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2017 BALANCE-SHEET OF HUMAN RIGHTS VIOLATIONS IN TURKEY The year that Passed under State of Emergency

Turkey's human rights axis shifted: Turkey Opted for regime change based on single-person government.

In Turkey, for the first time, the State of Emergency was put into practice for a whole year after 1987 when martial rule was abolished. However, this state of emergency administration was put into practice in a way making people to think which was worse. Therefore, Turkey almost made the State of Emergency permanent 30 years later when the martial law under 12 September 1980 Coup D'état was abolished. We would like to indicate that speaking of human rights is quite difficult under this conditions. For this reason, it won't be an exaggeration if we say Turkey's human rights axis shifted from the West to the East, from the EU Copenhagen Criteria to the Shanghai Five. As a matter of fact, we used in the previous periods the term "Ankara Criteria" instead of Copenhagen Criteria. Now we would like to express that we are in a point craving for even the Ankara Criteria.

In 2017, Turkey changed its constitutional regime under the de facto presidential administration under State of Emergency. The announcement of Electoral Council's illegal decision to accept the results of 16 April 2017 dated constitutional amendment referendum created a dire situation for human rights and democracy. It is an uncommon situation in the history that Turkey forced was forced to opt for a regime based on single-person administration, instead of Turkey's wish and tendency towards parliamentary democracy based on western merits as of the Charter of Alliance (1808).

Turkey's opting for a regime based on single-person is absolutely unacceptable. Turkey's democracy and human rights problems cannot be solved through such a constitutional amendment. On the contrary, it is necessary for Turkey to adopt the parliamentary system based on democracy, pluralism, openness and participation, to ensure separation of powers, to construct a jurisdiction based on rule of law, to ensure minority rights of different ethnic and religious communities living in Turkey, to provide a constitutional guarantee of the rights regulated in the agreements, declarations, charters and protocols of UN and Council of Europe regarding fundamental rights and freedoms. In order to perform these all, Turkey needs peace and a genuine conflict resolution. Being Turkey's most important problem, Kurdish Question was left unsolvable insisting on conflict and war. Grave breaches of human rights and humanitarian law occurred as a result of the ongoing conflict and war. The Peoples' Democratic Party (HDP) was exposed to constant detentions and arrests operations by being discriminated in the Parliament (TBMM) which is supposed to be looking for solutions to all these problems. Within this scope, 9 HDP MPs including HDP's former co-chairs and 1 CHP MP were kept under detention, 99 of elected municipalities were seized

Human Rights Association (IHD) is a non-governmental, independent and voluntary organisation. Established by 98 human rights defenders in 1986, the Association has 31 branches, 5 representation offices and 8108 members. Being the oldest and largest human rights organisation in Turkey, IHD's "sole and specific aim" is to conduct activities on human rights and freedoms.

through the State of Emergency Decree-Laws and mayors were arrested and put into prison. As seen, when a state cannot solve its basic problem it may derail. We as the peace defenders demand that the road to peace and a new peace process be constructed in order for Turkey to solve its democracy and human rights problems.

Maintaining the State of Emergency in 2017 caused Turkey to have various international problems. The Peace reopened the monitoring procedure in respect of Turkey on 25 April 2017. This is the first time such a situation occurred. Turkey became an internationally very criticized country because it didn't take serious many reports prepared by the EU and CoE bodies in respect of Turkey. However, the Government did not take these critics into consideration. Our recommendation for the Government is to make reforms by abolishing the State of Emergency, which will enable Turkey to be out of PACE's monitor and to carry out the homeworks required by the EU negotiations.

Practices of State of Emergency and Violations Caused by Decree-Laws

Both our Constitution and universal legal norms set absolute rules for the State of Emergency etc. transition regimes practices which enable the ruling party to seriously restrict/violate the basic rights and freedoms and to perform what they couldn't do in times when normal government principles are valid.

Accordingly, State of Emergency has to be a temporary application restricted with its justification for announcement in line with the Articles 120 and 121 of the Constitution and other related international rules. State of Emergency must be obviously subjected to national and international judicial accountability. There are the rights which cannot be restricted even under State of Emergency circumstances. These can be named as the core rights. According to the second paragraph of Article 15 of the Constitution, the individual's right to life, the integrity of his/her corporeal and spiritual existence shall be inviolable; no one shall be compelled to reveal his/her religion, conscience, thought or opinion, nor be accused on account of them; offences and penalties shall not be made retroactive; nor shall anyone be held guilty until so proven by a court ruling. Additionally, the rights in question cannot be suspended in accordance with the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights to which Turkey is a party. However, when we look at the balance-sheet below on which we say that it is incomplete, we can readily state that Turkey violated the Articles 15 of the Constitution, Article 15 of the ECHR and Article 4 of the International Covenant on Civil Rights.

Regarding the practices, the current State of Emergency regime do not abide by any of the rules indicated above. It went beyond its justification for announcement and became permanent instead of temporary. Moreover, the impacts of the State of Emergency will continue for years to come even if it is lifted right now since ordinary laws have been changed through Decree-Laws declared on almost every subject and tens of thousands of people were dismissed from the civil service indefinitely. National judicial control became inactive with the Constitutional Court's decision regarding non-revision of State of Emergency Decree-Laws, the international judicial control fell from favour due to the ECHR's inadmissibility decisions with regard to non-exhaustion of domestic remedies. Desperately, the core/fundamental rights are blatantly violated.

While the justification for the State of Emergency was the coup attempt, citizens became non-associated with each other by being debarred from "the right to have rights". That is to say, they have been deprived of the right to being a citizen. In fact, excluding one from being a right holder

citizen means excluding one from being person. In short, the State of Emergency became an instrument for oppression over society.

In accordance with the Article 121 of the Constitution, the State of Emergency Decree-Laws shall be submitted for approval by the Parliament on the date of their issuance. 31 Decree-Laws beginning from 667 to 697 have been issued so far. Some of these Decree-Laws did not submitted for parliamentary approval on the same day, violating the Constitution. **In line with the Article 121 of the Constitution and Parliament's internal regulation, the State of Emergency Decree-Laws shall be discussed and concluded by the Parliament.** To date, only the 697 numbered Decree-Law was approved by the Parliament, and this rule was violated in terms of the remaining 30 Decree-Laws.

Besides the State of Emergency was not declared according to the Constitution and the Decree-Laws enacted were not submitted for parliamentary approval, permanent amendments were made on around 300 laws with these Decree-Laws, the legal system was totally changed, and the Emergency regime became permanent.

