



36

#OHAL

#KHK

TURKEY: NO COUNTRY FOR THE PURGE VICTIMS!

The Badge Attached To The Purge Victims

36 / OHAL / KHK



I. INTRODUCTION

According to official statements¹, during emergency rule (2016-2018), the Turkish Government enacted 32 emergency decrees, under which:

- 125,678 individuals were dismissed from public service;
- 3,213 retired officers were stripped of their ranks and medals; and
- more than 2,671 legal persons and 4,911 entities were closed down² and their assets were confiscated and transferred to the Treasury without any compensation.³

Purported justification for emergency decrees

The emergency decrees justified the measures that enabled sanctions on individuals and legal persons for:

- having “membership, affiliation, relationship or connection (cohesion) with” the outlawed Gulen Movement/Structure;
- having “membership of, affiliation, link or connection with terrorist organizations or structures, formations or groups established by the National Security Council (NSC) to perform activities against the national security of the State”; or
- having been considered “to be a member of, or have a relationship, connection or contact with terrorist organizations or structures/entities, organizations or groups, established by the NSC to engage in activities against the national security of the State.”

The emergency decrees targeted individuals and legal persons in an *ad hominem* nature by annexing lists of names of the sanctioned individuals and legal persons. However, apart from the above-mentioned general reasoning, the emergency decrees presented neither an individualized justification nor an explanation of, or reasoning for why those particular people/entities were sanctioned. Likewise, the emergency decrees did not provide definitions of “membership, relation, connection, contact, affiliation, link”, or the assessment criteria used to determine that public servants be dismissed and legal persons closed down.⁴

Individuals who were sanctioned under the *ad hominem* emergency decrees were indefinitely and permanently dismissed from public service. Under these emergency decrees⁵, they also:

¹ https://soe.tccb.gov.tr/Docs/OHAL_Report_2019.pdf

² https://www.ihop.org.tr/en/wp-content/uploads/2018/04/SoE_17042018.pdf

³ “Turkey’s Ad Hominem Emergency Decrees – Measure or Penalty? (Post 1 of 2)” IACL-IADC Blog (17 December 2019) <https://blog-iacl-aidc.org/2019-posts/2019/12/17/turkeys-ad-hominem-emergency-decrees-measure-or-penalty-post-1-of-2>

⁴ Ibid, <https://verfassungsblog.de/did-turkeys-recent-emergency-decrees-derogate-from-the-absolute-rights/>

⁵ [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF\(2016\)061-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF(2016)061-e)

- (i) shall be deprived of their ranks and their positions as public officials;
- (ii) may not use their titles, if any, e.g., ambassador, governor, etc;
- (iii) shall not be re-admitted to the organization in which they had previously held office;
- (iv) shall be stripped of rank (for the already retired public servants), and of combat medals;
- (v) may not be re-employed and assigned, either directly or indirectly, to any public service;
- (vi) may not become the founders, partners and employees of private security companies;
- (vii) shall be evicted from public residences or foundation houses; and
- (viii) moreover, their passports, gun licenses, seamanship or pilots' licenses, shall be cancelled.

Besides the direct consequences, mentioned above,

- Turkey's High Election Board decided (2019/2363, 10 April, 2019) that the dismissed public servants could not be elected to offices within local administrations, e.g., as mayor, alderman or mukhtar (local elected administrator for villages).

Furthermore, as far as certain professions and sectors are concerned, a dismissal actually results in the prohibition of the right to work in the private sector, as well as in the public sector:

- Namely, the Ministry of National Education refuses to issue a working license for a dismissed teacher, and this is necessary to work in private educational institutes.
- Likewise, the Ministry of Justice refuses to issue a lawyer's license to dismissed judges, prosecutors and law school academics.
- Furthermore, a dismissal under an emergency decree is registered in all the official databases, which means that any private-sector employer, who might otherwise hire a dismissed civil servant, avoids hiring them.⁶

This report will explain the indirect consequences of being dismissed under an emergency decree, and will show how these consequences surround every angle of daily life regardless of whether the person in question is subject to investigation or prosecution.

⁶ Turkey's Recent Emergency Rule and Its Legality Under the ICCPR and the ECHR, VUB-IES, LLM Thesis.

II. DEPRIVATIONS CAUSED BY THE STATE OF EMERGENCY DECREES

i. The purged civil servants cannot be a foster family

KHK, koruyucu ailenin hayatını deęiřtirdi: İhraç edilince, evlat edindikleri çocuk ellerinden alındı

Bizra Taşkın - Son güncelleme: 19/04/2019



Since the purge victims were dismissed with the assumption of having “membership, affiliation, relation or connection (cohesion) to terrorist organisations or a group which is dangerous for national security, they cannot be a foster family. If they are already a foster family, their child is taken back by the relevant public authority.⁷

ii. The purged civil servants cannot be lawyers

Pursuant to the Law No.1136, under the condition of having no criminal record, every Turkish citizen who has the bachelor's degree in law, has the right to be admitted to an internship with a view to becoming a lawyer.

