



Home Office

# Country Policy and Information Note

## Turkey: Kurds

Version 2.0

September 2018

# Preface

## Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in [the basis of claim](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis of COI; and (2) COI. These are explained in more detail below.

## Analysis

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment on whether, **in general**:

- A person is reasonably likely to face a real risk of persecution or serious harm
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- Claims are likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

## Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation’s (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI’s relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the ‘cut-off’ date in the country information section. Any event taking place or report/article published after this date is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion.

Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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# Analysis

Updated: 5 September 2018

## 1. Introduction

### 1.1 Basis of claim

- 1.1.1 Fear of persecution or serious harm by state or non-state actors due to a person's Kurdish ethnicity.

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### 1.2 Points to note

- 1.2.1 For analysis of claims made on the basis of membership of, or association with, the Partiya Karkerên Kurdistanê or Kurdish Workers' Party (PKK) see Country Policy and Information Note on [Turkey: Kurdistan Worker's Party \(PKK\)](#).
- 1.2.2 For analysis of claims made on the basis of membership of, or association with, Kurdish political parties, see Country Policy and Information Note on [Kurdish political parties](#).

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## 2. Consideration of issues

### 2.1 Credibility

- 2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Convention reason

- 2.2.1 Race.
- 2.2.2 Establishing a convention reason alone is not sufficient to be recognised as a refugee. The question to be addressed in each case is whether the person will face a real risk of persecution on account of their actual or imputed convention reason.
- 2.2.3 For further guidance, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#) and [Gender issues in the asylum claim](#).

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## 2.3 Exclusion

- 2.3.1 Decision makers must consider whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 2.3.2 For further guidance on the exclusion clauses and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#) and the [Instruction on Restricted Leave](#).

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## 2.4 Assessment of risk

### a. State treatment

- 2.4.1 The Kurds are an ethnic group of 25 to 35 million people who live mainly in a mountainous area extending across the borders of Turkey, Iran, Iraq, Syria and Armenia. An estimated fifteen million Kurds live in Turkey, where they form 15-20% of the population. The Kurdish people have maintained their own language, culture and a keen sense of identity, despite not having their own state. Turkish Kurds are concentrated in the southeast of the country, but large numbers have relocated to the cities of the west, including Ankara and Istanbul. Protests by the Kurds in the 1920s and 1930s led to severe repression by the Turkish authorities. In 1978, the PKK was formed, demanding an independent state for Turkish Kurds. The resulting conflict has resulted in 40,000 deaths and the displacement of hundreds and thousands of Kurdish people and is still ongoing, although at a reduced level compared to previous years (see [Kurdish identity and history](#) and [Demography](#) and the Country Policy and Information Note on [Turkey: Kurdistan Worker's Party \(PKK\)](#) for further information).
- 2.4.2 In 1991 the legal ban on the use of the Kurdish language was lifted. Use of the Kurdish language in public is legal and Kurdish is commonly used. There is a Kurdish TV station, sponsored by the government, which broadcasts in Kurdish. In 2014, private schools were given permission to teach in non-Turkish languages, including Kurdish, and pupils in state schools can study Kurdish for a limited time period. Some universities have Kurdish-language courses. Political parties have the right to campaign in any language, although this right is not always protected in practice. The use of languages other than Turkish in government and public service is restricted by law (see [Freedom of expression and use of Kurdish language](#)).
- 2.4.3 Some sources report quasi-official discrimination against Kurds in public sector employment, with some Kurds reporting that in order to secure employment in the national government they would not have to conceal their identity, but neither would they openly discuss it. However, municipal governments, particularly those with Kurdish representation, tend to employ Kurdish people (see [Official discrimination](#)).
- 2.4.4 A state of emergency was in place following the coup attempt of July 2016 and finally ended on 18 July 2018 following the transition to an executive presidency; the full impact of the ending of the state of emergency remains to be seen. The authorities dismissed and suspended, arrested and imprisoned thousands of citizens in the aftermath of the coup attempt on the

grounds of alleged links with terrorism, particularly from those groups seen as a possible threat to the government. Kurds appear to have been targeted in addition to Gulenists. Some Kurdish private schools using the Kurdish language have been closed, and Kurdish teachers and officials have been dismissed. Dozens of Kurdish mayors have been removed from office and replaced with government appointees and key Kurdish politicians remain in prison on terror-related charges (see [Impact of coup attempt \(July 2016\)](#) or Country Policy and Information Note on [Turkey: Kurdish Political Parties](#) for further information about the treatment of Kurdish mayors and politicians).

- 2.4.5 Freedom of expression has been restricted following the coup attempt, with those who post comments on social media disagreeing with the government on Kurdish issues liable to arrest and detention. Decrees issued under the state of emergency led to the closure of a number of Kurdish TV channels, radio stations and newspapers on terror-related grounds. Use of the word 'Kurdistan' and other sensitive terms is prohibited in Parliament, with the possibility of a fine for those who violate this rule (see [Freedom of expression and use of Kurdish language](#)).
- 2.4.6 Freedom of assembly and association remain restricted following the coup attempt and events related to Kurdish issues have been banned on grounds of security, with a prohibition on demonstrations in the Kurdish city of Diyarbakir in place since 2016. Hundreds of Kurdish civil society organisations remain closed following the coup attempt. However, Kurds were able to celebrate Kurdish New Year, Newroz, an event which is highly symbolic of Kurdish rights and independence, in March 2018 in various cities across Turkey, although there were arrests and severe security restrictions in some parts of the country in connection with suspected terror attacks (see [Freedom of assembly and association](#) and [Newroz](#)).
- 2.4.7 The Kurdish population of the southeast of the country is affected by the ongoing violence between the government and the PKK, which has resulted in a significant number of civilian deaths and the displacement of communities. The imposition of curfews and temporary security zones has inhibited access to health services, education, work and other aspects of daily life (see [Treatment by police and security forces](#)).
- 2.4.8 However, the government is making a significant investment in an urban renewal programme for the southeast, which was launched in March 2018. Homes which had been damaged by the violence are being demolished and thousands of new homes are being built and residents relocated. Those who have lost their homes receive monthly rental support and the government has promised housing to all those who will need it. There are indications that residents are not always informed before their homes are demolished, and that compensation promised by the government has not yet been received. However, the top administrative court has rejected challenges to the expropriations on the grounds that redevelopment is necessary (see [Impact of conflict with PKK](#)).
- 2.4.9 Even when taken cumulatively, state discrimination faced by Kurds does not in general, by its nature or repetition, amount to a real risk of persecution and/or serious harm. However, decision makers must consider whether there are factors specific to the person which would place them at real risk.

Each case must be considered on its facts with the onus on the person to show that the levels of discrimination they will face would amount to a real risk of persecution and/or serious harm if returned to Turkey.

2.4.10 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

**b. Societal treatment**

2.4.11 There is limited evidence of societal violence towards Kurds. There have been a few incidents of Kurds being targeted by Turkish nationalists following the reigniting of the conflict with the PKK in 2015 and some Turks may incorrectly associate all Kurds with the PKK. Both police and the Minister of the Interior intervened when protestors tried to prevent the burial of the ethnically Kurdish Alevi mother of a former HDP member of parliament. There is evidence that Kurds living in cities in western Turkey may feel fearful about disclosing their Kurdish identity or speaking Kurdish in public, and there are claims that police tolerate attacks on Kurds. However, the large majority of non-politically active Kurds are able to live without discrimination in the cities of western Turkey. Societal discrimination rarely occurs in areas where there are large Kurdish populations (see [Societal violence and hate speech](#)).

2.4.12 Older or uneducated Kurds who do not speak Turkish (compared to young, educated and bilingual Kurds) may have fewer employment opportunities or find it difficult to access services (see [Societal Discrimination](#)).