The Constitutional changes were approved by the unlawful decision of the Supreme Electoral Council in the 16 April 2017 as a result of the anti-democratic behaviour of the political power under the state of emergency. The model of Turkish-style presidency based on the governance of single-person or the model of party-affiliated presidency was adopted. During the changeover of this model, the party-affiliated president immediately started his actions and Turkey became a party-state under the circumstances of the state of emergency.

As seen, the most important reason of perpetual extension of the state of emergency is nothing rather than an effort to sustain the power of the governing party with the anti-democratic regulations. There is a clear violation of the Constitution.

During the state of emergency, Council of Europe Human Rights Commissioner visited Turkey several times and submitted reports on this matter, Council of Europe Venice Commission visited Turkey 4 times and prepared reports on it, United Nations Human Rights High Commissioner's 3 special rapporteurs visited Turkey and prepared reports. **The reports stated that arbitrary treatments beyond the limitations in accordance with the agreements on basic rights and freedoms during state of emergencies are practiced and the State of Emergency should be lifted by amending all fast.**

The most crucial notice to Turkey during the State of Emergency has come from the Council of Europe. The Parliamentary Assembly of the Council of Europe's decision to reopen the monitoring procedure on the 25 April 2017 is a highly important decision. In the decision, it was indicated that Turkey should lift the state of emergency, the politicians, journalists and activists jailed for their opinions should be released and a range of recommendations was delivered.

The 6722 numbered Law was adopted on 14 July 2016 right before the declaration of the State of Emergency in order protect the state officials who were the perpetrators of rights violations during the curfews. The law was **retroactive**.

As if this were not enough, in many executive orders, including the 667 and 668 numbered Laws, impunity was fully assured by regulating no criminal, legal, financial or administrative responsibility for the state officials taking any action during the State of Emergency and any form of arbitrariness for the state officials became possible all the way.

What is more, granting impunity to civilians who have acted within the framework of suppressing the coup attempt on 15 July 2016 and terrorist actions that followed it in its aftermath pursuant to Article 121 of the Decree-Law No. 696 is the declaration of termination of the conception of state of law completely, in other words, removal of our being as a democratic and modern state and society.

With the 696 numbered State of Emergency Decree-Law, civilians were also added to the violence monopoly of the state which is protected by impunity, thus accompliceship was popularized. **Therefore, the vigilant civilian masses being partisan of the ruling party will attempt to arbitrarily punish not only the political dissents, but also the socially and morally aberrant people through a mentally called “denial of justice”, and they will be protected with the armour of impunity.** This situation is a permanent Emergency method by legitimizing the lynch culture. **What is worse, this will deepen the polarisation created in society with political concerns and interests, and drag the country into a chaos atmosphere where everyone impose violence on one another, where none of citizens have any guarantee regarding their right to life.**

We would like to indicate specifically that searching for justice is impossible under the state of emergency circumstances where impunity has become a state policy.

As far as we can determine, the statement which has developed under the state of emergency since 21st July 2016:

- With the Decree No. 667, which entered into force on 23 July 2016, the duration of custody was extended to 30 days. With the Decree Law No. 668, which entered into force on 27 July, the first 5 days of the custody were imposed with a lawyer. This application was applied continuously for 6 months. With the Decree No. 682, which entered into force on January 23, 2017, the length of custody was reduced from 30 days to 14 days and the lawyer’s opinion on the law was reduced to the first day in custody.
- We have experienced a process that 10 members of the parliament, including the HDP co-presidents Selahattin Demirtaş and Figen Yüksekdağ, were in jail and 9 members of the parliament together with Figen Yüksekdağ were relieved of their MP duties.
- The Decree-Laws during the state of emergency took possession of 99 municipalities, including 94 Democratic Regions Party’s municipalities, detained 68 elected co-mayors who served in the possessed municipalities, detained 28 HDP province co-presidents and 89 city co-presidents, 780 HDP province and city administrators. This process is ongoing.
- We have experienced a process that 116.512 civic servants were dismissed from their public duties, 3.833 of them were given back to their duties by the unconstitutional Decree-Laws in an environment where the Constitutional Court was deactivated during the state of emergency. 22.474 people (mostly teachers) who served in the private

institutions that were shut down lost their work permits. Only 614 of them got back their permits.

- 4.308 judges and prosecutors were dismissed by the decision of the Supreme Board of Judges and Prosecutors. Only 166 of them got their duties back.
- 48 private health institutions were shut down, 2 of them were reopened.
- 2.281 private educational institutions (schools, dormitories, and student residences) were shut down. 15 private universities were shut down, the activity of 19 unions and confederations were terminated. 3.041 permanent staff of 15 universities have become unemployed.
- In this process, the number of the companies appointed trustees by the government was 985, the economic size of them was 41 billion Turkish liras, and the number of the workers was 49.587.
- The major damage during the state of emergency was on freedom of expression, thereby on freedom of press. The number of the press institutions shut down, particularly printed and visual media, is 201; only 25 of them got permitted to reopen.
- Big number of journalists is detained during the state of emergency. 213 journalists are still in jail.
- During the state of emergency, 1.607 associations were shut down and 183 foundations were reopened. It was stated that most of the associations and foundations were accused of having ties with the Fethullah Gülen organization, the rest of them was indicated to have ties with other illegal organizations without any concrete reason. Other associations that were shut down were mainly Kurdish culture institutions, women organisations, and rights and law based organizations.
- The Inquiry Commission for State of Emergency Measures was established through the Decree-Law No. 685, dated 23 January 2017. The Commission on Examination of the State of Emergency which was supposed to be working within 6 months was founded after months and started to receive applications as of 17 July 2017. In accordance with the 2 March 2018 dated statement of the Commission, only 100 reinstatements were issued out of 6.400 applications examined. Among these applications, 1984 of them were reinstated through Decree-Laws and the number of those rejected was 4.316.
- Only 2 Administrative Courts in Ankara were entitled in order to appeal with the decisions of the Commission.
- Under the state of emergency conditions, violations of freedom of expression have hit the peak. According to the official statistics of the Ministry of Justice in 2016, 4187 people were sued due to insulting the president, through the Article 299 of Turkish Penal Code. 482 lawsuits were opened on insulting the Turkish nation through the Article 301 of the Turkish Penal Code. In addition to this, 17.322 people were sued due to making propaganda for illegal organizations in 2016. This picture increasingly continued in 2017. Since the statistics for 2017 are announced the following year, we would like to indicate only that the trend of increase continues.

