



# Workers' and Human Rights in Turkey

A UNISON campaign briefing  
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## Contents

Introduction	3
Before the state of emergency	4
South East Turkey	5
Attempted coup	6
State of Emergency	6
Arbitrary detention and access to justice	6
Dismissal and suspension of workers	7
Erosion of democracy	8
Curtailing freedom of expression	9
Attacks on human rights defenders	10
The end of the State of Emergency?	10
International response	10
Recommendations	11
Take action	12
Model letter to the Foreign Secretary	13
Model letter to your MP	14
Model motion	15
References	16

### Cover image

The human rights monument in Ankara has been fenced off by authorities to prevent it being used as a site for protest, during the state of emergency. The image has come to symbolise the crack down on human rights in Turkey.

## Introduction

The denial of workers' and human rights in Turkey is nothing new, but the situation has become significantly worse since the government imposed a state of emergency in July 2016. In little over two years President Erdoğan and the government of Turkey have used a series of draconian presidential decrees to suppress the rights of any perceived opponents, including trade unionists, public service workers, human rights defenders, journalists, the judiciary, politicians and academics. As a result, democracy, human and workers' rights and the rule of law have been severely diminished, and continue to be eroded, despite the official end of the state of emergency in July.

UNISON is working in solidarity with progressive trade unions in Turkey to address the denial of human and workers rights by campaigning, providing direct support and calling on the UK government to respond to the situation.

This briefing is designed to help UNISON activists take forward the campaign in your own branch. It provides background on the situation in Turkey, highlights our demands to the governments of Turkey and the United Kingdom, and includes a series of actions you can take in your own branch or region.

## Summary

- Trade union rights are severely restricted, despite protections in the constitution and international law. Workers are routinely denied the right to strike, although Turkey has signed ILO convention 87, Freedom of Association and Protection for the Right to Organise. The right to freedom of assembly is also extremely limited, with rallies and demonstrations regularly banned and protestors subjected to a disproportionate police response.
- During the state of emergency, at least 152,000 public service workers were dismissed or suspended with little or no right of appeal. Most were dismissed without knowing the evidence against them, for having an alleged "link or connection with terrorist organisations". Additional sanctions such as a permanent ban on working in the public sector, loss of pension or eviction from publically owned homes, have also been imposed on many dismissed workers. Progressive trade unions including DISK and KESK have been particularly affected by the dismissals. A government appointed State of Emergency Appeals Commission has only considered a fraction of the appeals submitted. The Commission has been highly criticised for its lack of independence, impartiality, transparency and inability to deal with the volume of cases.

- Since the imposition of the State of Emergency, Turkey has experienced a rapid erosion of democracy at a local and national level. By the end of 2017 the government had imprisoned 87 mayors and dismissed others for alleged terrorism related offences, replacing them with government appointed trustees. Many opposition MPs have also been imprisoned. A controversial referendum in 2017 narrowly approved major changes to the constitution, significantly increasing the powers of the president to appoint ministers, senior officials and judges and rule by decree, whilst diminishing the authority of parliament to hold the government to account. Both the referendum and the 2018 snap election, also held under the state of emergency, were heavily criticised for being weighted in favour of the ruling party through limits on freedoms of assembly and expression, unfair media coverage, misuse of state resources, intimidation and harassment by security forces, a lack of transparency and a failure to comply with legally prescribed processes.
- Freedom of expression has been severely limited under the State of Emergency, despite protections under international law. Turkey has become the biggest jailer of journalists in the world, with over 300 arrested and detained by the end of 2017. Over 100,000 websites were reported blocked in 2017 and many who criticise the government on social media have been arrested and investigated for alleged terrorism related offences.

## Take action

- Pass policy on Turkey in your branch
- Write to your local MP and the Foreign and Commonwealth Office, using the template letters at the end of this briefing
- Affiliate to Solidarity with the People of Turkey
- Support the ITUC/ETUC solidarity fund for Turkish trade unions.

## Before the state of emergency

The erosion of workers' rights in Turkey did not start with the failed coup. For many years progressive trade unions have fought hard to defend fundamental workers' rights. Although the government of Turkey has ratified the International Labour Organisation's (ILO) core conventions<sup>1</sup>, in practice they are rarely respected. The ITUC has awarded Turkey a rating of five, no guarantee of rights, in its annual global rights index, placing it amongst the worst countries in the world to be a trade unionist<sup>2</sup>.

The right to freedom of assembly is severely restricted in Turkey, despite being protected by Article 34<sup>3</sup> of the Constitution of the country and international law. Attempts to protest have often been blocked by the authorities, with police officers deployed in huge numbers against those who dare to defy the ban.

On May Day 2016 approximately 24,500 members of the security forces were deployed to prevent a trade union rally at Taksim Square, Istanbul. Water cannons and tear gas were used against demonstrators and 207 were detained<sup>4</sup>. May Day celebrations in previous years were also met with a similar response. In 2015 lawyers were beaten when they attended the court house to assist 479 May Day demonstrators who had been arrested<sup>5</sup>.

On 10 October 2015 two suicide bombs exploded at a rally for peace and democracy in Ankara, killing 96 people and wounding 250 peaceful demonstrators. The rally, organised by civil society, including progressive union federations DISK and KESK, was calling for an end to the renewed violence in South East Turkey. Security forces used teargas to disperse the demonstration and blocked access to medical facilities<sup>6</sup>.

