

## I. EXECUTIVE SUMMARY

1. Turkey continues to commit human rights violations including arbitrary detention, torture and inhuman or degrading treatment, interference with the judiciary, and restrictions on freedom of expression. After the attempted coup of July 2016, Turkey declared a state of emergency that lasted until July 17, 2018. During that period, the Turkish government issued 36 emergency decrees dismissing more than 120,000 public officials. Many individuals have been arbitrarily detained and some have been subjected to torture and ill-treatment.
2. Since July 2016, more than 4,000 judges and prosecutors have been dismissed pursuant to statutory decrees. Many have been summarily sentenced to prison over tenuous allegations of affiliations with terrorist organizations. Moreover, imprisoned legal professionals have faced serious challenges in accessing legal representation. Lawyers representing these persons have also been arrested or prosecuted for alleged ties to terrorist organizations.
3. Since 2014, the executive branch has interfered with judicial proceedings. The newly instituted system for appointing members to the Council of Judges and Prosecutors does not abide by international standards, as the President may appoint four of the Council's 13 members. Police and prosecutors have targeted lawyers, subjecting them to criminal investigations and arbitrary detention.
4. This report, while not comprehensive, addresses certain human rights violations in Turkey and makes recommendations for improvement. It contains information gathered from primary sources on the ground in Turkey, the Turkish diaspora in Canada, Germany, and the United States, and from secondary source research.

## II. BACKGROUND AND FRAMEWORK

### A. Turkey's 2015 Universal Periodic Review

5. During Turkey's 2015 UPR, many countries expressed concern over the rising tide of human rights violations including, but not limited to, attacks on freedom of expression and peaceful assembly, lack of independence in the judiciary, impunity for human rights violators, prevalence of torture and ill-treatment at detention centers, misuse of Turkey's Anti-Terror Law, and discrimination.<sup>1</sup> Turkey accepted many of these recommendations. Nonetheless, since July 2016, these human rights violations have persisted.<sup>2</sup>

#### 1. *Preventing arbitrary detention and inhumane treatment of detained individuals*

##### **Status of Implementation: Accepted, Not Implemented**

6. Several countries recommended the prevention of arbitrary detention,<sup>3</sup> elimination of inhumane treatment,<sup>4</sup> ending impunity,<sup>5</sup> improving detention conditions,<sup>6</sup> and releasing sick or terminally ill persons in detention.<sup>7</sup> Turkey accepted these recommendations, but many individuals have been arbitrarily detained, with some being subjected to torture by law enforcement officers.<sup>8</sup>

2. *Amending Anti-Terror Law to prevent misuse*

**Status of Implementation: Not Accepted, Not Implemented**

7. Cyprus recommended that Turkey amend its Anti-Terror Law to prevent misuse.<sup>9</sup> After the attempted coup, the Turkish government declared a state of emergency and issued 36 emergency decrees dismissing without due process 120,000 public servants for alleged terrorist affiliations. The law is widely used as a tool to threaten and brand journalists, politicians, civil servants, and teachers as terrorists.<sup>10</sup>

3. *Ensuring the independence and impartiality of the judiciary*

**Status of Implementation: Accepted, Not Implemented**

8. Turkey accepted several recommendations to guarantee the independence of the judiciary.<sup>11</sup> Nonetheless, the executive has continued to interfere with the judiciary.<sup>12</sup> For example, the newly instituted system for appointing members to the Council of Judges and Prosecutors does not comport with international standards, as the President appoints 4 of the Council's 13 members.<sup>13</sup>

**B. Domestic Legal Framework**

9. The Constitution of the Republic of Turkey recognizes the independence of the judiciary (Arts. 9, 138, 139) and protects some fundamental human rights such as the right to life, and the right against compulsion in thought or opinion (Art. 15). Article 15 states that regardless of circumstance, restricting fundamental human rights shall not violate obligations under international law such as the right to fair trial, freedom of expression and assembly, the right to access to justice, and protection against torture and ill-treatment.

