

Repression, Obstacles and Challenges Faced by Human Rights Defenders in Turkey in 2022

This report has been prepared by the Human Rights Foundation of Turkey in order to bring the escalating repression, obstacles and challenges faced by human rights defenders in Turkey into light and to strengthen solidarity with human rights defenders.

The report is based on information gathered by the Regional Solidarity and Cooperation Groups established to identify the pressures and challenges faced by human rights defenders in Adana, Ankara, Diyarbakır, Istanbul, Izmir, Van, and neighboring provinces and to strengthen solidarity with them. It should nevertheless be noted that repression and challenges faced by human rights defenders in Turkey might be much more than those included in this report.

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Introduction

Human rights defenders¹ and civil society actors in Turkey face pressure, obstacles, and difficulties due to their work for the protection and promotion of human rights and the prevention of human rights violations, in particular for making human rights violations visible and for opposing policies and practices of the authorities that violate human rights. Judicial and administrative harassment, threats, physical violence and targeting of human rights defenders, as well as obstructions of and ban on peaceful meetings, demonstrations and marches will be shared in this report prepared by the Human Rights Foundation of Turkey.²

Between 1 January 2022 and 31 December 2022, a total of **4819**^{3 4} individuals were subjected to one or more of the following interventions: judicial harassment, administrative harassment, physical violence, threats, targeting and reprisals. In the same period, **16 associations, 5 professional organizations** and **1 foundation** were directly or indirectly targeted and subjected to judicial and administrative harassment due to their human rights activities. A total of **311** peaceful meetings, demonstrations and marches were obstructed in **34** different cities.

¹ The UN Declaration on Human Rights Defenders adopted by the UN General Assembly on 9 April 1998, defines the concept of human rights defenders as persons who act to promote, protect or strive for the protection and realization of human rights and fundamental freedoms through peaceful means individually and collectively at the national and international levels or those who exercise such right. The Declaration lists the constituents of human rights defenders as individuals, groups, and organizations. This report was prepared thanks to the information and data collected by Regional Solidarity and Cooperation Groups based on the criteria set forth in the Declaration.

² HRFT is an internationally recognized civil society organization that has been offering treatment and rehabilitation services for those subjected to torture and other forms of ill-treatment along with their families, and has been working to prevent human rights violations, most notably torture since 1990.

³ The included data were identified by the Regional Solidarity and Cooperation Groups established within the scope of the project. The data was obtained through interviews conducted by group members with the defenders, their relatives and lawyers, limited media monitoring, and interviews with other organizations and individuals active in the field of human rights in the provinces.

⁴ Although the Documentation Center at the HRFT accepts the concept of human rights defender in accordance with the definition stated in footnote 1, violations in the "Annual Human Rights Reports" prepared by the Documentation Center may differ from the data on violations presented in this report as they are classified according to different categories of rights.

Judicial harassment

The activities of human rights defenders are impeded by the instrumentalization of the judiciary. Judicial harassment stands out as the most common method of pressure and obstruction to which human rights defenders are subjected. Judicial harassment manifests itself in baseless criminal investigations and prosecutions, unlawful and arbitrary detentions, arrests, raids, and searches of civil society organizations. The deterrent effect of these criminal law measures against human rights defenders suppresses the efforts for human rights advocacy and shrinks civic space. In this context, **3292** individuals and **22** rights organizations were subjected to various forms of judicial harassment in 2022.⁵

Criminal proceedings

In 2022, **1143** human rights defenders appeared before judges in **105** different criminal cases filed against them based on their activities in the field of human rights. In 31 criminal cases in which 435 rights defenders were tried in total, it was observed that the prosecution phase was launched in 2022.

In violation of Article 141/4 of the Constitution and Article 6/1 of the European Convention on Human Rights, the practice of harassing human rights defenders with protracted criminal cases continued in this period. 32 rights defenders continued standing trial in 3 cases filed in 2019, 71 human rights defenders continued standing trial in 16 cases filed in 2020, 341 rights defenders continued standing trial in 42 cases filed in 2021 and thereby were subjected to judicial harassment with maintained criminal proceedings even though they are baseless.