Trade union protests against the bombings were banned in the subsequent days. 26 members and board members of the Trade Union of Public Employees in Health and Social Services (SES) Muğla were taken into police custody for protesting, and police used teargas on 30 lawyers and 150 others protesting in Alanya, Antalya<sup>7</sup>.

Turkey has strict regulations governing the right to strike. Strikes that do not arise from disputes during collective bargaining are considered illegal and are subject to heavy penalties including large fines and the dismissal of workers. Strike action is banned in a number of non essential sectors including banking, petrochemicals, gas and urban transport. Public servants are not permitted to take strike action and have very limited collective bargaining rights. The government routinely prohibits strike actions on spurious

national security and public health grounds<sup>8</sup>.

In January 2014 the trial commenced for 502 trade unionists accused of causing damage to public properties and using violence during a strike and demonstration. They were protesting against proposed laws to further limit the right to strike and collective bargaining for public service workers. The defendants included the president and general secretary of KESK<sup>9</sup>.

The International Labour Organisation (ILO) committee on the application of standards has repeatedly raised concerns about restrictions on the freedom of assembly of trade unionists<sup>10</sup>.

Trade union leaders are often arrested on spurious grounds for highlighting workers' concerns. On May Day 2015, members of the KESK affiliate SES were arrested for holding a press conference<sup>11</sup>. In June 2016 the then DISK Secretary General, Arzu Çerkezoğlu, was arrested by police in Istanbul airport, for allegedly insulting President Erdoğan in a speech she made nine months earlier. She was later released<sup>12</sup>. According to Amnesty International, in the six months to March 2016, the Minister of Justice gave permission for 105 criminal prosecutions for insulting the President<sup>13</sup>.

Restrictive laws place high thresholds on trade union recognition in workplaces and make it difficult to organise. This contributes to low levels of trade union membership and further undermines workers' rights, including health and safety. In 2017 alone, 2,006 workers were killed in their workplace, according to the Workers' Health and Work Safety Assembly (iSiGM)<sup>14</sup>.

Women workers in particular face high levels of discrimination. The government of Turkey has regularly promoted discriminatory stereotypes concerning the roles and responsibilities of women in society, including demeaning statements about women who do not adhere to 'traditional' roles. Unemployment rates for women (13.4%) are significantly higher than for men (9.4%)<sup>15</sup>, and a significant number of women work in low-paid precarious jobs in the informal sector, without access to health insurance or social security<sup>16</sup>.

## South East Turkey

Before the state of emergency began, the erosion of rights was particularly evident in South East Turkey, where the majority of the Kurdish population live. Turkey's citizens of Kurdish origin make up between 15-10 per cent of the population. They have endured decades of suppression by the Turkish state, including restrictions and even a ban on their culture and language. This has contributed to high levels of poverty and illiteracy in areas of South East Turkey, particularly affecting women<sup>17</sup>.

In 1984 the Kurdistan People's Party (PKK) began an armed struggle against the government of Turkey which lasted until 1999 when the PKK leader Abdullah Öcalan was arrested and jailed. Fighting resumed in 2004, when a five year unilateral ceasefire broke down, and continued until March 2013 when peace talks between the government of Turkey and Abdullah Öcalan began, lasting until June 2015. During the course of the conflict at least 40,000 people were killed and hundreds of thousands were displaced<sup>18</sup>.

The resumption of the conflict in July 2015 immediately followed the general election in June, when the ruling Justice and Development Party (AKP) lost their parliamentary majority. A major security operation involving thousands of military personnel was launched in South East Turkey, with high levels of violence disproportionately affecting citizens of Kurdish origin<sup>19</sup>. Within weeks President Erdoğan called another snap election for 1 November, when the AKP regained their parliamentary majority.

At least 30 towns and neighbourhoods were targeted by the government in response to alleged terrorist activities. Between August 2015 and December 2016 there were at least 169 open-ended curfews in 39 districts. Approximately 1,809,000 people were deprived of their liberty by the curfews, which sometimes lasting several weeks, and prevented the evacuation of residents and access to food, water and medical care<sup>20</sup>. Approximately 2,000 people were killed and 355,000 displaced in the first year of the security operations, resulting in many being compelled to sleep on the streets, and women in particular exposed to high levels of discrimination and risk of sexual and other forms of violence<sup>21</sup>.

Authorities have failed to investigate unlawful killings or the excessive use of force, and many of those seeking justice have themselves been charged with terrorist offences. In Cizre, in December 2015, for example, health worker and SES Cizre board member, Abdulaziz Yural, was shot dead whilst trying to provide emergency care to a woman who had

also been shot. Authorities failed to adequately investigate the killing, instead focusing enquiries on alleging a link with terrorist organisations<sup>22</sup>.

Cizre was amongst the worst affected towns by the curfews. In February 2016 up to 189 women, men and children died after being trapped in basements without access to water, food or medical attention for several weeks, before being subjected to heavy military shelling. Authorities rushed to demolish the site, preventing the identification of the deceased<sup>23</sup>.

In Sur district, in the city of Diyarbakir, shelling was followed by the destruction of entire neighbourhoods with heavy machinery. Although reconstruction work has commenced, the new homes are unaffordable to many of the 24,000 former residents who remain displaced<sup>24</sup>.

