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Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by Mouvement contre le racisme et pour l'amitié entre les peuples, a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 August 2020]

* Issued as received, in the language(s) of submission only.

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Turkey: the racist Zero Tolerance Policy toward Kurds

Introduction

While the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, in his report on the 2016 mission to Turkey (A/HRC/37/50/Add.1), appealed the Turkish authorities to publicly reinforce its zero tolerance policy on torture, the Government of Turkey has developed a racist Zero Tolerance Policy towards Kurdish people.

The Covid-19 pandemic has not meant a reduction to violence, harassment and torture in Turkey. Indeed, the Turkish government has continued to carry out and imposed its zero tolerance policy targeting Kurds, dissenters, women, young people, local public administrator.

During the lockdown women have been targeted the most: dozens of arrests and the closure of women's institutions have been carried out. Perhaps the most shocking case has been that involving Rojbin Çetin of the Kurdish Free Women's Movement (Tevgera Jinên Azad, TJA) who was tortured by police officers in her house while officers were raiding the flat. The police even used dogs to attack the woman.

In recent months denouncement of sexual harassment and rape cases in South East of Turkey (Kurdish region) have doubled. There was an attempted rape of a thirteen-year-old girl in Şırnak and the rape of a seventeen-year-old girl in Batman. In both cases the perpetrators were non-commissioned officers of the Turkish army. A number of women including a seventy-year-old woman have been arrested and Rosa women's association has been raided and criminalised.

Since the ruling Justice and Development Party (AKP) has come to power, over 3'000 Kurdish women have been murdered.

The raise in violence against women happens at a time when the government is debating about the withdrawal of Turkey from the Council of Europe's Istanbul Convention (Convention on Preventing and Combating Violence against Women and Domestic Violence). In early July, AKP deputy leader Numan Kurtulmuş said that signing the convention was an error. He said the convention called traditional gender images into question, encouraged lesbian, gay, bisexual and transgender persons groups and endangered the family.

Torture

There is a significant increase in the number of torture and ill-treatment cases in official custodial places, in proportion to the increasing authoritarianism of the political power, brought about by the violation of procedural guarantees, long-term custody periods, dysfunctional monitoring and prevention mechanisms or the sheer absence of independent monitoring and prevention mechanisms.

Torture and other forms of ill-treatment in the streets, outdoors during the intervention of the law enforcement into peaceful assemblies and protests or at spaces like houses and offices, in other words, in non-official custodial and extra-custodial places, have also reached unprecedented levels.

Prisons, where acts of torture and other forms of ill-treatment are being committed intensively in every aspect, have become the riskiest spaces against human life with the spread of the Covid-19 pandemic.

Nearly 100 people were tortured, according to the Turkish Human Rights Association (IHD) report in the first 6 months of 2020 in the South East of Turkey (Kurdish region). At least 2 people were subjected to torture and ill-treatment while in custody.

61 people were subjected to torture and ill-treatment outside of detention places (street-house raid). 22 prisoners were subjected to torture and harassment in prison.

The institutional culture of impunity is the basis of the development of the use of torture against Kurdish people in the framework of a racist policy.

Recommendations

In light of the above, the Mouvement contre le racisme et pour l'amitié entre les peuples calls upon:

- the Turkish government to discontinue the racist rhetoric and policy against the Kurdish people and to cease the repression against the Kurdish people and Kurdish political personalities;
 - to establish a genuine independent national prevention mechanism in compliance with the provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and Paris Principles and to abide to the international instruments it has ratified concerning the prohibition of the use of torture;
 - to investigate immediately all alleged cases of torture committed by law enforcement officials (civilian and military);
 - the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to closely follow-up on his 2016 mission and in particular on the implementation by the Turkish government of his recommendations;
 - the Special Rapporteur on contemporary forms of racism to engage with the Turkish government in order to put an end to the racist policy toward the Kurdish people.
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