



Political Persecution and Intersections of Violence against Women in Turkey

Stories of forced migrants



Hand in Hand for Women

Report No: 20-01
March 2020

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Stories of forced migrants**

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Cover picture by artist Banu Kalmaz.

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Hand in Hand for Women owes special thanks to courageous women who spoke out and share their stories with us. We also thank to our research team to make such deep stories heard.

This report is dedicated to all survivors of political persecution.

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Hand in Hand for Women

Hand in Hand for Women is established by immigrant¹ women who are forced to flee to Sweden after 2016 coup attempt in Turkey. The reason for seeking political asylum for these women are sourced from major human rights violations, political persecution and major torture and crimes against humanity directed towards these people and their families along with thousands of people in Turkey.

As an organization established by members who witnessed such mass violation of their rights, prioritizes protection, respect and safeguarding of international human rights. Additionally, Hand in Hand for Women rejects any kinds of violation of rights and violence against women and supports women's rights defined in The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and Beijing Declaration regardless of language, religion, political opinions or views.

The organization supports immigrant women for their claims on their rights and freedom. Hand in Hand for Women facilitates women's access to relevant services and civil society mechanisms to realize their demands.

Hand in Hand for Women prioritizes social integration of all immigrant women into Sweden society and encourages and support women in their search for free and democratic right to organize in defense of their rights and freedom.

¹ We use immigrant as an all-encompassing term to cover different statuses that immigrants possess such as forced migrants, immigrants, asylum seekers and refugees.

Introduction

This is a civic initiation and a pioneering report to document mass human rights violations, discrimination, political persecution that recent immigrants from Turkey to different countries and Europe have witnessed. This report focuses on women witnesses of the current political persecution in Turkey. Following her-story perspective this report presents a glimpse of mass human rights violations that thousands are currently going through in Turkey from the lenses of female survivors.

The report highlights gender aspect of political persecution, torture and ill treatment that is combined through deriving first hand data via in-depth interviews with survivors of such violence, torture and ill treatment.

This short report aims to:

- To underline massive extend of political persecution and human rights violations in Turkey affecting thousands of people including women and children
- To integrate gender aspect to studies on torture and ill-treatment and violence against women in Turkey under detention / imprisonment
- To voice the stories of forced migrants of Turkey to create better understanding of their presence in Europe

This report does not intent to present any policy analysis, yet, it aims to voice stories of immigrant women from an individual, reflexive and gender oriented perspective. In this regard, the report argues that recent immigrants /refugees to Europe are survivors of political persecution in their home countries and they witnessed intersecting human rights violations and violence. Their political asylum claims and social needs should be analyzed and responded accordingly both by policy makers, humanitarians and host societies.

As Hand in Hand for Women, we are hoping that our report may serve such mutual understanding, trust among these immigrant women and their newly adjoined societies; better and welcoming social policies for immigrants and refugees. We are also aiming that transferring such deep stories will bring light on certain stage of history.

Method

The review undertaken for this report focused on the experiences of immigrant women including forced migrants, asylum seekers, and refugees. This report applied semi-structured interview and secondary data analysis as major data deriving techniques. Interview questions are prepared by a sociologist and a psychologist. Face-to-face and Skype interviews are conducted by a group of academics and reviewed by a sociologist and psychologist. Interviews are conducted with survivors and witnesses of violence, ill-treatment and torture under police detention, imprisonment and when visiting imprisoned relatives. We have interviewed 12 women in total: 7 of them were former prisoners who spent between 4 to 17 months in different prisons in Turkey. 3 women spent long detention period ranking from 7 to 20 days. 2 women were relatives of prisoners. Among imprisoned women, two spent their jail time with their children, one of the respondents was jailed on 5th month of her pregnancy. We have conducted interviews between January 2019 and March 2019. The report also benefited from secondary data that is collected from multiple international reports and newspapers since violence against women, ill-treatment and torture is hard to record and arbitrarily ignored by the state.

We have directed questions in 6 different categories targeting to acquire information on psychological, sexual, psychological, social and economic types of violence against women (Additionally we have asked them about their feelings and future projections):

- Demography (age, education, languages spoken, profession, income level, number of family members)
- Their lives before 2016 coup d'état attempt (income level, social status, social network)
- Access to basic human rights during detention and imprisonment period (health, food, sleep, water, sanitation, hygiene, education, socialization)
- Human rights abuses during detention and imprisonment (handcuffing, legal rights, imprisonment with children, imprisonment during pregnancy, imprisonment during post-partum period, verbal abuse, sexual abuse, improper touching, naked body searches, sexual assault/ rape or threat of sexual assault)
- Their lives after imprisonment (loosing job, difficulty in finding jobs, difficulty in renting apartment, interruption of education, changes in

income level, lose of social status, freedom of speech, right to vote, social exclusion)

- Their migration decision and future projections

Due to sensitivity of the topic non-disclosure of their names and their affiliations or places of detention is preferred by our respondents. Some indicated their fear for their left behind family members in case of full disclosure of their names. Only two women among our respondents confirmed full disclosure of their names since their cases was reflected in national media in Turkey. First, Hacer Korucu, founder of the Hand in Hand for Women, shared her story with full disclosure. She was imprisoned instead of her husband abusing the principal of individual criminal liability that her case was widely covered on different media. Second is Rahşan Arya Ulufer, a lawyer, whose husband is in currently imprisoned in Turkey. Rahşan is the only respondent who is not an immigrant and still resides in Turkey continuing her legal struggle.

We covered stories of immigrants, mainly current asylum seekers and refugees, who have forced to flee Turkey for different European countries in the after 2016 period limiting our study with the witnesses to political persecution. We applied snowball sampling since the refugee communities from Turkey are very specific communities and topic is very sensitive to share their stories within or out the community. We use immigrant as an all-encompassing term to imply different categories of immigrants.

