

President Recep Tayyip ERDOĞAN
Republic of Turkey

As we mark the 72nd anniversary of the adoption of the Universal Declaration of Human Rights by the United Nations General Assembly, we are writing to you to bring to your attention the ways in which the provisions of this document have been violated by the Turkish authorities over the past few years.

Article 1 of the Declaration stipulates that all human beings are born free and equal. However, tens of thousands of former public sector workers who were dismissed in the aftermath of the July 2016 failed coup continue to face undue restrictions and systemic discrimination in Turkey such as arbitrary travel bans and deprivation of social services¹.

Article 2 of the Declaration says that everyone is entitled to all the rights and freedoms set forth in the Declaration, regardless of race, color, sex, language, religion, political or other opinion, national or social origin. Meanwhile, the Turkish government's increasingly nationalist policies and rhetoric have led to an alarming surge in hate crimes targeting the country's Kurdish minority and Syrian refugees².

Article 3 of the Declaration prescribes everyone's right to life, liberty and security of person. In Turkey, some 30 people have been abducted and subjected to unlawful detainment by state agents over the past five years³.

Article 5 of the Declaration categorically prohibits torture and ill-treatment. However, the Human Rights Foundation of Turkey (TİHV) has reported that in 2019 alone they received hundreds of complaints related to torture in police custody or in prison⁴.

Article 7 of the Declaration states that all are equal before the law and are entitled without any discrimination to equal protection of the law. The Turkish judiciary however is going after thousands of your opponents simply for criticizing you⁵.

Article 8 of the Declaration guarantees that everyone has the right to an effective legal remedy against human rights violations. An effective remedy is impossible without the work of legal professionals and Turkish lawyers are systematically prosecuted for representing their clients⁶.

Article 9 of the Declaration says that no one shall be subjected to arbitrary arrest or detention. Meanwhile, the Turkish judiciary has been defying European Court of Human Rights (ECtHR)

¹ "Turkey: Purged Beyond Return? No remedy for Turkey's Dismissed Public Sector Workers," Amnesty International, October 25, 2018, <https://www.amnesty.org/en/documents/eur44/9210/2018/en/>

² "In Turkey, life for Syrian refugees and Kurds is becoming increasingly violent," Yasin Duman, The Conversation, November 2, 2020, <https://theconversation.com/in-turkey-life-for-syrian-refugees-and-kurds-is-becoming-increasingly-violent-147704>

³ "Enforced Disappearances: Turkey's Open Secret," Solidarity with OTHERS, May 2020, https://b2923f8b-dcd2-4bd5-81cd-869a72b88bdf.filesusr.com/ugd/b886b2_e59e82b397704cb3bf609c872c46c28d.pdf

⁴ "Türkiye'de Değişik Boyutlarıyla İşkence Gerçeği," Human Rights Foundation of Turkey (TİHV), June 26, 2020, <https://tihv.org.tr/basin-aciklamalari/turkiyede-degisik-boyutlariyla-iskence-gercegi/>

⁵ "For insulting Erdogan, over 3,800 sentenced to prison in Turkey in 2019:Report," Emily Judd, Al Arabiya English, September 16, 2020, <https://englishbeta.alarabiya.net/en/News/middle-east/2020/09/16/For-insulting-Erdogan-over-3-800-sentenced-to-prison-in-Turkey-in-2019-Report>

⁶ "Turkey: End detention of lawyers held for representing clients, says ICJ," International Commission of Jurists (ICJ), September 14, 2020, <https://www.icj.org/turkey-end-detention-of-lawyers-held-for-representing-clients-says-icj/#.X1-oqpl1h3c.twitter>

judgments ordering the release of civil society leader Osman Kavala⁷ and Kurdish politician Selahattin Demirtaş⁸.