Adalet Bakanlığı, KHK'lı Mazılığüney'in avukatlık ruhsatının iptali için dava açtı

Türkiye Barolar Birlięi'nin ısrar kararının ardından Mazılığüney Ankara Barosu'ndaki törenle ruhsatını almıřtı

Can Bursalı | @CanBursalı | acanbursalı@gmail.com | Cuma 4 Ekim 2019 10:58



Turkish Justice Ministry sues academic still hounding peace petitioner fired by decree

Jan 02 2018 02:14 GMT+3
Last Updated On: Jan 02 2018 02:18 GMT+3

Turkey's Justice Ministry has sued a law academic fired by government decree from Ankara University to stop him working as a lawyer, secularist newspaper Cumhuriyet said.

The Turkish Justice Ministry has opened a case to cancel the legal internship at the Association of Turkish Bars (TBB) for academic Cenk Yiğiter, it said.

Yiğiter was an academic at Ankara University until his expulsion a year ago.

Yiğiter entered the university entrance examination and gained a place at the Ankara University Communication Faculty's Radio, Television and Cinema Department.

The university then changed its regulations to disqualify those dismissed by decree from becoming students.

Yiğiter then decided to continue his career as a lawyer.

TBB approved his application for an internship at the Ankara Bar Association. Then the Turkish Justice Ministry opened a case to have him forced out of the internship.

However, the Ministry of Justice has been barring the purged law academics, judges and prosecutors, from starting an internship as a lawyer and from being a lawyer. The dismissed

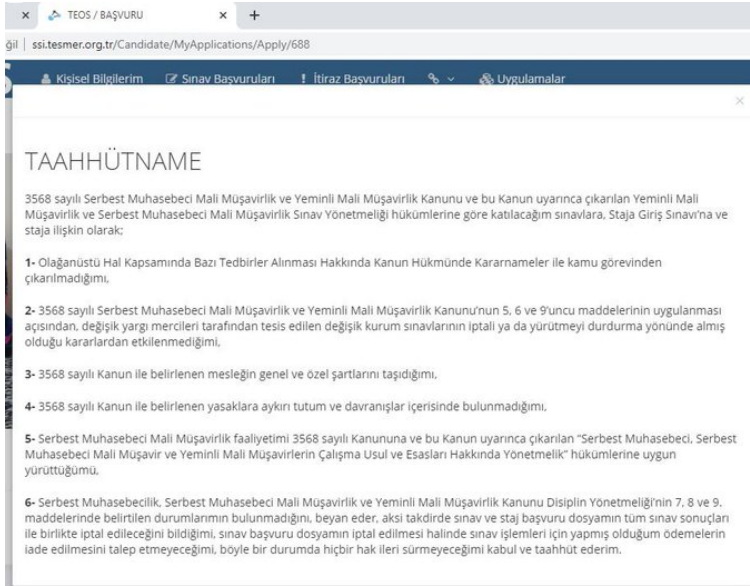
⁷ <https://tr.euronews.com/2019/04/19/khk-koruyucu-ailenin-hayatini-degistirdi-ihrac-edilince-evlat-edindikleri-cocuk-ellerinden>

law academic, Cenk Yigiter, and the dismissed jurist, Levent Maziliguney, are two of hundreds of victims.

iii. The purged civil servants cannot be mayors, aldermen or mukhtars (local elected administrator for villages).

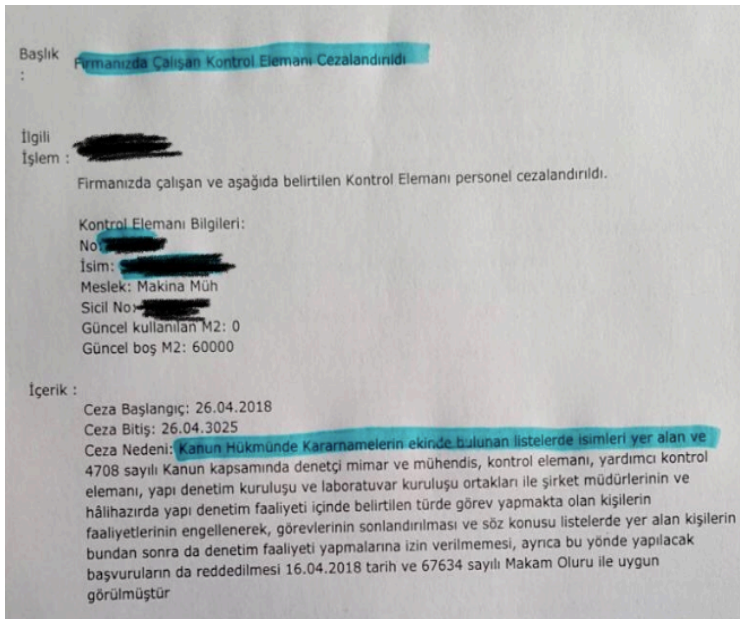
Turkey's High Election Board decided that the dismissed public servants who were elected as mayors, members of a city council (alderman) or mukhtars could not hold the office, although their candidacy was already approved prior to the election. (High Election Board, Decision No: 2019/2363, 10 April 2019.)

iv. The purged civil servants cannot be accountants



Those who apply to undertake exams for the professions of accountant and financial advisor have to sign an affidavit saying that they are not dismissed from public service under an Emergency Decree. (The mentioned affidavit in the website of the Chamber of Accountants and Financial Advisors)

v. The purged civil servants cannot work as architects, engineers, laboratory worker, or as technicians in building inspection companies