The anti-torture/violence against women legal framework

Turkey ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter, the Convention against Torture) on 2 August 1988. Upon ratification Turkey recognized the competence of the Committee against Torture to receive and process individual communications under articles 21 and 22 of the Convention against Torture.

Turkey is a State Party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In General Recommendation 19, the Committee on the Elimination of Discrimination against Women concluded that gender-based violence, including torture, is a form of discrimination against women as defined under article 1 of the CEDAW. Turkey ratified the Optional Protocol to CEDAW on 29 October 2002. Additionally, Turkey ratified the Convention on the Rights of the Child in 9 September 1994. Turkey signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights; neither Convention has yet been ratified. Under article 90 of the Turkish Constitution, international treaties duly ratified, have the force of law, and can be invoked in Turkish courts.

At the regional level, Turkey is a member of the Council of Europe, ratified the European Convention on Human Rights in 1954, and is seeking membership in the European Union.

At the national level, Article 17 of the Turkish Constitution prohibits “torture and ill-treatment incompatible with human dignity.” Article 243 of Turkey’s Penal Code criminalizes torture, cruel, inhuman or degrading treatment by state officials. On November 22, 2001 the Turkish legislature passed comprehensive legislative bill designed to promote gender equality in civil legislation.

Additionally, according to article 16/4 statute 5275 in Turkish Penal Code that ‘The execution of the prison sentence against a woman who is pregnant or who gave birth less than six months ago shall be postponed. If the child has died or has been given to someone else other than the mother, the prison sentence shall begin to be executed two months after the date of birth even if she does not have any health issues.’ Turkish government has been breaching of those agreements above including the Convention on the Rights of the Child.

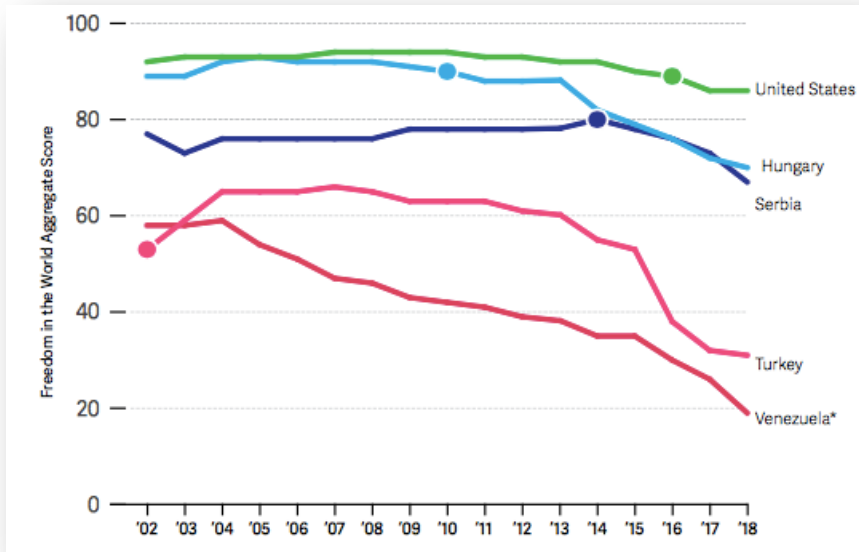
Background on Political Persecution in Turkey

The state of emergency introduced in Turkey on 15 July 2016 in the aftermath of the attempted coup. Though emergency rule ended two years later, the Turkish parliament adopted a law furthering many elements of emergency rule for three more years. In the meantime, government abused fundamental freedoms such as dismissing thousands of public servants, prolonged detention periods, extending powers to government-appointed provincial governments or assigning trustees to thousands of private institutions. After the controversial military coup attempt on July 15, 2016, the government in Turkey, using emergency decrees, dismissed more than 152,000 civil servants, including academics, teachers, police officers, health workers, judges and prosecutors. Turkish government has taken more than 150,000 people were into custody during the state of emergency and arrested more than 78,000 on terrorism-related charges, 50,000 of whom are still in jail (European Commission, 2019).² 155,560 people are still currently under investigation due to their alleged links to coup attempt (Hurriyet Daily, 2019).

Turkey has fallen to 101st place out of 113 countries in the World Justice Project's (WJP) 2017-18 Rule of Law Index

² Additionally, according to the figures presented by a Turkish parliamentarian out of the 562,581 people who have been investigated, 263,553 have been detained and 91,610 have been arrested until today. Among terrorism related charges the alleged affiliations to groups are as follows: FETÖ/PDY : 31,442 people, PKK: 9 bin 731, ISIS: 1150 are currently imprisoned. FETÖ /PDY is the name adhered to Gülen movement followers by the regime in Turkey. Except FETÖ /PDY, both PKK and ISIS are listed as terrorist organization by the United States and the European Union.

Figure 1. Freedom in the World Aggregate Score by Years



Source: Freedom House, 2019

In total, there are 10,285 women and 2,982 children under 18 years old are behind bars in Turkey. Current numbers of children stay beside their mothers in prisons are 780 (children under age 6). More babies are born in prison since Turkey continues to imprison pregnant women unlawfully. Prisons are overcrowded with an overall jail occupancy rate of 124 % since 2016 (Hurriyet Daily, 2019).

Government of Turkey put thousands' life in danger, violated individuals' basic human rights via mass torture and ill treatment and destroyed all their careers and lives (SCF, 2020; AST, 2020; Mağdurlar İçin Adalet, 2019).