Although not included in the total number of criminal proceedings, 11 human rights defenders were subjected to judicial harassment during this period through the extension of the appeal phase. Dr. Mehmet Raşit Türkel, who served as the President of the Central Council of the Turkish Medical Association (TTB) between 2016 and 2018, and Central Council members Dr. Sinan Adıyaman, Dr. Ayfer Horasan, Dr. Bülent Nazım Yılmaz, Dr. Dursun Yaşar Ulutaş, Dr. Funda Barlık Obuz, Dr. Hande Arpat, Dr. Mehmet Sezai Berber, Dr. Mustafa Tamer Gören, Dr. Selma Gögür and Dr. Şeyhmuz Gökalg were targeted, detained in house raids and were subsequently prosecuted following the statement titled “War is a Public Health Problem” published on the official website of the Turkish Medical Association on 24 January 2018 regarding the Turkish Armed Forces' military operation in Afrin. At the final hearing held on 3 May 2019, the Ankara 32nd Assize Court sentenced all the physicians to 1 year and 8 months each and to 10 months in prison for “inciting the public to hatred and hostility.” Additionally, Hande Arpat was sentenced to 1 year 6 months and 22 days for “making propaganda for a terrorist organization.”

On 28 September 2022, the 19th Criminal Chamber of the Ankara Regional Court of Appeals overturned the verdict of the first instance court and acquitted 11 human rights defenders. The Chief Public Prosecutor's Office of Ankara Regional Court of Appeals appealed the acquittal on 7 October 2022, requesting that the sentences given to the human rights defenders be upheld.

⁵ Developments in 2023 regarding the investigation and prosecution processes mentioned in this report will be included in the information notes covering the year 2023.

In 2022, human rights defenders were most frequently charged with “defying the Law No. 2911 on Meetings and Demonstrations.” This charge was brought against 949 human rights defenders tried in 53 different cases. Under the general heading of “defying the Law No. 2911 on Meetings and Demonstrations,” human rights defenders who exercised their constitutionally guaranteed right to organize peaceful meetings and demonstrations within the scope of their rights advocacy activities were charged with “participating in unlawful meetings and demonstrations and not dispersing despite warnings and use of force” in 46 cases and with “organizing or leading unlawful meetings or demonstrations or taking part in the actions of such meetings and demonstrations” in 7 cases.

On 10 May 2022, 8 women human rights defenders were charged with “defying the Law no. 2911 on Meetings and Demonstrations.” The human rights defenders wanted to make a press statement in front of the Ankara Courthouse before the trial of 33 women who were subjected to police violence and were detained during a demonstration held on 12 August 2020 to protest President Recep Tayyip Erdoğan’s decision to withdraw from the Istanbul Convention.

As evidence for the charges, the prosecution presented the press statement, the banner reading “12th President of the Republic, Women Don’t Want You” confiscated by the police, and the slogans “The Istanbul Convention Keeps You Alive” and “We don’t shut up, we don’t fear, we don’t obey” chanted by the women during the police intervention. The prosecutor who additionally charged a human rights defender with “damaging public property”, cited the torn T-shirt of the complainant police officer as evidence.

It was observed that the efforts to criminalize and delegitimize human rights advocacy activities through terrorism-related charges continued in this period. In 2022, terrorism-related charges regulated under the Anti-Terror Law No. 3713 and the relevant articles of the Turkish Penal Code (TPC) were among the charges brought against 103 human rights defenders tried in 38 different trials. The charge of “membership in an armed terrorist organization” (TPC Article 314/2 & Anti-Terror Law Article 7/1) was among the charges brought against rights defenders in 23 cases, while the charge of “making propaganda for a terrorist organization” (TPC Article 220/8 & Anti-Terror Law Article 7/2) was brought against human rights defenders in 12 cases. Human rights defenders were charged with “knowingly and willingly aiding and abetting an illegal organization without belonging to the hierarchical structure of the organization” (TPC Article 220/7) in 2 cases. Even though the Constitutional Court ruled that it “does not meet the requirement of legality”,⁶ a human rights defender was charged with “committing crimes on behalf of an illegal organization without being a member of the organization” (TPC Article 220/6) in 1 case. During the reporting period, the Chair of the Balıkesir Branch of the Human Rights Association (HRA) Rafet Fahri Semizoğlu was charged with “providing financial support to a terrorist organization” on the grounds of his advocacy activities.

⁶ Hamit Yakut Application (App. No: 2014/6548), <https://kararlarbilgibankasi.anayasa.gov.tr/BB/2014/6548>

On 16 December 2021, an indictment was filed against former Co-Chair of the Human Rights Association (HRA) Öztürk Türkdoğan on the charge of “membership in an armed terrorist organization.” On 23 December 2021, the Ankara 19th Assize Court accepted the indictment against Türkdoğan and the trial of Türkdoğan began on 22 February 2022.

As evidence, the prosecution cited Türkdoğan's advocacy efforts in the human rights field and eight news articles published in the Fırat News Agency (ANF) between 2015 and 2020, in which Türkdoğan is mentioned. On 19 April 2022, at the second hearing of the trial, the court ruled that it was not established that Türkdoğan had committed the alleged crime and acquitted the human rights defender.