Article 10 of the Declaration stipulates that everyone faced with a criminal charge is entitled in full equality to a fair and public hearing by an independent and impartial tribunal. Yet the Council of Europe's human rights commissioner has reported that criminal procedure in Turkey has been reduced to a mere formality, especially in terrorism-related trials which resulted in the imprisonment of tens of thousands of people with no record of violence⁹.

Article 11 of the Declaration prescribes everyone's right to be presumed innocent until proven guilty. In Turkey, those purged from public sector are systematically treated by official authorities as second-class citizens and in order to end this, they are required to prove their innocence to an *ad hoc* commission which the United Nations, along with many observers, found to be lacking in independence¹⁰.

Article 12 of the Declaration prohibits arbitrary interference with privacy and correspondence. However, Amnesty Turkey's Honorary Chair Taner Kiliç, like thousands of others, has been sentenced to imprisonment on terrorism charges, simply for having downloaded a messaging app on his phone¹¹.

Article 13 of the Declaration guarantees everyone's right to freedom of movement in and outside his/her country. Yet, Turkey's arbitrary passport cancellations has left tens of thousands of people unable to travel, even in cases involving critical health issues that required treatment outside Turkey¹².

Article 14 of the Declaration states that everyone has the right to seek asylum from persecution. Several reports have recently revealed that Turkey is sending Muslim Uighurs back to China where they are likely to face genocidal atrocities¹³.

Article 15 of the Declaration protects everyone's right to a nationality. Yet, Turkey's consulates systematically deny consular services to certain citizens, leaving their newborn children stateless¹⁴.

⁷ "Implementing ECHR judgments: Council of Europe urges Turkey to release Osman Kavala," Council of Europe Committee of Ministers, September 4, 2020, <https://www.coe.int/en/web/portal/-/implementing-echr-judgments-council-of-europe-urges-turkey-to-release-osman-kavala>

⁸ "Turkish court rejects European rights court ruling to release top Kurdish politician," Deutsche Welle, November 30, 2018, <https://www.dw.com/en/turkish-court-rejects-european-rights-court-ruling-to-release-top-kurdish-politician/a-46532769>

⁹ "Turkey needs to put an end to arbitrariness in the judiciary and to protect human rights defenders," Dunja Mijatovic, Council of Europe Commissioner for Human Rights, July 8, 2019, <https://www.coe.int/en/web/commissioner/-/turkey-needs-to-put-an-end-to-arbitrariness-in-the-judiciary-and-to-protect-human-rights-defenders>

¹⁰ "Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East," Office of the United Nations High Commissioner for Human Rights, March 2018, https://www.ohchr.org/Documents/Countries/TR/2018-03-19_Second_OHCHR_Turkey_Report.pdf

¹¹ "Turkey: Court deals crushing blow for human rights and for justice as four activists convicted," Amnesty International, July 3, 2020, <https://www.amnesty.org/en/latest/news/2020/07/turkey-court-deals-crushing-blow-for-human-rights-and-for-justice-as-four-activists-convicted/>

¹² "Death of Ahmet Burhan Ataç reveals plight of children caught up in Turkey's massive purge," Stockholm Center for Freedom, May 10, 2020, <https://stockholmcf.org/death-of-ahmet-burhan-atac-reveals-plight-of-children-caught-up-in-turkeys-massive-purge/>

¹³ "How Turkey is sending Muslim Uighurs back to China without breaking its promise," The Telegraph, July 26, 2020, <https://www.telegraph.co.uk/news/2020/07/26/turkey-sending-muslim-uighurs-back-china-without-breaking-promise/>

Article 17 of the Declaration says that everyone has the right to own property. However, the Turkish government arbitrarily seized assets worth billions of dollars from its critics¹⁵.

Article 18 of the Declaration guarantees everyone's right to freedom of religion. Yet, Turkey continues to discriminate against its Alevi community by refusing to grant legal status to their prayer halls¹⁶.

Article 19 of the Declaration states that everyone has the right to freedom of expression. Over the past few years, Turkey has been a global leader in jailing journalists on account of their publications¹⁷.