Thousands of people from Turkey including but not limited to journalists, scientists, academics, career diplomats, civil servants, judges, lawyers, humanitarian workers, human rights defenders-activists are now forced to flee Turkey and in search of asylum in different parts of the world.

Freedom House 2019 Report defines Turkey as the country fastest falling down from the freedom scale in the last decade. After 2016 more than 150 media outlets are closed down by the government (Freedom House, 2019).

The high number of arrests of journalists - over 160 journalists remain in

prison - is of very serious concern (European Commission, 2019).³ Currently Turkey leads the world in jailed journalists (Economist, 2019). Last but not least, since 2016 hundreds of families from Turkey lost their lives in search of asylum through dangerous paths in Western migration routes. Currently Turkey also pushes hundreds of Syrians and asylum seekers from different countries forwards as a political move to dangerous migration routes.



38 OUT OF EVERY 100 WOMEN ARE WITNESSING PHYSICAL OR SEXUAL VIOLENCE IN TURKEY

Source: UN Women, 2019

³ In detail, there are at least 237 journalists and media workers in Turkish prisons.

Intersections of Violence against Women in Turkey

474 women had been killed in the year 2019 in Turkey

We Will Stop Femicide Organization

Torture and other cruel, inhuman or degrading treatment of women is a fundamental violation of human rights and is absolutely and unreservedly prohibited under international law. In spite of the international legal prohibitions on torture and other cruel, inhuman and degrading treatment or punishment along with growing attention for the past three decades women's rights and the issue of gender-based violence has received, reality on the ground provides few signs for optimism. Women and girls continue to face high risks of becoming the victims of torture in many countries around the world, including Turkey.

Turkey ranks 130 among 149 countries in World Economic Forum Global Gender Gap Index (2016). According to UN Women more than one third of women (%38) in the country have witnessed physical or sexual violence (UN Women, 2019).

Current socio-economic atmosphere in the country enhances gender inequality that is also fostered by political discourse. Social policies restrain women to household and caretaking roles keeping women deprived of integration to labor or social life. A total of 146,756 cases of violence against women were recorded in 2014; 145,213 in 2015; 162,110 in 2016; 180,307 in 2017; 219,801 in 2018; and 157,150 in the first 10 months of 2019 according to data released by Ministry of Interior of Turkey.

This report argues that political persecution is an extension of different forms of violence against women in Turkey that women have been witnessing due to inefficient gender equality in Turkey. Through report, women's stories highlight their suffering from intersections of violence in Turkey that is escalated by the acts of repressive political regime and their human rights breaches. We chose to use violence as an all encompassing term that is covering multiple and intersecting forms of human rights violations ranking

from exemption from freedom of thought/ speech to torture, ill treatment, physical, psychological, economic and sexual violence. We have also realized in our study that human rights breaches against women intensifies and escalates other forms of violence such as domestic violence as well as economic and psychological violence reaching to communal levels.

In July, Turkish government submitted information in regard to 34 cases brought to the European Court of Human Rights; these cases involved alleged violations of the right to life, prohibition of torture and the right to liberty and security in the southeast of Turkey during the curfews in 2015 and 2016.

Amnesty International

Violence against women is defined as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life” in UN Human Rights Council Resolution 11/2, 2009. Similarly, UN Declaration on Elimination of Violence against Women (1993) clearly states women’s right to equal enjoyment of the following rights:

- (a) The right to life;
- (b) The right to equality;
- (c) The right to liberty and security of person;
- (d) The right to equal protection under the law;
- (e) The right to be free from all forms of discrimination;
- (f) The right to the highest standard attainable of physical and mental health;
- (g) The right to just and favorable conditions of work;
- (h) The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment.

Focusing on violence against women, we should acknowledge that there exist multiple forms of violence harming women in Turkey. Although violence is mostly understood as a physical harm, it takes psychological, economic and social /

communal forms as well when a woman is dismissed from her job due to her political opinions or witnessing physical violence from a partner or socially excluded from her family, relatives and society.

Second, political persecution and current forms of violence against women is against human rights that are crosscutting all segments of society in Turkey. Although current purge is apparently directed to certain opinion groups and political opposition, thousands of people from different socio-economic segments including human rights activists to judges, journalists, academicians, and teachers are witnessing and suffering from spread of violence. In this regard, mechanisms targeting elimination of discrimination and violence against women should consider that wide spectrum of the problem.

Cases covered in the report derived from survivors of political persecution. Their stories range from eliminations of their basic human rights to severe human rights violations such as torture and ill-treatment as well as sexual and gender based violence (SGBV). Accepting that political persecution affects all segments, additionally integrating gender perspective on torture and ill-treatment is significant to underline the violations, discriminations “rooted around and gender and sexuality are fully recognized, addressed and remedied.

Abolishment of Access to Basic Human Rights during Detention and Imprisonment Period

All of our respondents stated that they were not provided access to basic human rights during detention and imprisonment period including health service (when needed), food, sleep, water, sanitation, hygiene, education, socialization opportunities.

Alike, all confirmed that the prison barracks were overcrowded and they constantly got sick due to lack of clean air. These services limited for women were also limited for their children if they are staying beside their mothers. Hot water was very limitedly or not provided for personal hygiene during their imprisonment. That created further health problems and multiple illnesses such as diarrhea, flu, and dysentery during detention and imprisonment. Also, the prisons are not tailored according to needs of people with disabilities and serious illness. However, these conditions did not delay their imprisonment as it was supposed to.

