



LGBTI, HUMAN RIGHTS GROUPS FACE BIGGEST OPPRESSION IN TURKEY

The Third Sector Foundation of Turkey (TUSEV), which has been working towards a more powerful and effective civil society, recently issued the "Civil Society Watch Report 2013-2014." It has pretty interesting findings regarding the current situation of civil rights organizations. First of all, the cold hard fact pointed out in the report is that the civil rights area has been increasingly narrowing in Turkey. Noting that the government has broadened restrictive measures against civil society, especially after the 2013 nationwide Gezi Park protests, the report highlighted that human rights groups and LGBTI organizations are the ones facing the biggest oppression among all.

TUSEV Secretary-General Tevfik Başak Ersen says the Constitution complies with the European Convention on Human Rights (ECHR) in terms of the right to organize and assemble but the laws and practice of these issues are problematic. He gives the example that concepts such as "civil society" and "nongovernmental organization [NGOs]" are not defined in the relevant legislation and political documents.

The report starts with the legal aspect of the right to organize by assessing the legislation relevant to civil society. Then the exercising of the right to organize, the right to assemble and freedom of expression as well as relations between the public and NGOs were examined. According to the report, government pressure on people exercising their rights to organize, assemble and free speech has been on the rise and there are severe threats to civil rights.

Legislation-related restrictions are ongoing in terms of the right to organize. The fact that the legislation does not consider types of organization such as platforms, initiatives, students' clubs and social initiatives as legal entities and the definition of NGOs is limited to legal entities of associations and foundations are identified as troubling issues in respect to taking part in civil society.

Examples of rights violations

The report extensively covers the government practices and crackdown by law enforcement agencies during the 2013 Gezi Park protests that are regarded as a violation of the right to assemble by many international human rights organizations, as well as the United Nations and the European Union.

Among other oppressive practices listed in the report are the police's violation of people's right to assemble during the civil unrest following the Soma mine disaster in 2014, marchers blocked by the police from heading towards Taksim Square during LGBT Pride Week, the crackdown on Labor Day celebrations on May 1, the police intervention on events marking the anniversary of the Gezi Park protests, the prevention of other anti-government demonstrations and the use of excessive police force while dispersing protesters.

One association for every 747 people

As of 2014, the number of actively operating associations in Turkey was 104,066, while that of foundations is 4,893. Although the figures are on the rise, both are lagging way behind European countries. Nearly 13 percent of the Turkish population is a member of an association. There is one association for every 747 people in Turkey. However, only 20 of the associations and foundations, whose numbers hit over 108,000 combined, are able to collect donations without seeking permission from the authorities.

Associations and foundations, whose work focus on human rights, are subjected to the biggest oppression in Turkey, and their numbers are not very high. A total of 1.5 percent of associations and 0.5 percent of foundations are involved in defending human rights.

Various lacks of definition in the legislation regulating inspection and punishments, along with the extent of powers enabling inspectors, lead NGOs to face penalties. Human rights organizations are the ones that often experience this as a result of broad interpretations of the Counterterrorism Law, the Law on Misdemeanors and the Law on Public Meetings and Demonstrations.

An urban legend: Organizations funded from abroad

The report also tackled foundations and associations that are funded by sources abroad and often targeted by politicians for being such, in response to critical statements by those organizations. Some foreign-funded organizations that focus on civil rights have so much trouble in the bureaucracy while being granted permission for their establishment, with a number of them being rejected.

In 2014, the number of foreign organizations permitted to operate in Turkey was 113. The total financial support provided to Turkish foundations and associations from overseas in 2013 was TL 248,845,548. This amount collected from abroad constitutes 1.7 percent of the total incomes of associations and 0.8 percent of those of foundations. This shows the foreign incomes of these organizations are much less than claimed by politicians.

No legal framework for relations between public, NGOs

There is no binding political document or legal framework regulating how to institutionalize relations between the public and NGOs. Consequently, there are no state bodies in charge of developing these relations and scrutinizing them. Likewise, the fact that "civil society" and "NGOs" are not described in the legislation prevents the public from having a perception of civil society. It also negatively impacts the contribution of NGOs to the government's process of producing policies and making decisions. The most obvious examples in this regard can be seen in the field of thermal and hydroelectric power plants, transportation, mega projects and plans for nuclear power plants; environmental NGOs are not taken seriously or sometimes discredited and even if their opinions are sought, they are not taken into consideration at the implementation stage.