Trade unionists were also attacked as part of the security operations. In September 2015 SES reported that their branch office in Diyarbakir had been raided by the police, the door smashed in and staff and members terrorised. The police claimed to be looking for terrorists<sup>25</sup>. In December 2015 three members of DISK/Genel-iş were arrested for their trade union activities<sup>26</sup>. The following month a board member of the Sirnak branch of SES was arrested for criticising the behaviour of the security forces. He was charged with spreading propaganda and his union was termed an illegal organisation<sup>27</sup>.

## Attempted coup

On 15 July 2016 Turkey suffered a brutal, failed, attempted coup, resulting in the death of 250 individuals and injury of at least 2,200 more<sup>28</sup>. Key presidential buildings and the Grand National Assembly of Turkey in the capital Ankara were attacked; clashes took place in Istanbul and tanks blocked key bridges and the airport. A small faction from the military announced it had established a 'peace council' to run the country. Thousands took to the streets to oppose the attempted coup and the military and opposition political parties condemned it. Within hours many of the soldiers involved had surrendered and the attempted coup had ended.

The government immediately blamed President Erdoğan's former ally Fetullah Gulen, a prominent US based Muslim cleric, for orchestrating the attempted coup. In the following days the government made thousands of arrests and thousands more were dismissed from their jobs in the judiciary, police, military and government ministries, leading Amnesty International to warn that human rights were in grave danger<sup>29</sup>.

## State of Emergency

On 20 July the Council of Ministers declared a State of Emergency (OHAL), initially for a period of 90 days<sup>30</sup>. It was renewed a total of seven times before officially ending on 18 July 2018, almost two years after its introduction<sup>31</sup>. The state of emergency granted President Erdoğan with powers to introduce emergency decree laws (KHK) without the approval of parliament. Some of the decrees authorised the mass dismissal of workers and the closure of institutions and organisations, whilst others resulted in changes to the law. In total, during the state of emergency the President introduced 32 emergency decrees and made approximately 300 amendments to 150 laws, which remain in force<sup>32</sup>.

The following details how many of the decrees implemented during the state of emergency have infringed on rights to justice, work, and freedom of association, assembly, and expression<sup>33</sup>.

## Arbitrary detention and access to justice

During the state of emergency the government detained well over 150,000 people, including 78,000 under draconian anti-terrorism laws<sup>34</sup>. Broadly defined decrees provided the authorities with significant discretion to detain anyone with an alleged “link or connection” to a “terrorist organisation”, and many were detained without being informed of the evidence against them. The government also extended the length of time a person could be detained without charge to 30 days, and held before trial to seven years, for terrorism related crimes. Numerous trade union leaders and activists have been arrested, in many cases for legitimate criticisms of the government or calling for peace.

The Office of the United Nations High Commissioner for Human Rights (OHCHR) estimated that in December 2017 approximately 600 women with young children were being held in detention, including about 100 who were pregnant or had just given birth. Many women and children were detained for their association with another suspect, rather than for any alleged crime<sup>35</sup>.

In May 2017, Nuriye Gulmen and Semih Ozakca, members of the Turkish teachers union EGTİM-SEN, were arrested two months into a hunger strike protesting their dismissal. They were charged with links to a terrorist organisation. Ahead of their trial their legal team was also arrested for alleged ties with a terrorist organisation<sup>36</sup>.

In January 2018 several members of the Turkish Medical Association (TTB) were arrested after they criticised Turkish military operations in Afrin, Syria. They were denounced as ‘terrorist lovers’ by President Erdoğan<sup>37</sup>.

Elif Cuhadar, a member of the Executive Committee of KESK (Confederation of Public Workers’ Unions), was arrested in Ankara on 6 February 2018, during an anti-terror police raid on her home. The charges relate to her participation in a public panel discussion in Izmir in 2014. A number of other attendees at the event were also arrested<sup>38</sup>.

The use of torture and other forms of ill treatment whilst in custody, particularly in the weeks following the attempted coup, have been well documented by human rights agencies. These included beatings, sexual assaults and threats of sexual assaults, electric shocks and water boarding. Authorities have denied and failed to investigate the allegations<sup>39</sup>.

Access to a lawyer was also severely restricted under the state of emergency. Emergency decrees allowed authorities to deny access to or replace a lawyer, and record conversations between a detainee and a lawyer for “security reasons”. Many lawyers were arrested for alleged terrorism related crimes. By the end of 2017 approximately 570 lawyers had been arrested, 1,480 faced prosecution, 79 faced long term imprisonment and 34 bar associations had been shut down. Many were arrested for their association with a client accused of a terrorist offence<sup>40</sup>.

Official and civilian supporters of the government, involved in suppression of the coup attempt and following events, have been provided with legal, administrative, criminal and financial immunity under Decree 696, issued in December 2017. Lawyers, human rights groups and opposition parties have raised concerns that the vaguely worded decree will lead to impunity in serious violations of human rights and encourage further violence against perceived critics of the government<sup>41</sup>.

## Dismissal and suspension of workers

During the state of emergency, at least 152,000 public sector workers were dismissed or suspended with little or no right to appeal. Most were dismissed for allegedly having a “link or connection with terrorist organisations”<sup>42</sup>. In many cases the names of those dismissed were published as annexes to decrees, without prior warning, and most were not notified of the evidence against them. Others have been dismissed by government appointed trustees, who have replaced democratically elected mayors.