I was under police detention for 10 days before I spent 8 months in prison. During that time I got dysentery with bloody stool. I thought I was dying because they were rejecting to give permission to go to

hospital. Finally, a health personal took the responsibility saying “the woman is dying” then I could see a hospital just for 2 hours. Then I was back in prison I have fibromyalgia and certain disability/ limitations on muscle usage of my legs. They rejected to provide my medication during imprisonment... One friend in our barrack had cancer and she needed biopsy. After biopsy, she was taken from her operation bed and brought to detention room directly. She was poured in blood, half naked and was left with two soldiers beside her for hours to regain her consciousness. We wrote 150 petitions requesting her release. This woman was not released... Evidence causing her conviction was a book found in her library (Hacer Korucu, 49, Activist).

It was disgusting and terrible. 80 people stayed in a tank that is only for 26 people. There was nothing concerning cleaning service. Even if we cleaned, it was caked with dirt...We were not supplied with medicine. We had the flu. All of us were very ill and we were vomiting...We had diarrhea but no medicine was provided. There was lack of oxygen inside. We had only three hours for breathing time. (Feride, 37, Civil Servant)

They gave us hot water just for 5 minutes. All 15 people and a child have to shower that time. Think about it! We put bottles in the sun to get hot water (Meryem, Psychologist, 32).

When I was under detention it was January. We shared a whole corridor with men. It was very hard. It was very cold and we slept on the floor for days since there were not enough mats in the cell...For 20 days of custody they did not let us have a shower. We visited the toilet when they permitted us. They did not let families to visit us. Even when we needed hygiene pads, they neither provided nor let our families to bring us them. It was very humiliating. (Kevser, 30, Teacher).

Prison capacities are limited and barracks are overcrowded. All respondents confirmed that they were deprived from sleep through all day and night lightening.

... it was a dungeon, you know. We were always sleeping under the light; under the fluorescent lamp. Number of people stayed in the room, which is for 26 people, sometimes raised up 83. I had to sleep on the floor next to the toilet door for 3 weeks. Can you imagine the scene that people are jumping over me in order to go to the toilet? You don't have a personal space. The place you sleep is where you can lay down. Even people are jumping over you there. I mean we are talking about such a full tank or room. It's impossible to walk without touching other people. It was really terrible. (Feride, 37, Civil Servant).

Abuses Regarding Legal Rights: Access to Lawyer, Presumption of Innocence, Principle of Individual Criminal Liability

All respondents confirmed that their access to lawyers, right to be informed about the charges against them were limited at differing levels. Presumption of innocence and principle of individual criminal liability are constantly ignored.

“When the police took my testimony, there are two testimonies. One is unofficial. A police came before the arrival of my lawyer, insisted that I should become a confessor. Psychologically pressuring that if I do not give them names, I can never see my child again. Constantly threatening me that I will perish in jail etc... When I had court appeal, they did not inform my lawyer. My lawyer found me by chance since he had another duty at the courthouse that day. They were charging me as leader of a terrorist group but I do not have a legal indictment until today.” (Kevser, 30, Teacher)

The current political persecution results in additional human rights violations such as abuse of the presumption of innocence and principle of individual criminal liability as in many cases women stated their imprisonment was also a result of alleged crimes attributed to their families or their husbands. The political persecution in Turkey starts with trespassing of presumption of innocence. Women’s stories show that this law has been breached many times during the prosecution and judicial processes. One of the respondents said: “Judge openly told me if your husband surrenders you can go.”

I was visiting my mother in Erzurum when the police came to look for my husband (who is a journalist). He was not with us. Police called the prosecutor and said: The man is not here. Prosecutor said, “Do not leave the wife.” Police replied: “But there is nothing about the wife.” Prosecutor said: “Just keep her. I will prepare a search warrant for her now.” So I was taken into detention instead of my husband with a prosecutor’s word without any charges, denunciation or evidence... Police threatened my mother-She is more than 70 years old- telling, “If your son-in-law does not appear we will take you and all of your grandsons too.” (Hacer, 49, Activist)

Our respondents also confirmed that their rights to communicate with their families were non-existent or very limited. Most was not given the chance to receive or send letters, petitions. All respondents stated that they were not

given chance to attend any socialization activities in prison such as courses or little get together organized for prisoners.

They told me I had “special bans” from the ministry that (because my husband was a journalist) I could not write or receive letters, my relatives cannot bring me money or clothes and I cannot see my lawyer. I cannot apply for International Human Rights Court as well. I lived three months with other people’s support in the barrack without a chance to see anyone from outside (Hacer, 49, Activist).

Government forces are claimed to ignore presumption of innocence at every step of legal process starting from house searches to imprisonment. Lina’s (37) case gives a clear example of such human rights breaches.

There was a search warrant for me. I was four months pregnant and moving all the time. I was living with my family. One morning police and soldiers invaded our house with long barreled weapons. My sister was blamed to support PKK (Kurdistan Worker’s Party). I was also wanted but that time they were not looking for me. They did not know I was there. Our door was broken open at 4.30 a.m. in the morning... Police surrounded the house with guns and men with masks entered inside. They knocked me down and pointed a gun to my head. They thought I was my sister because they were shouting her name... They started questioning while I was trembling out of fear... I could not know what to do. They were shouting and shouting... Believe me I do not have words to express my fear that I went through that time (Lina, 37, Teacher).

Wide human rights violations of political persecution address multiple opinion groups and thousands are convicted with alleged crimes for being terrorist. Immoderate power and charges are directed towards people even before their court or conviction. A pregnant woman could be target without any right to defend herself since herself and her sister was blamed of being terrorists.