On 7 January 2022, an indictment was filed against former Co-Chair of the Ankara Branch of the Human Rights Association (HRA) Fatin Kanat on the charge of “making propaganda for a terrorist organization.” The trial of Kanat began on 19 April 2022 after the Ankara 25th Assize Court accepted the indictment.

In the indictment against the human rights defender, nine press statements made by “the Freedom for Sick Prisoners Initiative” in front of IHD Ankara Branch Building in 2019 and the press statement made by the “Justice Initiative for Roboski” in front of IHD Ankara Branch Building in 2018 were cited as evidence against Kanat. The indictment claimed that the press statements were made “upon orders from the terrorist organization.”

Even though the European Court of Human Rights ruled that it “does not meet the quality of law,”⁷ Article 301 of the Turkish Penal Code continued to be used to intimidate human rights defenders in this period. 23 human rights defenders appeared before judges in 4 different cases on charges of “denigrating the Turkish Nation, the State of the Republic of Turkey, the institutions and organs of the State.”

On 30 December 2021, an indictment was filed against former Co-Chair of the Human Rights Association (HRA) Öztürk Türkdoğan, on the charge of “denigrating the Turkish Nation, the State of the Republic of Turkey, the institutions and organs of the State.” As evidence, the prosecution present the statement titled “For Justice and Truth, End the Denial of the Armenian Genocide!” published on the official website of the association on 24 April 2017. The trial of Türkdoğan started on 15 December 2022 at the Ankara 24th Criminal Court of First Instance and is still ongoing.

⁷ Altuğ Taner Akçam v. Turkey (App. No: 27520/07), <https://hudoc.echr.coe.int/eng?i=001-107206>

In 2022, the executives of the Diyarbakır Bar Association appeared before courts in two different cases filed because of the press statements on the Armenian Genocide which the association makes on every April 24th:

- As evidence, the prosecution presented the press statement titled “April 24th/Great Catastrophe: We Share the Pain of the Armenian People” published on the official website of the Bar Association on 24 April 2017, the press release titled “We Share the Unending Pain of the Armenian People” published on 24 April 2018, and the association's report on the Use of Armed Unmanned Aerial Vehicles (UAV) in military operations conducted Hakkari. The lawsuit filed against Ahmet Özmen, President of the Diyarbakır Bar Association for the 2016-2018 term and board members Serhat Eren, Nahit Eren, Mahsum Batı, Nuşin Uysal Ekinci, Cihan Ülsen, Muhammet Neşet Girasun, İmran Gökdere, Velat Alan and Ahmet Dağ on charges of “denigrating the Turkish Nation, the State of the Republic of Turkey, the institutions and organs of the State” and “inciting the public to hatred and hostility” was adjudicated on 21 February 2022. In the seventh hearing of the trial, Diyarbakır 13th Assize Court ruled for the acquittal of the lawyers on the grounds that the act attributed to the bar association executives is not defined as an offense in the law.

- As evidence, the prosecution presented the statement titled “1915...!” published on 24 April 2019 on the official website of the Bar Association and the statement titled “We are not afraid and we will not be silent!” published on 2 December 2019 as a reaction to the prosecution of bar association executives who served in 2017-2018. The lawsuit filed against Cihan Aydın, President of the Diyarbakır Bar Association for the 2018-2020 term, and board members Muhlis Oğurgül, Ahmet Dağ, Erhan Aytekin, Fırat Üger, Gazal Bayram Koluman, Mehmet Akbaş, Serdar Çelebi, Tevfik Karahan, Ömer Şeran and Özgür Yılmaz Biçen on the charge of “denigrating the Turkish Nation, the State of the Republic of Turkey, the institutions and organs of the State” was adjudicated on 17 October 2022. At the first hearing of the trial, Diyarbakır 11th Assize Court ruled for the acquittal of the lawyers on the grounds that the legal elements of the alleged crime did not occur.

Human rights defenders who were subjected to torture and other ill-treatment during peaceful demonstrations and meetings,⁸ were also charged with counter charges such as “prevention of public duty” (TPC Article 265), “insulting a public official” (TPC Article 125/3a) and “damaging public property” (TPC Article 152/1a).

172 rights defenders were charged with “prevention of public duty” in 17 different cases; 51 rights defenders were charged with “damaging public property” in 4 different cases; and 17 rights defenders were charged with “insulting a public official” in 7 different cases.

On 21 January 2021, an indictment was filed against 7 women and LGBTI+ rights defenders who were subjected to physical violence and were subsequently detained by the police while they were trying to hang a banner reading “Enough is Enough, Women Want Life Security” at the Istanbul Provincial Directorate of Family and Labour and Social Services on 7 July 2020 to protest President Recep Tayyip Erdoğan's decision to withdraw from the Istanbul Convention. The human rights defenders were charged with “defying the Law no. 2911 on Meetings and Demonstrations”, “prevention of public duty” and “obstructing the activities of a public institution.” The human rights defenders were also charged with “damaging public property” for allegedly “breaking a decorative vase.”