Additional sanctions have also been applied to dismissed workers, such as a permanent ban from working in the public sector and some private sector companies, loss of pension and medical insurance, confiscation of assets and the cancellation of passports. Dismissed public service workers living in publically owned homes have also been evicted<sup>43</sup>. These restrictions infringe on numerous human rights including the right to work, housing, freedom of movement and health. Many of those subjected to dismissals and associated sanctions have reported being stigmatised by their communities for their alleged links with terrorist organisations. Trade union federation DİSK reported 36 cases of suicide during the first year of the state of emergency, the underlying cause for which was dismissal<sup>44</sup>.

In addition to those suspected of an offence, human rights organisations have identified dismissals and other measures being taken against individuals associated with a suspect, including family members, neighbours and social media contacts.

In January 2017, following significant international pressure, a State of Emergency Appeals Commission was established by an emergency decree law, to consider appeals against unfair dismissals or the closure of organisations and businesses. International human rights bodies have raised concerns about the lack of independence and impartiality of the Commission, and its inability to deal with the volume of cases<sup>45</sup>. The Commission consists of seven members, appointed by the government. Applicants are required to submit appeals through the institutions that dismissed them, and decisions are based on a case-file, without the participation of the complainant. In many cases evidence is deemed confidential and not shared with the complainant, and there is no requirement for decisions to be supported by evidence or published.

The commission began considering complaints in July 2017. By the end of June 2018 it had only ruled on 19,500 of the 109,000 applications received. It accepted appeals in just 1,300 cases, representing a success rate of less than seven per cent. In the small number of cases where the Commission has decided to reinstate workers, they have been reallocated to another employer. No compensation has been offered for loss of income or social benefits<sup>46</sup>.

Trade union federation DİSK has estimated that it will take at least 20 years for the Commission to examine all outstanding cases, if they spend just 22 minutes considering each case<sup>47</sup>.

Attempts to use other legal avenues to force the government to reinstate workers have not been successful. Administrative

and constitutional courts have declared they cannot consider cases against the decrees, and the European Court of Human Rights will not consider cases of unfair dismissal unless all domestic remedies have been exhausted<sup>48</sup>.

Progressive trade unions have been particularly affected by the dismissals, with evidence of clear targeting of trade union members<sup>49</sup>.

The trade union federation KESK reported in January 2018 that 4,218 members had been dismissed under decree laws. In July 2017 DİSK reported that 1,959 members of municipal workers' union Genel-iş had been dismissed; some 506 by decrees and an additional 1,456 by government trustees appointed to replace democratically elected mayors<sup>50</sup>.

Many union leaders and activists from KESK and DİSK have been dismissed, including for carrying out trade union activities. KESK affiliate EGTİM SEN, the education and science union, for example, was affected by the dismissal of its general secretary and seven branch presidents<sup>51</sup>.

Dismissals for social media posts are also common, particularly for highlighting issues around health and safety, or calling for an end to the conflict in South East Turkey. At least 380 academics were dismissed from universities for signing a petition calling on the government "to put an end to the violence inflicted against its citizens" in the South East<sup>52</sup>. 146 were put on trial for "spreading terrorist propaganda on behalf of the PKK".

In July 2018 a new law was tabled in Parliament, which if passed, will allow for the arbitrary dismissals to continue for three years<sup>53</sup>.

The mass dismissals have had a significant impact on the ability of the government of Turkey to deliver key public services to the population including education, health and justice. For example, in September 2016, the mass dismissal of over 11,000 teachers of Kurdish origin, in South East Turkey had a detrimental impact on education in the region, immediately before the beginning of the school year<sup>54</sup>. Cuts to public services disproportionately affect women and the poorest in society and contribute to increased poverty and inequality. Amongst those most affected are approximately 3.5 million refugees, forced to flee the conflict in Syria, who are currently being hosted by Turkey<sup>55</sup>.

Other fundamental workers' rights have been further curtailed under the state of emergency, most notably the right to strike. In the first year of the state of emergency the government banned five large scale strikes, affecting 23,874

workers. In July 2017 President Erdoğan told international investors “Now we intervene immediately in places where there is a threat of a strike thanks to OHAL [state of emergency]. We say, ‘No you can’t go on strike here, you are not allowed disturb business life’”<sup>56</sup>. The right to strike is protected by the ILO core convention 87 Freedom of Association and Protection of the Right to Organise, to which Turkey is a signatory<sup>57</sup>.

The repression of workers and their unions has continued despite the official end of the state of emergency. In September 2018 construction workers at the new Istanbul Grand Airport went on strike to protest against dangerous working conditions, 42 deaths, substandard living quarters and postponed salaries. Security forces cracked down on workers, arrested over 400 and detained 25 including the President of DİSK/Dev Yapı-iş (Progressive Union of Construction Workers) and prevented representatives of DİSK meeting with workers. Trade union leaders were also denied the right to meet workers without a special permit from the governor<sup>58</sup>.

## Erosion of democracy

Since the imposition of the state of emergency Turkey has experienced a rapid erosion of parliamentary and local democracy, including a purge of opposition political parties and the introduction of increased presidential powers.

Elected politicians from largely Kurdish areas in South East Turkey have come under an extraordinary attack, particularly those representing the opposition People’s Democratic Party (HDP).