With its decision, dated 16 April 2018, and numbered 67634, the Ministry of the Environment and Urban Planning prohibited the purged civil servants from working as architects, engineers, laboratory workers, technicians in building inspection companies.

vi. The purged civil servants are blacklisted in the databases of the Employment and the Social Security Agencies with the code 36/OHAL/KHK

Bilgileriniz:

Ad

Soyad

İşe Başlama Tarihi

Sigortalı Durumu Kamu Görevinden Çıkarıldı (Kanun/KHK Göre)[PASİF]

Açıklaması

SGK'NIN KULLANDIĞI İŞTEN ÇIKIŞ KODLARI

- 1- Deneme süreli iş sözleşmesinin işverence feshi
- 2- Deneme süreli iş sözleşmesinin işçi tarafından feshi
- 3- Belirsiz süreli iş sözleşmesinin işçi tarafından feshi (istifa)
- 4- Belirsiz süreli iş sözleşmesinin işveren tarafından haklı sebep bildirilmeden feshi
- 5- Belirli süreli iş sözleşmesinin sona ermesi
- 8- Emeklilik (yaslılık) veya toptan ödeme nedeniyle
- 9- Mahalen emeklilik nedeniyle
- 10- Ölüm
- 11- İş kazası sonucu ölüm
- 12- Askerlik
- 13- Kadın için evlenmesi
- 14- Emeklilik için yas dışında diğer şartların tamamlanması
- 15- Toplu işçi çıkarma
- 16- Sözleşme sona ermeden sigortalının aynı işverene ait diğer işyerine nakli
- 17- İşyerinin kapanması
- 18- İşin sona ermesi
- 19- Mevsim bitimi (İş akdinin askıya alınması halinde kullanılır, Tekrar başlatılmayacaksa "4" no.lu kod kullanılır)
- 20- Kampanya bitimi (İş akdinin askıya alınması halinde kullanılır, Tekrar başlatılmayacaksa "4" no.lu kod kullanılır)
- 21- Statü değişikliği
- 22- Diğer nedenler
- 23- İşçi tarafından zorunlu nedenle feshi
- 24- İşçi tarafından sağlık nedeniyle feshi
- 25- İşçi tarafından işverenin ahlak ve iyiniyet kurallarına aykırı davranış nedeniyle feshi
- 26- Disiplin kurulu kararı ile feshi
- 27- İşveren tarafından zorunlu nedenlerle ve tutukluluk nedeniyle feshi
- 28- İşveren tarafından sağlık nedeni ile feshi
- 29- İşveren tarafından işçinin ahlak ve iyiniyet kurallarına aykırı davranış nedeniyle feshi
- 30- Vize süresinin bitimi (İş akdinin askıya alınması halinde kullanılır, Tekrar başlatılmayacaksa "4" no.lu kod kullanılır)
- 31- Bölgeler Kanunu, Sendikalar Kanunu, Grev ve Lokavt Kanunu kapsamında kendi istek ve kusuru dışında feshi
- 32- 4046 sayılı Kanunun 21. maddesine göre özelleştirme nedeniyle feshi
- 33- Gazeteci tarafından sözleşmesinin feshi
- 34- İşyerinin devri, işin veya işyerinin niteliğinin değişmesi nedeniyle feshi
- 36- OHAL/KHK

In databases of the Employment and the Social Security Agencies, the purge victims are blacklisted with the code 36/OHAL/KHK. In these databases, it is also written that this person was dismissed under an Emergency Decree.

Every employer in the private sector who would hire a purged civil servant can see the registry entry saying he/she was dismissed by the Government due to an Emergency Decree. Such a warning constitutes a very important obstacle for the employment of the person, because employers are afraid of hiring those persons who are blacklisted by the Government.

vii. The purged civil servants cannot attend vocational courses

İŞKUR T.C. TÜRKİYE İŞ KURUMU GENEL MÜDÜRLÜĞÜ
Trabzon Çalışma ve İş Kurumu İl Müdürlüğü

Sayı : 63322428-203 01.02.1
Konu : Aktif İşgücü Hizmetleri Hk.

