal Güvenlik Kurumu - SGK). Health services are offered by both private and state institutions. If patients are insured with the SGK, treatment in public hospitals is free of charge. Private insurances can cover high treatment costs, depending on the scope and coverage. Within the SGK, vaccinations, laboratory tests for diagnosis, medical examinations, antenatal care and treatment after pregnancy as well as emergency treatment (IOM 10/2024, p.1) and treatment in the event of an accident at work, occupational diseases, disease prevention measures and for chronically ill patients are free of charge (ÖSV/Hekimler A. 14/11/2020). The contribution for using the general health insurance (GSS) depends on the income of the beneficiary (from 600.08 lira for holders of a Turkish identity card) (IOM 10/2024, p.1). In 2021, a total of around 1.5 million people had private supplementary health insurance. These are predominantly policies that cover benefits for outpatient and inpatient treatment, with only a small number (around 178,000) being taken out for inpatient treatment only (MPI-SRSP 3/2021, p.15).

Returnees with a residence permit who have been living in Turkey permanently (for at least one year) and do not have health insurance under the legislation of their home country must pay a mandatory monthly fee. Beneficiaries must register and pay the insurance premium for at least 180 days in advance in order to benefit from the social security system or healthcare. The insurance comes into force automatically and beneficiaries can continue to benefit from the scheme for a further six months after leaving the labour market. The insurance must have been

taken out at least 60 days before the diagnosis. - Returnees can enrol through social security offices throughout the country. There is no specific procedure for the registration of returnees. Once registered with the SSC, family members (children, spouse) of the beneficiary are also considered registered and benefit from free healthcare (IOM 10/2024, p.1, 4).

Primary healthcare is sufficient throughout the country. Secondary and post-operative care, on the other hand, are in need of improvement. In the large cities, university hospitals and large hospitals are equipped to the latest standards. Mental health services remain inadequate (ÖB Ankara 4/2025, p.59). Nevertheless, the state healthcare system has been expanded in recent years, especially in rural areas. In 2012, Turkey introduced general, compulsory health insurance. All persons residing in Turkey are subject to compulsory health insurance. The state pays the health insurance premiums for those in need. Even though there are deficits in medical equipment and the number of doctors and nurses, particularly in rural provinces, treatment options for all illnesses are guaranteed throughout the country, particularly for chronic illnesses such as cancer, renal failure (dialysis), diabetes, AIDS, psychiatric illnesses and drug addiction (AA 20/5/2024, p.21).

Mental illnesses are mainly **treated** in public institutions. There is an increasing number of private capacities and rising standards in treatment. Within the state hospitals, there are 45 therapeutic centres for alcohol and drug addicts for adults (AMATEM) with a total of 732 beds in 33 provinces. In addition, there are seven more so-called treatment centres for drug addiction among children and adolescents (ÇEMATEM) with a total of 100 beds. There are deficits in pain therapy and palliative care. However, the Ministry of Health supplies all public hospitals with morphine. In addition, general practitioners and their nurses can prescribe these painkillers and patients can buy them on prescription from pharmacies. There are two state oncology hospitals in Ankara and Bursa under the administration of the Turkish Ministry of Health. According to the latest official information, there are also 33 oncology wards in state hospitals with different treatment procedures. AIDS treatment can be carried out in 93 state hospitals as well as in 68 university hospitals. Three private hospitals in Istanbul and two in Ankara and İzmir are also available for such treatment (AA 28/7/2022, p.22).

The healthcare sector is one of the industries most affected by migration abroad (FNS 31/3/2022). The deputy leader of the İYİ party, Turhan CÖMEZ, a member of parliament and doctor himself, told the daily Sözcü in June 2024 that 15,000 Turkish doctors had already gone abroad to work. In addition to the main incentive of better pay, the poor working conditions and the constant verbal and physical abuse of medical staff are also responsible for this (TM 19/6/2024; cf.DTJ 10/10/2023). According to a survey by the Turkish Medical Association, nine out of ten doctors stated that they had been attacked by patients or relatives at some point in their career (DTJ 29/10/2024).

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24 Treatment after return

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The Turkish authorities maintain a number of databases that provide information to immigration and law enforcement officials. The ‘General Information Collection System’, which provides information on arrest warrants, previous arrests, travel restrictions, military service records and tax status, is available at most of the country’s airports and seaports. A separate border control information system used by the police collects information on previous arrivals and departures. The Directorate, responsible for the registration of judicial files, keeps records of sentences already served. The ‘Central Register System’ (MERNIS) manages information on civil status (DFAT 16/5/2025, p.41).