Article 20 of the Declaration prescribes everyone's right to freedom of peaceful assembly. However, several activists such as Acun Karadağ, Nazan Bozkurt and Alev Şahin have been held behind bars for months due to their peaceful protests, which were often violently suppressed by the police¹⁸.

Article 21 of the Declaration stipulates that everyone has the right to take part in the government of his/her country. Meanwhile, the Turkish government has ousted dozens of elected mayors from office without substantial evidence of wrongdoing, in clear disregard of the voting rights of Turkey's predominantly Kurdish regions¹⁹.

Article 23 of the Declaration says that everyone has the right to work and to protection against unemployment. Yet, during the post-coup purge, Turkey arbitrarily revoked the licenses of tens of thousands of teachers, cutting off their access to their profession²⁰.

Article 25 of the Declaration protects everyone's right to a standard of living adequate for his/her health and well-being as well as medical care when necessary. The Turkish authorities systematically deny treatment to sick inmates²¹ and the government's early release law to ease overcrowding amid the Covid-19 pandemic explicitly discriminated against thousands of political prisoners²².

The Universal Declaration of Human Rights comprises of a total of 30 articles. The widespread and systematic abuses we have described above correspond to two thirds of the world's most basic human rights document to which the Republic of Turkey is a signatory.

¹⁴ "Arbitrary deprivation of nationality and denial of consular services to Turkish citizens," Policy Brief, Institute on Statelessness and Inclusion, July 2017, https://files.institutesi.org/policy-brief-Turkey-arbitrary-deprivation-of-nationality_2017.pdf

¹⁵ "Assets worth \$11bn seized in Turkey crackdown," Mehul Srivastava, Financial Times, July 7, 2017, <https://www.ft.com/content/fed595d0-631e-11e7-8814-0ac7eb84e5f1>

¹⁶ "The Alevis' fight for recognition in Turkey," Tunca Öğreten, Deutsche Welle, January 26, 2020, <https://www.dw.com/en/the-alevis-fight-for-recognition-in-turkey/a-52154523>

¹⁷ "China, Turkey, Saudi Arabia, Egypt are world's worst jailers of journalists," Elana Beiser, Committee to Protect Journalists, December 2019, <https://cpj.org/reports/2019/12/journalists-jailed-china-turkey-saudi-arabia-egypt/>

¹⁸ "Gözüaltındaki Yüksel direnişçileri tutuklandı," Dokuz8Haber, August 22, 2020, <https://dokuz8haber.net/gundem/gozaltindaki-yuksel-direniscileri-tutuklandi/>

¹⁹ "Turkey: Kurdish Mayors' Removal Violates Voters' Rights," Human Rights Watch, February 7, 2020, <https://www.hrw.org/news/2020/02/07/turkey-kurdish-mayors-removal-violates-voters-rights>

²⁰ "Turkey coup: Purge widens to education sector," BBC News, July 19, 2016, <https://www.bbc.com/news/world-europe-36838347>

²¹ "Sick prisoners in Turkey say they are denied treatment," Duvar English, April 8, 2020, <https://www.duvarenglish.com/human-rights/2020/04/08/sick-prisoners-in-turkey-say-they-are-denied-treatment>

²² "Outrage over denial of amnesty for Turkish political prisoners," The Guardian, March 31, 2020, <https://www.theguardian.com/world/2020/mar/31/outrage-over-denial-of-amnesty-for-turkish-political-prisoners>

That is why we call on you and your government, on the occasion of this Human Rights Day, to immediately adopt a new agenda aimed at repairing Turkey's human rights record.

* This Open Letter is launched by Solidarity with Others in collaboration with International Observatory of Human Rights.

The undersigned organisations:

1. Solidarity with Others, Belgium
2. International Observatory of Human Rights, United Kingdom
3. Human Rights Defenders, Germany
4. International Association of People's Lawyers, France
5. Gesellschaft Für Bedrohte Völker, Germany
6. Open Dialogue Foundation, Poland