10. Officials have widely used Turkey's Anti-Terror Law against journalists, politicians, Gulen movement members, Kurdish citizens, lawyers, judges, and prosecutors.<sup>14</sup>

11. Turkey's state of emergency lasted from July 21, 2016 to July 17, 2018. During that period, President Erdogan issued 36 presidential decrees, some significantly restricting human rights. For example, Decree 676 allows officials to detain individuals accused of terrorism offenses without access to a legal representative for up to 24 hours<sup>15</sup> and enables officials to hold individuals without charge for up to 30 days.<sup>16</sup>

**III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS**

**Prohibition of torture and cruel, inhuman or degrading treatment**

12. Turkey asserts that it has a "zero-tolerance" policy for torture and ill-treatment.<sup>17</sup> Yet in the aftermath of the attempted coup, torture claims increased dramatically. The U.S. State Department noted that Turkey's "changes to due process implemented in response to the July [2016] coup attempt created an environment conducive to torture" and that "very few of those who reported torture had made any official complaint due to fear of reprisals or mistrust of the institutions meant to prevent torture."

13. As discussed in greater detail below, more than 4,000 judges and prosecutors have been dismissed by decree because of alleged affiliations with terrorist organizations. More than

2,000 judges and prosecutors have been jailed.<sup>18</sup> Furthermore, in 2014, many of the independent candidates seeking membership in the High Council of Judges and Prosecutors (HSYK) were jailed, and some were subjected to torture and kept in solitary confinement. Overall, at least 600 judges and prosecutors have been kept in solitary confinement.<sup>19</sup>

14. After the attempted coup, officials detained Mustafa Bilgili, a former prosecutor who, in 2009, had ordered the search and seizure of classified documents pertaining to an assassination attempt on former Deputy Prime Minister Bulent Arinc. Bilgili was ultimately sentenced to 17 years in prison.<sup>20</sup> According to journalist Arzu Yildiz, while Bilgili was detained, officers coerced him into a false confession, tortured him, poured hot tea on his hands, and denied him medical treatment for a month.<sup>21</sup> Yildiz noted that officials continuously held Bilgili in solitary confinement.<sup>22</sup>
15. Former HSYK member Ayse Nese Gul and her husband were detained and held in solitary confinement for over two years. According to journalist Yildiz, Gul was not allowed to see her children for six months.<sup>23</sup>
16. Seyfettin Yigit, a prosecutor who played an important role in a 2013 investigation into irregularities in Turkey's Mass Housing Administration which ultimately implicated four cabinet ministers and the son of then-Prime Minister Erdogan, was dismissed and detained. In prison, Yigit was found dead under suspicious circumstances.<sup>24</sup>

#### **Conditions of detention**

17. During the 2015 UPR cycle, the Turkish government stated that “detention on remand had ceased to be a widely used protective measure; the length of detentions and the detention rates in prisons had been dramatically reduced.”<sup>25</sup> Despite these assertions, detention conditions are harsh and ill prisoners are particularly at risk.
18. Turkish prisons hold over 1,000 sick prisoners, with over 400 of them in serious condition. Former HSYK member Teoman Gokce was allegedly tortured in prison and placed in solitary confinement, where he later died from a heart attack.<sup>26</sup> Halime Gulsu, a teacher imprisoned over alleged affiliations with the Gulen Movement, was not given any of her medications during her 15 days of detention. After eventually being taken to the hospital, she was returned to prison where went into coma and died. Mehmet Tosun, a rapporteur judge at the Council of the State of Turkey, was terminated and detained without any credible basis. Tosun suffered from an autoimmune disease. Although he was hospitalized for a month, the mistreatment he faced in jail exacerbated his condition.<sup>27</sup>

#### **Arbitrary arrest and detention**

19. Although Turkish law prohibits arbitrary detention, the government continues to arbitrarily detain individuals.
20. Officials use the Anti-Terror Law as a tool to prosecute government targets and hold them in prolonged detention.<sup>28</sup> It has become a tool for summary punishment in the absence of credible evidence.<sup>29</sup> For example, International Residual Mechanism for International Criminal Tribunals Judge Aydin Sefa Akay had been detained and sentenced to seven years and six months in prison for allegedly using ByLock, an

application that allows encrypted messaging.<sup>30</sup> The Mechanism ordered the Turkish authorities to cease all legal proceedings and release him from detention.<sup>31</sup>