If it is established during the entry check that the person has an entry in the wanted persons register or that preliminary proceedings are pending, the person is taken into police custody. In the subsequent interrogation by a public prosecutor or a police officer appointed by him, the arrested person is confronted with the written allegations. A lawyer is usually consulted. The public prosecutor either orders the release of the person concerned or hands them over to the competent judge. The lawyer is also present during the questioning by the judge. If it is determined on the basis of an entry that criminal proceedings are pending, the person is also arrested upon entry and transferred to the public prosecutor's office (AA 24/8/2020, p.27; cf.UKHO 10/2019a, p.49).

Persons who are/were active for the Kurdistan Workers' Party (PKK) or an organisation allied with the PKK must expect long prison sentences in Turkey [as of June 2025]. The same applies to activities in or for other terrorist organisations such as the Revolutionary People's Liberation Party-Front (DHKP-C), Turkish Hezbollah [note: also known as Kurdish Hezbollah, and not affiliated with the Shiite Hezbollah in Lebanon], al-Qa'ida, Islamic State (ISIS), etc. Since the attempted coup in 2016, people associated with the Gülen network have been categorised as terrorists in Turkey. Members of the Gülen movement living abroad are subject to searches in Turkey, at least nationally; sympathisers are often banned from entering the country (possibly after interrogation during attempted entry) (ÖB Ankara 4/2025, p.55). The Turkish Foreign Ministry also considers the Syrian-Kurdish Democratic Union Party (PYD) and the People's Defence Units (YPG) to be sub-organisations of the PKK, which is classified as terrorist (TRMFA 2022). Unlike the PKK, the PYD and its military arm, the YPG, are not classified as terrorist organisations by the EU (EU 31/1/2025).

Public statements, including in social networks, newspaper advertisements or articles, as well as participation in demonstrations, congresses, concerts, funerals, etc. abroad, in which support for Kurdish interests is expressed, can be prosecuted if they are considered incitement to separatist and terrorist actions in Turkey or support for illegal organisations under the Turkish Criminal Code. Based on known cases, it can be concluded that such statements (AA 20/5/2024, p.15f.), including the mere liking of another person's post on social media, and actions (e.g. signing a petition) (AA 28/7/2022, p.15) are increasingly leading to prosecution and conviction and are even being used as evidence of membership in a terrorist organisation. Membership of certain organisations or participation in the types of events listed above may be sufficient for criminal investigations to be opened (AA 20/5/2024, p.15f.). Non-public comments can also be forwarded to Turkish law enforcement authorities through anonymous denunciation (AA 24/4/2025). There are also known cases in which Turks, including dual nationals, who criticised the Turkish government in the media or on social media were arrested upon entering Turkey or placed under house arrest or banned from travelling (MBZ 31/10/2019, p.52; cf.AA 24/4/2025). Arrests, prosecutions or travel bans can also be observed in connection with comments criticising the government on social media, increasingly also on the basis of accusations of insulting the president. Prison sentences of several years have already been imposed for this. People whose centre of life is in Germany, for example, can also be banned from leaving the country, which can have life-altering consequences (AA 24/4/2025). According to Seyit Sönmez from the Istanbul

Bar Association, thousands of people, dual nationals or people with Turkish roots, have been arrested or deported at airports for ‘terrorism propaganda’, ‘insulting the president’ and ‘inciting hatred in public’. In some cases, mobile phones and social media accounts were checked by the authorities at border crossings. If anything problematic is found, people without a Turkish passport are usually turned back under the pretext of a security threat, Turkish citizens are arrested and banned from leaving the country (SCF 7/1/2021; cf.Independent 5/1/2021). Even people who were able to enter and leave the country without any problems in the past can be arrested again if they return to the country due to past or new offences (AA 24/4/2025).

Persons who have a close relationship with a person abroad who is known to be wanted in Turkey, in particular on suspicion of membership of a terrorist organisation, may themselves become the subject of criminal investigations. This also applies to persons with a foreign connection, including Austrians and EU citizens, as well as Turkish nationals residing abroad who are stopped unexpectedly on arrival and either remanded in custody or banned from leaving the country. In general, however, it is not clear whether these individuals are actually being detained merely because of their close relationship to a known wanted person or whether they are being targeted by the Turkish criminal justice system because of their own activities abroad (e.g. in connection with the PKK or the Gülen movement) (ÖB Ankara 4/2025, p.15).