Sexual and Gender Based Violence (SGBV)

All imprisoned and detained respondents confirmed that when they are taken into custody or for imprisonment, they were taken into entrance check points with groups of other imprisoned women and subjected to whole body naked searches through commands “Sit down-stand up. Cough”. Even visitors were abused with naked searches and improper touching. This abuse included old, disabled or pregnant women without any exception. Their requests to use aprons were rejected during searches. Additionally other SGBV cases are recorded including, verbal, psychological, sexual abuse and improper touching. Some respondents stated that several state officers threatened them with sexual assault and rape. Şengül (37) tells how a prosecutor threatened them:

Our prosecutor was a man whose name is enmeshed with many torture cases. He was a disgusting man. When I was under detention one day he came and said: "State will f... you. And you will not able to say even it hurt." While talking to us he was hitting his fist on a table in front of all people men and women before her (Şengül, 37, Teacher).

Feride (37) was threatened by rape by a visiting state officer.

I want to talk about a personnel from the Directorate of Religious Affairs in Turkey threatened me with rape... In my second week in the jail, Mufti, responsible for religious affairs in the city, came to the prison for my administrative investigation. It had been also two weeks after my dismissal. I asked, "Were you supposed to make the investigation before I were prisoned? Why are you here? Normally you have to make administrative investigation first, and then if I have a crime you have rights to execute a judgment. Have you been trying to detect a crime just now?" After I said these, he said, "You would be grateful that you are not raped like the women in Syria." I was shocked. This speech belongs to Mufti, a personnel of Religious Affairs in Turkey. I want it be heard. Everyone should know that Religious Affairs in Turkey is a contemptible official institution. (Feride, 37, Civil Servant)

They all confirmed they were all in fear of such abuses and assaults and did not feel safe during imprisonment due to constant abuses their friends have encountered. That feeling of unsafely was psychologically very disturbing for them during imprisonment. Şirin (42) tells her friends' story of sexual abuse as follows:

My friends, two young women, were sexually abused during their interrogation. They were taken for interrogation every day. Interrogation room was totally isolated and the policemen sexually abused them with batons and hands many times. They were afraid to talk. Police was saying them "Do you know why all doors are knocked here? I can do anything I please.... and he was telling what he could do: "I do things with this baton and you can never get married" (Şirin, 42, Lawyer).

I had two friends. The police sexually abused them. One was threatened with rape when she was under interrogation. The police through improper touch abused the other. We heard many cases as such and scared all the time (Meryem, 32, Psychologist).

General claims appeared in multiple reports and news also indicates high levels of human rights abuses towards visitors of the imprisoned. Some respondents stated that they were threatened to abolish their right to visit their imprisoned relatives if they rejected to be searched inappropriately. Lawyer Rahşan Arya Ulufer herself was abused and harassed by a guardian when she declared it was her right to visit her husband.

“When I was visiting my husband I was sexually abused by a guardian.... Before entering into the prison area, they have search barracks. These places are not even inside prison and they have another search when entering into the prison. When she (the guardian) shouted us I started to argue with her. My search was over... she pulled me back from my arm and hold my genital area shouting, “Do you have hygiene pads?” I said “No.” She insisted “Open (your pants). I will check.”... She forced me to open my pants and underwear (checking genital area) and pushed me. I pushed her. She started shouting that she will not let me enter for my visit. Then door opened and a policeman entered. I was still half naked” (Rahşan Arya, 43, Lawyer).

Rahşan’s (43) story was also largely appeared on national media in Turkey. Her husband is also a lawyer still in jail and her legal struggle still continues. She underlines that even legal personal themselves can be abused by state officers that extend of abuses that people who does not know their rights cannot be imagined.

Hundreds of claims appeared on social media and news regarding torture and ill-treatment under different places of deprivation of liberty. Many individuals claimed to be illegally detained from different spots and even from different countries by government of Turkey (Freedom House, 2019). Ayten Oztürk’s (44) case reflected in news shows tragic extend of the sexual and gender based violence and torture. Ayten Ozturk has been illegally detained at Lebanon in March 2018 by MIT (Turkey's National Intelligence Organization) officials without court order or extradition decision. She was accused of being a member of the DHKP-C (Revolutionary People's Liberation Party-Front), she has stated in her testimony that she was tortured for 6 months long at unknown place in Ankara till 28th August 2018 and they also did not bring her to the court for her first hearing. She said in her testimony that she was subjected to various forms of torture (waterboarding, sexually violated with batons, waterboarding, force-feeding, burning her fingers, keeping her in a coffin-like box, strappado torture, and many more sexual abuse etc.) and finally transferred to a counterterrorism unit in Ankara. She has received medical attention several times then later they tortured her again (AST, 2020, p.6). Her testimony indicated that such human rights crimes are common applications in today’s Turkey targeting different groups rather than exception.

Physical, Verbal and Psychological Violence

Physical and psychological violence is used widely as forms of violence can be considered inhuman and degrading treatment to psychologically confront and humiliate prisoners. All respondents confirmed verbal and psychological violence enmeshed with psychical abuse in the form of shouting, humiliating, pulling, pushing was constant during their custody and imprisonment. Some also experienced these violations when visiting their relatives disregarding human dignity.

Our respondent Kevser (30) shares her story of verbal abuse. Other respondents also confirmed constant harsh verbal abuse at different levels.

“When they were taking us from Ankara to Istanbul, in the police bus, police was swearing and cursing us verbally while they were loudly listening highly radical nationalist songs for hours accusing us that we were enemies of the nation. They were shouting us that “you are betrayers, you will never see your children again.” (Kevser, 30, Teacher)

Feride (37) a former civil servant gives examples that she has witnessed during her prison time.

Prison administration forcibly cut my husband's and all his roommate's hair when he was in prison. (Feride, 37, Civil Servant)

When my husband was under custody, I was in prison. I saw his front teeth were broken when he visited me. He said for one week the police via beatings and electroshocks tortured him. Finally he signed some confession papers that they prepared with names of other people that he supposed to know to be released. All his friends were tortured during custody without any exception (Birce, 30, Teacher).