At the time of the June 2018 elections nine HDP MPs were in prison, including the party’s co-leader Selahattin Demirtaş, and 11 had been removed from their parliamentary seats. Hundreds more HDP activists have been detained for alleged terrorism related offences<sup>59</sup>.

In September 2016 President Erdoğan issued decree 674, authorising a purge of elected mayors and their replacement with government appointed trustees. By the end of 2017 the government had imprisoned 87 mayors and dismissed many others for alleged terrorism related offences, replacing them with 94 male trustees to head municipalities in South East Turkey<sup>60</sup>. A number of mayors in other parts of Turkey were also replaced, leaving a third of the population without an elected municipal leader<sup>61</sup>.

In April 2017, under state of emergency rules, a nationwide

referendum was held to approve a series of significant changes to the constitution. The changes reduced the authority of parliament and extended the powers of the president. The ‘Yes’ campaign won with 25,157,463 votes (51.41%) against the ‘No’ campaign with 23,779,141 votes (48.59%)<sup>62</sup>.

The amendments give the President:

- The exclusive power to declare a state of emergency and issue presidential decrees, bypassing parliament;
- Control over the appointment of judges and prosecutors, significantly reducing the independence of the judiciary;
- Control over the government and the power to appoint vice presidents, ministers and senior officials.
- The right to have a formal party affiliation and head a political party;
- The power to dissolve parliament;
- Power to secure the presidency’s budget without the approval of parliament.

The changes also abolish the position of prime minister and remove the power of parliament to monitor the executive or pose parliamentary questions to the President. However, members of parliament are permitted to submit written parliamentary questions to vice presidents and ministers<sup>63</sup>.

The European Commission for Democracy through Law (Venice Commission) said the changes would introduce a “Presidential regime which lacks the necessary checks and balances required against becoming an authoritarian one.”<sup>64</sup>

The referendum process was widely criticised for failing to meet international standards for free and fair referendums or elections, and for being held under the restrictions of a state of emergency. The Parliamentary Assembly of the Council of Europe raised the following concerns<sup>65</sup>:

- Fundamental freedoms essential to a genuinely democratic process were curtailed under the state of emergency.
- The two sides did not have equal opportunities to make their case to voters.
- One sided media coverage and restrictions on the media.
- ‘No’ campaign events were obstructed.
- ‘No’ supporters branded as terrorist sympathisers by senior officials, and faced police interventions and violent scuffles at their events.
- Misuse of state resources in support of the ‘Yes’ campaign.
- The electoral board decision on the day of referendum to accept unstamped ballots as valid, in contravention of electoral law.

International observers raised concerns that up to 2.5

million votes could have been manipulated but calls for an investigation were rejected. Turkey's foreign ministry alleged that foreign observers lacked objectivity and impartiality; whilst President Erdoğan said they should "know their place"<sup>66</sup>.

In April 2018 President Erdoğan announced that snap elections would take place on 24 June 2018, brought forward from November 2019. New presidential powers, approved by the 2016 referendum, would also be introduced, 17 months earlier than expected.

President Erdoğan argued "Developments in Syria and elsewhere have made it urgent to switch to the new executive system in order to take steps for our country's future in a stronger way". However, a weakened opposition unprepared for a snap election, the impending economic crash and the restrictions of the state of emergency could also have been strong motivating factors.

Amnesty International said the elections took place in a "Climate of fear". The joint statement of the Office for Parliamentary Assembly of the Council of Europe, Organisation for Security and Co-operation in Europe and Office for Democratic Institutions and Human Rights said that voters had genuine choice but the ruling party enjoyed undue advantage<sup>67</sup>:

- The state of emergency limited freedom of assembly and expression for opposition parties.
- The ruling party and the incumbent president benefited from excessive media coverage from government-affiliated public and private media, following the mass closure of other media outlets under the state of emergency.
- Opposition events and campaigns were disrupted and attacked, particularly the HDP, whose presidential candidate remained in pre-trial detention throughout the campaign.
- State resources were misused by the ruling party.
- Key amendments to election laws, perceived as favouring the ruling party, were introduced shortly before the elections, and without consultation.
- At least 1,090 polling stations were moved and/or merged due to security considerations. Opposition parties claimed this was intended to lower voter turnout in specific areas.
- There was an intrusive presence of police in some polling stations, which contributed to a climate of insecurity, and possibly pressure against the electorate and, on occasion, international observers.
- There was a lack of transparency in the administration of the elections. Sessions of election boards were closed, and decisions were not published in a systematic or timely manner.
- Important legally prescribed steps were often omitted during the counting and tabulation of ballots.

## Curtailing freedom of expression

Journalism in Turkey should be protected by freedom of expression laws including the International Covenant on Civil and Political Rights<sup>68</sup> (ICCPR) and the European Convention on Human Rights<sup>69</sup> (ECHR). However, broadly defined anti terrorism legislation has been used to prosecute journalists and other media workers, perceived not to support the government's political line.

Since the state of emergency was introduced, Turkey has become the biggest jailer of journalists in the world<sup>70</sup>. By the end of 2017 approximately 300 journalists had been detained and 166 media outlets closed, according to OHCHR<sup>71</sup>. At least 2,500 have lost their jobs as a result of the closures and several hundred have had their media credentials withdrawn by the government. In May 2018 the European Federation of Journalists reported there were 155 journalists in jail in Turkey<sup>72</sup>. In many cases journalists are accused of "making propaganda for a terrorist organisation".