Right To Life

The war politics that the ruling party maintain both domestically and internationally became the main reason for violations of human rights in 2017. Additionally, violations of the right to life is not only limited with the violations carried out by security forces. This also includes the violations that were committed by the third parties because the government did not perform the obligation to “prevent and protect”.

In 2017 according to the data of IHD Documentation Centre,

- 33 people lost their lives and 62 people got wounded as a result of summary execution by security force, not obeying the stop warning or random shots. Among them, 7 dead and 10 injured were shot by the Armed UAV (SIHA).
- 3 people lost their lives and 1 got wounded in detention centres in 2017. As a result of ongoing assaults by unknown assailants, 12 people lost their lives and 16 got wounded.
- 656 people in total including 161 soldiers, police officers and village guards, 483 armed militants and 12 civilians lost their lives. In this period totally 349 people including 309 soldiers, police officers and village guards, 26 armed militants and 14 civilians got wounded.
- As a result of the security forces’ armoured vehicle crashes, 23 people in total including 8 children lost their lives and 26 people including 6 children got wounded.
- 7 people in total including 6 children lost their lives and 28 people including 17 children got wounded as a result of mine and unclaimed bomb explosion.
- At least 19 people including 3 children lost their lives in prison as a result of various reasons.
- (In reply to CHP MP Barış Yarkadaş’ question regarding the number of prisoners committed suicide in 2016, the Ministry of Justice stated that 66 prisoner committed suicide in 2016 and additionally 40 prisoners committed suicide as of 15 July Coup Attempt.
- 19 people among the public officials dismissed through State of Emergency Decree-Laws from public service put an end to their lives. In 2016, 24 people committed suicide.
- The increase in violation against women’s right to life is continued. 408 women in total including 51 suicides and 357 women killed in social sphere lost their lives and 610 women got injured. 1074 women were forced to prostitution.
- In accordance with the data of the Worker’s Health and Work Safety Assembly, at least 2006 workers lost their lives in 2017.

We also would like to indicate that the death penalty which was mentioned by the political authority cannot be reintroduced. Death penalty is a violence by state abolishing the right to life, in other words, is a murder wilfully committed by the state. The right to life is the most privileged right to be protected. Abolishing the right to life directly by states causes

irremediable and irreparable damages, and the values of humanity to be ignored. Therefore, it is unacceptable for human rights defenders. Moreover, in case Turkey, who approves and put into effect the Additional Protocol Number 2 to the UN Civil and Political Rights and Additional Protocol Number 6 and 13 to the ECHR, reintroduces the death penalty, Turkey's EU and CoE memberships will certainly be suspended. This will have legal, political and economic consequences. Additionally, crimes and punishments cannot be applied retroactively. Countries applying this will be separated from contemporary world. This is a very serious subject which cannot be politically abused. We would like to emphasize this once again.

In Turkey, the ongoing conflicts in the Eastern Anatolia region and Southeastern Anatolia region where the majority of the Kurds live have created a concrete situation which should be dealt within the scope of humanitarian law and which require the implementation of the Common Article 3 of the Geneva Conventions. Court decisions in the international field also confirm this situation.

The decision of the International Criminal Tribunal for the former Yugoslavia on Prosecutor v. Boskoski, Ljube, Tarculovski, Johan provides a neat and almost complete outline regarding the objective indicative factors regarding the criteria of the "intensity of the conflict" and the degree of "organisation of the armed group" set out as of Tadić by the court. When the factors which are taken into account when assessing the intensity of the conflict by the court (the seriousness of attacks, the spread of clashes over territory and over a period of time, the number of civilians forced to flee from the combat zones, the type of weapons used, in particular the use of heavy weapons and other military equipment, such as tanks and other heavy vehicles; the extent of destruction caused by fighting (the number of casualties), the quantity of troops and units deployed etc.) and five factors taken into account to identify the degree of organisation of the armed group (the presence of a command structure, the group's ability to carry out operations in an organised manner, the level of logistics, the level of discipline and the ability to implement the basic obligations of Common Article 3 and the factors indicating that the armed group is able to speak with one voice) are examined, it becomes clear beyond doubt that the ongoing conflict in Turkey is an Armed Conflict not of an International Character according to Common Article 3 of the Geneva Conventions.

The ECHR's 12 November 2013 dated decision "Benzer and Others v. Turkey" categorically confirms this issue. Turkey was convicted in the case with regard to the death of 38 people as a result of bombardment of Kuşkonar and Koçağılı villages of Şırnak province by Turkish aircrafts on 26 March 1994. In this case, the ECHR referred to the Common Article 3 in paragraph 89 and the UN principles on the use of force and firearms by law enforcement officials in paragraph 90 of the decision and decided that an indiscriminate aerial bombardment of civilians and their villages cannot be acceptable in a democratic society by referring to the decision on Isayeva v. Russia and cannot be reconcilable with the customary rules of international humanitarian law and any of the rules regulating the use of force in armed conflicts in paragraph 184.

The ongoing domestic armed conflicts are one of the most important reasons of violations of the right to life in Turkey. We would like to indicate that the ongoing violations could be prevented through application of humanitarian law.

One of the most important violations that we faced for the first time in 2017 is that civilians are killed and wounded through Armed UAV (SİHA). We would like to indicate that these kinds of killing vehicles which should be subjected to strict conditions even at war are completely against the present regulation and should not be used. It is clear that giving a “stop warning” cannot be executed while using armed UAVs.

With the domestic security package enacted in 2015, the police’s authority to use weapon was significantly expanded in the Law on Police Powers and the increase in recent summary executions confirms this fact. With these amendments, the 6722 numbered law must be immediately amended and the impunity introduced through State of Emergency Decree-Laws must be ended.

Torture and Ill-Treatment

The significant increase on torture and other forms of ill-treatment in official detention centres during the state of emergency on the grounds of suppressing the military coup attempt and during the conflict that started after July 2015 in the South Eastern and Eastern Anatolia continued in 2017 as well. We can say that in such a climate, there is an increase in torture practices for forensic reasons. The same trend is seen in allegations of torture and other ill-treatment of detainees and prisoners in prison conditions under the state of emergency conditions. On the other hand, during social demonstrations, violence methods applied by security officers to persons exercising their right to demonstration and assembly reach the dimensions of torture and other ill-treatment.