My indictment came after I spent 11 months in jail. When the first time they took me before a judge after that long imprisonment, he did not even listen to me instead threatened me: I am the person who is writing your destiny... Until my second trial judges changed. Prosecutor still continued to threaten me while passing through saying: People like this should get life imprisonment! (Birce, 30, Teacher).

As in the case of Birce (30), court processes and convictions are very vague, disregarding constitutional rights that the results can change arbitrarily according to character /political stance of judges, prosecutors. To please government or to be promoted for better positions many legal personnel used their positions politically.

The police were used psychological torture techniques to further play with women's psychological health and well-being. Most women experienced being handcuffed behind back and some were transferred to courts inside prison cars used for heavy penalty prisoners. During imprisonment none was provided a watch or any instruments to follow the time. They were left to sleep under light 24/7. A random search with heavy gunned police force to scare imprisoned women is also a common application in prisons. Women with headscarves were forced to open their headscarves as long as they are imprisoned.

I was handcuffed behind back every time while I was carried to the hospital or somewhere else. While leaving hospital with handcuffed behind back, my photos were taken to humiliate me... In the process of detention, I had some health problems such as panic attack crisis due to staying in the closed places. It means I couldn't stand staying in jail. I had been in prison for 10 months. During that time, I had had panic attack crisis four times. I needed be injected twice. During the other two crises, I supposed that I cried out. I don't know how I reacted during crises. I had hit my arms, legs or feet to somewhere. After crises, I had recognized that there had been some aches and bruises on several parts of my body, such as my arms etc. I had been obliged to use antidepressant for a long time in prison since I couldn't deal with crises. (Feride, 37, Civil Servant)

Every 15 days there was a search in the barrack. They got in very fast with all loaded heavy guns. They threw all cloths a pile in the middle of the barrack. We could not find our own clothes after their search. It was such a mass (Hacer, 49, Activist).

All informants confirmed that they developed some kind of post-traumatic stress disorder. Some stated that they are visiting psychologists currently and using anti-depressants. Other problems developed include panic attack, anxiety, depression, anger management problems, insomnia, rashes out of stress, and paranoia with differing levels. Some also mentioned loss of dignity created lacking self-love and crying jags.

Abuses regarding Rights of the Child

Abuses on child rights appeared during our interviews as an additional topic, which was not intended to be covered in this report. However, severity of abolishment of child rights was very intense not to voice in our report. The reported abuses towards children included, naked body searches during visiting their families in prison, imprisonment of pregnant women and giving birth during imprisonment, imprisonment of postpartum women, obscuring access to doctor, medication, toys or play areas for children who are living beside their moms in prisons. Two women among our respondents had their toddlers beside them during their imprisonment time and one respondent

was jailed when she was pregnant. Other had children in their barracks during imprisonment and witnessed similar abuses towards the rights of the child.

For 3 months I literally slept on the floor in one of the coldest cities in Eastern Turkey, namely Erzurum. Then after that time, I started to share a bed with other 3-4 people. We were taking 2 hours turns to sleep on the bed. Barrack was for 8 people we were 25 people. There was 1 toilet and bathroom. It was too small that when someone takes a shower no one could use the toilet. Our barrack's door was broken and could not be closed. All of us were trembling of the cold all the time. And there was a newborn (39 days old) baby in our barrack beside her mother (Hacer, 49, Activist).

Hacer (49) details that the baby had a hole in her heart and needed to be hospitalized instead of living in a prison.

Psychologist Meryem (32) is one of these respondents who shared her imprisonment process with her 2 years old child. She was very understanding of children and women's psychological conditions due to her area of profession. She defines one scene when she was taking in her child to prison since she did not have any caretakers outside.

When they brought my child to me they did not let me to take her from her father. They said they would bring the child. I was waiting and I heard screams from the corridor. When they let me out I ran to the room they made my 2 year old daughter wait for me. She was beside two police men who are smoking and laughing at her fear. She was traumatized and screaming, "I want my dad". Policemen started insulting me saying "she does not want you. What kind of a mom are you separating your child from her father?" (Meryem, 32, Psychologist).

One friend's kid did not have diapers. They did not let her to buy. She used women's hygiene pads for the child. He was full of allergies and skin burns. Another woman's child fell of the bunk bed. They took child to the hospital without his mom.... Children beside their moms were developing apparent psychological problems. I asked for toys at least one saying, "Those children have rights too". They said, "We are not interested in child rights"...We made up a toy baby for my daughter out of a sock. They took it when they searched saying: Production is prohibited (Meryem, 32, Psychologist).

Due to political persecution, many children are also separated from their families. Though not having primary care takers, their families are imprisoned that created severe abuses and traumas.

I have close friends having been in prison for 3 years. One of them was obliged to entrust her children to their aunt. However, the aunt's husband had sexually abused that eleven years old girl. She mentioned about that in the court. However, the court didn't do the necessary. (Feride, 37, Civil Servant).

Imprisonment of pregnant women and post-partum women is prohibited by constitution of Turkey and by international laws. However, Turkish government constantly breaches these laws.

They took one friend under custody when she was 38 weeks pregnant. She was threatened by the police that she could give birth at the jail. Many went to jail with their children. (Kevser, 30, Teacher)

“I was still breast feeding when they took me into police custody. I begged them many times to bring my child for breastfeeding. They brought me my child only 2 times in 20 days of custody to breastfeed. When I was out I had to quit breastfeeding.” (Kevser, 30, Teacher).

