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HUMAN RIGHTS ASSOCIATION (HRA)

2019

EASTERN AND SOUTHEASTERN ANATOLIAN REGIONS

**HUMAN RIGHTS VIOLATIONS REPORT
-FACT SHEET-**

7 FEBRUARY 2020
HRA DİYARBAKIR BRANCH

PREFACE

The data and the data tables have been compiled from individual applications by victims to our offices and branches, from local sources, and media search (Milliyet, Hürriyet, Sabah, Evrensel, Birgün, Cumhuriyet, Yeni Yaşam, Cnntürk, TRTHaber, NTV, Habertürk, ANF, ETHA, DHA, AA, İHA, Bianet.org, AL Jazeera,, BBC, Sputnik, T24, Welat, GazeteDuvar, GazeteKarinca, Sendika.org, Mezopotamya Ajansı, JINNEWS)

Some of the data in the report are the claims based on the statements of the witnesses. However, unless there are statements from the concerned persons and institutions that could disprove these claims, they will be considered true and real.

As long as new data about the claims comes out, related sections will be updated accordingly, so these claims could remain in the report or be omitted.

PEPARED BY

HRA Diyarbakir Branch / Documentation Unit

ASSESSMENT

We are here to release the report on **“Human Rights Violations in Eastern and Southeastern Anatolia Regions in 2019”**

Human rights violations in Turkey have been continuing widely. One of the most important causes of human rights violations that continue to exist due to anti-democratic and illegal practices that deeply affect our social life is the centralistic and security-oriented policies of the government.

In 2019, military operations performed within and outside Turkey’s borders resulted in grave violations of human rights. Political threats and physical interventions against freedom of expression and association intensified, and there were violations of right to life, a great many incidents of torture and ill-treatment, violations in prisons, violence against women, and restriction of freedom of thought and expression. Moreover, violations and problems became abundant in many categorical issues such as judicial independence, freedom of press, losses in economic and social rights.

The State of Emergency, declared in 2016 and extended for 2 years, led to severe human rights violations in Turkey. It was made completely permanent with legal regulations and practices afterwards. This situation can clearly be seen in the interventions on freedom of expression and association. Any opposing view that did not support the actions and discourses of the government or was contradictory to them was suppressed and silenced by a judicial hand. Judicial independence was completely ignored; the judiciary was made the most important and easiest means used by the government to implement its oppressive and centralistic policies. The ECHR's very recent ruling indicating that Turkey committed violation against Osman Kavala and the violations it found, the Local Court's insistence on not complying with that ECHR decision, and also, the methods used by the Courts and the judicial units in order not to discharge Selahattin Demirtaş despite ECHR rulings in favour of him clearly revealed the afflicting situation of the judiciary. In this period, the oppression and arrests, trials and punishments imposed on human rights defenders among the opposition groups reached the highest level.

Furthermore, after the local elections on March 31, 2019, the government’s appointing trustees to replace the co-mayors of municipalities won by the People's Democratic Party (HDP) appeared to be another important situation in which democracy and freedoms were heavily damaged. This is a prohibitive practice for the right to vote and to be elected and which is not compatible with the law. It is a grave violation of rights of millions of voters of a political party not to give the elected candidates their election certificates or to appoint trustees in the elected ones’ place, even though there is no investigation about them, and to illegally arrest the co-mayors.

Here are some examples of human rights violations that took place throughout the year 2019:

There were widespread and systematic torture and ill-treatment in detention centres and outside as well

The allegations made against the Urfa Police Department's Anti-Terrorism Unit reached serious levels and an effective investigation into the detection and punishment of the suspects has not been carried out yet.

Citizens who were detained during the house raids in Çınar district of Diyarbakır in December 2019 were subjected to torture and ill-treatment, and soldiers, during house raids in the rural neighbourhood of Ağrı's Tutak district, got the residents on the ground and stepped on their backs. In Mardin's Derik district, citizens who were in detention at the Mardin gendarmerie station were tortured and ill-treated, and the perpetrators did not even hide their identities. Those are only a few of the tens of examples that prove the existence of systematic and widespread torture in Turkey.

Especially the allegations of torture and harassment of women were very serious. However, due to the lack of an effective investigation into torture, the perpetrators and those responsible have enjoyed impunity policy in all cases without compromise. It was also observed that there was a significant increase in the applications related to violations such as the police taking suspects' statements by intimidation and threat methods, trying forcibly to recruit them informants, and kidnapping. We would like to remind you once again that according to the Constitution and international conventions to which Turkey is also a party, torture is absolutely prohibited and there is no statute of limitations for this crime. These inhuman practices must be stopped immediately, the perpetrators must be dismissed from their positions, and an effective trial needs be launched against them for the acts they have committed.