⁸ HRFT 2022 Treatment and Rehabilitation Centers Report, <https://tihv.org.tr/tedavi-ve-rehabilitasyon-raporlari/2022-tedavi-ve-rehabilitasyon-merkezleri-raporu/> (in Turkish)

Adjudicated cases

During the reporting period, 53 cases against human rights defenders were concluded. **245** human rights defenders tried in 35 different cases were acquitted of the charges brought against them. In 1 case in which human rights defenders were on trial, the court decided to dismiss the case. Courts decided to separate the files of 11 human rights defenders from the files of the cases in which they were tried.

In 18 cases, **34** human rights defenders were sentenced to a total of **266 years, 5 months, and 10 days** in prison. Osman Kavala, the founder of Anadolu Kültür, was sentenced to **aggravated life in prison** in defiance of the final judgment of the European Court of Human Rights.⁹

The case against 22 people, including lawyers Barkın Timtik, Oya Aslan and the Progressive Lawyers' Association (ÇHD) Chair Selçuk Kozağaçlı was concluded on 11 November 2022. The Istanbul 18th Assize Court sentenced lawyer Kozağaçlı to 12 years in prison for “membership in a terrorist organization” and 1 year in prison for “making propaganda for a terrorist organization”; lawyer Timtik to 12 years in prison for “membership in a terrorist organization” and 1 year in prison for “making propaganda for a terrorist organization”; and lawyer Aslan to 10 years and 6 months in prison for “membership in a terrorist organization” and 6 months in prison for “making propaganda for a terrorist organization.”

The Gezi Park Case which began once again in 2021 after the 3rd Penal Chamber of the Istanbul District Court of Appeals overturned the acquittals, was concluded on 25 April 2022. The Istanbul 13th Assize Court sentenced Osman Kavala to aggravated life in prison for “attempting to overthrow the Government of the Republic of Turkey or attempting to partially or completely prevent it from fulfilling its duties by using force and violence” and did not reduce the sentence. The court also sentenced Mücella Yapıcı, Çiğdem Mater, Hakan Altınay, Can Atalay, Mine Özerden, Yiğit Ali Ekmekçi, Tayfun Kahraman to 18 years each for “aiding the attempt to overthrow the government.”

An examination of the grounds for the prison sentences given to human rights defenders during the reporting period reveals that the Anti-Terror Law No. 3713 and the relevant articles of the Turkish Penal Code, which are used to criminalize human rights advocacy activities, are also used to punish human rights defenders. In 2022, prison sentences were imposed on 18 human rights defenders for “membership in an armed terrorist organization” under Articles 314/2 of the Turkish Penal Code and 7/1 of the Anti-Terror Law, while 6 rights defenders were sentenced to prison for “making propaganda for a terrorist organization” under Articles 220/8 of the Turkish Penal Code and 7/2 of the Anti-Terror Law.

⁹ Kavala v. Turkey (Application no: 28749/18), <https://hudoc.echr.coe.int/eng?i=001-218516>

Criminal investigations, detentions, and arrests

219 individuals were subjected to judicial harassment through criminal investigations launched on the grounds of their activities in the field of human rights. While 19 different criminal investigations against **120** people were launched in 2022, criminal investigations launched against **99** people in previous years were maintained in this period. **2** different investigations launched against **4** rights defenders in 2021 were terminated in 2022 with decisions of non-prosecution.

On the morning of 16 March 2022, police raided several houses as part of an investigation launched by the Diyarbakır Chief Public Prosecutor's Office. 24 women, including Adalet Kaya, President of Rosa Women's Association and Fatma Yıldızhan, Diyarbakır Branch Secretary of Health and Social Service Workers Union (SES), were detained. Although it was initially impossible to obtain information about the investigation file due to a confidentiality order imposed on the investigation file and lawyers were restricted from meeting with their clients, it is later learned that human rights defender Kaya was asked during her interrogation why she participated in the March 8th International Working Women's Day rally, November 25th International Day for the Elimination of Violence against Women and the protest demonstrations after the withdrawal from the Istanbul Convention. It is learned that Kaya was also asked why she participated in the Peace Event organized for September 1st International Peace Day and for what purpose Rosa Women's Association was founded.

2003 persons were detained during the reporting period.

