

# Turkey - Human Rights Scorecard <sup>1</sup>

Turkey, officially the Republic of Turkey, is a contiguous transcontinental parliamentary republic largely located in Western Asia with the portion of Eastern Thrace in Southeastern Europe.<sup>2</sup>

**Official language:** Turkish

**Ethnic groups:** 70-75% Turkish; 18% Kurdish; 7-12% other

**Government:** Unitary parliamentary constitutional republic

- President: Recep Tayyip Erdoğan
- Prime Minister: Ahmet Davutoğlu
- Speaker of the Parliament: Cemil Çiçek
- President of the Constitutional Court: Haşim Kılıç

**Death penalty:** Abolitionist for all crimes

**Population:** 73.6 million

**Life expectancy:** 74 years

**Under-5 mortality:** 20.3 per 1000

**Adult literacy:** 90.8 percent



## Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Largely disrespected <sup>3</sup>

There are many reports of government actors committing arbitrary or unlawful killings. There is no independent body that investigates complaints of killings or excessive force by government agents. The government has refused to remove 1 million land mines left since the 1950s.

### Freedom from disappearance



#### Respected <sup>4</sup>

There are no reports of disappearances in Turkey.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Partially respected <sup>5</sup>

Though the law prohibits it, there have been some reports of torture and abuse at the hands of security forces. Police have also been known to use excessive force to disrupt protests throughout the country.

### Freedom from arbitrary arrest or detention



#### Largely disrespected <sup>6</sup>

Though Turkish law prohibits arbitrary arrest or detention, there have been many reports of the government failing to comply with these interdictions. Anti-terrorist laws have allowed the government to arrest or detain individuals with little to no evidence.

### Freedom from denial of fair public trial



#### Largely disrespected <sup>7</sup>

While the law provides for an independent judiciary, many reports indicate that the judiciary is subject to government interference. The government often uses its influence with judges and prosecutors to secure specific legal outcomes. Anti-terror laws are often abused.

### Freedom from arbitrary interference with privacy, family, home or correspondence



#### Partially respected <sup>8</sup>

The constitution protects individuals from arbitrary interference with private life. Telephone tapping is allowed if a court order has been obtained, but there were some reports of illegal wiretapping. Evidence obtained illegally is inadmissible in court, although this is not always respected.

## Section 2: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>9</sup>



**Score: 46.56, Rank: 154 / 179 – Highly controlled, limited or intimidated**<sup>10</sup>

Turkish media faces strong government censorship, particularly when it comes to political commentary. Many journalists covering protests have been subject to violence at the hands of security officials and have been faced with criminal charges. Many media outlets practice self-censorship.

### Freedom from academic censorship



**Partially respected**<sup>11</sup>

Government limitations on freedom of speech sometimes forced academics to practice self-censorship. The government's Higher Education Board prevents universities from having full autonomy with regards to staffing and research policies.

### Freedom of peaceful assembly and association



**Largely disrespected**<sup>12</sup>

The government frequently imposes undue limitations on peaceful protests, often resorting to violent suppression of demonstrations, and the arresting of leaders and participants.

### Freedom of religion



**Partially respected**<sup>13</sup>

Religious freedom is generally well protected in Turkey, especially given a historical emphasis on secularism. There are occasional reports of religious discrimination and it is difficult for foreigners to obtain religious worker visas. Turkey's ban on the headscarf has been rolled back.

### Protection of refugees and stateless persons



**Partially respected**<sup>14</sup>

Conflict between the government and PKK forces resulted in hundreds of thousands of displaced persons since the 1980s, though most were adequately compensated. The massive influx of Syrian refugees since 2011 (over 1.5 million) is straining state resources for refugees.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>15 16</sup>



**4 / 7 – Partly Free**<sup>17</sup>

The government often limits freedom of expression, for example by issuing gag orders on the coverage of certain events. The police have used violence to disperse public gatherings. Union activity is limited. The government influences the judiciary through appointments and financing.

## Section 3: Respect for Political Rights

*Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..*

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>18</sup>



**3 / 7 – Partly free**<sup>19</sup>

The electoral process is generally free, though 12 candidates from the Kurdish Peace & Democracy party were banned from running in 2011. Parties can be disbanded for encouraging policies that violate the constitution.

## Section 4: Corruption and Lack of Transparency in Government

*The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.*

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>20</sup>



**Score: 45%, Rank: 64 / 175 – Some corruption**<sup>21</sup>

Anti-corruption measures are often weakly enforced and concerns have been voiced about the independence of the judiciary in processing corruption cases. The law does not protect whistleblowers in either the public or private sector.

## Section 5: Governmental Response to Criticism

*This section deals specifically with the response heads of state have to civil society or international human rights reports.*

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



#### Partially respected<sup>22</sup>

Human rights groups were allowed to operate within the country, though they sometimes face government obstruction and restrictive laws. Individuals documenting human rights abuses often faced detention, prosecution, or closure orders.

## Section 6: Discrimination and Societal Abuses

*Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.*

### Rights of women (World Economic Forum Gender Gap Index)<sup>23</sup>



#### Score: 61.8%, Rank: 125 / 142 – Very unequal rights<sup>24</sup>

While there are laws prohibiting violence against women, including sexual assault and rape, these are rarely enforced. Women face widespread discrimination in employment and are underrepresented in the labour market. There are very few women in politics or on the judiciary.