2.4.13 It is unlikely that the level of societal discrimination will amount to serious harm or persecution, but each case must be assessed on its individual facts, with the onus on the person to demonstrate that they are at risk.

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**2.5 Protection**

2.5.1 The law provides for up to three years in prison for crimes of hate speech or injurious acts related to language, race, nationality, colour, political opinion and sectarian differences, amongst others, although some human rights groups suggested that the law was sometimes used more to restrict freedom of speech than to protect minorities. Both the National Human Rights and Equality Institution (NHREI) and the Ombudsman Institution are authorised to monitor, protect and promote human rights and prevent violations of those rights. However, neither institution is independent and the NHREI is not yet fully operational and has not yet come to any decision on applications received (see [Anti-discrimination legislation](#)).

2.5.2 Where the person's fear is of persecution and/or serious harm by the state they will not be able to avail themselves of the protection of the authorities.

2.5.3 Avenues of complaint exist for persons to lodge complaints against police officers they accuse of ill-treatment. However, obstacles remain to securing justice for victims of serious human rights abuses by police, military, and state officials, creating what has been described as a culture of impunity.

2.5.4 Where the person's fear is of ill-treatment or persecution at the hands of non-state agents or rogue state agents then effective state protection is likely

to be available, although Kurds may be reluctant to report incidents due to a low level of trust in the police.

- 2.5.5 Decision makers need to consider each case on its facts, taking full account of the particular circumstances and profile of the person and any past persecution. The onus is on the person to demonstrate why they would not be able to seek and obtain state protection.
- 2.5.6 See also the Country Policy and Information Note on [Turkey: Background, including actors of protection and internal relocation](#).
- 2.5.7 For further guidance on assessing state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.6 Internal relocation

- 2.6.1 Where the risk of persecution or serious harm is from the state, internal relocation is unlikely to be reasonable.
- 2.6.2 Where the risk faced is from a non-state actor, internal relocation is likely to be reasonable in general, depending on the facts of the case. There are Kurdish communities throughout Turkey and Turkish citizens are free to move throughout the country. It is mandatory for Turkish citizens to possess a national identity card (Nefus or Nufus) and this is required in order to work, access health and social services, register to vote, access Turkish courts, obtain a passport or driver's license, register for school and university, own property and/or a vehicle, and to obtain phone, internet, and home utilities.
- 2.6.3 If a Kurd does encounter local hostility, they should be able to avoid this by moving elsewhere in Turkey, but only if the risk is not present there and if it would not be unduly harsh to expect them to do so.
- 2.6.4 Decision makers must give careful consideration to the relevance and reasonableness of internal relocation on a case-by-case basis, taking full account of the individual circumstances of the particular person. The onus will be on the person to show that internal relocation is not reasonable.
- 2.6.5 See also the Country Policy and Information Note on [Turkey: Background including actors of protection and internal relocation](#).
- 2.6.6 For further guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.7 Certification

- 2.7.1 Where a claim based solely on Kurdish ethnicity falls to be refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.2 For further guidance on certification, see the [Certification of Protection and Human Rights claims under Section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

Updated: July 2018

## 3. The Kurds

### 3.1 Kurdish identity and history

#### 3.1.1 In October 2017, the BBC stated:

‘Between 25 and 35 million Kurds inhabit a mountainous region straddling the borders of Turkey, Iraq, Syria, Iran and Armenia. They make up the fourth-largest ethnic group in the Middle East, but they have never obtained a permanent nation state.

‘The Kurds are one of the indigenous peoples of the Mesopotamian plains and the highlands in what are now south-eastern Turkey, north-eastern Syria, northern Iraq, north-western Iran and south-western Armenia.

‘Today, they form a distinctive community, united through race, culture and language, even though they have no standard dialect. [...]

‘There is deep-seated hostility between the Turkish state and the country's Kurds, who constitute 15% to 20% of the population.

‘Kurds received harsh treatment at the hands of the Turkish authorities for generations. In response to uprisings in the 1920s and 1930s, many Kurds were resettled, Kurdish names and costumes were banned, the use of the Kurdish language was restricted, and even the existence of a Kurdish ethnic identity was denied, with people designated "Mountain Turks".

‘In 1978, Abdullah Ocalan established the PKK, which called for an independent state within Turkey. Six years later, the group began an armed struggle. Since then, more than 40,000 people have been killed and hundreds of thousands displaced.’<sup>1</sup>

#### 3.1.2 New Historian published the following information in 2015:

‘Historically the Kurds led nomadic lives in the plains and highlands around south-western Armenia, north-western Iran, northern Iraq, north-east Syria and south-east Turkey. Their society was built around sheep and goat herding. Despite the lack of a permanent state, a strong Kurd cultural identity exists, one fostered through centuries of tradition and shared history.

‘Throughout the nineteenth and early twentieth century the Kurd’s traditional nomadic existence came under threat as borders of neighbouring states became more rigidly established in traditional Kurdish mountain territories, putting pressure on the Kurds to integrate into other societies.

‘At the start of the twentieth century Kurdish nationalists became more determined, and began agitating for a state of their own. Since the 1890s Kurdish newspapers and political clubs existed in what is now Turkey, highlighting a growing cultural autonomy. The defeat of the Ottoman Empire in World War One presented a great opportunity for the establishment of Kurdistan, and the Treaty of Sevres of 1920 made provision for the Kurdish

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<sup>1</sup> BBC, ‘Who are the Kurds?’ 31 October 2017, [URL](#)

state. Three years later however, the borders of Turkey were drawn in the Treaty of Lausanne and Kurdistan was not included. The Kurds were thus left with minority status in the states of the Middle East.

'In the 1920s and 1930s Kurdish uprisings in eastern Turkey were met with brutal government suppression. Over the following decades attempts were made to outlaw the Kurdish language and prevent Kurds wearing their traditional clothes in the country's major cities. In 1978 Abdullah Ocalan founded the Kurdistan Worker's Party (PKK), an organisation dedicated to the creation of an independent Kurdistan. Throughout the 1980s and 1990s the PKK engaged in acts of guerrilla warfare and terrorism against the Turkish government in the Eastern provinces, until Ocalan was captured in 1999. In 2002 the Turkish government legalised broadcasts in the Kurdish language, as part of the attempt to gain membership to the European Union, but tensions and skirmishes have continued.'<sup>2</sup>

3.1.3 Minority Rights Group published a report, updated in June 2018, which stated:

'With the outbreak of armed conflict in 1984 between the Turkish army and the PKK, more than 1 million Kurds were forcibly evicted from rural and urban areas in eastern and south-eastern Turkey. The displaced settled in urban centres in the region as well as towns in western and southern Turkey, and many fled to Europe. By 1996 the state only retained control of south-east Turkey through the forced evacuation of over 3,000 Kurdish villages, consequently causing the destitution of 3 million people, with widespread and routine arbitrary arrests and torture common.