Deported Turkish citizens are readmitted by Turkey. However, the procedure is often lengthy (ÖB Ankara 4/2025, p.55). There are no known problems with returnees who had applied for asylum abroad (DFAT 16/5/2025, p.42; cf.ÖB Ankara 4/2025, p.55). A query in the Central Civil Status Register is mandatory, especially in the case of readmission of Turkish nationals. According to Article 23 of the Turkish Constitution and Section 3 of the Turkish Passport Law, Turkey is obliged to readmit Turkish nationals if there is clear proof of Turkish citizenship. Third-country nationals are readmitted in accordance with ICAO [International Civil Aviation Organisation] practices. Turkey has also signed a corresponding bilateral agreement with Greece, Kyrgyzstan, Pakistan, Romania, Syria and Ukraine (ÖB Ankara 4/2025, p.62). Turkey’s sophisticated information databases mean that rejected asylum seekers are likely to attract government attention if they have a criminal record or are members of a group of special interest, including the Gülen movement, Kurdish or opposition political activists, or are human rights activists, conscientious objectors or deserters (DFAT 16/5/2025, p.42; cf.MBZ 18/3/2021, p.71). It should be noted that Turkey has no legal provisions that make it a criminal offence to apply for asylum abroad (MBZ 18/3/2021, p.71).

Gülen supporters against whom legal action is taken are not issued passports abroad by the embassy or consulate general responsible there (VB Istanbul 23/6/2025; cf.USDOS 22/4/2024, p.20). They only receive a short-term travel document so that they can travel to Turkey to appear in court. They are also unable to renounce their citizenship. Those affected can only find out what legal action has been taken against them through their lawyers in Turkey, but only if they are given access to the file, i.e. if it is not a secret file. Most of them, depending on the charge, cannot find out whether or not there is an arrest warrant against them (VB Istanbul 23/6/2025).

A number of associations (often founded by returnees themselves) offer special programmes to help returnees with various issues such as finding accommodation, care, etc. These organisations include

- Rückkehrer Stammtisch Istanbul, Mrs Çiğdem Akkaya, LinkTurkey, e-mail: info@link-turkey.com
- Die Brücke, Mrs Christine Senol, email:http://bruecke-istanbul.com/
- TAKID, German-Turkish Association for Cultural Cooperation, ÇUKUROVA/ADANA, email:almankulturadana@yahoo.de, www.takid.org (ÖB Ankara 4/2025, p.56).

Criminal liability for offences committed abroad/double jeopardy

With regard to the provisions on double jeopardy, Turkey ratified Protocol 7 of the European Convention on Human Rights (ECHR) in May 2016. Art.4 of the Protocol states that no one may be prosecuted or punished again in criminal proceedings under the jurisdiction of the same State for an offence for which he or she has already been finally acquitted or convicted in accordance with the law and criminal procedure of that State (DFAT 16/5/2025, p.40).

According to Article 8 of the Criminal Code, Turkish courts only have jurisdiction over offences that were committed in Turkey (territoriality principle) or the result of which became effective in Turkey. Persons who have been convicted abroad for an offence committed in Turkey may be retried in Turkey (Art. 9). Articles 10 to 13 of the Criminal Code provide for exceptions to the principle of territoriality. For example, public servants and persons who work for Turkey abroad and commit a criminal offence in the course of this work are subject to retrial in Turkey despite being convicted abroad (Art. 9). Turkish nationals who commit an offence abroad which is also punishable in Turkey and which is punishable by more than one year's imprisonment can be prosecuted and punished in Turkey if they are in Turkey and have not already been convicted abroad for this offence (Art.11/1). Art. 13 of the Turkish Criminal Code contains a list of offences to which Turkish law applies regardless of the place of the offence and the nationality of the perpetrator. These include, in particular, torture, environmental pollution, drug production, drug trafficking, prostitution, hijacking or damaging means of transport and counterfeiting (ÖB Ankara 4/2025, p.55f.). Article 16 provides that the period of imprisonment served abroad is deducted from the final sentence imposed for the same offence in Turkey. In addition, there are known cases in which Turkish authorities have requested the extradition of persons which have been refused due to double jeopardy concerns. Turkey applies the double jeopardy provisions on an ad hoc basis (DFAT 16/5/2025, p.40).

