



ASSEDEL

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Comment on the Commission's Türkiye 2024 Report

This assessment will cover the human rights violations in Türkiye and the functioning of the civil society. It lays focus on the treatment of the political opposition, LGBTIQ rights, and police brutality. Türkiye has seen a drastic shift towards democratic backsliding and undermining human rights. The country is part of most of the conventions on human rights. However, the Turkish state has been failing to implement the necessary measures to ensure no rights are violated.

In Türkiye, many rights groups such as women's rights organizations, LGBTIQ advocacy groups, minority rights organizations, and the political opposition are under constant intimidation by the Turkish state. Following the 2016 coup attempt, Türkiye was under a state of emergency for two years, where there was a crackdown on human rights. The government's crime against humanity of the followers of the Gülen Movement has gradually triggered more authoritarian measures on human rights.

Türkiye has seen a surge in the number of femicides since the withdrawal from the Istanbul Convention. The government has targeted many women's rights groups such as Kadın Cinayetlerini Durduracağız Platformu. Their activities have been criminalized, and a court case was opened over the association's dissolution. The Turkish police have been accused of forced strip searches targeting women in detention centers and in the prisons, which under Turkish law is illegal. The topic has been repeatedly brought up by Ömer Faruk Gergerlioğlu, a member of the Parliament from the DEM Party. However, the government is refusing any accusations related to forced strip searches.

The situation in the South-East has shown no progress. Türkiye still refuses to recognize the Kurdish language and identity. The latest local election serves as an example. Mayors of the cities of the South-East are faced with terror-related allegations, and some of them have been detained and replaced with government trustees. The Turkish state refuses to respect the will of the Kurdish people and deprives them of their rights to be governed by the people they have voted for.

Türkiye has been accused of taking unprecedented measures for people who are falsely convicted of terror allegations. The followers of the Gülen movement have been hit the hardest. Türkiye does not implement the suggestion of the Venice Commission, the Council of Europe, and the Committee of Ministers for the harsh treatment channeled towards the Gülen Movement. In Türkiye, people are falsely detained and imprisoned for terror charges, and they are subjected to torture.

As ASSEDEL, we are concerned about the human rights violations in Türkiye. Our submission attempts to complement the Commission's report by summarizing the situation of human rights in Türkiye in 2024. We will give suggestions to the reporter of the European Parliament's 2024 report on Türkiye.

Case Study: Systemic Forced Strip Searches

Z. D. was detained and later imprisoned in Uşak back in 2020¹. When she was brought to the detention center, she was faced with a forced strip search while male police personnel were still present in the room. While the incident occurred in 2020, it remains highly relevant as these searches have become systemic for certain groups of people. Ömer Faruk Gergerlioğlu has been most vocal about the violations. He has made it clear that the practice is still conducted at the detention centers for people who are accused of terror allegations. In 2024, a number of forced strip searches targeted at women have been reported. Türkiye must stop this practice and compensate the victims. The report of the European Parliament should include more in-depth information on the treatment of individuals during detention.

Police Violence Against Protesters

The Turkish state's attitude towards the Gülen Movement has created an atmosphere of impunity for the police forces that now is being channeled into other human rights advocacy communities as well. Since Türkiye's withdrawal from the Istanbul Convention, the Turkish police have been using disproportionate force to stop people from demonstrating. This year, the police have forcibly removed the hijabs of some women who were demonstrating, and some women were subjected to physical violence while being detained during annual night parades for the *International Day for Elimination of Violence against Women* and *International Women's Day*. No charges have been pressed against the perpetrators.

State-Sanctioned Discrimination and Violence Against the LGBTIQ Community

While the Commission's report touches on a number of relevant points regarding the situation of the LGBTIQ community in Türkiye, it is incomplete and lacks depth.