The closure of media outlets and intimidation, harassment, dismissal, arrest and detention of journalists has created a climate of fear which encourages journalists to self-censor their work. This has further eroded democracy and legitimate debate in society by restricting dissenting views. Numerous trade union press conferences have also been banned<sup>73</sup>.

Attacks on freedom of expression have extended to the internet and social media. According to OHCHR over 100,000 websites were reportedly blocked in 2017<sup>74</sup>. In the same year Twitter received over 7,000 censorship requests from the government and courts<sup>75</sup>, significantly higher than any other country.

Many, including trade unionists, have been arrested or dismissed for social media comments relating to the repression of the Kurdish population, the conflict in Syria, Fethullah Gülen, insulting the government, or supporting the 'No' campaign in the referendum.

Research by human rights organisations suggests that people who criticise the government on social media are increasingly investigated for alleged "membership of an armed terrorist organisation". As a result they are more likely to face pre trial investigations and longer sentences if found guilty<sup>76</sup>.

Between January 20 and February 26 2018, authorities detained 648 people for social media posts critical of Turkey's military operations in Afrin, Syria. A further 197 people were detained for other forms of criticism including protesting or expressing support for protestors on social media<sup>77</sup>.

Many protests and marches continued to be banned or severely restricted under the state of emergency. KESK and its affiliates have had numerous protests banned for security reasons, including demands for better workers' rights, the reinstatement of dismissed workers and an end to the state of emergency<sup>78</sup>.

In July 2018 the Istanbul governor's office banned the annual LGBT Pride march for a fourth consecutive year. Police have regularly used excessive and unnecessary force against those who defy the ban. Police eventually permitted a group to gather in a side street, penned in by riot police, but authorities cancelled a showing of the film *Pride* on public safety grounds<sup>79</sup>.

## Attacks on human rights defenders

On 5 July 2017 police arrested eight Turkish human rights defenders and two international IT trainers, whilst they participated in a workshop in Istanbul. The ten were held on suspicion of "membership of an armed terrorist organisation". The group included representatives of some of Turkey's most prominent human rights organisations, including Amnesty International Turkey, the Human Rights Agenda Association, the Women's Coalition and the Citizens Assembly. They were held for almost four months before being released on bail<sup>80</sup>.

A month earlier, on 6 June 2017, Taner Kılıç, Chair of Amnesty International Turkey was also detained, accused of membership of the "Fethullahist Terrorist Organisation"<sup>81</sup>. He was eventually released on bail in August 2018 and is awaiting trial<sup>82</sup>.

Many human rights organisations have been closed down under the state of emergency. Decree 667 issued in July 2016 authorised the closure of 1,719 NGOs, foundations, human rights organisations and lawyers associations, many of which were operating in South East Turkey<sup>83</sup>. At least 11 women's rights organisations have been closed down, including the VAN Women's Association (VAKAD), which provided crucial advice and support to hundreds of survivors of violence, worked in schools to educate members on sexual abuse and provided training on leadership and finance for women<sup>84</sup>. The UN's Committee on the Elimination of Discrimination against Women has highlighted concerns about restrictive and oppressive measures taken against women's organisations, particularly those in the Kurdish community<sup>85</sup>.

The Human Rights Association (IHD), which monitors and campaigns for human rights across Turkey, has been particularly affected. At least 93 members and activists have

been dismissed from their jobs following the declaration of the state of emergency, and 225 investigations and 18 trials launched against the organisation's co-chairs and central executive committee members<sup>86</sup>.

## The end of the State of Emergency?

At the beginning of July 2018 President Erdoğan announced that the state of emergency would not continue after 18 July. Unfortunately this will do little if anything to restore democracy, human rights and the rule of law in Turkey. Numerous laws affecting human and workers' rights remain amended by decrees, in effect normalising the state of emergency. Parliamentary democracy has been eroded, whilst President Erdoğan has assumed significant new powers to rule by decree, following the referendum and recent elections; and new anti-terror laws, currently under consideration, are expected to extend many of the state of emergency powers for an additional three years<sup>87</sup>.

## International response

The suppression of progressive unions in Turkey under the state of emergency means that international solidarity is vital to defend trade union and workers' rights. In 2017 the ITUC and ETUC established a solidarity fund to support dismissed workers and their unions in Turkey<sup>88</sup>. The fund, which is supported by UNISON, has supported thousands of appeals and helped unions campaign for their members rights and an end to the state of emergency. Global and European federations including Public Services International (PSI) and the European Public Services Union (EPSU) have lobbied and campaigned extensively for an appropriate end to the state of emergency and the reinstatement of workers. When the International Labour Organisation held its 10th European Regional Meeting in Istanbul, in October 2017, 97 per cent of ITUC affiliates boycotted the event, in response to the calls of progressive Turkish trade unions<sup>89</sup>.

United Nations bodies, notably the High Commissioner for Human Rights, have called for an end to the state of emergency and a repeal of associated laws, whilst the European Commission has become increasingly critical of the situation.

The UK government has consistently condemned the attempted coup, whilst their comments on the state of emergency have been far more restrained. In fact diplomatic relations with Turkey have primarily focused on post Brexit trade and largely avoided the erosion of democracy, human rights and the rule of law.