According to Human Rights Association (IHD) data, a total of 2682 people have encountered torture and ill-treatment, 427 of them have faced beating or other methods in detention, 1855 of them have faced such treatment outside of detention centres during meetings and demonstrations intervened by the security forces in 2017.

- According to the data announced by announced by IHD on 30 May 2017, there were 11 cases of enforced abduction and disappearances, mostly in Ankara. 4 of these people were later released and 1 of them committed suicide. Along with the other cases occurred over the year, the situation of 9 people remains unknown. In addition, many people have been kidnapped and threatened, subjected to torture and ill-treatment especially in Ankara and in the region. Likewise, Human Rights Watch (HRW) has reported five incidents of kidnapping that could be ‘enforced disappearances. One of these cases was that a person who was kidnapped in Ankara (who had been detained in a secret place for 42 days and been subjected to alleged torture) was later found detained by the police. The duration of custody is still 14 days due to the state of emergency and various limitations have been imposed on access to the lawyer by the Decree-Laws.
- Procedural securities that have an important role in preventing the torture but which have been largely neglected for many years in practice have been significantly damaged in the final outcome of the legal arrangements made with the Decree-Laws during the state of emergency. Based on these legal regulations, it is possible to express that procedural securities such as informing the person on detention, informing the third parties, access to lawyer, access to doctor, proper examination in proper places, preparing duly reports,

applying immediately to a judicial authority for legal check, keeping detention records properly, and the possibility of independent monitoring have been removed majorly in recent times and an arbitrary atmosphere has been created on this matter.

- International prevention mechanisms under the United Nations and the Council of Europe, which are crucial tools to prevent the practices of torture and ill-treatment, are restricted to be able to work efficiently and there is no respect to any notice or recommendations of these mechanisms. For instance The Turkish Government has not permitted the European Committee for the Prevention of Torture (CPT) to publish the completed report on observation and evaluation from their unplanned visit to Turkey in September 2016.
- Although Human Rights and Equality Institution of Turkey is authorized to act as national prevention mechanism, it does not exercise its authority, does not review the applications on torture and ill-treatment. Likewise, the Parliament's Committee on Human Rights Inquiry is ineffective as it does not do examination on place.
- Impunity is still the biggest obstacle on struggle with torture. The matter of impunity is still in front of us standing as the key fact enabling torture for reasons such as not investigating the perpetrators, not prosecuting the investigated cases, filing indictments on lower crimes instead of torture, not punishing the defendants or punishing on the other grounds, delaying the penalties.
- Torture and ill-treatment practices have become widespread and ordinary during the state of emergency. Impunity stands out for the cases that are publicly known or referred to court. According to the Ministry of Justice's official statistics of 2016, the number of **lawsuits on the ground of torture** (the article 94 of the penal code) is 42, the number of lawsuits on the ground of torment, which requests a lower punishment, is 340. On the other hand, the number of lawsuits on resisting to police officers (the article 265 of the panel code) was 26.195. As it is seen, although there is no condition to resist a police officer under the state of emergency circumstances (In all events, police uses pressured water, paper gas, and rough power to disperse the protesters who cannot resist police), the lawsuits aiming to protect police are opened to conceal the practices of torture and ill-treatment. **The statistics show the high practice of impunity in the state of emergency circumstances.**

Kurdish Question

As HRDs, we always stated that Kurdish Question is the most important aspect of Turkey's human rights and democracy problem and if this issue cannot be resolved in a peaceful and democratic way, Turkey's human rights and democracy problems will not be solved. Hence, with reverting back to the war policies in July 2015, the relative tranquillity in terms of human rights caused by the peace process was replaced with chaos and severe human rights violations. Under this scope, violations have continued in 2017 with full intensity.

'Curfews', which were implemented intensely during 2015-2016, led to the violation of at least 1.5 million people's most basic rights to life and health to reside in the provinces and territories that curfew was implemented, stated as having no legal basis on both national and international law by

the European Commission for Democracy through Law (Venice Commission) and the Commissioner of Council of Europe Human Rights, have continued in 2017 with all of its negativity in short-term and small-scale.

A total of 94 province and district municipalities located in the region were managed by the appointed trustees under the state of emergency conditions, various lawsuits were filed against the co-mayors selected by people. 68 co-mayors are still arrested.

As well as HDP Co-Presidents Selahattin Demirtaş and Figen Yüksekdağ, 9 MPs are currently under arrest. 1 MP from the main opposition party is also under arrest. In addition, 9 of HDP MPs deputy jobs were cancelled.

As IHD, we have always supported a democratic and peaceful solution to the Kurdish Question. We insist on it. For that reason, we want the conflicts to stop immediately. We want the parties to switch to an environment in which there is no conflict. We also ask all parties to fortify, strengthen and monitor the conflict-free state and consentaneously take decisions.

We support the Dolmabahce Declaration, declared on 28 February 2015 by AKP and HDP İmralı Committee, and we want its requirements to be done.

We want the government to lift Abdullah Öcalan's isolation, clean the road for its solution, establish appropriate administrative, legal and political ground for negotiations and start negotiations as soon as possible.

We believe that it is dependent on human rights for the world and Turkey's alienation from world and exist in a world of peace. We want Turkey to withdraw the political projects it is trying to implement in the Middle East, withdraw from Afrin and Shahba located in Rojava region, in accordance with the principle of people determining their own future, and establish good neighbour relations with the Kurdish Administration in Syria.

Freedom of Thought, Expression and Belief

Political power's increasing ominous pressure and control on the media with the declaration of the state of emergency have continued in 2017 as well. Serious violations have occurred in the field of freedom of thought and expression. This year has also featured the opening of criminal cases and arrests of journalists, writers, human rights activists and others. Magazines and books were collected, and newspapers were closed down. Finally, it was announced that Özgürlükçü Demokrasi Newspaper and Gün Printing House was confiscated and trustees were appointed.

According to data collected by Solidarity Platform with the Arrested Journalists, 213 journalists are still kept in prison as detainees and convicted prisoners.

Access to a large number of websites has been blocked. Access to Sendika.org was blocked 61 times, to the website of Özgürlükçü Demokrasi newspaper 42 times. In addition, access to Mezopotamya News Agency has constantly been blocked. Since 29 April 2017, Wikipedia cannot be accessed. The last example of these prohibitions constitutes a denial of access to news published on the Cumhuriyet Newspaper website regarding the Paradise Papers.

Alevis' demands for equal citizenship could not find response in 2017 either. The ECHR decisions on the abolition of the compulsory religious courses and the acceptance of the Cem Houses as a place of worship have not been fulfilled.