21. Under Turkish Law 2802, members of the judiciary can be arrested only if caught *in flagrante delicto*. Despite this provision, Mustafa Erdogan, a former member of the Court of Cassation, was arrested while at the hospital for brain surgery. According to his daughter, “Doctors said that he must undergo surgery immediately. Police came by as soon as he was hospitalized. All I was thinking about was my father’s health, but police officers were in front of the intensive care unit discussing ways to arrest him and take him to the police station.” She recalled that the “left side of his body was paralyzed after surgery” and that her “father’s holding cell at the hospital was closed with double-layer bars. With those bars, I wondered how doctors would provide immediate treatment in an emergency.”<sup>32</sup> Despite his health condition, officials rejected appeals for his release. He died three days after his release. Because officials never presented an indictment, the reason for his arrest remains unknown.<sup>33</sup>
22. Ms. N, a legal scholar who was arrested after being terminated by decree, recalled: “I was detained. After two weeks, I posted bail. Thereafter, I was required to show up and sign a document at the police station every week. Ten days after my release, I went to the police station to sign the document, but I was again detained and taken to a court in Ankara because of an arrest warrant. The judge told me that my case had already been decided while I was in detention and then asked me whether I had any arguments or claims. They had decided my case even before hearing my claims. During my second trial in Konya province, I was asked whether I know Ms. N, who is me.”<sup>34</sup>
23. Human Rights Watch has found that hundreds of lawyers in Turkey have been arbitrarily jailed and placed on trial since July 2016.<sup>35</sup> Lawyer Omer Kavili represented a well-known leftist music group, Grup Yorum. Some group members were tried for alleged links to a terrorist organization. During the hearing, the judge argued that Kavili was performing “reverse psychology” to characterize his defendants as victims. Immediately after this statement, the judge ordered Kavili’s detention and charged him with contempt of court. Kavili was released a day later, prompting him to note that the situation was a threat to all attorneys and citizens.<sup>36</sup>

#### **Administration of justice and fair trial**

24. In 2014, Turkey established criminal peace judgeships, an institution which allows judges to issue detention orders, impose media bans, appoint trustees for the takeover of media companies, block internet connections, authorize wire-taps, approve seizure warrants, and promulgate other sweeping orders.<sup>37</sup> A criminal peace judge’s decision can be appealed only to another criminal peace judge.<sup>38</sup> According to the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, “This system of horizontal appeal falls short of international standards and deprives individuals of due process and fair trial guarantees.”<sup>39</sup>
25. The new system for appointing members to the Council of Judges and Prosecutors does not comport with international standards, because the President may appoint four of the thirteen members.<sup>40</sup> The Council is responsible for appointment, promotion, and dismissal of judges and prosecutors. As a result, the President can exert significant influence over judiciary proceedings, interfering with the independence of the judiciary.<sup>41</sup>

For example, on March 19, 2018, newly appointed judges and prosecutors attended a ceremony at the Presidential Complex, where their jurisdictions were determined by lot. During the ceremony, new appointees gave President Erdogan standing ovations.<sup>42</sup>