In September 2016, shortly after the introduction of the state emergency former Foreign Secretary Boris Johnson made an official visit to Turkey, where he announced plans for a “new jumbo free trade deal”. Unfortunately his post visit statement failed to highlight any concern at the erosion of democracy, human rights and the rule of law<sup>90</sup>. He announced the UK would support Turkey’s accession to the European Union, but did not use the opportunity to emphasise the need for Turkey to meet EU standards on human rights and democracy. His comments appeared to contradict misleading claims made during the EU referendum debate about the prospects of Turkey joining the EU<sup>91</sup>.

In November 2016 Boris Johnson called on EU foreign ministers not to push Turkey “into a corner” over plans to reintroduce the death penalty<sup>92</sup>.

In January 2017, Prime Minister Theresa May signed a £100 million arms deal with the government of Turkey<sup>93</sup>. Turkey is a priority market for arms sales for the Department for International Trade’s Defence and Security Organisation<sup>94</sup>, with arms export licenses worth over £650 million agreed since the beginning of the state of emergency<sup>95</sup>.

The UK government has regularly sent ministers to Turkey to build bilateral relations and hosted President Erdoğan and the former Turkish Prime Minister in London. However, official statements have rarely highlighted UK government concerns about the deteriorating situation.

## Recommendations

### The government of Turkey should:

- Repeal legislation and decrees implemented under the state of emergency, and take immediate steps to ensure that all legislation is compliant with its obligations under international human rights law.
- Reinstate dismissed public service workers and provide appropriate compensation for the loss of earnings and damaged caused.
- Conduct a prompt, efficient and independent review of the cases of all those who were detained under the state of emergency and anti-terrorism legislation, and immediately release all prisoners who were detained without substantial evidence.
- Lift the closure of media outlets and release journalists, academics, trade unionists, human rights defenders and all others detained for exercising their right to freedom of expression.
- Restore democratic elections, including for local

- government, and take steps to ensure the independence of the legislative and judicial branches of government.
- Ensure that labour law complies with the ILO conventions.
- Conduct independent investigations into all killings, disappearances and allegations of torture and all other human rights abuses. Ensure that perpetrators are brought to justice and provide effective reparations for victims and family members who have been affected.
- End restrictions on freedom of movement including through the reinstatement of passports and citizenship.
- Reinstate the peace process in South East Turkey and release political prisoners so they can fully participate in process, alongside civil society, including trade unions.
- Takes steps to prevent the excessive use of force and open ended curfews by security forces.
- Ensure that people displaced by the violence in South East Turkey are fully involved in the restoration of decent homes and services.

### The UK government should:

- Prioritise the above issues in their diplomatic relations with the government of Turkey.
- Ensure that any future trade agreement with Turkey includes robust protections for human and workers rights, democracy and the rule of law.
- Suspend the sale of arms to the government of Turkey.
- Support the resettlement of refugees from Turkey, and end the return of refugees and asylum seekers to Turkey on the flawed basis it is a safe third country.

## Take action

- Write to the Foreign Secretary to call on the UK government to support human and workers’ rights, democracy and the rule of law in Turkey.
- Write to and lobby your MP and other politicians to demand that the government take action on Turkey.
- Pass policy on Turkey in your branch.
- Support actions on Turkey from Solidarity with the People of Turkey, Labour Start, Amnesty International and other human rights organisations.
- Affiliate to Solidarity with the People of Turkey (SPOT).
- Support the ITUC/ETUC solidarity fund for Turkish trade unions.

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## Model letter to the Foreign Secretary

Foreign & Commonwealth Office  
King Charles St, Westminster, London SW1A 2AH  
fcocorrespondence@fco.gov.uk

Dear Foreign Secretary,

On behalf of UNISON members in \_\_\_\_\_ branch, I am writing to express our deep concern over the continued erosion of democracy, human rights and the rule of law in Turkey.

Since the attempted coup in July 2016, the government of Turkey has used the state of emergency to silence its actual and perceived critics, including trade unionists, public service workers, journalists, the judiciary, politicians and academics. At least 300 journalists have been detained and 166 media outlets have been closed down. In total over 150,000 people have been detained and tens of thousands more subjected to criminal investigations and potential prosecution.

Public service workers and their unions have been particularly affected, with approximately 152,000 workers dismissed or suspended, mainly for alleged terrorist offences, with little or no right to appeal.

Whilst it was appropriate that the UK government condemned the coup in Turkey, we are deeply concerned that significantly more could be done to condemn the state of emergency, the dismissals of public service workers, mass imprisonment of journalists, trade unionists, human rights defenders and government critics, and the erosion of democracy, human rights and the rule of law.

Although the state of emergency has now officially been lifted, the presidential decrees and legal reforms introduced continue to suppress rights to justice, work, and freedom of association, assembly, and expression.

We urge you and your government to call on President Erdoğan and the government of Turkey to reverse the erosion of democracy, human and workers' rights and the rule of law, including:

- Repeal repressive laws and decrees introduced under the state of emergency, and take immediate steps to ensure that all legislation is compliant with its obligations under international human rights law.
- Reinstate dismissed and suspended public service workers;
- And release trade unionists, human rights defenders, journalists, academics and political prisoners.

Furthermore, we call on you to suspend the sale of arms produced in the UK to Turkey until international human rights standards are respected, and for democracy, social justice and workers and human rights to be embedded in any future trade deal.