Alevis, Christians, and Jews have been exposed to threatening and hate speeches by radical Sunni and racist groups.

The fact that the right to conscientious objection is still not recognized is an important violation of human rights.

Many of 1128 academics who have signed the statement for peace on 6 January 2016 was expelled from their public office, forced to leave Turkey. Istanbul public prosecution office have openly violated the freedom of expression rights by opening a public case against 148 Peace Academy Scholars in accordance with the TMK Article 7/2. They have begun to receive imprisonment in these cases.

143 cases were opened against IHD Co-President Eren Keskin due to the fact that she was the editor-in-chief in Özgür Gündem Newspaper between 2014 and 2015 in order to be in solidarity with the newspaper. In these cases so far she was fined **355.920 TL. 105.920 TL was finalised and there still a possibility to impose judicial fine in the amount of several hundred thousand on her.** On 29 march 2018, Istanbul 2nd Criminal Court of First Instance punished her with 7 and a half years of sentence. She was punished with prison sentences for decades and appellate reviews are in process. All these cases are continued within the scope of restricting, prohibiting and punishing the freedom of expression.

In 2017, in the cases opened in line with the Articles 6/2 and 7/2 of the Turkish Penal Code against 38 of 53 intellectuals, writers, artists and activists who were on duty editor-in-chief in the Özgür Gündem newspaper were punished with imprisonment and pecuniary punishments, these punishments were postponed. The punishments imposed on Journalist Murat Çelikkan were postponed. Murat Çelikkan were taken into prison on 14.08.2017 and released on 21.10.2017. The Main Özgür Gündem Case and other cases are still continued.

The Main cases of Cumhuriyet Newspaper and Zaman Newspaper were continued in 2017. Imprisonment of Akin Atalay from Cumhuriyet Newspaper was continued. Journalist Can Dündar was obliged to flee from country. While Şahin Alpay from Zaman newspaper were released upon the Constitutional Court's second decision, journalist Mehmet Altan was not released despite the Constitutional Court Decision.

There are restrictive provisions in at least 17 laws including the Constitution, which are regarded with the subjects of the freedom of expression and the press in Turkey's legislation and which cannot be suggested in accordance with the regulations in supranational documents, and in the Parliamentary internal regulation through Decree-Laws enacted after the 15 July Coup Attempt.

We can order them as follows:

- 1) Constitution
- 2) 5237 numbered Turkish Penal Code
- 3) 5816 numbered Law on Crimes Committed against Ataturk
- 4) 3713 numbered Anti-Terror Law
- 5) 6112 numbered Law on Establishment of Radio and Television Enterprises and Their Media Services
- 6) 5651 numbered Law on Regulating Broadcasting in the Internet and Fighting Against Crimes Committed through Internet Broadcasting
- 7) 2820 numbered Law on Political parties
- 8) Law on Protecting Minors against Obscene Publications
- 9) 5187 numbered Law on the Press
- 10) 5682 numbered Law on Passports
- 11) 6458 numbered Law on Foreigners and International Protection
- 12) 2935 numbered Law on State of Emergency
- 13) 2911 numbered Law on Meetings and Demonstrations
- 14) 5442 numbered Law on Provincial Administration
- 15) 2559 numbered Law on Police Powers
- 16) 1632 numbered Military Penal Code
- 17) 5275 numbered Law on the Execution of Sentences and Security Measures

Subjects/fields including restrictions regarding the freedom of expression in the Legislation can be summarised as follows:

- 1) Written and Visual Media (Press, publications, radio, TV, Internet)
- 2) NGOs, Democratic Mass Organisations, Professional Organisations, Trade Unions and Confederations, Political Parties and Formations
- 3) Meetings and Demonstrations
- 4) Education, Training, Students, Academics
- 5) Books, Magazines, Brochures, Posters
- 6) Legislation regulating provincial administration and extraordinary administration methods such as State of Emergency

In terms of media ownership and capital structure, we need to include a particular non-existence of normative regulation into these numbers.

Moreover, we need to indicate that there are certain laws including restrictive provisions in Turkey's legislation, especially in terms of the right to access information/truth.

For example, there are legal regulations stated with such terms as "secret" and "state secret" in 32 laws and "confidentiality", "prohibited", "unexplainable" in 60 separate laws. **These regulations are problematic in terms of the right to access information and truth.**

Article 105/5 of Parliamentary Internal Regulation regulates parliamentary inquiry issues as follows:

"Together with commercial secrets, state secrets shall be excluded from **parliamentary inquiry.**"

However, what the state secret means and its definition are not defined in any law. **Practically, state secret is what the authority having information calls as state secret.**

As seen, the problem of freedom of expression is one of the most comprehensive structural problems of Turkey.

Additionally, we need to indicate the mentality in terms of the freedom of expression behind the ruling party as follows: the extensive coverage of terror definition, non-discrimination between those using violence and those non violent, the criminal procedure applied, non-implementation of

rule of law and thus non-sticking to practices of the ECHR and Constitutional Court, almost completely political authority dependent judiciary due to the State of Emergency.

We demand for these points indicated below be performed in the short term:

Non investigation of the crimes and punishments committed through the press, suspension of these investigations, dropping the cases, withdrawal of the punishments imposed, declaration of finalised judgements null and void.

Prisons

In 2016, prisons maintained becoming the place where human rights violations occurred most intensively.

- As of 1 November 2017, there are 230.735 arrested/convicted/sentenced persons in prisons. This number was 178.089 in 2015 and 154.179 in 2014. When the AKP came to power, the number was 59.429. In accordance with the Turkish Statistical Institute's provincial population data, total population in prisons are more than Turkey's 13 provinces.
- Beating while entering prison and its afterwards, accusing political prisoners as "terrorist" and beating them only for this reason, strip search practices, any kind of arbitrary treatment and disciplinary punishments, solitary confinement, uniformed prisoner clothes, exile and transfer practices have reached a point which was not seen in the recent history. The "Triple Protocol", which was first regulated by the Ministry of Justice, Ministry of Interior Affairs, and the Ministry of Health on 6 January 2000, is known as it is against law and human rights and disregards patient rights, detainee/convict's rights, and medical ethics and this protocol was renewed on 30 October 2003 and 19 August 2011.
- This protocol was renewed once again on 21 January 2017. Being already unacceptable as of its outset in terms of human rights and health, it was revealed to be more unserious, inhuman and unlawful with the renewed form.
- There are serious problems in terms of the right to health in prisons. It was observed that those convicted and arrested face significant obstacles and the required medical personnel and equipment were not available. According to the data of IHD, there are **1154 sick prisoners including 401 seriously ill** in Turkey's prisons. In order to make room for thousands of people arrested after the 15 July 2016 Coup Attempt, most of these sick prisoners who were held in certain centres such as Ankara, İstanbul, İzmir and whose treatments are hardly continued, were exiled to other prisons; therefore, their treatments became difficult to carry out. Among these people, 401 persons whose health status are serious must be immediately released in terms of humanity and legality. It is unacceptable that the files of many arrested and convicted sick prisoners who are determined not to be able to keep up on their own as a result of their serious illnesses and disabilities in accordance with the Forensic Medicine Institution are waited before Prosecution Offices; moreover, their refusal is also unacceptable in terms of conscience