'A major factor in Turkey's rapid urbanization in recent decades, especially the main cities in south-eastern Turkey, was the policy of village destruction, which was central to Turkey's internal conflict against the PKK. By 1994, at least 3,000 villages had been deliberately destroyed as part of this campaign. The European Court of Human Rights gave judgment in a number of cases and established that Turkey had destroyed many villages as part of a military strategy. In this context, urban centres such as Diyarbakir experienced rapid growth, tripling in size during the 1990s even as many residents themselves moved elsewhere in Turkey or abroad to escape the violence. Though there is no consensus on how many exactly were displaced, reliable estimates range between 1 and 3 million. This legacy of large-scale displacement persisted even before the recent resumption of hostilities, with the Internal Displacement Monitoring Centre (IDMC) estimating there to be at least 953,700 Kurdish internally displaced persons (IDPs) in Turkey as of December 2014 – the majority were originally uprooted by fighting between 1986 and 1995. IDMC reported that most of these long-term displaced have had to survive without external support, either in urban areas in relative proximity to their home villages or in cities in other regions of the country, often in low quality housing.'<sup>3</sup>

3.1.4 New Historian further noted that, 'The conflict with IS has further complicated the situation between Turkey and its Kurd population. 160,000 Kurd refugees

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<sup>2</sup> New Historian, 'History of the Kurds,' 8 January 2015, [URL](#)

<sup>3</sup> Minority Rights Group International, Turkey, Kurds, History, updated June 2018, [URL](#)

have been allowed across the Turkish border, to escape the fighting in Iraq and Syria. However, Turkey remains reluctant to further involve itself in the war with IS, fearing that former PPK fighters will cross the border and launch attacks on Turkey.<sup>4</sup>

- 3.1.5 For further information about the PKK, see the Country Policy and Information Note on [Turkey: Kurdistan Worker's Party \(PKK\)](#).

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## 3.2 Demography

- 3.2.1 CIA World Factbook noted that 70 to 75 per cent of the population of Turkey was Turkish, 19 per cent is Kurdish, and other minorities form 7 to 12 per cent (this is an estimate from 2016)<sup>5</sup>. The USSD HR Report 2017 stated that more than 15 million Turkish citizens were estimated to be of Kurdish origin<sup>6</sup>.

- 3.2.2 The Australian Department for Foreign Affairs and Trade's Turkey Country Information report (DFAT 2016 report), published 5 September 2016, stated, 'Kurds are an ethnic group concentrated in south-eastern Anatolia, where they are the majority ethnic group, and north-eastern Anatolia, where they are a significant minority... Kurds are present in large numbers in Istanbul (the city's population is approximately 15 per cent Kurdish) and other large cities. The extent of internal migration is reflected in the estimate that half the Kurdish population now lives in western Turkey.'<sup>7</sup>

- 3.2.3 Istanbul's population is approximately 15 per cent Kurdish<sup>8</sup>.

- 3.2.4 In January 2017, the Kurdish Institute of Paris stated:

'...in Turkey, the Kurdish settlement area comprises the 23 vilayets (departments) of eastern and south-eastern Anatolia and the Kurdish districts of Sivas and Marash covering an area of about 230,000 square kilometers. [...]

'We know that there are also strong Kurdish communities in the big Turkish metropolises like Istanbul, Izmir, Ankara, Adana and Mersin. The numerical importance of this "diaspora" is estimated according to sources at 7 to 10 million, of which more than 3 million in Istanbul, which is the largest Kurdish city in the world [...].'<sup>9</sup>

- 3.2.5 See also [Kurdish identity and history](#) for information about Kurdish displacement within Turkey.

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## 3.3 Nationality

- 3.3.1 Turkey's constitution defines all Turkish citizens as 'Turks'<sup>10</sup>.

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<sup>4</sup> New Historian, 'History of the Kurds,' 8 January 2015, [URL](#)

<sup>5</sup> CIA World Factbook, Turkey, People and Society, updated 26 June 2018, [URL](#)

<sup>6</sup> USSD HR Report 2017, Turkey, Section 6, 20 April 2018, [URL](#)

<sup>7</sup> DfAT Country Information Report, Turkey, para 4.5, 5 September 2016, [URL](#)

<sup>8</sup> DfAT Country Information Report, Turkey, para 4.5, 5 September 2016, [URL](#)

<sup>9</sup> Kurdish Institute of Paris, 'The Kurdish Population,' 12 January 2017, [URL](#)

<sup>10</sup> DFAT Country Information Report, Turkey, para 4.1, 5 September 2016, [URL](#)

- 3.3.2 The USSD HR Report 2017 stated ‘The constitution provides a single nationality designation for all citizens and does not expressly recognize national, racial, or ethnic minorities except for three non-Muslim minorities-- Armenian Orthodox Christians, Jews, and Greek Orthodox Christians. Other national or ethnic minorities, including Assyrians, Jaferis, Yezidis, Kurds, Arabs, Roma, Circassians, and Laz, were not permitted to exercise their linguistic, religious, and cultural rights fully.’<sup>11</sup>

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### 3.4 Religion

- 3.4.1 The Joshua Project, a Christian organization, noted that the primary religion for both Kurmanji-speaking and Turkish-speaking Kurds in Turkey was Islam<sup>12</sup>.
- 3.4.2 The Austrian Federal Ministry of the Interior (Austrian FMI) published a report in November 2015 which stated, ‘While most Kurdish people are Sunni Muslims and belong to the Shafi’i madhhab (school of jurisprudence), some are Shi’i, and some Yarsan (also called Ahl-e Haqq or Kaka’i), Alevi or Yezidi. Others are agnostics, atheists, recent converts to nonsectarian Christianity or fit other religious descriptions.’<sup>13</sup>
- 3.4.3 The DFAT 2016 report, published 5 September 2016, said that they had been told that religion is not a basis for discrimination against Kurds, as Sunni Muslim scholars consider both the Shafi’i and Hanafi schools (to which ethnic Turks adhere) of Sunni Islam to be equally valid<sup>14</sup>.

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### 3.5 The Kurdish language

- 3.5.1 The University of Manchester provided information about a project on the Kurdish language, including the following (undated) information:
- ‘There are two major literary versions of Kurdish, based on two major dialects of the language: Kurmanji-Kurdish is spoken in the northern areas of Kurdistan (in Turkey, Armenia, Syria and northern Iraq) and is written in the Roman (Latin) script. Sorani-Kurdish is spoken in the southern or southeastern regions (in central Iraq and Iran) and is generally written in a modified version of the Arabic-Persian script, though internet communication and other publications in Sorani often use the Roman script as well. Other closely-related languages, most notably Zazaki (spoken in eastern Turkey) and Gorani (spoken in northeastern Iraq), are often regarded as part of the Kurdish linguistic landscape.’<sup>15</sup>
- 3.5.2 The University of Manchester website further stated, ‘In Turkey, restrictions on the use of Kurdish in publications, public performances and media have only recently been relaxed. At the same time, many of the Kurdish regions are remote and deprived areas, with little day-to-day contact with official

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<sup>11</sup> USSD HR Report 2017, Turkey, Section 6, 20 April 2018, [URL](#)

<sup>12</sup> The Joshua Project, Turkey, People Groups, undated, [URL](#)

<sup>13</sup> Austrian FMI, ‘The Kurds: [...],’ ‘A religious landscape of the Kurds,’ page 22, November 2015, [URL](#)

<sup>14</sup> DFAT Country Information Report, Turkey, para 4.6, 5 September 2016, [URL](#)

<sup>15</sup> University of Manchester, ‘The dialects of Kurdish,’ Home page, undated, [URL](#)

institutions and often a very high drop-out rate from schools. As a result, many individuals in rural and remote Kurdish communities are still monolingual in Kurdish, and illiterate.’<sup>16</sup>

- 3.5.3 For further information about restrictions and the relaxation of restrictions on the use of the Kurdish language, see [Use of Kurdish language](#).