26. Since 2014, the executive has interfered with judiciary proceedings, including by arresting, dismissing, and arbitrarily transferring judges and prosecutors, and by directing threats at lawyers.<sup>43</sup> Immediately after the 2016 attempted coup, an emergency decree summarily dismissed 3,626 judges and prosecutors.<sup>44</sup> Mr. E. was one of those dismissed judges. He noted that The Platform of Judicial Unity (YBP), a pro-government NGO, “had a representative at almost every courthouse and they fearlessly labeled judges and prosecutors by their political opinion, ethnicity, and religious thought even though it is a crime pursuant to relevant laws. It is impossible to suspend more than two thousand judges and prosecutors the day after an attempted coup, unless you have prepared blacklists in advance.”<sup>45</sup> He added: “When I was suspended, I went to the Board of Judges and Prosecutors [HSYK], formerly known as High Council of Judges and Prosecutors, to learn why I had been suspended. Several other suspended judges and I met a member of the HSYK, Turgay Ates, who informed me that one of my friends had given my name as a potential Gulen Movement affiliate. During that meeting, a female judge confirmed that she had stayed at a dormitory affiliated with the Gulen Movement because of its affordable cost. After her statement, Turgay Ates asked her for names of her dormmates who were law students.”<sup>46</sup>
27. Former prosecutors Suleyman Bagriyanik, Aziz Takci, Ozcan Simsek, and Ahmet Karaca have detained and sentenced to prison after their involvement in a case implicating the Turkish National Intelligence Organization. Takci, Karaca, and Sisman had previously issued a search warrant for a truck allegedly carrying illegal arms to Syria which supposedly belonged to the Turkish National Intelligence Organization. According to a video on YouTube uploaded by journalist Arzu Yildiz, chief public prosecutor Suleyman Bagriyanik claimed during his trial that both the Minister of Justice Bekir Bozdog and Undersecretary to the Ministry Kenan Ipek had ordered an end to the investigation regarding the truck shipment. Moreover, he stated that Undersecretary to the Minister Kenan Ipek had threatened him to end the investigation or face consequences.<sup>47</sup> Alp Deger Tanriverdi, lawyer representing the prosecutors, was also detained and later sentenced to seven years and six months in prison on charges of membership in a terrorist organization.<sup>48</sup>
28. After the attempted coup, many emergency decrees were published. Decree 667 significantly restricted access to an attorney and the right to confidential legal advice. The decree permitted the detention of an individual (within the scope of the Anti-Terror Law) without access to a lawyer for 24 hours, authorized officials to record, observe, and interrupt conversations held between a detainee and his/her lawyer, and allowed the suspension of a suspect’s right of access to counsel for up to six months.<sup>49</sup>
29. In 2019, Human Rights Watch reported that police have arbitrarily detained lawyers and prosecutors have accused lawyers of the same crimes as the defendants they represent.<sup>50</sup> Human Rights Watch also noted that “while lawyers always have a critical role to play in protecting the rights of suspects in police custody and defendants in court, their role in protecting the rule of law and human rights is all the more fundamental in the context of the current crackdown in Turkey. Yet, or more likely because of that, as this report

demonstrates, authorities have also targeted lawyers, in particular criminal defense lawyers.”<sup>51</sup> Lawyers have been reluctant to represent those accused of affiliation with terrorist organizations, such as the PKK or Gulen Movement, out of fear that they themselves may be prosecuted. Many lawyers’ associations had been shut down by emergency decrees.<sup>52</sup> More than 1,500 lawyers have been prosecuted, 580 have been arrested, and 103 have been sentenced to prison. Istanbul’s second criminal peace judge has suspended more than 300 lawyers from practicing their profession over links to the Gulen Movement.<sup>53</sup>

#### IV. RECOMMENDATIONS

30. This stakeholder report suggests the following recommendations for the Government of Turkey:

- Guarantee freedom of opinion and expression by ending surveillance, eliminating threats, and ending arbitrary arrests of lawyers, judges, and prosecutors.
- Amend the Anti-Terror Law to ensure that individuals cannot be prosecuted for defending people accused of terrorism offenses or for expressing opinions critical of the government.
- Establish independent mechanisms for reporting and investigation of allegations of unlawful detention, torture, and inhumane treatment at the hands of police and security forces.
- Ensure that every detainee has access to an attorney at the time of any custodial interrogation.
- Ensure that prison personnel who engage in torture or cruel, inhuman, or degrading treatment or punishment are held accountable.
- Establish an independent reporting system through which victims of torture and ill-treatment in detention have access to remedies without danger of reprisal.
- Limit the use of solitary confinement to the conditions outlined in Rules 43–45 of the Nelson Mandela Rules, with particular attention to Rule 43(3) concerning restrictions on limitations of family contact and 45(1) concerning restraint in the use of solitary confinement.
- Ensure the independence of the judiciary and prohibit executive branch interference with or attempts to exert influence over the judiciary.
- Ensure that individuals have the right to appeal a decision of a criminal peace judge to a higher tribunal with appellate authority.

