



THE CIVIL SOCIETY IS WATCHING

August 2021

*“Monitoring report on the Presidential
Human Rights Action Plan”*

What are we watching?

The **Human Rights Action Plan**, which was issued with the signature of the Turkish President, was introduced to the public as a continuation of the will of reformation by the government, based on the Judicial Reform Strategy Document through the 11th Development Plan. With the Action Plan, it is claimed that rights and freedoms are aimed to be extended with an extensive legislative search, standards are aimed to be increased for public services to be more accessible, accountable, equal, transparent and fair. This report will be issued monthly in order to measure and debate the developments realised following the claims made with the Human Rights Action Plan.

How are we watching?

Our monthly report “The Civil Society Is Watching” will record the monthly developments regarding the 9 goals, 11 principles stated with the Human Rights Action Plan as well as the 393 activities predicted to be realised. Thus, the report aims at debating the correlation between the steps taken with the aims presented in the Action Plan, as well as how satisfactory the developments are. The report will compare monthly reports launched by non-governmental organisations with the reality of the country, as well as the allegations of the public administration. The report will include data announced by the Ministry of Justice and its related chambers, as well as the Interior Ministry whenever available. It is a fact that the measures of “transparency and accountability” that were presented as principles in the Human Rights Action Plan find no correspondence in the reality of the Turkish government ruling. Therefore it should not be forgotten that the “accuracy” of the numbers stated in reports prepared by the civil society reflect the difficulties faced by rights advocates and press workers. This is exactly why we had to frequently use the expression, “at least” before many numbers stated in this report.

What the government has said...

The government did not announce any steps taken within the Human Rights Action Plan in August. Of course, it could be considered that the legislative holiday also had an effect on this... That's all there is!

GOALS, EXECUTION AND EVALUATION

1. GOAL - A stronger human rights protection system

The Radio and Television Supreme Council (RTÜK) sent an order to news channels and threatened them over the wildfires. The Council demanded that only the fires, which were taken under control, were to be broadcasted. In case only the burning places were broadcasted, the Council announced that the heaviest penalty will be issued against the channel. The Radio and Television Supreme Council claimed that the continuous broadcasting of ongoing wildfires is a style of broadcasting that is in line with the views of “circles expecting chaos”. After the RTÜK initiative on censorship, an “accreditation” system started to be applied against journalists following the wildfires in the field. The Press Council reacted against the situation and said, “This is an arbitrary application used by those having public power, that can never be seen in any other democratic country.”

Current Status: The pressure on civil society, opposition and rights defenders continues to increase.

2. GOAL - Judicial independence and the strengthening of fair trial

According to the report prepared by the Republican People’s Party (CHP) Deputy Chair Gülizar Biçer Karaca on lawsuits of “insulting the President”, a total of 1816 lawsuits on insulting the President were filed during 5 Presidential periods, from Kenan Evren to Abdullah Gül. However, during Erdoğan’s Presidency, this number has reached 38,581. The number of total defendants increased by 2052 percent and 19.5 times during the first four years of Erdoğan’s Presidency when compared to the previous Presidency. 2,775 people were convicted of “insulting the President” in 2018, 4,291 people in 2019 and 2,655 people in 2020.

Current Status: Unpredictable and arbitrary prosecutions prove that there is no supremacy of law, rather the law of supremes.

3. GOAL - Legal predictability and transparency

The ruling power didn’t allow the establishment of Parliamentary Research committees, which were the only option for the Parliament to be monitored after it having been rendered completely useless with the transition to the Presidential system. 826 research proposals were motioned by oppositional parties regarding various matters on the Parliamentary agenda; only 30 of them were processed and only three research committees were established. Preparing research proposals on many matters keeping the Parliamentary agenda busy for a long time, the opposition couldn’t receive a reply to many of those proposals. Lately, the proposal for hundreds of wildfires across the country to be researched with an extraordinary meeting at the Grand National Assembly of Turkey (GNAT) was left unanswered as well.

President Erdoğan appointed a rector to Boğaziçi University, once again with a late night decree. The academics continue to turn their backs to the rectorate seat with the protests,

which have been ongoing since January. This time, Naci İnci took the place of trustee rector Melih Bulu, as he was his vice and deputy rector. Boğaziçi University academics and students continue with their protests.

Current Status: Journalists are prosecuted, legal and economic pressure and arbitrariness on media organizations are gaining strength.