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## 4. Treatment of Kurds

### 4.1 Official discrimination

- 4.1.1 The DFAT 2016 report noted that:

‘There are five areas of significant historical official discrimination against Kurds: the public expression of Kurdish identity; the use of Kurdish languages; detention and prosecution; the right to political representation; and public sector employment. The state’s efforts to enforce these prohibitions and suppress dissent have, at times, included the widespread use of extra-judicial killings, torture and enforced disappearances. Discrimination against Kurds on the basis of their ethnicity as opposed to their political opinions (actual or imputed) is often difficult to distinguish.’<sup>17</sup>

- 4.1.2 The same source noted:

‘Some quasi-official discrimination against Kurds in public sector employment continues (that is, discrimination based on public service ideology emphasising secularism and “Turkishness”, rather than an explicit government policy). Kurds have reported that in order to secure employment in the public sector they would not have to conceal their identity but they would not openly discuss it. Such discrimination against Kurds is mostly limited to the level of the national government, which controls national agencies and appoints provincial Governors. Municipal governments, on the other hand, are popularly elected at a local level—many such municipal governments in eastern and south-eastern Turkey have Kurdish representation and tend to provide services to, and employ, Kurdish people. Many Kurds are employed in the public sector in Turkey although not at a rate comparable to their proportion of the overall population.’<sup>18</sup>

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### 4.2 Anti-discrimination legislation

- 4.2.1 In the ‘Turkey 2018 report,’ the European Commission stated:

‘The principle of non-discrimination is not sufficiently protected by law nor enforced in practice. [...] Hate crime legislation is not in line with international standards and does not cover hate offences based on sexual orientation. Turkey signed the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems in April 2016, but ratification is still pending. Turkey should urgently adopt a law on combating discrimination in

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<sup>16</sup> University of Manchester, ‘The dialects of Kurdish,’ ‘Sociolinguistic background [...],’ undated, [URL](#)

<sup>17</sup> DFAT Country Information Report, Turkey, para 4.7, 5 September 2016, [URL](#)

<sup>18</sup> DFAT Country Information Report, Turkey, para 4.16, 5 September 2016, [URL](#)

line with the European Convention on Human Rights, including with regards to sexual orientation and identity. Turkey should also ratify Protocol 12 of the Convention, which provides for the general prohibition of discrimination, and implement the recommendations of the Council of Europe's European Commission against Racism and Intolerance.<sup>19</sup>

#### 4.2.2 The European Commission further stated:

'On the promotion and enforcement of human rights, Turkey has two main institutions on human rights: the National Human Rights and Equality Institution (NHREI) and the Ombudsman institution. Both are authorised to monitor, protect and promote human rights, and to prevent violations in this area. They can also investigate individual complaints or allegations. [...]

'Neither of these institutions has operational, structural or financial independence and their members are not appointed in compliance with the Paris Principles. While the members of the NHREI were appointed in March 2017, and secondary legislation was laid down in November 2017 regarding its mandate on discrimination cases, it is not yet fully operational due to a lack of other key pieces of secondary legislation. As a result the NHREI has not yet handed down any decision on applications it started to receive and process. Moreover other types of alleged violations are currently not being investigated or followed up. This vacuum causes particular concern in light of the high number of alleged violations in the aftermath of the attempted coup.

'The NHREI can no longer accept applications that are in the remit of the Ombudsman. However, the efficiency and capacity of the Ombudsman to deal with such applications also need to be stepped up.

'Turkey should urgently ensure that any and all cases of alleged human rights violation are effectively dealt with and processed and put an end to the current legislative and administrative vacuum. Turkey should also ensure that these bodies are compliant with the Paris Principles.

'There was limited implementation of and no revisions to the 2014 action plan on preventing violations of the ECHR. The implementation reports continue to be prepared but these are not made public, which limits the accountability of institutions responsible for implementation. Several legislative changes, not in line with European standards, were introduced by emergency decrees. These impinge in particular on freedom of expression, freedom of assembly and on the rights to a fair trial, to an effective remedy and to protection of property.'<sup>20</sup>

#### 4.2.3 The USSD HR Report 2017 stated that 'The law provides for punishment of up to three years in prison for conviction of "hate speech" or injurious acts related to language, race, nationality, color, gender, disability, political opinion, philosophical belief, religion, or sectarian differences. Human rights groups [...] noted that the law was sometimes used more to restrict freedom of speech than to protect minorities.'<sup>21</sup>

#### 4.2.4 See [Freedom of expression](#) for further information on this subject.

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<sup>19</sup> European Commission, 'Turkey 2018 report,' 17 April 2018, [URL](#)

<sup>20</sup> European Commission, 'Turkey 2018 report,' 17 April 2018, [URL](#)

<sup>21</sup> USSD HR Report 2017, Turkey, section 2.a, 20 April 2018, [URL](#)

### 4.3 Impact of coup attempt (July 2016)

#### 4.3.1 The USSD HR Report 2017 stated:

‘The country experienced significant political challenges during the year [2017]. The continuing state of emergency--imposed following the July 2016 coup attempt, renewed once in 2016 and an additional four times during the year--had far-reaching effects on the country’s society and institutions, restricting the exercise of many fundamental freedoms. By year’s end authorities had dismissed or suspended more than 100,000 civil servants from their jobs, arrested or imprisoned more than 50,000 citizens, and closed more than 1,500 nongovernmental organizations (NGOs) on terrorism-related grounds since the coup attempt, primarily for alleged ties to cleric Fethullah Gulen and his movement, whom the government accused of masterminding the coup attempt.’<sup>22</sup>

#### 4.3.2 In a report updated in June 2018, Minority Rights Group International referred to ‘a process of repression against Kurdish civil society, which was particularly targeted in the wake of the failed coup attempt in 2016 and the subsequent state-led purge. Kurdish NGOs have been closed, private schools with Kurdish language curriculums have been shut down, and Kurdish teachers, academics and officials summarily dismissed.’<sup>23</sup>

#### 4.3.3 The US Congressional Research Service (US CRS) published a report in November 2017 which noted:

‘Under the post-coup-attempt state of emergency, Turkey’s government has cracked down on domestic political opponents. A primary focus, in addition to the Gulen movement, appears to be Turkey’s Kurdish minority. Heightened ethnic Turkish-Kurdish tensions predated the attempted coup, having been exacerbated since mid-2015 by renewed conflict between government forces and the PKK. Key Kurdish political leaders have been imprisoned since late 2016. Additionally, dozens of elected Kurdish mayors have been removed from office and replaced with government-appointed “custodians.”’<sup>24</sup>

#### 4.3.4 The state of emergency came to an end at midnight on 18 July 2018<sup>25</sup>.

#### 4.3.5 Minority Rights Group International ranked Turkey at 22nd place out of a total of 70 countries in 2018’s Peoples under Threat index; this was a rise of seven places from 2017’s ranking. It found that the communities at risk were Kurds, Alevis, Roma, Armenians and other Christians<sup>26</sup>. The information taken into account in forming this assessment was as follows: self-determination conflicts, major armed conflict, prior genocide/politicide, flight of refugees and IDPs, legacy of vengeance – group grievance, rise of factionalised elites, voice and accountability, political stability, rule of law,

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<sup>22</sup> USSD HR Report 2017, Turkey, Executive Summary, 20 April 2018, [URL](#)

<sup>23</sup> Minority Rights Group International, Turkey, Kurds, Current issues, updated June 2018, [URL](#)

<sup>24</sup> US CRS, ‘Turkey: Background and U.S. Relations In Brief,’ 9 November 2017, [URL](#)

<sup>25</sup> The Guardian, “Suffocating climate of fear” in Turkey [...], 19 July 2018, [URL](#)

<sup>26</sup> Minority Rights Group International, Turkey, undated, [URL](#)

and OECD country risk classification. The relevant data are available [here](#). The sources for the indicators are available [here](#).

- 4.3.6 For further information on the treatment of Kurdish politicians and the removal of mayors in the southeast of the country, see the Country Policy and Information Note on [Turkey: Kurdish Political Parties](#). For further information about conflict with the PKK, see the Country Policy and Information Note on [Turkey: Kurdistan Worker's Party \(PKK\)](#). For further information on state treatment of Kurdish people, see [Impact of conflict with PKK](#).