According to *the rainbow map* by ILGA Europe, Türkiye is one of the European countries with the worst conditions for the LGBTIQ community, ranking at place 46 out of 49. This is in part due to a large number of hate speech targeting LGBTIQ persons reported during the span 2024. Much of this hate speech comes directly from the government and its partners. For instance, President Erdoğan has made numerous discriminatory comments about the LGBTIQ community, comparing their advocacy to fascism and considering them as "the enemy to the family".²

Trans women were especially targeted by discrimination and human rights violations in Türkiye during the past year. For example, refugee trans women were denied access to vital medication and health insurance and they faced discriminatory behavior and deportation. Furthermore, the homes of trans women in the Beyoğlu district in İstanbul were sealed, leaving many of them homeless. Also regarding hate crime, trans women are predominantly targeted. In 2024 they faced assault, murder and robbery amongst others. ASSEDEL is greatly concerned about the lack of police interventions and the impunity granted to the aggressors of attacks motivated by LGBTIQ bias.

In certain cases, the aggression against LGBTIQ members is even exercised by the police itself. In 2024, there have been cases reported of kicking, slapping, the use of pepper spray at close range and other forms of police brutality at pride parades and demonstrations advocating for LGBTIQ rights.

Generally, the state has made it increasingly difficult for gatherings and demonstrations for the LGBTIQ community to be carried out through bans of events and arrests of protestors. This not only affected the

¹ TR724. (n.d.). *Uşak'ta çıplak aramaya uğrayan kız öğrenci: Gençliğim elimden alındı, hâlâ travmalarla yaşıyorum*. Retrieved February 25, 2025, from <https://www.tr724.com/usakta-ciplak-aramaya-ugrayan-kiz-ogrenci-gencligim-elimden-alindi-hala-travmalarla-yasiyorum/>

²ILGA-Europe. (2024). Annual review of the human rights situation of LGBTI people in Europe and Central Asia 2024. Retrieved from <https://www.ilga-europe.org/report/annual-review-2024/>

march and gathering of the 2024 İstanbul pride mentioned in the commission's report, but also other events such as the Pride March in Eskişehir and a demonstration in Ankara marking the *International Trans Day of Remembrance*. It should also be pointed out that arrests of LGBTIQ persons are frequently followed with torture or assault.

Additionally, the LGBTIQ community has faced numerous censorships in 2024, including in books, movies, radio and art. A prominent example of this was the banned screening of the film *Queer* at the *MUBI Fest İstanbul 2024*. The president of the Radio and Television Supreme Council (RTÜK) Ebubekir Şahin has even spoken out against the showing of productions regarding LGBTIQ topics. Furthermore, a trans rights exhibition in Beyoğlu, İstanbul scheduled to take place in July, was banned. Such bans and restrictions have spread fear amongst LGBTIQ creators, affected their mental health, and led to self-censorship.

Electoral Rights Violations and the Silencing of Kurdish Opposition

Within the past two years, Türkiye went to polls 3 times: the presidential elections, the parliament elections, and the regional elections. Although the assessment made by the election observation committee of the Council of Europe found that the elections were well organized overall and respected the political diversity, it lacks concrete information. Since the local elections, the Turkish state has removed 11 mayors from their offices many of whom are from the South-East Kurdish region and detained them for alleged terrorist activities. Government trustees have replaced the mayors. Thus, the votes of roughly 4 million people have been disregarded. Türkiye has been trying to silence the Kurdish opposition by dissolving the HDP. The court case is still before the Constitutional Court, and debates on another dissolution case against the DEM Party are ongoing. Türkiye must stop blocking the Kurdish people from using their electoral rights as equal citizens of the country.

Arbitrary Use of Terror Laws to Suppress the Gülen Movement

Türkiye's terror legislation and categorization of terrorist organizations are not in line with the European Union. Türkiye has been repeatedly accused of arbitrary use of terror law to detain and imprison key figures from the opposition or anyone who does not agree with Erdoğan. This arbitrariness is causing distress and suffering to the citizens of the country. For instance, between 2023 and 2024 "it is estimated that over 8,892 people were detained, 1,595 people were charged with terrorism offences, and 1,891 judicial control orders were imposed"³ for suspected affiliations with the Gülen Movement. The arrests undermine international conventions and the rule of law. For example, in May 2024, 48 individuals, some of whom were minors, had been detained over terror allegations and affiliations with the Gülen Movement. Regarding affiliations with the Gülen Movement, the European Court of Human Rights has previously found violations of freedom of association in Türkiye. In the case of 48 individuals arrested by the Turkish state, "the young girls, some of them still minors, were subjected to irrational accusations based on their routine social activities, such as going to the cinema, studying together, and even praying"⁴. One case also classified giving or receiving financial aid and sharing a flat with other students as criminal acts and as evidence of membership in the Gülen Movement⁵.