There were two women who were milking into the sink. First woman’s baby was around 5 months with a severe disability. Baby was living with her grandma. She needed to visit the hospital every day. That friend spent 8 months in jail (Aysel, 45, Nurse).

Rights of the child were abused to a severe extend ranking between imprisonment of pregnant women, post-partum women to naked body searching of young children and young adults.

When I was visiting my father in the prison many times I observed that they search even children’s diapers exposing their whole body in front of everybody else. Children cried all the time because of their offensive moves towards them (Zelda, 19, Student).

Political persecution also affected thousands of children’s lives creating further traumas. One of our respondents Zelda (19) is a student and daughter of an immigrant family. She details how these processes affected her and her siblings’ lives.

I do not see my period. It started during these processes. I have a 13 years old brother. After our father’s imprisonment he started bed-wetting and teeth grinding in his sleep (Zelda, 19, Student).

Prison conditions are not appropriate for young children when they stay beside their mothers. Though, such cases’ imprisonment would be delayed as indicated by Turkish constitution and international laws, the government continues to ignore such rights.

Once the child in our barrack was almost choking. Prison food was not appropriate for the child. The kid was getting blue and almost dying. We interrupted. No medics arrived... We used to make kites for the child. They (guardians) broke it. We made up toys, stories. They broke the toys during their searches (Aysel, 45, Nurse).

Ignorance and breaching of rights of the child is unfortunately very common in today's Turkey. Trespassing of such rights further traumatizes and abuses children.

Domestic Violence and Social Exclusion

Political persecution and violence against women triggers other forms of violence such as domestic violence and communal violence in the form of social exclusion, stigma. Negatively affecting people's psychologies these processes caused huge damages for families and children. Meryem (32) who is a survivor of domestic violence that her situation shows how political persecution processes negatively affect relationships and human psychologies. Her story as follows:

My husband and me spent 5 months in jail. He blamed me for everything. After prison, he started harassing me finally beating me so badly that I ended up in the hospital. I have a doctor report... I am ashamed of telling to be a survivor of violence as an educated woman. I have divorced after that time (Meryem, 32, Psychologist).

Zehra (42) tells how social stigma was common and people could not even come together during their losses.

My close friend, a young woman, died under custody because they did not provide her medicine. Everybody ignores that. We could not go to her funeral because they were taken people into custody when they enjoined the funeral. Can you imagine that even you cannot go to a friend's funeral? (Zehra, 42, Chemist)

Differing from forensic cases, political prisoners are totally excluded from the society due to their political views or public's withdrawal of any affiliation with them due to fear of government.

Overall, all respondents lived through different levels of loss of income, social status. Some stated that their educations (masters, doctorate or specialization trainings) were interrupted and/or they have lost their chances to continue their education. All their international travel rights were abolished during their legal processes long before their convictions was set. Even some family members' passports were taken and they were given extra travel bans due to their family's alleged crimes disregarding principle of individual criminal liability. Most women indicated that they encountered difficulties to find job, to rent a house. Some of their children had difficulty in continuing education due to social pressure from society.

Some respondents claimed that they still feel social exclusion even after she migrated to a European country due to her political views.

I feel like there is a stigma in my head. There is a stigma and it does not clean wherever I go. I still feel social exclusion from Turkish community here. Pro-government Turks hate us, others are afraid to be labeled as terrorist that they distance themselves from us. (Zehra, 42, Chemist)

The political persecution also affected family structure that many families' unity has been lost and divorces is increased among people who are subjected to political persecution. Additionally right to freedom of speech was totally abolished.

Immigration Process and Future Prospects

Immigration and asylum literature shows us that immigration is a complex phenomenon driven by numerous factors. We asked women about their decision of immigration to their current countries of residence. Political persecution, human rights violations are indicated as the major push factor for all respondents.

We also asked if they encountered any abasement for being a woman. Lina (37) answered saying "There is always an impotency for just being a woman in Turkey." Her story also highlights very important aspects of political persecution that heavily targeted Kurds as ethnic minority in Turkey and recently included Gülen movement followers. She explains how their position is two times harder since she stands at intersection point of these two suppressed groups.

I am a Kurdish woman. We were suppressed two times in Turkey. For years because of our Kurdish origin. Recently because we were supporting Gülen movement. We are suppressed, scorned and persecuted. It was hard to come from Eastern provinces in Turkey... Now I do not want to be called through my affiliation to a certain group. I am seeking a life far from racist and hateful discourse... a peaceful life in a place where human dignity and human rights are fully respected. I want to live feeling that I am a human being. I am fed up with attitudes after I receive the question "Which city are you from?"-because she comes from a Kurdish populated city- I am tired. I want to be freed from such discriminations (Lina, 37, Teacher).

Additionally Meryem (32) underlines her search of women rights as follows:

I think I am knocked down in Turkey as a woman considering my husband, my family... My father is ashamed of me because I was affiliated with this opinion group. My mom is ashamed of me because I am a divorcee. I came to..... to live in a country that supports women

rights. I can live here with my daughter without being ashamed of my choices or being a woman (Meryem, 32, Psychologist).

While I was thinking about going abroad, I thought myself "If I stay here, I will die gradually. If I go abroad through a dangerous path, I will die once depending on my destiny. I don't want to die every day and gradually. And also, I can't stand if my husband is jailed." With those feelings, I didn't hesitate. My husband, our children and I don't have anything behind. I left my country without a backward glance. (Feride, 37, Civil Servant).

Some also indicated their search for freedom of expression and a life exempt from categorizations and labels:

We realized that humanity comes first. Religion, belief that comes after. Our persecutors are also Muslims like us. We should be full human beings first (Birce, 30, Teacher).

They all stated that freedom and respect for human rights are among their priorities for choosing alternative migration decisions.