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#### 4.4 Impact of conflict with PKK

- 4.4.1 The DFAT 2016 report noted that, 'Some non-Kurds believe that all Kurds are associated with the PKK, despite the fact that many Kurds are supporters of the current Government and want the conflict to end.'<sup>27</sup>

- 4.4.2 However, President Erdogan pointed out that many Kurds actually vote for his party, the AKP, as reported by Kurdistan24 in August 2017:

'Turkey's President and leader of the ruling Justice and Development Party (AKP) Recep Tayyip Erdogan on Saturday criticized the opposition Peoples' Democratic Party (HDP) and claimed it could not be representative of the country's large Kurdish population.

"So, you [HDP] are representing the Kurds? Is that so? In our government, in my party, among top officials, we have my Kurdish brothers," Erdogan said, [...].

'Erdogan exemplified his point by stating two deputy Prime Ministers Bekir Bozdag and Mehmet Simsek were Kurds as well as his party's deputy leader Mehdi Eker.'<sup>28</sup>

- 4.4.3 In the 'Freedom in the World 2018' report, Freedom House stated:

'While expression of Kurdish identity has been better tolerated in recent years than it was in the 1990s, the resurgence of the conflict with the PKK has been used to justify a crackdown on Kurdish political parties, media outlets, and civil society organizations, which has intensified under the state of emergency. In addition to carrying out arrests, dismissals, and closures, appointed state authorities have in some cases reversed Kurdish municipal officials' efforts to promote Kurdish language and culture.'<sup>29</sup>

- 4.4.4 The USSD HR Report 2017 stated:

'Kurdish communities were disproportionately affected by violence between the PKK and security forces, which took place primarily in rural areas throughout much of the year. Some predominantly Kurdish communities experienced government-imposed curfews, generally in connection with government security operations aimed at clearing areas of PKK terrorists....

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<sup>27</sup> DFAT Country Information Report, Turkey, paragraphs 4.13 and 4.20, 5 September 2016, [URL](#)

<sup>28</sup> Kurdistan 24, 'Erdogan claims HDP not Kurds' representative,' 5 August 2017, [URL](#)

<sup>29</sup> Freedom House, 'Freedom in the World 2018,' Turkey, F4, 18 January 2018, [URL](#)

‘On December 11 [2017], the Diyarbakir branch of the HRA [Human Rights Association] reported more than 3,000 persons had lost their lives during government-PKK clashes in the southeast since 2015 and that many citizens could not continue their daily lives in areas in which the government had declared special security zones.’<sup>30</sup>

- 4.4.5 In a report of June 2018, Minority Rights Group International stated that ‘Turkish armed forces have repeatedly clashed with Kurdistan Workers’ Party (PKK) fighters, particularly in Diyarbakir governorate, leading to large-scale displacement and hundreds of civilian casualties, particularly affecting the country’s Kurdish community.’<sup>31</sup>
- 4.4.6 In May 2018, Reuters reported on the displacement of civilians in the Sur district of Diyarbakir under a state urban renewal programme, launched in March 2018, intended to relocate residents from areas devastated after the conflict between government forces and PKK militants resumed in 2015:
- ‘Two government officials in Ankara declined to comment on the redevelopment issue. But Urbanisation Minister Mehmet Ozhaseki said in March [2018] the government would provide housing for all those left homeless by the destruction in Sur, one of seven areas of southeast Turkey that are being redeveloped. [...]
- ‘A group set up to support those displaced in Sur says more than 700 people have opened court cases to challenge the expropriation and settlement terms for their homes, among some 4,000 properties demolished in the process. The top administrative court rejected the challenges to the expropriations, citing the need to redevelop areas damaged by conflict and on the grounds that affected buildings presented a risk to locals and did not respect the area’s cultural heritage.
- ‘Homeowners say they have been offered only small improvements in the sums the state offers for their properties. Appeals over the expropriation have also been made to Turkey’s constitutional court. The constitutional court has not yet put these appeals on its agenda and it is unclear when it will do so, according to a court official who declined further comment. [...]
- ‘People who have lost homes receive monthly rental support of 1,000 lira (\$236), and the state has paid out 96 million lira in such support, the provincial governor said in April.’<sup>32</sup>
- 4.4.7 In a report published in April 2018, the European Commission stated:
- ‘The clearance of landmines continued. The South-eastern Anatolia Project (GAP) continued to run, with the aim of improving socioeconomic development in the region. The government’s investment plan for reconstructing damaged areas in the south-east, announced in September 2016 and worth more than EUR 3 billion, has resulted in the ongoing construction of thousands of dwellings. There were [sic] some initial work done by the government to restore the cultural, historical and religious heritage sites damaged in 2015 and 2016. [...] Some neighbourhoods of Sur

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<sup>30</sup> USSD HR Report 2017, Turkey, Section 6, 20 April 2018, [URL](#)

<sup>31</sup> Minority Rights Group International, ‘Peoples under Threat 2018 [...]’ 12 June 2018, [URL](#)

<sup>32</sup> Reuters, ‘In Turkey’s Kurdish heartland, a battle for homes and votes,’ 7 May 2018, [URL](#)

district in Diyarbakır continued to be closed to the public. It was reported that only a small percentage of internally displaced persons have been offered new housing and only limited overall assistance, including compensation, has been made available. The expropriation of Sur district in 2016 by the government remains a legal issue. Cases brought by people against the expropriation have been lost in administrative courts.<sup>33</sup>

- 4.4.8 In May 2018 the Permanent Peoples' Tribunal (PPT, a forum for hearing complaints against countries that do not subscribe to human rights conventions such as the Rome Statue and International Criminal Court) published details of a verdict on the situation for Kurdish people in Turkey, stating:

'The Prosecution [...] notes that the Kurds have been systematically excluded from the economic and political decision-making process, their culture and language banned from public usage, and their political parties, media, journalists, and activists targeted. It has argued that this systematic denial of the Kurdish presence has led to armed conflict between the State and the Kurdish Workers Party (PKK) and is a direct cause of the violent confrontation in the Kurdish cities of South East Anatolia and the crimes committed against Kurds both inside and outside Turkey. The Prosecution has, therefore, requested that the PPT establishes that the root cause of the War and State crimes alleged was the denial of the right to self-determination of the Kurdish people.'<sup>34</sup>

- 4.4.9 For further information on conflict with the PKK, including the use of curfews and their impact on civilians in the southeast of the country, see the Country Policy and Information Note on [Turkey: PKK](#). For further information on state treatment of Kurdish people, see [State treatment of Kurds](#).

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## 4.5 Freedom of expression and use of Kurdish language

- 4.5.1 The DFAT 2016 report noted:

'The use of Kurdish in public is legal and Kurdish is commonly used in Turkey, including in Istanbul and other cities of western Turkey. Kurdish is used in political advertising and campaigning, private education and most social contexts. Measures taken by the Government to support the Kurdish language include establishing a publicly-funded Kurdish-language TV station, though this channel does not report on political issues.'<sup>35</sup>

- 4.5.2 The Austrian FMI published a report in November 2015, which stated:

'In 2009 [...] a Kurdish section at the Mardin Artuklu University, which provided intensive teacher training courses, was established. A few other universities (e.g. Muş Alparslan University) followed suit and initiated BA programs focusing on Kurdish language and culture with various degrees of success. In 2012, it became possible for students in state run schools to take Kurdish as an elective subject, but only in grades six, seven and eight and for two hours per week. In 2014, the state approved that non-Turkish

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<sup>33</sup> European Commission, Turkey 2018 report, page 18, 17 April 2018, [URL](#)

<sup>34</sup> Permanent Peoples' Tribunal, JUDGMENT, [URL](#)

<sup>35</sup> DFAT Country Information Report, Turkey, para 4.9, 5 September 2016, [URL](#)

languages can be the medium of instruction in private schools. Finally, in the same year, the state run Türk Dili Tetkik Cemiyeti (Turkish Linguistic Society), which had previously denied the existence of Kurdish as a language existing in Turkey, published a bilingual and bidirectional TurkishKurdish dictionary.<sup>36</sup>

4.5.3 The USSD HR Report 2017 stated:

‘The law allows citizens to open private institutions to provide education in languages and dialects they traditionally used in their daily lives, on the condition that schools were subject to the law and inspected by the Ministry of National Education. Some universities offered elective Kurdish-language courses, and two universities had Kurdish language departments. The law also allows reinstatement of former non-Turkish names of villages and neighborhoods and provides political parties and their members the right to campaign and use promotional material in any language; this right was not protected in practice.