- During this period, many individuals were detained during police interventions against peaceful assemblies, demonstrations, and press statements. **1212** people were detained during police interventions against demonstrations, **515** people were detained during police interventions against press statements and **189** people were detained during police interventions against peaceful protests.
- In this period, a total of **87** individuals were detained within the scope of investigations launched against them on the grounds of their human rights advocacy activities. **29** out of 87 were detained in house raids conducted as part of the criminal investigations launched against these individuals.
- Individuals detained during this period were kept in police custody **for an average of 36 hours**.

Metin Kılavuz, the Central Executive Committee member of the Human Rights Association (HRA) spent the longest time in police custody during the reporting period. Kılavuz was held in police custody for a total of 14 days after having been detained twice on 12 April 2022 and 15 May 2022, as part of an investigation launched by the Ankara Chief Public Prosecutor's Office.

During the reporting period, **52** people were arrested.

- **44** individuals were arrested in 2022 as part of criminal investigations launched against them on the grounds of their human rights advocacy activities.

- Even though the investigations against 3 individuals were launched in 2021 and against 17 individuals in 2020, they were arrested in 2022.

The Istanbul 13th Assize Court which sentenced human rights defenders Mücella Yapıcı, Çiğdem Mater, Hakan Altınay, Can Atalay, Mine Özerden, Yiğit Ali Ekmekçi and Tayfun Kahraman to 18 years in prison for “aiding the attempt to overthrow the government”, ordered the human rights defenders to be arrested immediately inside the courtroom.

Civil lawsuits

In addition to criminal proceedings and investigations, human rights defenders and human rights organizations were also subjected to judicial harassment through baseless civil lawsuits. During the reporting period, civil lawsuits were filed against 14 human rights defenders with different claims.

On 26 October 2022, the Ankara Chief Public Prosecutor's Office filed a lawsuit at the Ankara Civil Court of First Instance citing the interview given by Dr. Şebnem Korur Fincancı, the Chair of the Central Council of the Turkish Medical Association (TTB) and the criminal investigation launched against her on the grounds of said interview.

The lawsuit was filed by the prosecutor who led the criminal investigation against Dr. Şebnem Korur Fincancı and had the human rights defender arrested on 27 October 2022. In the lawsuit, the prosecutor alleged that the President of the Central Council of the TTB and the members of the Central Council carried out activities outside the aims of the TTB and demanded their dismissal. The prosecutor also requested the election of new members to replace Dr. Şebnem Korur Fincancı and the Central Council members.

Sinpaş REIT filed a lawsuit for damages against Halime Şaman, the Executive Board Member of the Marmaris City Council and Marmaris Spokesperson of the Muğla Environment Platform (MUÇEP), at the Istanbul 5th Commercial Court of First Instance. Citing the press statements made by human rights defender Şaman in August 2021, after the Ministry of Environment and Urbanization decided that there was no need for an Environmental Impact Assessment for the hotel construction, as the basis for the claim of “unfair competition”, the company lawyers demand 300,000 Turkish Liras for “moral damages.”

Sinpaş REIT and Kızılbük REIT filed a lawsuit for damages against Ufuk Beytekin, the Chair of the Marmaris City Council, at the Istanbul 16th Commercial Court of First Instance. Citing Beytekin's press statements about the “Sinpaş Kızılbük Thermal Wellness Resort” project in Marmaris, which the companies are carrying out together, the lawyers claim “unfair competition” and demand 300,000 Turkish Liras for non-pecuniary damages.

During the reporting period, human rights organizations were also subjected to judicial

harassment through civil lawsuits on the grounds of their activities in the field of human rights.¹⁰

After having been active in the field of children's rights for 15 years, the Tarlabası Community Support Association / Tarlabası Community Center has been subjected to smear campaigns, hate speech and targeting in the media. The lawsuits filed against the association with the demands of “dissolution of the association on the grounds of conducting activities contrary to the law and morality” and “determination of non-existence” continue.

The lawsuit filed against the We Will Stop Femicides Platform, which operates for the eradication of femicides and violence against women continues. The prosecution alleges “conducting activities against the law and morality” and demands the platform to be dissolved.

On 11 October 2022, a lawsuit was filed against the Migration Monitoring Association (GÖÇİZDER) in which the dissolution of the association is demanded. 17 executives and members of the association were arrested after house raids conducted on 3 June 2022 as part of the investigation launched by the Istanbul Chief Public Prosecutor's Office. In the lawsuit filed by the prosecutor, who also prepared the indictment against GÖÇİZDER executives and members, it was claimed that the association which focuses on the forcibly displaced, was “operating in line with the goals and objectives of the PKK/KCK terrorist organization.” The case continues at the Bakırköy 15th Civil Court of First Instance.