Another exception to the 'ne bis in idem' principle, i.e. the avoidance of double jeopardy, can be found in Art. 19 of the Criminal Code. During criminal proceedings in Turkey, although the penalty imposed under Turkish law on a person convicted of an offence committed outside the territory of Turkey may not exceed the maximum penalty provided for by the laws of the country in which the offence was committed, these provisions do not apply if the offence is committed: either against the security of or to the detriment of Turkey; or against a Turkish citizen or to the detriment of a private legal entity established under Turkish law (CoE-VC 15/2/2016).

According to a source from the Dutch Ministry of Foreign Affairs, illegal departure from Turkey is not considered a criminal offence. As a result, persons returning under these circumstances would likely only face an administrative fine (MBZ 31/8/2023, p.88).

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24.1 Return assistance from the Austrian state

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[*This chapter is based on information provided by the Austrian Federal Agency for Care and Support Services (BBU GmbH)* ***as of December 2024*** (BMI 6/12/2024)*. In the field of return assistance, changes may occur at short notice. For further information, please refer to the relevant BBU page].*

The employees of the Federal Agency for Care and Support Services (BBU GmbH) provide individual information on the options for voluntary return and the available support services.

Return assistance includes the following services:

- Free individual counselling on voluntary return including application for financial support from the BBU
- Organisational support for travel preparations
- Covering the costs of travelling home
- Financial start-up aid of up to € 900
- Participation in a reintegration programme in the destination country after return

There is no legal entitlement to these support services. Authorisation is granted by the Austrian Federal Office for Immigration and Asylum (BFA). Further information on the current support programmes (return support including reintegration support) is available on the website www.returnfromaustria.at.

The BBU provides support for travel planning and flight bookings as well as for the procurement of documents for travelling home, any necessary medical care and the assumption of return travel costs. Organisational support can generally be provided in any procedural constellation. The prerequisite for the assumption of the costs of travelling home is that the returning person is destitute.

Financial start-up aid

The amount of financial start-up aid is regulated in a degressive model and is staggered according to the time of application for assisted voluntary return:

- During the ongoing asylum or foreign law procedure up to one month after the return decision becomes final: € 900 per person; one month or more after the return decision becomes final: € 250 per person
- Nuclear families: maximum amount of € 3,000 per family
- Special constellation: For vulnerable returnees who would generally be excluded from the financial start-up aid, a one-off amount of € 250 per person can be granted following an individual case-by-case assessment by the Federal Office for Immigration and Asylum (BFA).

Criteria for receiving financial start-up assistance and reintegration support (exceptions possible in individual cases):

- Voluntary departure
- Financial need or destitution
- First-time receipt of the support benefit
- Long-term departure
- No evidence of a security risk due to voluntary return
- No serious criminal offence

EEA citizens, persons from the Western Balkan states and citizens of countries with visa-free entry to Austria (e.g. Georgia, Moldova) are excluded from receiving financial start-up assistance. **Special constellation**:For vulnerable returnees from these regions, who would generally be excluded from financial start-up assistance, a one-off amount of € 250 per person can be granted following an individual case-by-case assessment by the Federal Office for Immigration and Asylum (BFA)

Reintegration support

For 42 countries of origin, voluntary returnees can apply for reintegration support worth up to € 3,500 in line with the guiding principle of ‘return with prospects’.

The reintegration services are carried out with cooperation partners:

- Frontex (EU Reintegration Programme EURP)
- IOM Austria (RESTART IV reintegration programme)
- Caritas Austria (IRMA plus III reintegration programme)
- OFII (French Office for Immigration and Integration)
- ETTC (European Technology and Training Centre, an NGO active in Iraq)

As part of the reintegration programmes, returnees receive comprehensive support for reintegration in their country of origin. This includes individual, personal counselling and mainly benefits in kind, e.g. economic, social and psychosocial support. The programmes offer a wide range of services to ensure the best possible use of resources.

Further information on the respective programmes and for which countries of origin they are offered can be found on the above pages (BMI 6/12/2024).

Source

- BMI - The Federal Ministry of the Interior [Austria] (6/12/2024): Österreichische Rückkehrunterstützung – Übersicht der Leistungen

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Phone: +43 59133 98 7271

Mail: BFA-Staatendokumentation@bmi.gv.at

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