İadeli-Taahhütlü

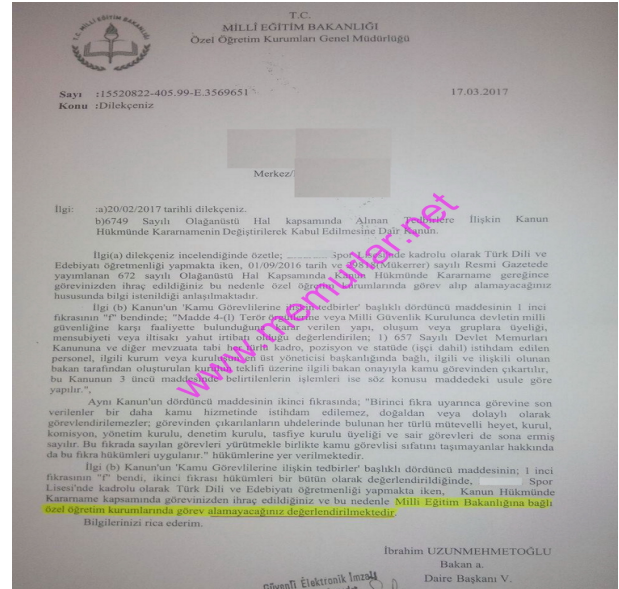
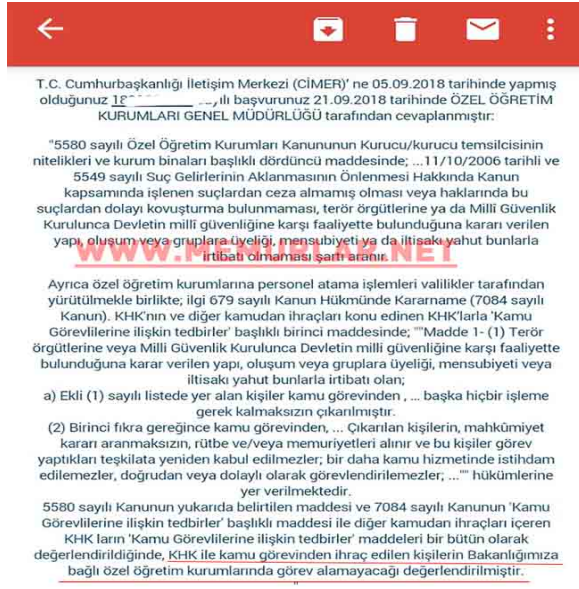
Sayın : 4/UTRABZON

İlgi : 18.10.2019 tarihli ve 3320730 sayılı yazısı.

Kurumumuzca Aktif İşgücü Hizmetleri Yönetmeliği kapsamında yürütülmekte olan kurs ve programlarla ilgili olarak:
Aktif İşgücü Hizmetleri Dairesi Başkanlığının 01.08.2017 tarih ve 28025 sayılı talimatının istinaden işten çıkış kodu "36/OHAL/KHK" olan kişilerin kurs ve programlarda yararlandırılmaları uygun bulunmamıştır.
Bilgilerinize rica ederim.

Those who are blacklisted with the code 36/OHAL/KHK are not accepted on vocational courses and employment projects. Under the instruction (dated 01 August 2017 numbered 28025) of the Turkish Employment Agency, the dismissed public servants are not accepted on vocational courses and employment projects.

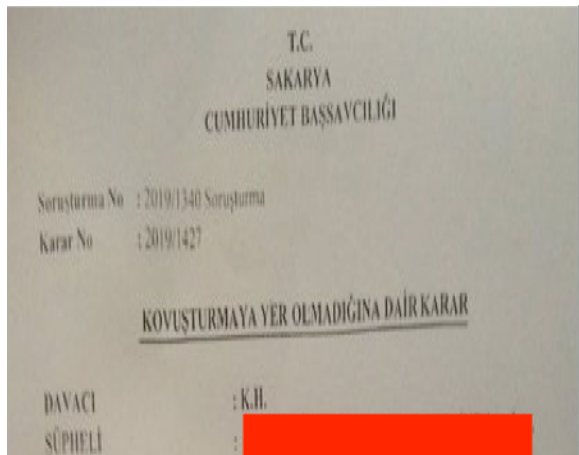
viii. The purged civil servants cannot work in private educational institutions



Under the Emergency Decrees, 6021 academics and 34,288 teachers were dismissed from the public sector. The Directorate of Private Educational Institutions for the Ministry of National Education prohibited these academics and teachers from working in private educational institutions.



Given the fact that driving courses come under the oversight of the Ministry of National Education, the purged civil servants cannot work as a driving instructor either. Likewise, the purged teachers and physiotherapists cannot work in private rehabilitation centers.



Even if they have been acquitted, they cannot work in private educational institutions. Two documents (below) show that a purged teacher is denied the license that is needed

to work in private educational institutions, although the Prosecutor's Office has dropped the investigation against her.

ix. The purged civil servants cannot work as an on-site (workplace) doctor or as an occupational safety specialist

Under Art. 9 of Decree Law no. 673⁸, the purged civil servants cannot work as an on-site (workplace) doctor or as an occupational safety specialist. The Ministry of Labour and Social Security, under Decree Law 673 (Art. 9), cancelled the licences of the purged civil servants and has been refusing to issue new ones.

Ömer Faruk Gergerlioğlu @gergerliogluof · Nov 22, 2019

SGK ne yaptı? İş yeri hekimlerinin belgelerini iptal etti. Ben de bir doktordum. KHK'yle ihraç edilmişim. Kimse bana iş vermiyordu. İş yeri hekimi olayım dedim. Sınavı kazandım. Bana SGK "Hayır, sınavı kazandın ama iş yeri hekimliği belgesini alamazsın. Sen KHK'lisin." dedi.



0:46 4.6K views

8 194 281

Sınav kazanan KHK'liye kayıt yok!

KHK ile ihraç edildikten sonra girdiği uzmanlık sınavında, başarılı olmasına rağmen sisteme alınmayan akademisyen Savaş Karabulut: İnsan sadece bu coğrafyada silahla vurularak ölmüyor. Bu durum sadece yaşayan ölümler yaratmanın bir örneğidir.