Another area where torture was widespread and systematic was the prisons. Violations of rights such as the right to health, torture and ill-treatment, disciplinary proceedings, isolation, limitations in right to communication and the right to family were the fundamental rights violations in prisons. In particular, we would like to express that the violation of the right to health was a subject of grave complaint in this process. The sick prisoners who could hardly survive alone were literally shuttling between the prison and the hospital. Prisoners that were terminally ill were still not treated properly or released from prison, and unfortunately many of them were in the last phase of their diseases. In 2019, 6 sick prisoners lost their lives. According to data we gathered, there were 1334 sick prisoners in prison, 458 of whom were terminally ill.

While mentioning the violations in the prisons, we would like to draw attention to violations and isolation practices applied in İmralı High Security F Type Closed Prison. It is a violation of human rights that Abdullah Öcalan, a convicted prisoner, and another three prisoners in the same prison could not be visited by their lawyers and families, which cannot be counted justifiable. We particularly want to express that aggravated isolation practices applied in İmralı High Security F Type Closed Prison are a situation that is incompatible with human rights notion and humanitarian law and it must be ended immediately.

Unfortunately, the pressures on freedom of expression and association, which we are trying to address above, continue with prohibitions and restrictions. Although defined as a form of right to remedies in the Constitution's Article 34, the outdoor assemblies and demonstrations were prohibited or restricted by governors unlawfully and arbitrarily

Peaceful and non-violent protest marches and press statements, held in Diyarbakır's Koşuyolu Park and in the other cities of the region, by the mothers of prisoners who went on a hunger strike were prohibited, and the mothers were responded with gas and water cannons. Due to the use of a democratic right, the mothers were brought to court for making pro-terrorist propaganda and/or were fined in accordance with the Law on Misdemeanours No. 2911.

Also the sit-in protest named ‘Find the Missing, Judge the Perpetrators’ carried out by Saturday Mothers since January 31, 2009 every week on in Diyarbakir Kosuyolu Park at the Right to Life Monument, was banned by The Governership of Diyarbakir on 1st of September 2018. The families have been performing their activity in our association building for the last 47 week.

Various violations took place due to military operations as well. Security zones and curfews were declared, disrupting the routine flow of life in rural areas, and putting livestock and agricultural activities at a standstill. In 2019, the bodies of militants were not returned to their families. The families’ rights were violated by the security forces’ mobbing and long-lasting procedures, which enabled the families to practice their religious duties.

Unfortunately, violence against women continued in 2019. In our region, tens of women were murdered as a result of men’s violence. Women from all social groups and of all ages were subject to psychological, physical, sexual and economical violence. Turkey has shown that even the implementation of existing legal rules failed to protect women properly. The government must take every possible precaution to protect women. It must produce policies to spread gender equality to all parts of the society and eliminate gender discrimination. Any perpetrator committing violence against women must stand trial effectively and impunity practices must be ended.

There were various incidents of violence against children, sexual abuse, child labour and deaths at workplace, child marriages, lack of education in mother tongue and educational inadequacy in general. We witnessed children die or get injured as a result of the explosives left unattended in the zones of armed conflict. Apart from taking measures to protect children, the inadequacy of protective laws guaranteeing the rights of children and the obligations arising from the international agreements were neglected.

HRA has always defended and will continue to defend the right to peace. We would like to remind that Turkey has to solve the Kurdish Issue in a democratic and peaceful way in order to get over armed conflict and chaos and to establish a democratic order. Turkey needs a genuine solution to its conflicts, and a new and democratic constitution.

We, as human rights defenders, believe that violations in our lives are preventable. We hope that the conflict will come to an end and that a permanent de-escalation and solution process will be renegotiated. We wish an honourable and peaceful life for all under all circumstances, without any discrimination in terms of language, faith, ethnicity, nationality, gender and culture, emphasising that the right to live is unquestionable, and we wish a life with dignity and full of peace.