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<sup>1</sup> *Report of the Working Group on the Universal Periodic Review: Turkey*, (April 13, 2015), U.N. Doc. A/HRC/29/15.

<sup>2</sup> Human Rights Watch, *Turkey: Events of 2016*. Also available online at <https://www.hrw.org/world-report/2017/country-chapters/turkey>.

<sup>3</sup> *Report of the Working Group on the Universal Periodic Review: Turkey*, (April 13, 2015), U.N. Doc. A/HRC/29/15. ¶ 149.39 Facilitate holding peaceful protests, protect all peaceful

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demonstrators from violence and arbitrary arrest and fight impunity for the use of excessive force against protestors by law-enforcement personnel (Czech Republic). Also available online at [https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement).

<sup>4</sup> *Report of the Working Group on the Universal Periodic Review: Turkey*, (April 13, 2015), U.N. Doc. A/HRC/29/15. ¶ 149.8 Set up a national mechanism for preventing torture (France). Also available online at [https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement).

<sup>5</sup> *Report of the Working Group on the Universal Periodic Review: Turkey*, (April 13, 2015), U.N. Doc. A/HRC/29/15. ¶ 149.11 Bring the laws regulating the use of force by law enforcement officers in line with international standards, particularly taking into account components of proportionality and necessity; to create an independent oversight mechanism with respect to complaints against criminal conduct by the police (Lithuania); Abolish any statutory limits on crimes by government officials, like torture, extrajudicial killings, and disappearances, both in respect to legal investigations as well as prosecutions (Netherlands). Also available online at [https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement).

<sup>6</sup> *Report of the Working Group on the Universal Periodic Review: Turkey*, (April 13, 2015), U.N. Doc. A/HRC/29/15. ¶ 149.21 Consider the establishment of budgetary allotments to improve the conditions of the prison population (Mexico). Also available online at [https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement).

<sup>7</sup> *Report of the Working Group on the Universal Periodic Review: Turkey*, (April 13, 2015), U.N. Doc. A/HRC/29/15. ¶ 149.9 Implement article 3 of the European Convention on Human Rights and abolish all legal or other restrictions for the release of sick or terminally sick inmates (Germany). Also available online at [https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement)

<sup>8</sup> Human Rights Watch, *Turkey: Events of 2016*. Also available online at <https://www.hrw.org/world-report/2017/country-chapters/turkey>.

<sup>9</sup> *Report of the Working Group on the Universal Periodic Review: Turkey*, (April 13, 2015), U.N. Doc. A/HRC/29/15. ¶ 151.15 Amend or revoke legislation, such as the “Anti-Terror Law” and the “Law on Meetings and Demonstrations”, ensuring their provisions cannot be misused (Cyprus). Also available online at [https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement).

<sup>10</sup> Human Rights Watch, *Turkey: Events of 2018*. Also available online at <https://www.hrw.org/world-report/2019/country-chapters/turkey>.

<sup>11</sup> *Report of the Working Group on the Universal Periodic Review: Turkey*, (April 13, 2015), U.N. Doc. A/HRC/29/15. ¶ 149.22 Guarantee full independence of the judiciary (Luxembourg); All areas of the judiciary be completely independent from the executive; Protect the judiciary against all interference from bodies belonging to other branches of government (Switzerland). Also available online at [https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement](https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement).

<sup>12</sup> U.N. Office of the High Commissioner of Human Rights, *Turkey: Report on the impact of the state of emergency on human rights in Turkey, including an update on the South East, January – December 2017* (March 2018), ¶ 48. Also available online at

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[https://www.ohchr.org/Documents/Countries/TR/2018-03-19\\_Second\\_OHCHR\\_Turkey\\_Report.pdf](https://www.ohchr.org/Documents/Countries/TR/2018-03-19_Second_OHCHR_Turkey_Report.pdf).