31 Ağu 2018 (Son Güncelleme 12:26)

Twitter Facebook Google+ Tumblr LinkedIn

x. The purged civil servants who work as veterinarians cannot have an artificial insemination certificate and cannot perform their profession duties in agricultural support programs.

xi. The purged public servants cannot have passports and travel documents.

Through the Emergency Decree Laws and Law no. 7188, the Minister of the Interior cancelled the passports of the purged public servants, their spouses and children. In December 2017, the Turkish Government announced that 234,419 passports had been

⁸ Revocation of some powers : Art. 9 – (t) Among the persons, institutions or organizations empowered within the scope of Article 12 § 1 (t) and (m) of the Law no. 3146 on Structure and Duties of Ministry of Labour and Social Security dated 9 January 1985, the powers of those have membership of, affiliation, link or connection with terrorist organizations or structure/entities, organizations or groups established by the National Security Council as engaging in activities against the national security of the State shall be revoked by the approval of the Minister of Labour and Social Security upon the proposal of the commission established by the Minister of Labour and Social Security. <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806a2e37>

revoked. Subsequently, 20,000 more public servants were dismissed, and the passports of these people and their spouses were cancelled. Those who previously had no passports were subjected to a passport ban. Hence, it is estimated that some 500,000 individuals are deprived of the freedom to leave the country.⁹



xii. The purged civil servants cannot work as sailors

Purged civil servants cannot work as sailors. The Ministry of Transportation do not give a Seaman's Identity Card to the purged civil servants, even though they have completed all of the necessary courses and training successfully.

türkiye.gov.tr

Beyvuru Yolu

BİMER Sayfası

Size nasıl yardım edebilirim? Q

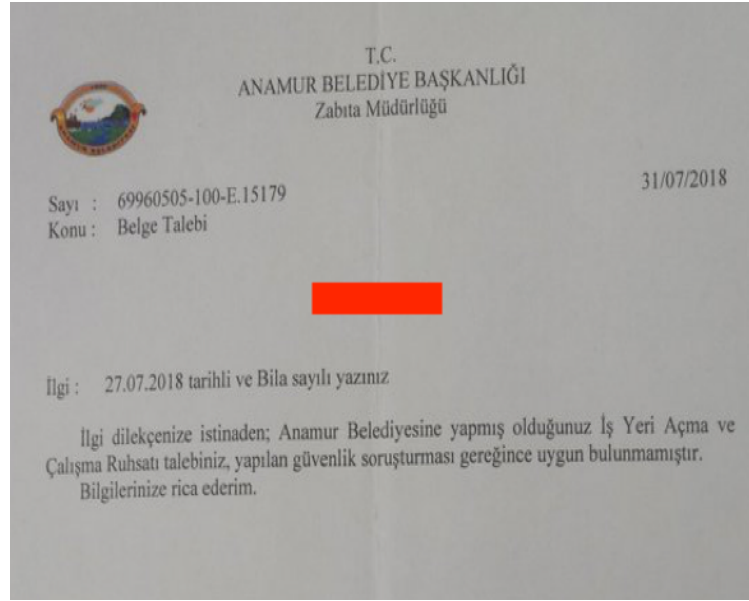
Cevaplar

Cevap Zamanı	Cevap	Kurum Birim Adı
	<p><u>Bu vesile ile KHK ile kamudan ihraç edilenlerin gemiadamı cüzdanı alma talepleri olumsuz değerlendirilmektedir.</u></p> <p>Bilgilerinizi rica ederim.</p>	ULAŞTIRMA VE ALTYAPI BAKANLIĞI > EĞİTİM VE BELGELENDİRME DAİRE BAŞKANLIĞI

⁹ Turkey's Disregard for the Freedom of Movement, VerfBlog, 2019/12/11, <https://verfassungsblog.de/turkeys-disregard-for-the-freedom-of-movement/>.

xiii. The purged civil servants are denied the license needed to run businesses

It is also widely reported that some mayors are refusing to give business licenses to the purged civil servants. For instance, the Municipality of Anamur refused to give a business license to a purged public servant on the grounds that he failed to pass a security investigation.



xiv. The database of the General Directorate of the Land Registry (TAKBIS) includes a list of suspicious people, which consists of those dismissed under emergency decrees. Those included on this list cannot participate in real estate transactions, either as a party (vendee or vendor) or as a witness.



- xv. Upon an instruction by the Ministry of Justice, the Union of Turkish Public Notaries produced a list of suspicious people which consists of those dismissed under emergency decrees. People included in this list cannot carry out any procedure as notaries other than giving a power of attorney. This means they cannot carry out hundreds of legal procedures, including selling their cars or signing construction contracts.

Sakıncalı Bilgisi:
T.C. Kimlik Numaralı (toplam 1 kayıt) sakıncalı listede bulunmaktadır. Dayanak bilgileri aşağıdadır. Lütfen detayları kontrol ediniz.

Dayanak Bilgileri:
Evrak No: 18/08/2016 Evrak Tarihi: 18/08/2016 Tanımlamayı Yapan: TNB

Açıklama: Adalet Bakanlığı yazısı gereğince, hakkında tedbir kararı olan kişinin davada temsil için feragat, kabul, sulh ile ahzu kabz yetkisi içermeyecek şekilde vekaletname verilmesi dışındaki söz konusu tedbir kararlarına konu hususlarla ilgili olarak vekaletname düzenlenmesine ilişkin başvurularda, adli makamlarca aksi kararlar çıkmadıkça esas itibarıyla olağanüstü hal süresince işlem yapılmaması hk.