‘The law restricts the use of languages other than Turkish in government and public services. For example, in January the government-appointed trustee mayor of the Edremit District of Van Province removed Armenian and Kurdish. Authorities also ordered Arabic signs removed in certain areas. In April municipal authorities in Adana ordered the removal of Arabic-language signs from store fronts to “protect [the] Turkish language.”

‘Although Kurdish is officially allowed in private education and in public discourse, the government did not extend permission for Kurdish-language instruction to public education.’<sup>37</sup>

4.5.4 In June 2017, the New York Times reported that ‘... in Diyarbakir, the spiritual capital of Turkish Kurdistan, the [government-appointed] trustee not only fired most of the city’s municipally employed actors, but also 80 percent of the staff of the municipal department that promoted the teaching of Kurdish and other minority languages.’<sup>38</sup>

4.5.5 The DFAT 2016 report noted:

‘The Government’s September 2013 democratisation package lifted restrictions on the use of q, w and x (letters used in the Kurdish but not Turkish alphabet). However, these letters still cannot be used in official correspondence. Kurdish groups reported that local government offices remain reluctant to fully implement this policy, suggesting Kurds use two ‘v’s in place of a ‘w’ on official identity documents. Since 2013 efforts have been made to restore the original Kurdish names of villages.’<sup>39</sup>

4.5.6 For further information about Kurdish languages, see [The Kurdish language](#).

4.5.7 The DFAT 2016 report noted:

‘Limitations on the expression of Kurdish identity are now minimal. In the past it has been illegal to use the Kurdish language or to publicly declare

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<sup>36</sup> Austrian FMI, ‘The Kurds: [...],’ ‘The language varieties of the Kurds,’ November 2015, [URL](#)

<sup>37</sup> USSD HR Report 2017, Turkey, Section 6, page 44, 20 April 2018, [URL](#)

<sup>38</sup> New York Times, ‘Amid Turkey’s Purge [...],’ 29 June 2017, [URL](#)

<sup>39</sup> DFAT Country Information Report, Turkey, para 4.10, 5 September 2016, [URL](#)

support for Kurdish political parties. Such prohibitions have gradually been revoked. In September 2013, the Government removed the requirement that schoolchildren recite a daily oath including the words “I am a Turk.” The only significant restriction on the expression of Kurdish identity is the Turkish Constitution’s definition that all Turkish citizens are “Turks”, precluding claims to citizenship on any other ethnic basis. This statement has little to no practical effect on rights to citizenship for ethnic minorities.’<sup>40</sup>

4.5.8 In a report published in April 2018, Amnesty International stated:

‘Those who express dissenting opinions on issues of concern to Kurdish people have long been subjected to prosecution in Turkey. One of the latest examples of this is the detention and prosecution of those critical of Turkey’s military operation in Afrin, Northern Syria...

‘When individuals, including human rights defenders and journalists, expressed opposition to the military offensive, senior members of the government and the President responded by labelling them “lovers of terrorism”. Statements by officials were followed by anonymous threats and intimidation, as well as criminal investigations and the detention of hundreds of people for social media posts and other public statements critical of the Turkish military operation. According to the Ministry of the Interior, by 26 February, 845 people had been detained for social media posts, 643 people were subject to judicial proceedings and 1,719 social media accounts were under investigation in connection with Afrin.’<sup>41</sup>

4.5.9 In a report published in April 2018, the European Commission stated that, ‘Using a very broad interpretation of the fight against terrorism, increasing restrictions were put in place on the rights of journalists and human rights defenders working on the Kurdish issue. Other associations and Kurdish-language media outlets were closed.’<sup>42</sup>

4.5.10 The same report stated:

‘The government continued to issue emergency decrees ordering the closure of TV channels and radio stations, initially mainly for alleged links to the Gülen movement, but over time extending these to a number of channels broadcasting in the Kurdish language, an Alevi channel and some opposition channels. Although 25 media outlets were authorised to reopen, 175 media outlets remained closed down. [...] Independent artists have also been negatively affected by pressure from authorities and reduced public funding. In many Kurdish municipalities, there was increased pressure from trustees appointed in place of elected officials on the production of art.’<sup>43</sup>

4.5.11 The USSD HR Report 2017 stated, ‘Nearly all private Kurdish-language newspapers, television channels, and radio stations remained closed on national security grounds under government decrees.’<sup>44</sup>

4.5.12 The USSD HR Report 2017 further stated, ‘In July [2017] parliament amended its by-laws to prohibit the use of the word “Kurdistan” or other

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<sup>40</sup> DFAT Country Information Report, Turkey, para 4.8, 5 September 2016, [URL](#)

<sup>41</sup> Amnesty International, ‘Weathering the storm,’ April 2018, page 8, [URL](#)

<sup>42</sup> European Commission, Turkey 2018 report, page 18, 17 April 2018, [URL](#)

<sup>43</sup> European Commission, Turkey 2018 report, page 36, 17 April 2018, [URL](#)

<sup>44</sup> USSD HR Report 2017, Turkey, Section 2.a, 20 April 2018, [URL](#)

sensitive terms by members of parliament on the floor of parliament, providing for the possible issuance of fines to violators. On December 13 [2017], parliament suspended HDP spokesperson and Sanliurfa member of parliament Osman Baydemir for two General Assembly sessions after he referred to himself as a “representative of Kurdistan” during a discussion in parliament.<sup>45</sup>

- 4.5.13 For further information about journalists, see Country Policy and Information Note on [Journalists](#). For information about the Kurdish language, see [The Kurdish language](#) and [Use of Kurdish language](#).

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## 4.6 Freedom of assembly and association

- 4.6.1 A report published by the European Commission in April 2018 stated:

‘There was further backsliding in the area of freedom of assembly and association. Legislation on this issue and its application are far more restrictive in practice than that provided for in the Constitution. In December 2017, the Constitutional Court abolished several restrictions on meetings and marches further to an application from an opposition party. However, the state of emergency expanded the administration’s powers to limit the right to peaceful assembly. Numerous peaceful meetings by opposition groups were banned and blanket bans were issued for weeks or months for all kinds of public events in several provinces. There was an increased number of penalties for participants in unauthorised events which acted as another deterrent. While a number of commemoration ceremonies and meetings were allowed, many events and demonstrations relating to the Kurdish issue were prohibited on security grounds. The unauthorised holding of such demonstrations at times resulted in forceful dispersal by the police forces.’<sup>46</sup>

- 4.6.2 The USSD HR Report 2017 stated, ‘Kurdish and pro-Kurdish civil society organizations and political parties reported increasing problems exercising freedoms of assembly and association [...]. Hundreds of Kurdish civil society organizations and Kurdish-language media outlets closed by government decree in 2016 after the coup attempt remained closed.’<sup>47</sup>

- 4.6.3 The USSD HR Report 2017 further stated:

‘In March [2017] a court appointed a trustee to conservative human rights NGO Mazlumder, removing and replacing its director and board of directors. The NGO’s new leadership later closed 16 of the group’s offices, mainly in predominantly Kurdish areas. The reasons for the takeover remained unclear as of year’s end. Critics asserted the move was an attempt by the government to silence the organization’s criticism of human rights violations in the southeast.’<sup>48</sup>