³ United Nations Special Rapporteurs. (2024). *AL TUR 5/2024*. Retrieved February 25, 2025, from <https://www.drgokhangunes.com/wp-content/uploads/2024/12/DownloadPublicCommunicationFile.pdf>.

⁴ Silenced Turkey. *The Teenage Girls Case: A Call for Justice*. Retrieved February 25, 2025, from <https://silencedturkey.org/the-teenage-girls-case-a-call-for-justice>.

⁵ TR724. (2025, February 26). İstanbul'daki nefret operasyonunda 29 tutuklama: Karacığır nakli olan anne, kızıyla birlikte cezaevine gönderildi. Retrieved from <https://www.tr724.com/istanbuldaki-nefret-operasyonunda-29-tutuklama-karaciger-nakli-olan-anne-kiziy-la-birlikte-cezaevine-gonderildi/>

Systematic Persecution of Individuals Affiliated with the Gülen Movement

Türkiye's exclusionary attitude has gotten so intense that people who were suspected of being affiliated with the Gülen Movement cannot have a normal life. An establishment that employs falsely convicted people from the Gülen Movement can face intimidation from municipal police. For instance, a fast-food chain has recently undergone a police raid, and some numbers of their managers have been detained for employing people who were affiliated with the Gülen Movement⁶. Furthermore, the UN reports concluded that: "We further note that there appears to be an observable trend in Türkiye where individuals and groups who have been linked to the Gülen Movement experience significant risks to their safety, arbitrary detention, and invasions of their privacy. The concerns relating to the facts alleged in this communication specifically are categorised into four parts below: (A) mass arrests, detentions, and judicial control orders; (B) transnational renditions; (C) the use of terrorist "grey lists"; and (D) the misuse of surveillance powers"⁷.

Türkiye's non-implementation of ECtHR Judgments and the Need for Stronger EU Pressure

Türkiye must start implementing the decisions of the European Court of Human Rights. Three cases regarding Türkiye are on the agenda of the Committee of Ministers this year: Kavala vs. Turkey, Demirtas vs. Turkey, and Yalcinkaya vs. Türkiye. Additional pressure from the European Parliament and further cooperation between the institutions are needed for Türkiye to respect international law. Although an infringement procedure has been started by the Committee of Ministers for not implementing the decision of the court, Türkiye is still reluctant. The European Parliament should make the implementation of the decisions a prerequisite for any further engagement with Türkiye. We welcome the European Parliament's advocacy. However, the Parliament should also give attention to the Yalcinkaya case which concerns thousands of people who have been unlawfully sentenced for affiliation with the Gülen Movement.

Repressive Counterterrorism Legislation and Its Impact on Civil Society

Türkiye's counterterrorism measures, particularly under Law No. 6415 on the Prevention of Financing of Terrorism, continue to raise serious concerns regarding their proportionality and impact on fundamental freedoms. The broad and ambiguous definition of terrorism has been widely criticized for enabling the arbitrary targeting of civil society organizations, opposition figures, and human rights defenders. This restrictive legal framework not only undermines civil society but also threatens democratic governance and the rule of law.

The European Parliament has consistently emphasized the vital role of a vibrant civil society in maintaining a healthy democracy. ASSEDEL urges the Parliament to intensify its efforts in holding Türkiye accountable for its human rights obligations and to apply sustained democratic pressure to ensure compliance with international legal standards. Strengthening cooperation between European institutions and reinforcing conditionality measures in Türkiye-EU relations are essential to safeguarding fundamental rights and freedoms in the country.

⁶ Tr724. (2025, 25 Şubat). Maydonoz Döner'e nefret operasyonu: 126 kişi tutuklandı. <https://www.tr724.com/maydonoz-donere-nefret-operasyonu-126-kisi-tutuklandi/>

⁷ United Nations Special Rapporteurs. (2024). *AL TUR 5/2024*. Retrieved February 25, 2025, from <https://www.drgokhangunes.com/wp-content/uploads/2024/12/DownLoadPublicCommunicationFile.pdf>.

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