### Rights of Children (KidsRights Index Overall Score)<sup>25</sup>



#### Score: 74.2%, Rank: 55 / 165 – Protected<sup>26</sup>

There are numerous instances of early marriage, particularly in poor, rural regions. Child abuse remains a problem, as the government does not have the resources to provide comprehensive social services to victims.

### Rights of persons with disabilities



#### Partially respected<sup>27</sup>

The law prohibits negative discrimination towards persons with disabilities and encourages affirmative action on their behalf. However, these laws are not properly enforced. Laws mandating disability access to public buildings are also poorly enforced.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



#### Largely disrespected<sup>28</sup>

Many ethnic and religious minorities are prohibited from exercising their linguistic, religious, and cultural rights. The Kurdish minority, especially, is discouraged from asserting its ethnic identity. The Romani community also faces widespread discrimination.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



#### Largely disrespected<sup>29 30</sup>

Though the law does not explicitly discriminate against LGBT individuals, many face discrimination and violent attacks. The judiciary has been accused of creating “an environment of impunity” for attacks on transgendered persons. Gay men can be expelled from the military.

## Section 7: Workers’ Rights

*Workers’ rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

### Rights to freedom of association and to collective bargaining



#### Partially respected<sup>31</sup>

Trade unions in Turkey operate freely and are often very effective with regards to collective bargaining. However, security forces are often present at meetings and conventions, which can lead to violent confrontations. Systematic layoffs were common in unionized workplaces.

### Freedom from forced or compulsory labour



#### Respected<sup>32</sup>

The law prevents all instances of forced labour and is generally well enforced. The Military Service Act allows for military conscription for the purpose of economic development.

## Freedom from forced labour for children, and a minimum age of employment



### Partially respected<sup>33</sup>

Turkish law prohibits forced labour for children and mandates a minimum age of employment. However, outside observers assessed the use of child labour as moderate. The worst instances of child labour were those who worked in the streets as part of the informal economy.

## Right to acceptable conditions of work



### Partially respected<sup>34</sup>

Turkish law mandates a minimum wage and requires equal pay for equal work. Laws are well enforced and are applicable to all workers. However, there was insufficient enforcement of health and safety regulations, particularly in the construction, agriculture, and mining sectors.

## Right to employment



### 9.9% - High unemployment<sup>35</sup>

While unemployment has declined relative to the past decade, it could still be much lower.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International.

<sup>3</sup> "Country Reports on Human Rights Practices for 2013 Turkey." U.S Department of State. Accessed January 22, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>4</sup> Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

<sup>5</sup> Ibid. U.S Department of State.

<sup>6</sup> Ibid. U.S Department of State.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 179 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (25 countries), Largely free, diverse and independent; 15 – 24.99 (29 countries), Mostly free, diverse and independent; 25 – 29.99 (32 countries), Partially free, diverse and independent; 30 – 39.99 (49 countries), Partially controlled, limited or intimidated; 40 & higher (42 countries), Highly controlled, limited or intimidated.

<sup>10</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. Accessed January 22,, 2015. <http://rsf.org/index2014/en-index2014.php>.

<sup>11</sup> "Country Reports on Human Rights Practices for 2013 Turkey." U.S Department of State. Accessed January 22, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>12</sup> "Turkey." World Report 2014: Turkey. Accessed January 26, 2015. <http://www.hrw.org/world-report/2014/country-chapters/turkey>.

<sup>13</sup> "International Religious Freedom Report for 2013 Turkey." U.S. Department of State. Accessed January 26, 2015.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

<sup>14</sup> "Country Reports on Human Rights Practices for 2013 Turkey." U.S Department of State. Accessed January 22, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>15</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>16</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2014

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>17</sup> "Turkey." Freedom in the World 2014: Turkey. Accessed January 26, 2015. <https://freedomhouse.org/report/freedom-world/2014/turkey-0#.VMacEGR4ruQ>

<sup>18</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>19</sup> "Turkey." Freedom in the World 2014: Turkey. Accessed January 26, 2015. <https://freedomhouse.org/report/freedom-world/2014/turkey-0#.VMacEGR4ruQ>

<sup>20</sup> Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows:

80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>21</sup> "Turkey." Corruption by Country. January 1, 2014. Accessed January 26, 2015. <http://www.transparency.org/country#TUR> .

<sup>22</sup> "Country Reports on Human Rights Practices for 2013 Turkey." U.S Department of State. January 1, 2013. Accessed January 26, 2015. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>23</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>24</sup> "Turkey." World Economic Forum. Accessed January 26, 2015. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=TUR>

<sup>25</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>26</sup> "The KidsRights Index: Overall Score." The KidsRights Index. Accessed January 26, 2015. <http://www.kidsrightsindex.org/Index/Overallscore.aspx>

<sup>27</sup> "Country Reports on Human Rights Practices for 2013 Turkey." U.S Department of State. Accessed January 26, 2015. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>28</sup> Ibid. U.S Department of State.

<sup>29</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2014. Accessed November 25, 2014. <http://ilga.org/>. See also Ibid. U.S Department of State.

<sup>30</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

<sup>31</sup> "Country Reports on Human Rights Practices for 2013 Turkey." U.S Department of State. Accessed January 26, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>32</sup> Ibid. U.S Department of State.

<sup>33</sup> Ibid. U.S Department of State.

<sup>34</sup> Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at

[http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>35</sup> "Global Employment Trends." International Labour Organization. Accessed January 26, 2015. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).