- 4.6.4 The Human Rights Association, IHD, published a report in October 2016 which stated:

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<sup>45</sup> USSD HR Report 2017, Turkey, Section 2.a, 20 April 2018, [URL](#)

<sup>46</sup> European Commission, Turkey 2018 report, page 37, 17 April 2018, [URL](#)

<sup>47</sup> USSD HR Report 2017, Turkey, Section 6, 20 April 2018, [URL](#)

<sup>48</sup> USSD HR Report 2017, Turkey, Section 2.b, 20 April 2018, [URL](#)

'No NGOs can hold democratic and peaceful gatherings and demonstrations in any part of the Kurdish region. As [a] Human Rights Association, we are not allowed to organize our ordinary weekly press conferences held for the Saturday Mothers, who are relatives of those Kurdish politicians or civilians forcibly lost by the Turkish state. In its 403rd week, sit-in protests of the Saturday Mothers can only be held inside the office of the association.'<sup>49</sup>

- 4.6.5 A report published by Amnesty International in April 2018 stated that, '...in Diyarbakir, the ban on all public demonstrations imposed in August 2016 remains in place.'<sup>50</sup>
- 4.6.6 See [Newroz](#) for information about Kurdish gatherings to celebrate the Kurdish New Year.

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#### 4.7 [Newroz \[Kurdish new year\]](#)

##### 4.7.1 In March 2018, Middle East Eye reported:

'Dozens have been detained across Turkey as Kurds celebrated the festival of Newroz (also called Nowruz), the Persian New Year. Millions of Kurds and pro-Kurdish Turks gathered in towns and cities across the country, including Istanbul and the eastern city of Van, with the largest celebration taking place in the southeastern city of Diyarbakir.

'Demonstrators waved flags belonging to the pro-Kurdish People's Democracy Party (HDP) and others bearing the face of Abdullah Ocalan, founder of the outlawed Kurdistan Workers Party (PKK) and ideological figurehead for a number of Kurdish organisations. Men and women danced in the streets to Kurdish and rebel music, while others lit bonfires and torches. Some took part in the traditional practice of jumping over bonfires.

'The gathering in Diyarbakir, which has seen brutal violence between Kurdish fighters and the Turkish state in recent years, was marked by a show of solidarity with pro-Kurdish fighters in the Syrian enclave of Afrin. Police helicopters circled overhead while water cannons were kept on stand-by. [...]

'HDP co-chair Pervin Buldan slammed the tearing down of a statue of the Kurdish folk hero Kawa by pro-Turkish forces at the weekend. [...] Despite the apparent tensions, Turkish President Recep Tayyip Erdogan tweeted a message for Newroz (using the Turkified spelling "Nevruz") while deputy Prime Minister Mehmet Simsek tweeted praise in both Turkish and Kurdish [...]

'Celebrations in other parts of Turkey were marked with arrests and severe security restrictions. The independent Dokuz8 news site said that at least 35 people had been arrested attempting to reach celebrations in Istanbul's Bakirkoy district. On Tuesday, Istanbul police said they had detained 16 members of the PKK's youth wing ahead of the celebrations on suspicion of preparing for "pirate demonstrations" and "attacks".

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<sup>49</sup> Human Rights Association (IHD), 'Report on Recent Situation [...],' 30 October 2016, [URL](#)

<sup>50</sup> Amnesty International, 'Weathering the storm,' April 2018, page 8, [URL](#)

'The state-run Anadolu news agency said another 11 people were detained in the capital Ankara for "preparing for a provocative attack ahead of Newroz" and police were searching for 14 more. AA described the detainees as PKK members.

'In the southeastern province of Sirnak, police detained 76 people with suspected links to the PKK, a security source said. A small pro-Kurdish party, the Democratic Regions Party, said 27 people, including one of its officials, had been detained in raids in the southern province of Hatay.'<sup>51</sup>

4.7.2 Kurdistan 24, which provides information to Kurdish-speaking regions, published the following in March 2018:

'Kurds in Turkey flocked to open spaces in droves on Wednesday to celebrate Newroz, the Kurdish New Year, an occasion strongly symbolic of Kurdish rights and independence.

'People gathered in Van, Urfa, Cizre, Nusaybin, Mardin, Siirt, Istanbul and the Turkish capital of Ankara, among other cities, marking the holiday. In today's Turkey, the policies of which are seen as an undeclared, multi-front war on the nation's Kurdish groups, publicly observing Newroz amounts to policial [sic] activism.

'Celebrations in some towns and cities, including Kars, Agri, Igdir, Mus, Dogubayezit, Derik, Ergani, however, were banned by central government-appointed authorities, a practice more widely imposed in the 1990s.

'As in past years, the largest celebration took place the city of Diyarbakir, where hundreds of thousands of mostly young people showed up, and attended by international guests from France, Italy, Norway, and Sweden [...]

'Crowds sang songs of resistance, waved the flag of Kurdistan, chanted slogans in support of the Afrin region of Syrian Kurdistan currently under Turkish control, and lauding imprisoned founder of the Kurdistan Workers' Party (PKK) Abdullah Ocalan.

'Pro-Kurdish Peoples' Democratic Party (HDP) leaders and lawmakers joined the crowds and made speeches. HDP's Co-chair Pervin Buldan addressed those gathered in Diyarbakir, harshly condemning the Turkish government of President Recep Tayyip Erdogan for its assault on Afrin. Buldan said that Kurds in Iran, Turkey, Syria, and Iraq were one people and an attack on any one of them hurt them all, calling out, "Those who demolished Kawa the Blacksmith's statue should know that each one of us in this square is a Kawa." [...]

'She urged the Turkish government to reinitiate peace talks with the PKK through talks with Ocalan and blamed Erdogan for the collapse of the 2013-2015 negotiations. Criticising Ankara's crackdown on her party, she continued by saying that former HDP co-leaders Selahattin Demirtas and Figen Yuksekdag, eight additional MPs, at least 60 mayors, and thousands of party members, now in prison, were "hostages." [...]

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<sup>51</sup> Middle East Eye, 'Festival of Newroz celebrated [...],' 21 March 2018, [URL](#)

'Kurds lit bonfires, a Newroz tradition [...].'<sup>52</sup>

- 4.7.3 See [Freedom of assembly and association](#) for further information on this subject.

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#### 4.8 Societal Discrimination

- 4.8.1 The DFAT 2016 report stated, 'In many areas of Turkey, Kurds do not face societal discrimination. Kurds can access government health and education services—this normally includes free public schooling and, for the poor, access to free public health care. Kurds can normally secure private sector employment and public sector employment subject to the limitations [outlined in [Official discrimination](#)].'<sup>53</sup>

- 4.8.2 The same source went on to say:

'In eastern and south-eastern Turkey, societal discrimination rarely occurs given the large Kurdish population in these areas. In Istanbul, contacts told DFAT that "Kurdishness" was becoming much more acceptable: for example, Kurdish buskers and music can now be heard on the streets. Kurds continue to experience a low level of societal discrimination in Istanbul and other parts of western Turkey. Kurds who do not speak Turkish can have fewer employment opportunities and might find it difficult to secure medical treatment or housing from Turkish service providers. Most young, educated Kurds are bilingual in Turkish and Kurdish; therefore, discrimination on the basis of language normally only occurs for elderly or uneducated Kurds. Kurdish women, on average, have lower levels of education than Kurdish men, and this barrier to accessing services is particularly a problem for Kurdish women.'<sup>54</sup>

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#### 4.9 Societal violence and hate speech

- 4.9.1 The DFAT 2016 report stated, 'Some non-Kurds believe [sic] that all Kurds are associated with the PKK, despite the fact that many Kurds are supporters of the current Government and want the conflict to end.'<sup>55</sup>