Judicial harassment of civil society organizations

At least **22 civil society organizations** (16 associations, 5 professional organizations and 1 foundation) like the Migration Monitoring Association (GÖÇİZDER),¹¹ the Health and Social Service Workers Union (SES), the Turkish Medical Association (TTB), Rosa Women's Association, the Human Rights Association (HRA), the Association of Lawyers for Freedom (ÖHD), the We Will Stop Femicides Platform (KCDP), Tarlabası Community Support Association, the Diyarbakır Bar Association and the Izmir Bar Association, were directly or indirectly subjected to judicial harassment in connection with investigations and prosecutions launched against their executives, employees and/or members.

- During the reporting period, at least **4** associations were raided, and their premises were searched as part of criminal investigations launched against their employees.
- During the reporting period, peaceful events of at least **2** associations were intervened by the police.

¹⁰ “Uncertain and Eerie”: Closure Cases Against Associations in Turkey, <https://en.tihv.org.tr/alternative-shadow-reports/closure-cases-against-associations-in-turkey/>

¹¹ Immediately Release our Colleague Bilal Yıldız!, <https://en.tihv.org.tr/press-releases/release-bilal-yildiz/>

On 13 July 2022, the police broke up the booths set up for the 22nd Evvel Temmuz Festival in Hatay by the Samandağ Development Association and the Akdeniz Culture and Solidarity Association and detained 24 people. It is learned that the intervention and detentions were justified by the presence of İbrahim Kaypakkaya's photos. It is learned that detainees were referred to the prosecutor's office a day later over the suspicion of "defying the Law No 2911 on Meetings and Demonstrations" and "making propaganda of an illegal organization" and were subsequently released after their statements were taken.

Administrative harassment

Administrative harassment, which refers to the use of administrative audits, investigations, and sanctions as means of repression and silencing against human rights defenders, is commonly adopted against public officers who are human rights defenders, against human rights defenders using public services, and against bodies with legal personalities working in the field of human rights in Turkey. In cases where administrative audit is *ipso facto* utilized as a punitive tool, administrative investigations and sanctions directly aim at stonewalling human rights advocacy.

During the reporting period, many individuals and organizations were subjected to various forms of administrative harassment due to their activities in the field of human rights. At least 3 associations were harassed by the administrative authorities through audits conducted by the Directorate General of Civil Society Relations under the Ministry of Interior.

- In July-August 2022, the Life Memory Freedom Association, the Minus 25 Association, and the Human Rights Association (HRA) were audited. They were reported to be in the "high-risk" category, which is determined without any transparency within the scope of "measures necessary to prevent the abuse of associations for the financing of terrorism." It is learned that this is the third time these associations have been audited in the last three years.
- It is learned that after frequent audits, the Human Rights Association (HRA) was fined 60,000 Turkish Liras.

The bank accounts of the Nesin Foundation were blocked by the Çatalca District Governorate due to allegedly "unauthorized aid collection." With a decision dated 12 April 2022, the Çatalca District Governorate, relying on the authority granted by Article 29 of the Law No. 2860 on Aid Collection, blocked the accounts of the foundation at Türkiye İş Bankası, Yapı Kredi Bankası, Vakıfbank and Ziraat Bank on the grounds of violating the seventh article of Law No. 2860.

During the reporting period, 4 individuals who exercised their right to organize peaceful meetings and demonstrations were given administrative fines on different grounds.

Ferit Şenyaşar, who has been holding a sit-in protest with his mother Emine Şenyaşar in front of the Urfa Courthouse since 9 March 2021, was given an administrative fine according to Article 42 of Law No. 5326 on Misdemeanors for hanging a banner reading “Justice for the Şenyaşar Family, justice for everyone” on the concrete blocks in front of the courthouse.

The members of the Campus Witches and the Colors of Resistance, who wanted to hold a press statement in Hatay’s Antakya district after the 10th Chamber of the Council of State upheld President Erdoğan’s decision to withdraw from the Istanbul Convention, were detained on 29 July 2022. They were taken to the police station where they were interrogated over the suspicion of “insulting a public official” and “defying Law No. 2911 on Meetings and Demonstrations” and were given an administrative fine of 581 Turkish Liras each for “violating the order” in accordance with Article 32 of Law No. 5326 on Misdemeanors.

During this period, administrative sanctions were imposed on 2 students who participated in peaceful protests and demonstrations.

It is learned that a student staying in one of the dormitories of the Ministry of Youth and Sports, who was among the three women detained on 29 July 2022 in Hatay’s Antakya district was expelled from the dormitory on 11 November 2022, in accordance with Article 24 (e) and (f) of the Dormitory Services Regulation of the Ministry of Youth and Sports. It is learned that the student was expelled from the dormitory following a confidential letter from the Hatay police.