and legality. In accordance with the data of the Ministry of Justice, 451 arrested and convicted people whose serious illnesses are determined by the Forensic Medicine Institution lost their lives in the last 5 years. Besides, the reliability of these datum is another moot point. Required legal and administrative measures must be taken in order for the immediate release of sick prisoners and their rapid treatments. If needed, Article 16 of the Law on the Execution of Sentences and Security Measures should be amended or the problem should be addressed through a provisional article.

- The penal system based on solitary confinement and isolation continues to threaten the physical, social and psychological integrity of those arrested and convicted. In one or three-people cell system those arrested and convicted are prevented to get in contact with each other. This situation leads to serious damage on them. The Ministry of Justice's regulation aiming at softening these isolation circumstances (no. 45/1, dated on 22 January 2007) on 10 detainees/convicts to be able to have 10 hours a week to socialize is still in force but not practiced efficiently and smoothly. The absolute isolation on Abdullah Öcalan kept in İmralı F-Type Prison must be lifted, he must be provided with family and lawyer visits. This prison must be immediately closed.
- The children's, families' and other prisoners' applications to the IHD branches demonstrate that the children in prison are not able to put up with prison conditions, they have serious psychological blockage, hurt themselves, attempt to suicide and also face harassment, abuse, torture and ill-treatment. Scientific studies from various disciplines reveal that punishment in general, but closure in more specific, have no effect on crime prevention or education. Therefore, juvenile prisons must be closed, which is an inhuman practice.
- There are strong claims regarding torture and ill-treatment in prisons according to the lawyer applications and complain letters coming from prisons. Especially the claims increased as of the announcement of state of emergency. In 2017, as much as IHD could determine, 1.988 inmates claimed that they faced torture and ill-treatment. Turkey ratified the UN Optional Protocol to the Convention against Torture (OPCAT) and carried out the legal regulation via national prevention mechanism; however, Turkey acts against the convention because it did not put into practice. The 6701 numbered Law on the Human Rights and Equality Institution of Turkey entered into force after its publication in the Official Gazette on 20 April 2016. With this law, the duty to investigate and prevent the claims of torture and ill-treatment, in other words, the duty of national prevention mechanism was given to the Institute. We would like to indicate especially on this matter that we conveyed our thoughts and recommendations regarding this matter, which was not regulated in accordance with the UN Paris Principles, orally and in writing to the Parliamentary Human Rights Investigation Commission and Government. However, nothing is done in order for the Institution to efficiently work in spite of all of our objections. Turkey's prisons must be immediately investigated by independent commissions. Representatives of human rights organizations must be allowed to probe in prisons.
- With the Article 32 of the State of Emergency Decree Law numbered 671 entered into force upon its publication on the Official Gazette dated 17 August 2016 and the provisional Article 6 and 7 added to the 5275 numbered Law on the Execution of

Sentences and Security Measures, probation period was abated from 2/3 to 1/2 in order for most of the criminal prisoners to benefit from and the probation period for those who have 1-year sentence remaining were changed to 2-year in the regulation, and an “**implicit State of Emergency amnesty**” was granted by this extension. This regulation was continued in 2017 by adding the provisional Article 8 to the 5275 numbered Law through the 694 numbered Decree-Law.

- In accordance with the 5275 numbered Law on Execution of Sentences and Security Measures which is still in effect, criminal prisoners are required to serve two thirds of their sentences while political prisoners are required to serve three fourths of their sentences. With the 671 and 694 numbered Decree-Laws, this situation became in favour of criminal prisoners, while it remained unchanged in terms of political prisoners. With this practice, the political power disturbed the balance that they redressed; thus, largely rose discrimination between prisoners. In order to abolish the discrimination created in the phase of execution of crime and punishment, the Article 5 of Anti-Terror Law must be repealed, the increase in half proportion must be ended, which is given to the crimes issued according to the Article 3 and 4 of Anti-Terror Law. Additionally, the conditional release as outlined in Article 17 of the Anti-Terror Law as being predicated on the completion of 3/4ths of one’s sentence needs to be lowered to ½ as in decree-laws and the clause 4 of Article 107 of Law No. 5275 must be removed in order to eliminate discriminatory policies. The final clause of Article 17 of the Anti-Terror Law must be removed immediately as it includes “extended death penalty”.

Pressures On Freedom of Organisation, Human Rights Organisations and Defenders

Announcement of state of emergency and the trade unions, associations and foundations closed through Decree-Laws show that the freedom of organisation is seriously under strict pressure of the political power. Through state of emergency Decree-Laws some human rights organisations were targeted and permanently closed. 2017 became the year in which mainly our institutions’ executives and staff, many human rights defenders and lawyers were taken into custody and even arrested transgressing Un Declaration on Protection of Human Rights Defenders. We experienced a year in which HRDs’ meeting was raided, they were taken into custody and released subsequent to 4-month detention, which is known as the Büyükada Case. Together with Atty. Taner Kılıç, Executive Board Chairman of Amnesty International Turkey Branch, HRD Osman Kavala and Selçuk Kozağaçlı, President of Contemporary Lawyers’ Association, numerous association executives and members are arrested. In 2017, 47 lawyers in total were taken into custody through police interventions to their statements or house raids. 17 of these lawyers were arrested.

