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HUMAN RIGHTS ASSOCIATION (IHD)

First Half, 2018

Eastern and South Eastern Anatolia Regions

Report on Violation of Human Rights

July 27, 2018
IHD Diyarbakır Branch

-Initial Explanations on the Report-

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, Özgürlükçü Demokrasi, Yeniyaşam, Cnnturk, TRTHaber, NTV, Habertürk, Fırat Haber Ajansı, ETHA, DHA, AA, İHA, ANHA, Bianet.org, El Cezire, 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 persons and institutions concerned) 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. These claims could remain in the report or be omitted from the report.

Prepared by

**IHD Diyarbakır Branch
ARCHIVES and DOCUMENTATION UNIT**

ASSESSMENT

Dear Members of the Press,

We are here to release “**The Report on the Human Rights Violation in the Eastern and South-eastern Anatolian Regions through the first half of 2018**” by the Human Rights Association.

The State of Emergency, which lasted two years, was lifted in July 19, 2018. The state of emergency that was used as an authoritarian means of repression against opposition, especially using decree-laws, caused grave violations of human rights, and unjust treatment towards freedom of thought and expression, freedom of press, economical and social rights, and personal security. After these two years of state of emergency, there has been a period in which the structure of democratic life and law is harmed, human rights and freedom are suppressed, judicial mechanisms -influenced by political discourse- have inflicted widespread damage to justice and truthfulness.

It is understood that it is tried to keep the state of emergency permanent rather than to repair its damages, seeing that the Presidential Government System that was put into action after the June 24 elections contradicts pluralistic democracy and a security-oriented bill with 25 clauses was passed by the parliament. It is clear that especially new open-ended regulations in laws providing local authorities (governors and sub-governors) with extraordinary powers are likely to limit social freedom and downgrade democratic life. For instance, limitations which were unlawfully put into action against the right to assembly and demonstration during the state of emergency and which were aimed to justify “security concerns” have perpetuated anti-democratic implementations against freedom of speech and right of organization.

We believe that the injustice and insecurity feelings among the society created during this two-year state of emergency should be removed by immediate restoration. We state that the security-oriented law with 25 clauses that passed in the Parliament cannot contribute to restoration but deepen the on-going injustice. Moreover, it is obvious that these types of security-oriented policies have had no impact on improvement in Turkey for the last 30 years.

Armed conflicts have continued non-stop in Turkey, mostly throughout the cities in our region (Eastern and South-eastern Turkey). During the first half of 2018, soldiers, police officers, militants of PKK and civilians have lost their lives. We, as human rights activists, believe that continuation of these conflicts will have no contribution to the future of the country and democratisation of the community, but will cause irreparable effects. It is evident that Kurdish Problem cannot be solved by violent-and-monist government policy experienced for decades. The country needs an urgent peaceful atmosphere. Therefore, in order to end the armed conflicts increasingly going on since July 24, 2015, a de-conflict period should be started for peace talks to begin.

In our region, human rights violations lasted in the first half of 2018, too. There have been many violations such as torture, ill-treatment, prohibition and intervention against right of

assembly and demonstration, violations against freedom of speech and press, violence against children and women, losses in economical and social rights. We want to illustrate some of them as follows:

As clearly seen the related part of this report, the incidents of torture and ill-treatment inside and outside the detention centres have increased. We would like to emphasize that torture is absolutely prohibited according to Turkish Constitution and international treaties. These non-human methods must be abolished immediately; the ones using them must be suspended and brought to justice. Another torture and ill-treatment example is that, detained both inside and outside detention centres, citizens were forced to be whistleblowers and threatened by the ones introducing themselves as security officials.

Another place where torture is widespread and systematic is in prisons. During the state of emergency, there were violations in prisons such as banishment, violation of right to health, torture and ill-treatment, disciplinary proceedings, solitary confinement, limitation of communication and family visits. Inmates have stated, via letter or family members visiting our offices, that they were exposed to naked strip search during transportation and physical torture, being forced to stand during inspections, solitary cells, medical treatment while handcuffed, not getting medical treatment in infirmary or hospitals. We would like to state that during this period there were abundant complaints about the violations against right to health. According to data confirmed by our association, there were 1154 ill inmates (402 seriously) as if they were left for dead.

Another subject is the solitary practices against Abdullah Öcalan, the leader of PKK, in the high security F type Prison in İmralı. As a convicted prisoner, he has been prohibited from seeing his attorneys since July 27, 2011; also he himself and 5 other political prisoners in the same premises haven't been able to see their family members for the last 85 weeks, which is a heavy human rights violation and this situation is still unchanged on July 25, 2018.

Another sample for violations during the state of emergency is the declaration of curfews and special security zones. Hundreds of areas covering rural settlements were declared security zones on the grounds of military operations and curfews were imposed a lot of times. Residents of rural areas could not maintain their routines and experienced unjust suffering. There were economical and ecological losses due to wildfires in rural areas and forests. During the raids by security forces in military operations, civilians were tortured, maltreated, and arrested unlawfully.

Unfortunately, violence against women continued increasingly in the first half of 2018. Women are murdered and are subject to violence by men as legal regulations aimed at protecting women and their rights aren't implemented properly. Violence against women is political whether it is domestic, non-domestic or in custody. This problem can be solved only when strong social policies with sufficient precautions and advocating gender equality are developed and male-dominated mentality is fought back efficiently.