Boğaziçi University student Ayşe Beliz İnce was suspended for one semester after throwing an egg during a protest against Naci İnci, who was appointed as the rector of the university by President Recep Tayyip Erdoğan. It is learned that İnce's protest was considered as “assaulting the staff and the students of the institution” as defined in the seventh article (c) of the Student Discipline Regulation for Higher Education Institutions.

6 non-Turkish nationals were also subjected to administrative detention and deportation orders during the reporting period.

4 Iranian nationals who participated in a press statement in Denizli on 20 March 2021, to protest Turkey's withdrawal from the Istanbul Convention, were detained on 5 April 2021 and a deportation order was issued on April 6th. It is learned that the objection of the lawyers was rejected on 28 January 2022 and the deportation decision became final.

A deportation order was issued for 2 foreign women who were detained during the police intervention against the people gathering for the march planned to be held on the International Day for the Elimination of Violence against Women in Istanbul's Beyoğlu district. Following an administrative detention order, the women were taken to the Selimpaşa Removal Center. Following the lawyers' objection, the administrative detention order was lifted on 2 December 2022 and the women were released.

Threats, Physical Violence, Targeting and Reprisals

Human rights defenders are constantly subjected to threats, insults, physical violence and reprisals because of their activities in the field of human rights. These also include physical surveillance, subjection to physical violence by the law enforcement, constant subjection to identity and background checks, deprivation of liberty, enforced informant-making attempts or being targeted by public authorities.

During the reporting period, **1420** people were subjected to physical violence, mostly in open spaces and by law enforcement officers, during their collective human rights advocacy efforts.

- **1411** out of 1916 people detained during police interventions against peaceful meetings, demonstrations and press declarations were subjected to physical violence.
- Four lawyers were subjected to physical violence by law enforcement officers at different courthouses while two lawyers were subjected to physical violence by law enforcement officers at the Yüksekova District Gendarmerie Command.
- Vedat Örüç and Elif Kurttaş, journalists working in the field of environmental rights, and Assoc. Prof. Dr. Koray Başar, who carries out research and rights advocacy activities for LGBTI+ persons, were subjected to physical violence by private individuals.

During the reporting period, human rights defenders and human rights organizations were targeted and criminalized through various tactics which often led to judicial harassment and physical violence.

- **23** people were criminalized for their human rights activities.
- **16 associations, 5 professional organizations and 1 foundation** were criminalized through judicial harassment and/or interventions against them or their volunteers, employees, or executives.

During the reporting period, human rights defenders were also targeted by state institutions, officials, and private individuals for their activities in the field of human rights.

- At least **14** human rights defenders and at least **4** human rights organizations were targeted during this period.

- In 2022, the Turkish Medical Association, its executives and members, and the Diyarbakır Bar Association were frequently and often systematically targeted.

Prof. Dr. Şebnem Korur Fincancı, President of the Central Council of the Turkish Medical Association (TTB) and the Executive Board Member of the Human Rights Foundation of Turkey, was targeted many times in 2022. TTB was also targeted through Prof. Dr. Şebnem Korur Fincancı.

- The Turkish National Police's Anti-Terror Department posted on social media that a criminal complaint had been filed against the TTB immediately after the peaceful protests and events organized by the TTB on 14-15 March 2022.

- TTB Secretary General Prof. Dr. Vedat Bulut gave an interview in which he pointed out that there are no Phase-1, Phase-2 and Phase-3 studies conducted on the Turkovac vaccine, which was approved for emergency use by the Turkish Medicines and Medical Devices Agency (TİTCK) on 5 January 2022, and if there are, data on these studies are not shared transparently. On 8 January 2022, President Recep Tayyip Erdoğan, speaking at an inauguration, targeted the TTB by calling them “liars” and “frauds.”

- Responding to Prof. Dr. Vedat Bulut's interview at his party's group meeting on January 11th, the Nationalist Movement Party (MHP) Leader Devlet Bahçeli targeted the TTB by saying, “When will the TTB be shut down if not today?” and accusing the association of being an “enemy of the Turks.”

- MHP leader Devlet Bahçeli targeted the TTB once again following the TTB's statement on the incident of violence inflicted on a healthcare professional with the involvement of a specialist sergeant in the emergency room of the Muğla Training and Research Hospital on 14 March 2022. Bahçeli said, “The separatist organization called the Turkish Medical Association cannot represent Turkish physicians and cannot be their organization. The Turkish Medical Association must be shut down. The separatists nested in the administration must be held to account.” Bahçeli reiterated his demand for the closure of the TTB and targeted its executives.