Conclusion and Suggestions

Gender has often an impact on the form of the torture and other ill-treatment, its circumstances, its consequences, and the availability and accessibility of reparation and redress."(OSCE-ODIHR, 2019) Additionally, women are reluctant to report violence due to inefficient responses from the legal protection mechanisms or fear of further abuses.

In our report, we focused mainly violence against women under detention, during imprisonment and when visiting imprisoned relatives. We have directed questions in 6 different categories targeting to acquire information on psychical, sexual, psychological, social and economic categories of violence against women. Additionally we have asked them about their feelings, future projections (details can be found under Method section).

All cases confirm that different forms of violence including sexual, physical, psychological and economic are used against women by the state officers and state personnel where women are detained and imprisoned. They either experienced or witnessed gender-based torture and other forms of cruel, inhuman, or degrading treatment.

Even families are subject to violation of their rights such as inappropriate body searches, sexual abuse and abuse of the rights of the child when visiting their imprisoned relatives. Many confirm developing psychological

problems and physical illness during and after imprisonment process due to violation of their basic human rights. Additionally, due to their political opinions and membership to certain opinion groups and ethnic groups many confirmed witnessing high levels social exclusion in the society.

Regarding demographic information, except two of them, all were university graduates with different professions and one was a university student. All spoke at least one foreign language other than their mother tongues. There were single moms, separated families (due to migration or imprisonment) and single woman among our respondents. Considering their income levels and professions in the household, all belonged to middle class and upper middle class families before 2016. Except one, all lost their chances to continue their profession and income levels.

All stated problems regarding access to basic human rights during detention and imprisonment period. In differing level they all experienced human rights abuses ranking from limiting access to legal rights to sexual assault.

Drastic changes observed before and after their imprisonment regarding social life. Social exclusion, stigmatizing was commonly experienced by all respondent while some also could not even use their right to vote.⁴ One of the respondents was imprisoned during her pregnancy and other two spent prison time with their young children. Other three left their children (including toddlers with their families) during detention and imprisonment. Women's stories also indicated that imprisonment during post-partum period was a common application in Turkey. Additionally, verbal abuse, improper touching, cruel, inhuman, degrading treatment and naked body searches were widely experienced among women during their detention and imprisonment. Some also experienced or witnessed sexual assault and threats of rape by state officers, police and prison guardians.

The report also indicates that migration decision was taken after experiencing political persecution resulted by alleged affiliation with an opinion group and belonging to an ethnic minority.

The report puts forwards following suggestions:

⁴ In 2018, High Election Board of Turkey took a decision limiting the voting rights of prisoners.

- Report indicates that there is a culture of violence spreading in Turkey resulted by political persecution. Torture and ill treatment should be evaluated and responded through international human rights mechanisms accordingly.
- Policies should put gender-based violence against women as a form of torture and other ill treatment on the agenda of states and shape the debate on this issue through support from women rights bodies.
- States should create platforms where women's rights organizations and anti-torture organizations can meet, discuss and define common agendas and strategies.
- States must take measures to prevent violence against women, protect victims, investigate acts of sexual and gender based violence and prosecute perpetrators and condemn such acts within the scope of international rights and liabilities.
- The human rights, needs and safety of victims/survivors should be prioritized through survivor-centered approach in the host countries.
- Survivors of violence against women need psycho-social support programs that are specifically tailored for their needs.
- Immigrants are also at risk of being discriminated both by host societies and their national populations in the countries that they seek asylum. Such risks should be eliminated through multiple dialogs and protection mechanisms.

References

Advocates of Silenced Turkey (AST) (2020). Systematic Torture and Ill-Treatment in Turkey Report Retrieved on 10/2/2019 from www.silencedturkey.org

Economist (2019). "Turkey leads the world in jailed journalists". Retrieved on 19/2/2020 from <https://www.economist.com/graphic-detail/2019/01/16/turkey-leads-the-world-in-jailed-journalists>

European Commission (2019). European Commission Turkey 2019 Report. Retrieved on 21/2/2020 from <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-turkey-report.pdf>

Hurriyet Daily, "Adalet Bakanlığı'ndan FETÖ bilançosu: Tutuklu hükümlü sayısı 29 bin 487" retrieved on 15/2/2020 from <https://www.hurriyet.com.tr/gundem/adalet-bakanligindan-feto-bilancosu-tutuklu-hukumlu-sayisi-29-bin-487-41266307>

Hurriyet Daily, "Cezaevi Nüfusu" retrieved on 15/2/2020 from <https://www.hurriyet.com.tr/gundem/cezaevi-nufusu-264-bin-31-41070059>

Freedom House (2019) "Freedom in the World 2019 Report" Retrieved on 20/2/2020 from <https://freedomhouse.org/report/freedom-world/2019/turkey>

European Commission (2019). European Commission Turkey 2019 Report. Retrieved on 21/2/2020 from <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-turkey-report.pdf>

Mağdurlar İçin Adalet Topluluğu (2019) İkinci Yılında OHAL'in Toplumsal Maliyetleri Raporu. Retrieved on 21/2/2020 from <https://www.raporlar.org/ikinci-yilinda-ohalin-toplumsal-maliyetleri-raporu/>

Stockholm Center for Freedom (2020) "Details of brutal torture at Turkey's black site exposed" Retrieved on 22/1/2020 from <https://stockholmcf.org/details-of-brutal-torture-at-turkeys-black-site-exposed/>

OSCE-ODHR (2019). "Preventing and Addressing Sexual and Gender-Based Violence in Places of Deprivation of Liberty". p. 32. Published by the OSCE Office for Democratic Institutions and Human Rights (ODIHR). Warsaw: Poland.