Yours faithfully,

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## Model letter to your MP

House of Commons  
Westminster  
London SW1A 0AA

Dear \_\_\_\_\_ MP,

On behalf of UNISON members in \_\_\_\_\_ branch, I am writing to express our deep concern over the continued erosion of democracy, human rights and the rule of law in Turkey, and ask you to call on the government to do more in response to the situation.

Since the attempted coup in July 2016, the government of Turkey has used the state of emergency to silence its actual and perceived critics, including trade unionists, public service workers, journalists, the judiciary, politicians and academics. At least 300 journalists have been detained and 166 media outlets have been closed down. In total over 150,000 people have been detained and tens of thousands more subjected to criminal investigations and potential prosecution.

Public service workers and their unions have been particularly affected, with approximately 152,000 workers dismissed or suspended, mainly for alleged terrorist offences, with little or no right to appeal.

Whilst it was appropriate that the UK government condemned the coup in Turkey, we are deeply concerned that significantly more could be done to condemn the state of emergency, the dismissals of public service workers, mass imprisonment of journalists, trade unionists, human rights defenders and government critics, and the erosion of democracy, human rights and the rule of law.

Although the state of emergency has now officially been lifted, the presidential decrees and legal reforms introduced continue to suppress rights to justice, work, and freedom of association, assembly, and expression.

We request that you highlight our concerns to the UK government and call on them to use their influence with President Erdoğan and the government of Turkey to reverse the erosion of democracy, human and workers' rights and the rule of law, including:

- Repeal repressive laws and decrees introduced under the state of emergency, and take immediate steps to ensure that all legislation is compliant with its obligations under international human rights law.
- Reinstate dismissed and suspended public service workers;
- And release trade unionists, human rights defenders, journalists, academics and political prisoners.

Furthermore, we urge you to call on the government to suspend the sale of arms produced in the UK to Turkey until international human rights standards are respected, and for democracy, social justice and workers and human rights to be embedded in any future trade deal.

Yours sincerely,

## Model motion

### Based on UNISON policy approved by the June 2018 National Delegate Conference Workers' Rights in Turkey

Since the failed coup attempt in July 2016 Turkey has experienced a rapid deterioration of democracy, human rights and the rule of law. President Erdoğan has used the state of emergency to detain, dismiss and silence his critics; targeting trade unionists, journalists, human rights defenders and anyone perceived not to support the government.

Over 152,000 public sector employees have been dismissed or suspended arbitrarily, accused of terrorism related crimes. In almost every case there has been no credible evidence of wrong doing and no access to justice. Many have been deprived of their pensions, passports and prospects of finding a job either the public or private sectors.

Education and healthcare have been badly affected by the state of emergency. Over 21,000 healthcare workers have been dismissed, forcing patients to endure lengthy delays and travel long distances to receive care.

Trade union activists have been disproportionately targeted by government decrees. Many have been dismissed or arrested for social media posts and conducting legitimate trade union business. Offices have been raided, strikes have been banned and statements critical of the government have been prohibited.

Turkey is now amongst the ten worst countries in the world for workers, according to the ITUC, but denial of workers' rights did not start with the coup. For many years Turkey has been awarded a rating of 5, i.e. no guarantee of rights, in the annual global rights index as trade unionists have been subjected to repressive laws, a flawed legal system, police brutality and a continued erosion of their rights.

The Turkish government is now the biggest jailer of journalists in the world, and has shut down over 160 media outlets and 3,800 associations and foundations. This branch calls on the government

of Turkey to drop the charges and release hundreds of innocent journalists, academics and human rights defenders.

Kurdish communities, particularly in South East Turkey have been devastated by continuing violence, curfews and the mass deployment of security forces, since the 2015 elections and breakdown of peace talks between the Turkish government and the Kurdistan Workers Party (PKK). Many have been evicted from their homes and denied access to education and health and fundamental human rights. MPs and democratically elected representatives, particularly from the People's Democratic party (HDP), have been detained or replaced by government appointed trustees, who have dismissed thousands more municipal workers, further damaging public services.

This branch condemns the Turkish government's attacks on areas of northern Syrian controlled by the Kurdish YPG militia and their allies which have only served to aggravate the horrors of that country's civil war.

This branch is concerned that the UK government has failed to respond to the erosion of democracy and human rights in Turkey, instead prioritising its own post EU exit economic interests. Likewise many European Union (EU) member states, including the UK, have failed to respond to the refugee crisis in Turkey, denying any responsibility for millions of vulnerable people fleeing conflict, violence and persecution, particularly the atrocities in Syria.

This branch welcomes UNISON's solidarity and support for the trade union movement in Turkey and agrees to:

1. Campaign for human and workers rights in Turkey.
2. Affiliate to Solidarity with the People of Turkey.
3. Urge the UK government to prioritise human rights and democracy in its negotiations with Turkey, including calling on the authorities to:
  - a) Repeal repressive laws and decrees introduced under the state of emergency, uphold workers' rights, end the arbitrary

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dismissal of public sector workers and reinstate and compensate those who have been unfairly suspended or dismissed;

- b) Lift the closure of media outlets and release all journalists, academics, human rights activists, trade unionists and others detained for exercising their right to freedom of expression;
- c) End the repression of the Kurdish population, release all political prisoners and resume the peace process, in which trade unions and civil society can fully participate.

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