- Prof. Dr. Şebnem Korur Fincancı was targeted by many individuals and institutions after she gave an interview to a news channel on 20 October 2022. On the same day, the Ankara Chief Public Prosecutor's Office announced that it had launched an investigation against Şebnem Korur Fincancı under Article 7/2 of the Anti-Terror Law No. 3713 and Article 301/2 of the Turkish Penal Code. The then Minister of Interior Süleyman Soylu targeted Şebnem Korur Fincancı by saying “The presence of such a denouncer, an enemy of the country and the nation at the head of the Turkish Medical Association boils the blood of the nation.” President Recep Tayyip Erdoğan made a statement on October 24th following the Presidential Cabinet Meeting and said, “The judiciary has taken action against the president of the Turkish Medical Association who slandered the cross-border operations carried out by our Turkish Armed Forces. We will also work on this name, and if necessary, we will ensure that this name is changed through a legal regulation. I believe that the fact that such a person, who speaks in the language of a terrorist organization and despicably slanders her country and its army, is at the head of an institution whose name begins with Turkish, bothers every member of our nation.”

During the reporting period, at least **12** people were subjected to physical surveillance, **16** people were subjected to enforced informant-making attempts and **25** people were subjected to identity and background checks due to their activities as human rights defenders.

In this period, at least **13** people were threatened for their human rights activities and **4** people, including journalists Vedat Örüç and Elif Kurttaş, were deprived of their freedom.

Banned, Intervened or Obstructed Peaceful Assemblies and Demonstrations

Repression, threats, and coercion faced by human rights defenders mostly occur during or in relation to interventions against peaceful assemblies and demonstrations. Ban orders rendered by local authorities (governors and district governors) on assemblies and demonstrations as well as interventions by the law enforcement must be regarded as direct obstacles erected before human rights defenders because freedoms of expression and association along with freedom of assembly, which are the foundations of a democratic society, are the primary means and methods of human rights advocacy. The fact that peaceful assemblies and demonstrations have become impossible to stage due to bans and interventions has therefore rendered the expression of human rights as social demands impossible as well.

Regional solidarity groups recorded a total of **42** ban orders issued by local authorities in **14** different cities.¹²

- In 2022, the Mardin Governorate issued nine ban orders, while the Şırnak and Şanlıurfa Governorates issued five ban orders each. With these orders, peaceful meetings, demonstrations, and marches were banned for a total of **481** days in these cities.

22 of the 42 ban orders recorded in this period lasted for 15 days.

The longest ban order recorded in this period was the Diyarbakır Governorate's decision dated 19 October 2022. The Governorate of Diyarbakır banned “all meetings, demonstrations, press releases, open or closed meetings, protests, rallies, sit-ins, opening booths, hunger strikes, commemorations, hanging banners, placards, posters, handbills, distributing leaflets and similar actions and activities” for one month as of 20 October 2022 on the grounds that “the calls for protests against the military operations being carried out across the border are aimed at disrupting public order.” Around similar dates, the governorates of Adıyaman, Bingöl, Elazığ and Şanlıurfa also issued bans ranging in length from three to 15 days on the same grounds.

In addition to the long-term ban orders mentioned above, some peaceful assemblies, demonstrations or marches were prevented by targeted orders. In 2022, a total of **311** peaceful meetings, demonstrations and marches were prevented in **34** different cities through targeted ban orders. In Istanbul alone, **122** peaceful meetings, demonstrations and marches were prevented through such orders.

These events have a diverse set of objectives which include but are not limited to assemblies, demonstrations, press conferences on current or past socially important incidents; peaceful

¹² According to data collected by the Documentation Center at the HRFT, law enforcement officers intervened against 527 protests and prevented 79 meetings and demonstrations in 2022. During the interventions of the law enforcement officers, 5434 people, including 144 children, were detained. At least 42 people were injured because of the physical violence by law enforcement officers. 24 detainees were arrested and 191 people were released with judicial control measures imposed upon them. Two people released with judicial control measures were placed under house arrests. Administrative fines were imposed on at least 25 people because of the peaceful protests and events they participated in.

assemblies and demonstrations held on the occasion of annual human rights days like March 8th International Women's Day; press conferences, assemblies and demonstrations organized in the fields of the right to life, torture, impunity, prisoners' rights, economic and social rights.

Interventions by the law enforcement against peaceful assemblies and demonstrations by resorting to physical violence amount to human rights defenders' subjection to torture and other forms of ill-treatment and violate individuals' physical and psychological integrity as well as their right to liberty and security of person. Such interventions against peaceful assemblies and events result in the prevention of socialization of human rights advocacy and a deterrent effect is exerted over defenders.

All the above-mentioned instances of repression and obstruction lead to the creation of a climate that harbors violence, hate, discrimination and hostility towards human rights defenders while bringing along emaciation of the legitimacy of human rights before the public and their criminalization as well.

Repression and obstruction of human rights defenders must be immediately ceased in order to protect human rights values and principles.

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