- xvi. The database for the Social Relief Program (SOYBİS) includes the list of those dismissed under emergency decrees. Disabled people whose first caregivers (such as parents, sons, daughters, sons-in-law and daughters-in-law) are dismissed under emergency decrees cannot benefit from social care funds.

Bir KHK'lı kızı olan Burcu Aktaş down sendromlu. Babalı KHK'lı olduğu gerekçesiyle yüzde 70 engel oranı olmasına rağmen Burcu'ya bakım maaşı verilmedi.

Bu duruma tepki gösteren eski Mazlum-Der Başkanı ve HDP Milletvekili aday Ömer Faruk Gergerlioğlu, "Aile Bakanlığı'nın bu konuda bir açıklaması olacak mı?" diye sordu. Gergerlioğlu sonra da "Yoksa kulağının üstüne mi yatacak?" diye devam etti.

T.C. Sağlık Bakanlığı
Türkiye Kamu Hastaneleri Kurumu
Kültürçe Dişil Kanun Hastaneleri Birliği Genel Sekreterliği
Diyadin Sağlık Hizmetleri Kurumu
ENGELLİ SAĞLIK KURULU RAPORU

ENGELLİ SAĞLIK KURULU RAPORU

ENGELLE İLİŞKİN BİLGİLER

Engel	Engelle İlişkin Klinik Bulgular, Radyolojik Bulgular ve Laboratuvar Bulguları	Oran %
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Ömer Faruk Gergerlioğlu @gergerliogluof
işte OHAL döneminde hukuksuzluk, zalimlik, vicdansızlık böyle yapıldı. Ağır engelinin damadı KHK'lı diye bakım parası verilmedi..!
Bu suçlarını örtbas etmek için yargı zırhı yasa teklifi getiriyorlar
Bunları unutturmayacağız, hukuk önünde hesap soracağız..!

T.C. ORTAHİSAR KAYMAKAMLIĞI
Ortalıca Sosyal Hizmet Merkezi Müdürlüğü
Sayı: 61379346-303 99-E.2891
Konu: Asli KIR
29/11/2017

Emine ÖZLÜ
Çukurçayır Mah. Mehmet Akif Ersoy Sk. Şehri Kristal Sit. A Blok No:17A

Ağır engelli yakınızın Asli KIR adını evde bakım yardımı talebiniz değerlendirilmiştir. Giresun ilinden evde bakım yardımı almakta iken ilimize taşınmanız nedeniyle ilde evde bakım yardımınız sonlandırılmıştır. 28.11.2017 tarihinde ilgili dosyaya yönelik yapılan SOYBİS işleminde Asli KIR'ın bakımını üstlenmiş olan engellinin kızı Emine ÖZLÜ'nün eşi Ali ÖZLÜ'nün Kanun Hükümünde Kararname ile kamu görevinden çıkarıldığı bilgisine ulaşılmıştır. Bu nedenle Asli KIR'ın dosyasına yönelik herhangi bir işlem yapılmamıştır. Bilginizi rica ederim.

Sahin SAYILIRER
Kurum Müdürü

For instance, Burcu Aktas, who is 70% disabled, is denied benefits for disabled persons because his father is a purged public servant. Likewise, Asli Kir, whose first

care giver, Emine Ozlu, is married to a purged public servant, is denied benefits for disabled persons.

xvii. Those dismissed under emergency decrees, and their spouses and children, cannot benefit from the General Health Insurance for people with low income and from the social rights offered to disabled people.

The purged public servants, who lost their jobs, pension rights, and who cannot find a new job because they have been blacklisted, are denied the right to benefit from the General Health Insurance for people with low incomes and those social rights offered to disabled people.



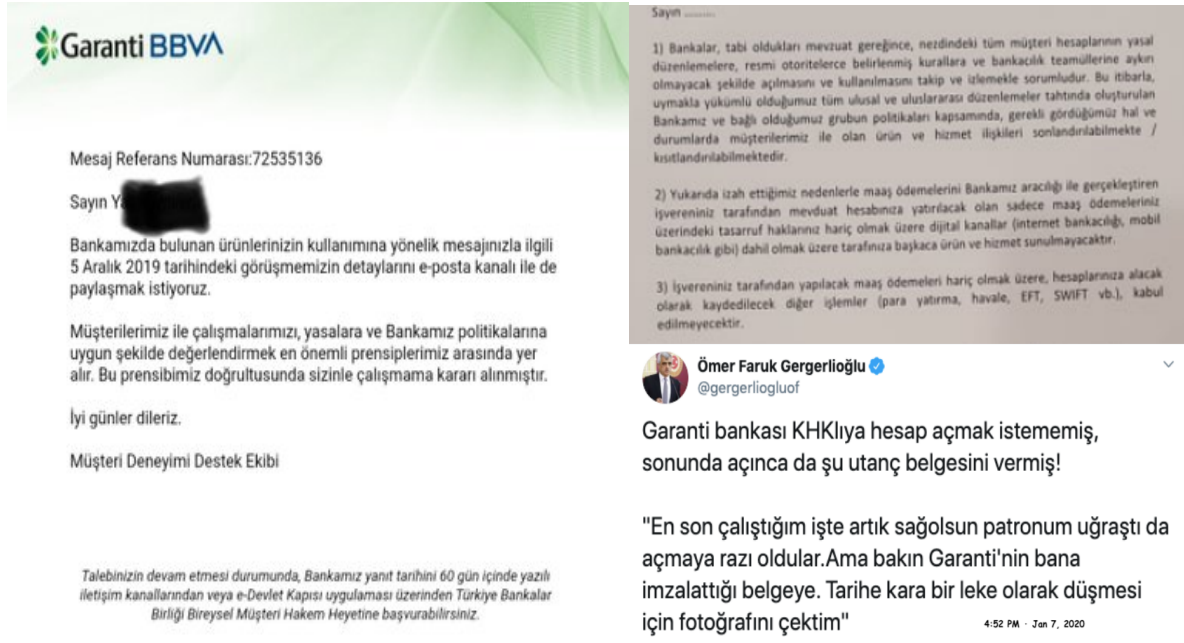
Kanser tedavisi gören Dođramacıođlu, kızının süreçte psikolojik olarak zarar gördüğünü söylüyor