Also, violence of rights that children face increasingly continues. We witness children losing their lives as a result of violence and unclaimed bombs in conflict zones, and 700 children aged 0-6 staying with their mothers in prisons. While our report raises the alarm for rising

abuses towards children and the increasing number of missing children, it is seen that the preventive regulations are insufficient and international conventions are disregarded.

As human rights activists, we believe that these violations can be prevented. Therefore, we demand that the damage caused by state of emergency be investigated by parliamentary committees and be repaired; the clash environment be ended, and finally a permanent de-escalation and peace talks be maintained. We wish an honourable life for all under all circumstances, without discrimination in terms of language, faith, ethnicity, nationality, gender and culture and we want to emphasize right to live is unquestionable.

Human Rights Association
Diyarbakır Branch

Table of Human Rights Violations in the first half of 2018

VIOLATIONS AGAINST RIGHT TO LIVE		
	DEAD	WOUNDED
EXTRAJUDICIAL EXECUTION (those killed and wounded by security forces for disobeying stop warning, violation of use of weapon, attacks in social demonstrations)		
Killed or wounded by Police or Gendermarie		3
IN DETENTION	2	2
ATTACKS/INJURIES BY UNKNOWN ASSAILENTS	1	5
FORMAL FALLACY AND NEGLIGENCE	7	104
SELF MURDERS / SUSPICIOUS DEATHS OF POLICE AND SOLDIERS	4	1
THOSE EXPOSED TO ATTACKS		
Teachers/Academicians		1
Doctors		3
ARMED CONFLICTS		
Official security forces (Soldier, police and village guards)	51	85
Armed Militants	132	3
Civilians	1	2
TOTAL	186	90
<i>Footnote: Official security forces killed and wounded by explosives also included.</i>		
THOSE KILLED AND MURDERED IN ATTACKS BY ILLEGAL ORGANIZATIONS	1	
THOSE KILLED AND WOUNDED BY ARMED MILITANTS	2	
CIVILIANS KILLED OR WOUNDED AS A RESULT OF LAND MINES AND UNCLAIMED BOMBS		
MALE		2
CHILD	2	2
SUSPICIOUS DEATHS AND INJURIES		
MALE	1	
CHILD	2	
VIOLATIONS AS A RESULT OF CLASH ENVIRONMENT		

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Declaration of Special Security Zones and of Prohibition of Entering Lands.	18
Curfew	16
Unpermitted Militant Bodies	1
Dissemination of Corpse	5
<i>Violations of Women Rights</i>	
Suicide	
Self Murder	6
Attempt	1
Women subject to Domestic Violence	
Dead	18
Wounded/Physical Attack	10
Sexual Assault	1
Women Facing Violence in Society	
Dead	6
Wounded/Physical Assault	3
Sexual Assault	4
Deforce / Abduction	2
<i>Violation against Children's Rights</i>	
Suicide	
Dead	3
Attempt	3
Children exposed to Domestic Violence	
Dead	3
Wounded/Physical Assault	6
Sexual Abuse	6
Children exposed to Violence in the Society	
Wounded / Physical Assault	4
Sexual Abuse	52
Deforce / Abduction	3
<i>TORTURE</i>	
TORTURE, ILL-TREATMENT, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT	
Torture and ill-treatment in detention	1

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Torture and ill-treatment outside detention places	32
Torture and ill-treatment in prisons	128
Threatened by Security Forces and Offered Whistleblowing	8
Threatened	4
Beaten and Wounded by Security Forces during Demonstrations	7
<i>VIOLATION OF PERSONAL SECURITY AND FREEDOM</i>	
DETENTIONS	
Adult	1369
Child	44
TOTAL	1413
ARRESTS	
Adult	250
Child	1
TOTAL	251
Raided Residents	997
<i>VIOLATIONS AGAINST FREEDOM OF EXPRESSION</i>	
Prohibited Publications	1
Raided Newspapers and Media Outlets	2
Blocked Websites	8
ENQUIRIES AGAINST FREEDOM OF EXPRESSION	
Number of Enquiries	6
Number of Individuals	43
CASES AGAINST FREEDOM OF EXPRESSION	
Number of Cases	16
Number of Individuals	66
JUDICIAL PUNISHMENT INFLICTED UPON THOSE EXPRESSING THEIR OPINIONS	
Court Files	34
Number of Individuals	52
<i>VIOLATIONS AGAINST FREEDOM OF ASSOCIATION</i>	
Political parties, Trade Unions and Associations Raided or Attacked	
Political Parties	11

<i>VIOLATIONS AGAINST FREEDOM OF ASSEMBLY AND DEMONSTRATION</i>	
Meetings and Demonstrations intervened by Security Forces	10
Meetings and Demonstrations Adjourned or Prohibited	16
<i>VIOLATIONS in PRISONS</i>	
Transfer Practices	112
Violation of the Right to health	134
Violations of Right to see Family	114
Lockdown or Solitary Confinement	11
Prisoners Indicted by the Management	4
Violation of Right to Communications	7
Those were prevented from Social Activities	1
Miscellaneous	22
<i>ECONOMICAL AND SOCIAL RIGHTS</i>	
Occupational Accidents	
Deaths	9
Wounded	10
Discharge from work	1328
Punishment	1
Those not receiving their wages	200
<i>Other Violations</i>	
Right to Health	226
Right to Housing	1
Other Applications	13
Violations in Total	5891

Footnote: Over the first half of 2018, there were 144 applications to Diyarbakır Branch, 17 to Van, 19 to Batman Branches.