<sup>13</sup> U.N. Office of the High Commissioner of Human Rights, *Turkey: Report on the impact of the state of emergency on human rights in Turkey, including an update on the South East, January – December 2017* (March 2018), ¶ 34. Also available online at [https://www.ohchr.org/Documents/Countries/TR/2018-03-19\\_Second\\_OHCHR\\_Turkey\\_Report.pdf](https://www.ohchr.org/Documents/Countries/TR/2018-03-19_Second_OHCHR_Turkey_Report.pdf).

<sup>14</sup> Freedom House, “Freedom in the World 2019: Turkey Profile,” accessed Jul. 9, 2019, <https://freedomhouse.org/report/freedom-world/2019/turkey>.

<sup>15</sup> Emergency Decree 676, Art. 3 (2016).

<sup>16</sup> Emergency Decree 667, Art. 1 (2016).

<sup>17</sup> *Report of the Working Group on the Universal Periodic Review: Turkey*, (April 13, 2015), U.N. Doc. A/HRC/29/15. ¶ 104 Within the framework of the zero-tolerance policy for torture and ill-treatment, all relevant departments, including detention rooms, were being monitored by cameras and the records were being kept for 30 days. The number of judicial and disciplinary decisions on “overstepping the use of force” and “torture crimes” had recently decreased as a result of the measures taken. Also available online at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement>.

<sup>18</sup> Human Rights Watch, *Turkey: Events of 2016*. Also available online at <https://www.hrw.org/world-report/2017/country-chapters/turkey>.

<sup>19</sup> Melis Ton, *Thousands of Judges Still in Jail. 680 of Them Kept in Solitary Confinement*, Nov. 28, 2017, <http://www.platformpj.org/opinion-thousands-judges-still-jail-680-kept-solitary-confinement/>.

<sup>20</sup> *'Kozmik Oda' davasında eski savcı Mustafa Bilgili, 17 yıl hapse mahkum oldu. Aynı davadan eski hakim Halil İbrahim Kütük ise 12 yıl hapis cezası aldı*, Sputnik Türkiye, Apr. 25, 2019), Also available online at <https://tr.sputniknews.com/turkiye/201904251038868570-kozmik-odayi-aratan-eski-savci-bilgiliye-17-yil-hapis/>.

<sup>21</sup> Telephone Interview with Arzu Yildiz, Journalist, Jun. 6, 2019.

<sup>22</sup> Telephone Interview with Arzu Yildiz, Journalist, Jun. 6, 2019.

<sup>23</sup> Telephone Interview with Arzu Yildiz, Journalist, Jun. 6, 2019.

<sup>24</sup> *Suspicious Deaths And Suicides In Turkey*, Stockholm Freedom Center, Jan. 25, 2019, <https://stockholmcf.org/suspicious-deaths-and-suicides-in-turkey-updated-list/>.

<sup>25</sup> *Report of the Working Group on the Universal Periodic Review: Turkey*, (Apr. 13, 2015), U.N. Doc. A/HRC/29/15. Also available online at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/076/33/PDF/G1507633.pdf?OpenElement>.

<sup>26</sup> *Hücre işkencesi sonucu ölen Hakim Teoman Gökçe'nin anne ve babası da üzüntüden hayatını kaybetmiş*, Apr. 5, 2018, <https://grihat.com/hucre-iskencesi-sonucu-olen-hakim-gokcenin-anne-ve-babasi-da-uzuntuden-hayatini-kaybetmis/>.

<sup>27</sup> *Declaration on Death of Judge Mehmet Tosun*, Medel, Mar. 11, 2017, <https://www.medelnet.eu/index.php/situation-in-turkey/368-medel-declaration-on-death-of-judge-mehmet-tosun>.