Türkiye'de maddi olanakları olmayan kişilere yönelik fakirlik beyanıyla birlikte yeşil kart imkanı sunuluyor. Bu karta sahip olan vatandaşlar, ücretsiz barınma, sağlık, eğitim ve benzeri sosyal haklardan yararlanabiliyor. Ancak KHK'lılar, iş bulma sürecinde olduğu gibi bu süreçte de "terörist ya da vatan haini olarak görüldükleri" gibi gerekçelerle yeşil kart alamadıklarını belirtiyor.

For instance, Zehra Dogramacioglu, who is a purged doctor and suffers from cancer, and her daughter, who suffers from Down Syndrome, are denied [benefits from the General Health Insurance for people with low incomes and those social rights offered to disabled people.](#)¹⁰

¹⁰ <https://www.dw.com/tr/t%C3%BCrkiyede-khk%C4%B1lar-bize-vebal%C4%B1-muamelesi-yap%C4%B1yorlar/a-50521070>

xviii. The purged public servants cannot open bank accounts and are discriminated against in financial transactions and procedures



The image shows a screenshot of an email from Garanti BBVA and a tweet by Ömer Faruk Gergerlioğlu. The email is dated 5 Aralık 2019 and discusses the use of bank accounts. The tweet, dated 4:52 PM - Jan 7, 2020, mentions that the user could not open a KHK account with Garanti Bank and shows a document related to the issue.

Garanti BBVA

Mesaj Referans Numarası:72535136

Sayın Y. [Redacted]

Bankamızda bulunan ürünlerinizin kullanımına yönelik mesajınızla ilgili 5 Aralık 2019 tarihindeki görüşmemizin detaylarını e-posta kanalı ile de paylaşmak istiyoruz.

Müşterilerimiz ile çalışmalarımızı, yasalara ve Bankamız politikalarına uygun şekilde değerlendirmek en önemli prensiplerimiz arasında yer alır. Bu prensibimiz doğrultusunda sizinle çalışmama kararı alınmıştır.

İyi günler dileriz.

Müşteri Deneyimi Destek Ekibi

Talebinizin devam etmesi durumunda, Bankamız yanıt tarihini 60 gün içinde yazılı iletişim kanallarından veya e-Devlet Kapısı uygulaması üzerinden Türkiye Bankalar Birliği Bireysel Müşteri Hakem Heyetine başvurabilirsiniz.

Sayın [Redacted]

1) Bankalar, tabii oldukları mevzuat gereğince, nezdindeki tüm müşteri hesaplarının yasal düzenlemelere, resmi otoritelerce belirlenmiş kurallara ve bankacılık teamüllerine aykırı olmayacak şekilde açılmasını ve kullanılmasını takip ve işlemekle sorumludur. Bu itibarla, uymakla yükümlü olduğumuz tüm ulusal ve uluslararası düzenlemeler tahtında oluşturulan Bankamız ve bağlı olduğumuz grubun politikaları kapsamında, gerekli gördüğümüz hal ve durumlarda müşterilerimiz ile olan ürün ve hizmet ilişkileri sonlandırılmakta / kısıtlanabilmektedir.

2) Yukarıda izah ettiğimiz nedenlerle maaş ödemelerini Bankamız aracılığı ile gerçekleştiren işvereniniz tarafından mevduat hesabınıza yatırılacak olan sadece maaş ödemeleriniz üzerindeki tasarruf haklarınız hariç olmak üzere dijital kanallar (internet bankacılığı, mobil bankacılık gibi) dahil olmak üzere tarafınıza başkaca ürün ve hizmet sunulmayacaktır.

3) İşvereniniz tarafından yapılacak maaş ödemeleri hariç olmak üzere, hesaplarınıza alacak olarak kaydedilecek diğer işlemler (para yatırma, havale, EFT, SWIFT vb.), kabul edilmeyecektir.

Ömer Faruk Gergerlioğlu @gergerliogluof

Garanti bankası KHK'ly hesap açmak istememiş, sonunda açınca da şu utanç belgesini vermiş!