Mainly IHD and Human Rights Foundation of Turkey (TIHV), many rights and law based organisations published fact finding and observation reports regarding the settlements where the curfews which were launched on 16.08.2015 and still continuing in Eastern and Southeastern Anatolia Region. Upon the letters of the General Staff, being uncomfortable with these reports, to the Ministry of Internal Affairs, a decision was taken in June 2018 with the approval of the Minister to audit IHD Headquarters in terms of administration, financial and activities. The audit was carried out by the Ministerial Auditors between the dates of 27.06.2016 - 21.09.2016 and its report was announced on 20.06.2017. Therefore, writing of the report lasted during the state of emergency. In

the Audit Report, it was requested to open a law suit against IHD in line with the Article 301 and 302 of Turkish Penal Code and Article 7/2 of Anti-Terror Law due to the reports published by IHD Headquarters and Branches, press statements and decisions taken by IHD Executive Board and an action for annulment against IHD Headquarters was requested. Upon this request, the 2017/8007 numbered investigation of the Ankara Office of Chief Public Prosecutor against IHD President Öztürk Türkdoğan and more than 40 other executives and members and the investigation is continued. Additionally, upon the complaints by the General Headquarters, the 2016/15529 numbered investigation of the Ankara Office of Chief Public Prosecutor due to IHD reports regarding the curfews against IHD President Öztürk Türkdoğan and presidents of other institutions on the Article 301 of the Turkish Penal Code are still continued.

Due to the actions of judicial branch under state of emergency conditions influenced by the Government, IHD Ağrı Branch Executive Atty. Olcay Öztürk, IHD Dersim Branch Executive Özgür Ateş are still in prison. Other than these, the cases regarding tens of IHD executives and members are continued.

Numerous IHD executives and members were taken into custody and arrested due to their statements criticizing the military operation launched on 20.01.2018 against Syria's Afrin and defending peace against war. Within this scope, IHD Executive Board member Hayrettin Pişkin was arrested on 24.01.2018 and released on 21.03.2018. IHD Kars branch President Ahmet Adıgüzel was arrested on 01.02.2018 and released on 15.03.2018. IHD Executive Board Member Nuray Çevirmen was taken into custody on 22.01.2018 and released together with a judicial control decision after 4 days in custody. IHD Hatay Branch President Mithat Can and IHD İskenderun Branch President Coşkun Selçuk were taken into custody due to the same statements, then released with a judicial control decision imposed on them. Also, IHD Malatya Branch Executive Mehmet Tuncel and Abuzer Yavaş were arrested due to the same statements and are still in prison.

18 lawyers being executives and members of Contemporary Lawyers' Association shut down through the 667 numbered State of Emergency Decree-Law were taken into custody on 08.11.2017 and arrested subsequent to 7 days in custody. Among these lawyers, Atty. Selçuk Kozağaçlı was the President of Contemporary Lawyers' Association at the time when he was arrested.

President Dilşat Aktaş and other 10 executives of Community Centers (Halkevleri) which was among the organisations criticized the military operation carried out against Afrin and called for peace, were taken into custody on 22.02.2018 and were released with a judicial control after 7 days in custody. Moreover, Peoples' Democratic Congress (HDK) Co-Spokespersons Prof. Dr. Onur Hamzaoğlu, a peace academic in the same time and numerous political party and NGO executives were taken into custody on 09.02.2018, Onur Hamzaoğlu and Fadime Çelebi were imprisoned after 7 days in custody. Justification for imprisonment is the Article 7/2 of Anti-Terror Law and Article 216 of the Turkish Penal Code.

2017 was also a year that high number of human rights defenders and activists had to leave Turkey. Atty. Hasan Anlar, IHD's Secretary-General and HRFT Board Member, had to leave Turkey. Atty. Halil İbrahim Vargün, the IHD's former-member of central executive board and Ankara Branch Board Member, who was on the same trial, is still in jail. The former-head of the Confederation of Public Sector Trade Unions (KESK) and many former managers of KESK's unions had to leave Turkey. The lawsuits that our friends are tried are actually the compassed trials that were set up by police, prosecutors, and judges who are the members of the Fethullah Gülen organization. The political power admitted the compass in some trials that suits them but not in the trials of our

friends. The lawsuits demonstrated that jurisdiction is under the pressure and guidance of the political power.

In 2017, the administrative and legal pressures on executives of the KESK and KESK-affiliated trade unions are still continued. KESK published a special report regarding the topic.

Investigation and trials are still continued for a big number of the IHD and HRFT executives and the activists of other human rights organizations. A special report will be published on this subject.

Freedom of Assembly and Demonstration

2017, just like the previous year, became an extraordinary year when violations and restrictions in terms of the freedom of assembly and demonstration. With the authority given by the state of emergency, governorships of many provinces have taken the decision to prohibit one-off, one-on-one, and one-on-one for various meetings, demonstration, and events. These prohibitions range from a meeting about the negative effects of geothermal power plants to high school and university festivals, cultural, artistic and natural festivals to LGBTI + events.

Some of these prohibitions have a symbolic prefix that makes the world of mentality of political power open. The Trans and Pride Marches, which are organized by LGBTI+ individuals for years, were banned in many cities this year. Ankara Governorship recently banned first the LGBTI+ Movie Days, and later all events organized by the LGBTI+ organizations.

Police violence is a tough administrative technique that all governments can easily refer to throughout the history of the republic. However, the AKP government has been using the police violence at every occasion for all the social sectors opposed to its own policies, which is getting intolerant to criticism and objections day by day and has reached the final limit of authoritarianism. Almost all social groups, including Kurds, labourers, Alevi, women, LGBTI individuals, and football fan groups, have one share of this violence. In Erzincan, 16 people who are members and executives of Pir Sultan Abdal Cultural Association were arrested.

In 2017, law enforcement officers resorted to extreme / unmeasured / disproportionate power and violence by using pressure water plastic bullets, chemical weapons / demonstration control agents and even firearms in hundreds of peaceful demonstrations.

As far as the IHD Documentation Centre could determine, the law enforcement officers intervened 735 meetings and demonstrations, and 2.193 people participating in these meetings filed complaints about torture and ill-treatment in 2017. Majority of these people were taken into custody.

Almost all demonstrations are banned and not permitted in the East and the South East of Turkey.

A large number of people were imposed punitive fine for violating the State of Emergency law in Tunceli, Diyarbakır, Batman, İstanbul, Eskişehir, Malatya, İzmir, particularly in Ankara as a result of demonstrations held by those who were dismissed through the State of Emergency Decree-

Laws. Apart from that, there are tens of investigations and cases for the violation of the 2911 numbered law.