<sup>28</sup> Human Rights Watch, *Turkey: Events of 2018* (United States: 2019). Also available online at <https://www.hrw.org/world-report/2019/country-chapters/turkey>.

<sup>29</sup> Human Rights Watch, *Turkey: Events of 2018* (United States: 2019). Also available online at <https://www.hrw.org/world-report/2019/country-chapters/turkey>.



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<sup>30</sup> *Turkey Hands Jail Sentence to UN Judge Aydin Sefa Akay*, DW News, Jun. 15, 2017, <https://www.dw.com/en/turkey-hands-jail-sentence-to-un-judge-aydin-sefa-akay/a-39262778>

<sup>31</sup> U. N. Human Rights Council, *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression on his mission to Turkey*, Jun. 21, 2017, A/HRC/35/22/Add.3 ¶ 70. Also available online at <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=dtYoAzPhJ4NMy4Lu1TOebEemUbRcMKMVNIMH7cp7iH%2bZ2nJ%2fd0nd5flaq72n3QDuYqOm%2fZWCOpu2qJ0B2rBVurr2HOVTvV2L6WO2xE6Hd3NzGICwpG8E31kC%2bVblK3Td>.

<sup>32</sup> *Top Judge, Paralyzed After Cancer Surgery, Under Arrest At Hospital*, Stockholm Center for Freedom, Apr. 30, 2017, <https://stockholmcf.org/top-judge-paralyzed-after-cancer-surgery-under-arrest-at-hospital/>.

<sup>33</sup> *High Court judge who was being kept under arrest at hospital has died*, Platform Peace and Justice, Aug. 22, 2017, <http://www.platformpj.org/high-court-judge-arrest-hospital-died/>.

<sup>34</sup> Interview with Ms. N, Former Legal Scholar, May 29, 2019.

<sup>35</sup> *Turkey: Mass Prosecution of Lawyers*, Human Rights Watch, Apr. 10, 2019, <https://www.hrw.org/news/2019/04/10/turkey-mass-prosecution-lawyers>.

<sup>36</sup> *Attorney Claims Ill Treatment During Brief Incarceration Over Court Defense*, Turkish Minute, Turkish Minute, Oct. 7, 2018, <https://www.turkishminute.com/2018/10/07/attorney-claims-ill-treatment-during-brief-incarceration-over-court-defense/>.

<sup>37</sup> U.N. Office of the High Commissioner of Human Rights, *Turkey: Report on the Impact of the State of Emergency on Human Rights in Turkey, Including an Update on the South East* (March 2018), ¶ 52. Also available online at [https://www.ohchr.org/Documents/Countries/TR/2018-03-19\\_Second\\_OHCHR\\_Turkey\\_Report.pdf](https://www.ohchr.org/Documents/Countries/TR/2018-03-19_Second_OHCHR_Turkey_Report.pdf).

<sup>38</sup> U.N. Office of the High Commissioner of Human Rights, *Turkey: Report on the Impact of the State of Emergency on Human Rights in Turkey, Including an Update on the South East* (March 2018), ¶ 53. Also available online at [https://www.ohchr.org/Documents/Countries/TR/2018-03-19\\_Second\\_OHCHR\\_Turkey\\_Report.pdf](https://www.ohchr.org/Documents/Countries/TR/2018-03-19_Second_OHCHR_Turkey_Report.pdf).

<sup>39</sup> U. N. Human Rights Council, *Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression on His Mission to Turkey*, Jun. 21, 2017, A/HRC/35/22/Add.3 ¶ 68. Also available online at <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=dtYoAzPhJ4NMy4Lu1TOebEemUbRcMKMVNIMH7cp7iH%2bZ2nJ%2fd0nd5flaq72n3QDuYqOm%2fZWCOpu2qJ0B2rBVurr2HOVTvV2L6WO2xE6Hd3NzGICwpG8E31kC%2bVblK3Td>.