- 4.9.2 In a report updated in June 2018, Minority Rights Group International referred to the consequences of the re-emergence of conflict with the PKK in July 2015, stating:

'Kurdish organizations, businesses and individuals were [...] reportedly targeted by nationalists. Elsewhere, too, the conflict reignited inter-communal tensions and led to a spate of attacks against Kurds, including the fatal stabbing in Istanbul of a 21-year-old Kurdish man by a gang who had overheard him speaking Kurdish on the phone. In November 2015 Tahir Elçi, a renowned Kurdish human rights lawyer and peace advocate, was murdered in the south-eastern city of Diyarbakir.'<sup>56</sup>

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<sup>52</sup> Kurdistan 24, 'Despite crackdown, hundreds of thousands [...]', 21 March 2018, [URL](#)

<sup>53</sup> DFAT Country Information Report, Turkey, para 4.18, 5 September 2016, [URL](#)

<sup>54</sup> DFAT Country Information Report, Turkey, para 4.18, 5 September 2016, [URL](#)

<sup>55</sup> DFAT Country Information Report, Turkey, para 4.20, 5 September 2016, [URL](#)

<sup>56</sup> Minority Rights Group International, Turkey, Kurds, Current issues, updated June 2018, [URL](#)

4.9.3 The USSD HR Report 2017 stated:

'On September 14 [2017], police arrested three persons involved in an attack during the funeral of an ethnically Kurdish Alevi former HDP member of parliament's mother, Hatun Tugluk. After a service at an Alevi house of worship, more than a dozen persons tried to block the burial and attacked mourners, shouting: "You will not bury her here. We will not allow Kurds, Alevis, Armenians, and terrorists [to be] buried in this cemetery." Police stopped the attack, and the minister of interior intervened to facilitate the burial.'<sup>57</sup>

4.9.4 The Immigration and Refugee Board of Canada (Canadian IRB) published a response to an information request in January 2017 which stated:

'The Associate Professor at the University of Binghamton stated that in the cities where Turks constitute the majority, such as Istanbul, Izmir, Ankara, Bursa and Antalya, as well as in small cities, the Kurdish population is plagued by fear and uncertainty ... The same source reported the following about Kurds who are not politically active in large cities like Istanbul and Ankara since the coup in 2016:

'If they do not disclose their Kurdish identity and act as a Turk, they are safe. There will be no arrest or jailing for them. However, this may not be easy because Kurds have a particular accent when speaking Turkish.

'If they are simply Kurds, they may feel insecure. Speaking Kurdish in public is a risky behavior. Even though there is no law prohibiting speaking Kurdish in public, public reaction to those who talk loudly is possible endangering. Those who assault Kurds because they speak Kurdish are tolerated by police and judiciary. They are either released without going to a police station or released by the court shortly...

'According to the Research Associate at the University of Coventry, in large cities such as Istanbul and Ankara, the situation of the Kurds who are not politically active has not changed much since the attempted coup in 2016... The same source explained his perspective in this regard as follows:

'There is a continuing stigmatization of the Kurdish identity in Turkish society and like their counterparts in the south-eastern cities of Turkey those Kurds living in the western parts of the country are equally at risk of being criminalized because of their political views although they do not actively engage in politics. There are millions of non-politically active Kurds in Istanbul, Ankara and Izmir who currently continue their lives as normal without being discriminated against. Those Kurds who cooperate with and support the AKP (Justice and Development Party) government are not few.... '<sup>58</sup>

4.9.5 For further information about police treatment of Kurds, see [Treatment by police and security forces](#).

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<sup>57</sup> USSD HR Report 2017, Turkey, Section 6, 20 April 2018, [URL](#)

<sup>58</sup> Canadian IRB, TUR105723.FE, January 2017, [URL](#)

## 4.10 Treatment by police and security forces

### 4.10.1 In a report dated October 2017, Human Rights Watch stated:

'In another case [...], villagers from Şapatan (Altınsu) village, in the Şemdinli district of the southeast province of Hakkari, reported to the media and to lawyers that on August 6, 2017 dozens of men were rounded up from their homes by the security forces, beaten, and taken to the Şemdinli anti-terror branch where the ill treatment continued. A lawyer acting for the villagers told Human Rights Watch:

"After an armed clash on August 5 in which a police officer was killed, the security forces entered the Şapatan village in the night and searched homes. They gathered the villagers in the middle of the village and a unit of 10-15 special team police officers and plain-clothes officers beat everyone mercilessly in the village, and at the Şemdinli Security Directorate." [...]

'Human Rights Watch obtained photographs of some of the Şapatan villagers showing clear signs that they had been beaten in a manner consistent with their allegations. These were also published widely in the Turkish and Kurdish media, and circulated on social media.

'The Hakkari governorate issued a statement initially describing the torture claims as "completely baseless and intended as propaganda for a terrorist organization." However, inspectors were appointed to examine the incident and a police officer was suspended from duty on August 11. There is also a disciplinary investigation by the Turkish Medical Association (TTB) into a doctor at the Şemdinli hospital who was heard to insult the villagers, and to allege that they had brought the torture on themselves, and failed in her duty to record their injuries in detail.'<sup>59</sup>

### 4.10.2 The USSD HR Report 2017, reporting on events of 2017, noted that, 'Pro-Kurdish demonstrations of many kinds faced violent police responses throughout the year. On May 17, Diyarbakir police responded with force and detained 32 members of the Confederation of Union of Public Workers who were protesting the dismissals of public employees under the state of emergency.'<sup>60</sup>

### 4.10.3 The DFAT 2016 report noted:

'Turkey's police force is responsible for: preventing crime; providing public peace and order (in urban areas); providing security of people and property; and detecting, arresting and transferring both offenders and evidence to appropriate judicial bodies. The police share responsibility for investigation and prosecution of crimes with the office of the state prosecutor. Turkey has over 250,000 police, giving it a relatively high ratio of police to citizens.

'The police generally provide effective state protection. A range of groups have told DFAT that the police have undertaken training in relation to vulnerable and minority groups and in relation to new laws. The police have provided protection from threats of physical harm to religious minority leaders and in some cases to women at risk of domestic violence.

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<sup>59</sup> Human Rights Watch, 'In Custody: [...],' page 19, 12 October 2017, [URL](#)

<sup>60</sup> USSD HR Report 2017, Turkey, Section 2.b, 20 April 2018, [URL](#)

'However, human rights groups have told DFAT that there is strong evidence of impunity for Turkish police officers accused of killing or torturing vulnerable minority groups in the past. DFAT has also been told of a number of cases of complaints made to the police provoking punitive legal action against the complainant, discouraging further complaints. In its 2015 research on public trust in the police, the Turkish Economic and Social Studies Foundation found that trust in the effectiveness and legitimacy of the police differed between groups, with AKP voters having the highest trust and HDP/BDP voters (mostly Kurdish) having the lowest level of trust.'<sup>61</sup>

- 4.10.4 For further information about protection provided by the police service see the Country Policy and Information Note on [Turkey: Background information, including actors of protection and internal relocation](#).

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<sup>61</sup> DFAT Country Information Report, Turkey, para 6.10, 5 September 2016, [URL](#)

# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Background
  - History
  - Demography
  - Legal and constitutional framework, including anti-discrimination legislation and anti-terrorism laws
  
- Treatment of Kurds
  - State treatment of Kurds
  - Impact of coup attempt of 2016
  - Societal violence and hate speech
  - Police treatment of Kurds
  - Language and education
  - Newroz celebrations

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# Version control

## Clearance

Below is information on when this note was cleared:

- Version: **2.0**
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## Changes from last version of this note

Updates to country information and analysis.

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