Academic Nuriye Gülmen and teacher Semih Özakça, who were dismissed from their positions with the State of Emergency Decree-Laws, started the sit-in protest saying “I want my job back” on November 9, 2016 in Ankara Yuksel Caddesi and several arrests took place, punitive fees were imposed, investigations and cases were opened. Sociologist Veli Saçılık, teacher Acun Karadağ, teacher Esra Özakça, health officer Adnan Vural and many people joined the protests. 2 cases were opened for being a member of an organisation and 5 cases were opened for the violation of the 2911 numbered Law against those people. The protests were intervened by the law enforcement officers 232 times and 586 persons were taken into custody. There are tens of ongoing investigations. You can refer to IHD Headquarters’ statement dated 9 November 2017 regarding this issue. IHD wanted to make a statement in front of the Human Rights Monument in Ankara Yuksel Caddesi, the police did not allow it and took General President Öztürk Türkdoğan and other IHD executives into custody, they were released a few of hours later.

Academic Nuriye Gülmen and teacher Semih Özakça, who have become a symbol of resistance against the State of Emergency Decree-Laws, staged hunger strike for 324 days and they ended their hunger strike on 26 January 2018 as judicial remedy became available because the State of Emergency Commission rejected their application. They are still in recovery, they are waiting for the decision of Ankara Administrative Court and they continue to express their demands to get their job back.

Ankara Governorship did not allow IHD to deliver a statement on Yuksel Caddesi on the human rights day on 10 December 2017. However, AKP supporters’ protests on Jerusalem have been provided with convenience for several days. As can be seen, the state of emergency is used arbitrary in accordance with political needs.

Violence Against Women

With international cooperation, struggle of women has obtained important achievements in statute law. Also, highly important agreements regulated in international law on violence against women are signed by the Republic of Turkey. However, our achievement either on domestic law or on international law does not take any place in the jurisdiction.

Judges and prosecutors are extremely insensitive towards the international agreements. The most important of these agreements is perhaps the Council of Europe Istanbul Convention. Moreover, the Republic of Turkey is the first signatory of this agreement.

This agreement aims at preventing the violence against women or domestic violence. The third article of such an important contract defines the objective of the contract as: “‘Violence against women’ is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”

The article 6 of the convention entails the duty of developing ‘gender sensitive policies’ to all state parties. The Istanbul Convention is an important contract on creating productive policies in the field

of violence against women and taking preventive measures against violence. However, let alone judges and prosecutors implementing this, they are not aware of such contract. This is a desperate situation when we think that international contracts are of binding quality on local statute law.

The article 5 of the Convention on the Elimination of All Forms of Discrimination Against Women, which was signed by Turkey as well, gives a task to the signatory states to ‘modify the social and cultural patterns of conduct of men and women’.

The social violence legitimized particularly after the state of emergency following the 15 July coup attempt creates negative effects on the practice of violence against women. Following the declaration of the state of emergency, the observed increase of the cases of violence against women, the examples of official violence against women, the practices imposed on women in prisons are the clear examples.

Along with the state of emergency, a large number of women were dismissed from their jobs, many exported women organizations were shut down, and many women were imprisoned as a violation of freedom of expression. It is unfortunate that these practices continue on Human Rights Week, which began on December 10th. The state of emergency “BEAT” the women the most, it was a “COUP” on the women’s freedom.

We want the termination of male violence against women, the unconditional practice of equality and anti-discrimination in social and public spheres and the state to fulfil the obligations on this matter. The IHD, together with the FIDH, has submitted an alternative report to the CEDAW committee against Turkey’s report. Turkey was assessed after some meetings and sessions. The CEDAW Committee made some recommendations to the Republic of Turkey on 25 July 2016. The recommendations, which we agree on, can be summarized as:

- To stop the repressive measures practiced against the representatives of women organizations and rights defenders, ensure their active participation in the process,
- To eliminate the inequalities practices against Kurdish women and women refugees and asylum seekers,
- To strengthen the Directorate General on the Status of Women technically and financially, ensure their focus on women rights,
- To put an end to prejudices and discriminatory speeches,
- To implement the National Action Plan to stop gender based violence, make necessary legal arrangements, arrange support services, establish an emergency hotline, which can be operated in several languages,
- To make legal arrangements towards the women’s decision on abortion until the 10th week of the pregnancy and until the 20th week in case of rape,
- To give enough punishment to the murders committed to so-called honour killing, have effective investigation on women’s suicides and accidents,
- To have legal recognition and registration of marriage.

Economic and Social Rights

Together with around 200.000 people dismissed from public and private sector through state of emergency Decree-Laws and their families, approximately a million people were sentenced to hunger. The dismissals that we could call as “civilian death” constitute very serious economic and social rights violations. With its current state, the State of Emergency Commission is not possible to find a solution. Those connected with the coup attempt could be identified by institutional disciplinary investigations within their institutions after reinstating those dismissed through a single Decree-Law. We need to express that use of the term “coherent (“iltisaklı” in Turkish) is completely unlawful. Therefore, only the matter of coup attempt must be investigated based on the justification for State of Emergency.

Workers’ rights which was restricted under State of Emergency retrogressed further. Certain strikes which could be done was postponed and de facto strike ban was imposed in Turkey.

According to the data of the Occupational Health and Safety Council, at least 2.006 workers have lost their lives as a result of work-related accidents/killings in 2017. In recent years, there has been a continuous increase in the number of workers who have lost their lives under the name of work-related accidents. As is seen, work-related killing cannot be prevented under the State of Emergency conditions.

Tens of thousands of people who get a job in the public and private sector for the first time could not start to work because of the imposed security clearances. About 700 newly graduate doctors could not start to work in the health sector. Although the political power braggingly declared to the public that subtracted workers were going to have full staff positions, it was revealed that at least 500.000 subcontracted workers were not offered permanent staff positions since they failed in security clearances. As is seen, economic and social rights has regressed even worse, finding a job has become more difficult under the State of Emergency conditions.

It is very tragic that the ILO European Regional Meeting was held in Turkey in October 2017 although the 111 numbered convention and other related conventions of ILO was violated in Turkey. We would like to express that we criticize the attitude of ILO which is unable to protect labour rights.

IN CONCLUSION;

The practices of State of Emergency which have been continuing for about 20 months is one of the primary sources of grave and serious human rights violations in all respects in Turkey 2017 and it must be stopped immediately.

Democracy cannot be currently mentioned in Turkey even at the minimum standards. Therefore, our struggle for democracy is remaining and inevitable. It is clear that Kurdish Question cannot be solved through armed conflict. Thus, our struggle for peace is also remaining and inevitable. We call on the government to take up the 28 February 2015 Dolmabahçe Declaration and to recognize the democratic will and desire of the people for peace.