<sup>40</sup> U.N. Office of the High Commissioner of Human Rights, *Turkey: Report on the Impact of the State of Emergency on Human Rights in Turkey, Including an Update on the South East* (March 2018), ¶ 53. Also available online at [https://www.ohchr.org/Documents/Countries/TR/2018-03-19\\_Second\\_OHCHR\\_Turkey\\_Report.pdf](https://www.ohchr.org/Documents/Countries/TR/2018-03-19_Second_OHCHR_Turkey_Report.pdf).

<sup>41</sup> U.N. Office of the High Commissioner of Human Rights, *Turkey: Report on the Impact of the State of Emergency on Human Rights in Turkey, Including an Update on the South East* (March 2018), ¶ 53. Also available online at [https://www.ohchr.org/Documents/Countries/TR/2018-03-19\\_Second\\_OHCHR\\_Turkey\\_Report.pdf](https://www.ohchr.org/Documents/Countries/TR/2018-03-19_Second_OHCHR_Turkey_Report.pdf).

<sup>42</sup> *Turkey's New Judges, Prosecutors Give Erdoğan Standing Ovation at Palace Ceremony*, Stockholm Freedom Center, Mar. 19, 2018, <https://stockholmcf.org/turkeys-new-judges-prosecutors-give-erdogan-standing-ovation-at-palace-ceremony/>.

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<sup>43</sup> U. N. Human Rights Council, *Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression on His Mission to Turkey*, Jun. 21, 2017, A/HRC/35/22/Add.3 ¶ 69. Also available online at <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=dtYoAzPhJ4NMy4Lu1TOebEemUbRcMKMVNIMH7cp7iH%2bZ2nJ%2fd0nd5flaq72n3QDuYqOm%2fZWCOpu2qJ0B2rBVurr2HOVTvV2L6WO2xE6Hd3NzGlCwpG8E31kC%2bVblK3Td>.

<sup>44</sup> U. N. Human Rights Council, *Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression on His Mission to Turkey*, Jun. 21, 2017, A/HRC/35/22/Add.3 ¶ 70. Also available online at <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=dtYoAzPhJ4NMy4Lu1TOebEemUbRcMKMVNIMH7cp7iH%2bZ2nJ%2fd0nd5flaq72n3QDuYqOm%2fZWCOpu2qJ0B2rBVurr2HOVTvV2L6WO2xE6Hd3NzGlCwpG8E31kC%2bVblK3Td>.

<sup>45</sup> Telephone Interview with Mr. E, Former Judge, Jun. 7, 2019.

<sup>46</sup> Telephone Interview with Mr. E, Former Judge, Jun. 7, 2019.

<sup>47</sup> Arzu Yildiz, “Bassavci Süleyman Bagriyanik’in Tarihi Savunması.” Online video clip. *Youtube*. Jun. 17, 2015. Accessed July 9, 2019.

<sup>48</sup> *Lawyer for Prosecutor Defendants in ‘MIT Trucks’ Case Gets 7.5 Years in Prison*, Turkish Minute, Jan. 18, 2019. Also available online at <https://www.turkishminute.com/2019/01/18/lawyer-for-prosecutor-defendants-in-mit-trucks-case-gets-7-5-years-in-prison/>.

<sup>49</sup> Emergency Decree 667 (2016).

<sup>50</sup> Human Rights Watch, *Lawyers on Trial*, (United States: 2019), Also available online at <https://www.hrw.org/report/2019/04/10/lawyers-trial/abusive-prosecutions-and-erosion-fair-trial-rights-turkey>.

<sup>51</sup> Human Rights Watch, *Lawyers on Trial* (United States: 2019). Also available online at <https://www.hrw.org/report/2019/04/10/lawyers-trial/abusive-prosecutions-and-erosion-fair-trial-rights-turkey>.

<sup>52</sup> Human Rights Watch, *Lawyers on Trial*, Apr. 10, 2019 (United States: 2019). Also available online at <https://www.hrw.org/report/2019/04/10/lawyers-trial/abusive-prosecutions-and-erosion-fair-trial-rights-turkey>.

<sup>53</sup> Telephone Interview with Mr. E, Former Judge, Jun. 7, 2019.