HUMAN RIGHTS ASSOCIATION- DİYARBAKIR BRANCH

2019 HUMAN RIGHTS VIOLATIONS FACT SHEET

VIOLATIONS OF RIGHT TO LIFE		
	DEATH	INJURY
EXTRAJUDICIAL EXECUTION (Those Killed And Wounded By Security Forces For Disobeying Stop Warning, Violation Of Use Of Weapon, Arbitrary Killings)		
Killed Or Wounded By Police Or Military Police	5	8
Killed Or Wounded By Rural Guards		1
Killed Or Wounded In Prisons	10	
Negligence By State Officers	4	102
Self Murders / Suspicious Deaths Of Police And Soldiers	5	
THOSE EXPOSED TO ATTACKS		
Political Party, Union or Association Members	1	4
Teacher/Academician		6
Journalist		1
Local Administrator		1
Lawyer	2	2
Medical Employee		1
ARMED CONFLICT		
Official Security Forces	50	83
Armed Militants	319	1
Civilians	12	23
TOTAL	381	107
<i>Footnote: Official security forces killed and wounded by explosives are also included</i>		
Deaths and Injuries along the Borders		1
Military Operation in Northern Syria	16	71
KILLED OR WOUNDED AS A RESULT OF LAND MINES AND UNCLAIMED BOMBS		
MALE	1	
CHILD	2	1

SUSPICIOUS DEATHS	
MALE	18
FEMALE	24
CHILD	5
VIOLATIONS DUE TO ARMED CONFLICTS	
Wildfire or field fires	4
Declaration of Restricted Military Zone and Land Restrictions	23
Curfews	16
Militant Corpses not returned to Families	5
Desecration of a Corpse	5
VIOLATIONS AGAINST WOMEN'S RIGHT TO LIFE	
SUICIDE	
Suicide	17
Attempt	1
Domestic Violence against Women	
Death	33
Wounded/Physical Violence	41
Non-Domestic Violence against Women	
Dead	15
Wounded/Physical Violence	21
Sexual Assault	14
Forced into prostitution	7
VIOLATIONS AGAINST CHILDREN'S RIGHTS	
SUICIDE	
Suicide	3
Attempt	2
Domestic Violence	
Dead	3
Wounded/Physical Violence	6
Sexual Abuse	1
Non-domestic Violence	
Dead	3
Wounded/Physical Violence	4
Sexual Abuse	1526
Abduction / Kidnapping	2
Forced into prostitution	3

VIOLATION AGAINST PROHIBITION OF TORTURE	
TORTURE, ILL-TREATMENT, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT	
Torture and ill-treatment in detention	67
Torture and ill-treatment outside detention places	125
Torture and ill-treatment in prisons	150
Abducted /Threatened by Security Forces and Forced to be Informants	16
Those threatened	12
Beaten and Wounded by Security Forces during Demonstrations	167
VIOLATION OF PERSONAL SECURITY AND FREEDOM	
Detentions	
Adult	2937
Child	50
TOTAL	2987
Arrests	
Adult	508
Child	3
TOTAL	511
House Arrests	17
Home Raids	2081
VIOLATIONS AGAINST FREEDOM OF EXPRESSION	
Ban on Events	10
Prohibited Publications	12
JUDICIALA INQUIRIES AGAINST FREEDOM OF EXPRESSION	
Number of Inquiries	20
Number of Individuals	105
CASES AGAINST FREEDOM OF EXPRESSION	
Number of Cases	17
Number of Individuals	132

JUDICIAL PUNISHMENT INFLICTED UPON THOSE EXPRESSING THEIR OPINIONS	
Court Files	31
Number of Individuals	110
VIOLATIONS AGAINST FREEDOM OF ASSOCIATION	
Institutions and Associations Raided or Attacked	
Political Party	20
Election / Campaign Office	3
Union Bulding	3
Municipality Building	6
Institutions and Associations Closed down	
Political Party	4
VIOLATIONS AGAINST FREEDOM OF ASSEMBLY AND DEMONSTRATION	
Meetings and Demonstrations intervened by Security Forces	58
Meetings and Demonstrations Adjourned or Prohibited	80
VIOLATIONS in PRISONS	
Transfer Practices	103
Violation of the Right to health	64
Violations of Right to see Family	4
Violation of Right to Communications	6
Subject to Proceeding	12
Disciplinary Punishment	20
Isolation and Solitary Confinement	39
Miscellaneous Violations	113
VIOLATION OF ECONOMICAL AND SOCIAL RIGHTS	
Occupational Accidents	
Deaths	11
Wounded	14
Dismissed from Work	492
Officials discharged from work	148
Those not paid their wages	140

VIOLATIONS OF RIGHT TO EDUCATION	
University Disciplinary Boards' investigations against academicians	16
OTHER VIOLATIONS	
Government Trustee (Municipality)	
Municipality	32
Right to Health	46
Other Applications	17
TOTAL NUMBER of VIOLATIONS	10553