4. GOAL - Protection and development of the rights to freedom of expression, freedom of organisation and freedom of faith

The Human Rights Foundation of Turkey (TIHV) launched a report with the title, “Criminalising Politics: Violations Against the Right to Freedom of Organisation” and evaluated the ruling power’s grade report on human rights. The report was prepared by scanning the daily human rights reports issued by the Human Rights Foundation of Turkey Documentation Center and by examining violations against the right to freedom of organisation between the years 2015 and 2019. The report identified 5,498 incidents, in which freedom of organisation was violated in the last five years. During this five-year period, 1614 associations, 132 foundations, 23 confederations and 19 trade unions were shut down; almost all of which were made through Statutory Decrees issued within the State of Emergency. 127 mayors were dismissed and were replaced with trustees. 11 Parliament Members have lost their seats at the Parliament. 120 mayors and 17 Parliament members were arrested. 1954 police operations were organised against the offices of non-governmental and political organisations, as well as against the houses of the members and executives of such organisations. 495 events were prevented through bans, police interventions and by other means. During this time, 15 thousand 70 people were detained and 2 thousand 709 people were arrested as a result of violations against the right to organisation; 551 people were sentenced to 32 thousand 523 months of imprisonment in total. [Please click here](#) for the full report.

Current Status: The right to meeting and demonstration has been de facto suspended. Protest and demonstration bans declared by the civil administration continue to spread and gain continuity throughout the country.

5. GOAL - Strengthening personal freedom and safety

Republican People’s Party (CHP) Parliament member and former journalist Utku Çakırözer reported press freedom violations in July. Pointing out to the increase in the violence against journalists, Çakırözer stated, “At least 18 journalists were exposed to violence during news reporting in July.” According to the data shared by the Women’s Coalition in Journalism, 61 female journalists were exposed to violence, threats or harassment in July. The top three countries with the highest number of such cases were Turkey, Georgia and Belarus. According to “The Price of News: July 2021” report prepared by the Journalists Association on monthly data regarding journalist prosecutions, 49 journalists were prosecuted in 17 separate lawsuits last month. One of the prosecuted journalists was sentenced to 11 months

and 20 days of imprisonment due to “insulting the President.” The report further pointed out that new lawsuits were filed in the same period as well. It was recorded that a moral compensation lawsuit that was worth 1 million Turkish Liras, was filed against a newspaper following a complaint, due to the news and articles published in the newspaper. Two journalists were detained in July. One journalist was summoned to testify within an investigation opened against them in July as well.

Current Status: Hundreds of people are being prosecuted on charges of insulting (!) Erdogan, state officials and bureaucrats.

6. GOAL - Protecting persons’ material and moral integrity, as well as personal life

After Ankara 8th Criminal Judicature of Peace issued an access ban against gay meeting and partnership network Hornet’s website on August 6, 2020; Hornet was removed from AppStore Turkey as well. In the message Hornet sent to Apple users, it was stated that the application was removed by Apple “as a result of the decrees issued by Turkish courts.”

In the reply given by the Ministry of Justice to the Constitutional Court on the arrests within the investigation started after a visual of the Kaaba was on the floor during an exhibition at Boğaziçi University, the Ministry targeted the LGBGQ+s by calling them “haram.” According to the Ministry, homosexuality is “haram” according to Islam and thus, the arrest warrants are in total compliance with the law...

Current Status: Systematic state violence against LGBTI+ individuals is on the rise.

7. GOAL - More effective protection of proprietary rights

Current Status: Appointing a trustee to a company, municipality or university has become a daily state practice. Property owners continue to be victimized by forced expropriations, especially in disaster areas.

8. GOAL - The protection of vulnerable groups and strengthening social welfare

The Council of Europe Convention on preventing and combating violence against women and domestic violence, better known as the Istanbul Convention, celebrated its seventh anniversary. Turkey withdrew from the Istanbul Convention in March with a decree signed by Erdoğan and the convention was officially repealed last month. As women continue to defend the Istanbul Convention, unfortunately, femicides continue to increase. According to the data compiled by BiaNet, men killed at least 24 women in July and raped 7 women. On the other hand, 11 women’s deaths were found suspicious.

Current Status: It is getting harder and harder for women, LGBTI+s and other vulnerable groups to survive in Turkey with each passing day.

9. GOAL - Administrative and social awareness on human rights

A group attacked the live broadcast of Halk TV from İçmeler district of Marmaris, reporting the wildfires. The Turkish Journalists Association and the Press Council held the government responsible for the attack. Halk TV made a statement, saying, “Verbal attacks, administrative penalties that are required to be based on legitimate reasons, and two physical attacks in a short period of time not only target Halk TV but press freedom. We will continue taking the responsibility of enlightening the people and informing them of the truth against all tyrannies.”

According to the data launched by the Freedom of Expression Association within the EngelliWeb 2020 report, access bans were issued against 467,011 websites, 150,000 URLs, 7,500 Twitter accounts, 50,000 tweets, 12,000 YouTube videos, 8,000 Facebook posts and 6,800 Instagram posts in the last 14 years. The number of websites banned from access only in 2020 were 58,809. On the other hand, 5,645 news websites were censored with 819 different decrees issued by 236 criminal judicatures of peace. [Please click here](#) for the full report.

Current Status: Internet bans are implemented in the broadest sense with the copy-paste decisions of the Criminal Judicatures of Peace, with the applications of public institutions and executives, and the ruling partner party leaders and dignitaries.