"En son çalıştığım işte artık sağolsun patronum uğraştı da açmaya razı oldular.Ama bakın Garanti'nin bana imzalattığı belgeye. Tarihe kara bir leke olarak düşmesi için fotoğrafını çektim"

4:52 PM - Jan 7, 2020

xix. The purged public servants are discriminated against in regard to insurance services



The image shows a screenshot of a WhatsApp chat with AkSigorta and a tweet by Doğa Sigorta. The chat messages, dated 25 Ocak Cuma and 11 Şubat Pazartesi, discuss the user's insurance policy and the company's response. The tweet, dated 7:30 AM - Dec 27, 2019, mentions a court decision regarding the user's insurance policy.

AKSIGORTA.

25 Ocak Cuma • 08:25

Sayın Müşterimiz, kaydınız yanıtlanmıştır. Yanıt: merhaba,dosyanızla alakalı eksper kanalı ile bilgilendirme yapılacaktır. B002

11 Şubat Pazartesi • 09:05

Sayın Müşterimiz, kaydınız yanıtlanmıştır. Yanıt: 15236367-1 ohalden kaynaklı değerlendirme yapılamayacaktır, sistem buna izin vermemektedir. B002

11 Şubat 09:05

Doğa Sigorta @dogasigorta

Replying to @army672khk

Sayın İlgili,
667 sayılı Kanun Hükmünde Kararname ile malvarlığına tedbir konulan şahıslara ödeme aktarılmaması yönünde Şirketlere iletilen talimata/genelgeye istinaden Sigortalımıza ödeme yapılamamıştır. Tedbir kararının kaldırılmasına ilişkin Savcılık/Ceza Mahkemesi evrakı ..

Translate Tweet

7:30 AM - Dec 27, 2019 - Twitter Web App

Insurance companies, because of a circular sent to them by the relevant public authority, do not pay compensation to those purged public servants, which they obliged to pay under the insurance policies that they issued. For instance, AkSigorta

A.S and Doga Sigorta A.S did not pay the compensation which they were obliged to pay to claimants, on the grounds that they were purged under emergency decrees.

xx. The purged public servants are discriminated against in business development and incentive credits

The Organization for the Development of Small and Medium Enterprises does not provide incentive credits to legal and real persons who are affiliated with the purged public servants.

KARAR.

GÜNCEL DÜNYA EKONOMİ SPOR HAYAT TEKNOLOJİ KARAR TV FOTO GA

f t g+ M - A +

KOSGEB, FETÖ ile bağlantılı olmayan KOBİ'lere 2.2 milyar liralık kredinin kapısını açtı. 2 binin üzerinde KOBİ'ye her bir firma için 300 bin liraya kadar kredi faiz desteği sağlanacak. Adli ve idari makamlardan gelen istihbarat raporları doğrultusunda FETÖ ile bağlantılı olmayan firmalar bu desteklerden faydalanacak.

FETÖ'ÇÜ KOBİ'LERE DETAYLI SORGULAMA

Kredi kullanılacak firmalara dikkat ettiklerini ifade eden Biçer, sahadaki birimleri ödeme aşamasında yerel kaynaklardan bilgi alınmasına yönelik uyardıklarını ifade etti. Valilik, savcılık ve emniyetten bilgi topladığına dikkat çeken Biçer "Mahsurlu firmalar varsa kayıtlara giren merkezi veri tabanı var. Hem yerel birimlerde hem merkezde onları kayıtlara alıp firmaları oradan kontrol ediyoruz. Herhangi bir kayıt yoksa bir taraftan da mağduriyetleri engelleme adına işlemleri hızla tekmül ettirip ödemeleri de yapıyoruz. FETÖ ile kaydı olan ya da resmi olarak ilgili makamlardan bildirilen firmaların hem durumunu pasif hale getiriyoruz hem de ödemesini yapmıyoruz" dedi,

Ednan Bey
@adnanotuken2000

Replying to @gergerliogluof

Benim yüzümden eşime @VakifBank kosgeb kredisi vermedi. Sistemlerinde yasaklı müşteri olarak kayıtlıymışım. Eşimin kredi puanı olumsuz gelmiş. Göreve başladığınız başlama yazınızı getirin, sakıncalı müşteri listesinden çıkartalım dediler.

Translate Tweet
10:37 AM · Jan 7, 2020 · Twitter for Android

xxi. The purged public servants are discriminated against in relation to mandatory military services

FETÖ'cü hainlere paralel askerlik

KHK'den atılan darbeci polisler silahsız askerlik yapacak. Aynı bir celpde alınacak bu hainler, geri hizmetlerde ve ayrı bölümlerde gereken muameleyi görecektir

24 Haziran 2017 08:35

Haber Kopyala Yazdır



Ünsal Ergel

Son yayınlanan Kanun Hükmünde Kararname'de (KHK) Askerlik Kanunu'na eklenen madde ile FETÖ'cü polisler askere alınacak. Emniyet teşkilatından ihraç edilen bu polisler, normal dönemde değil, aynı bir celp ile askere alınacaklar. Hiçbir şekilde Mehmetçik ile birlikte askerlik yapamayacak olan bu kişiler, "Onbaşı" bile olamayacak.

Hünkar Aslan
@hunkarneyn

Üniversite mezunu KHK'lıların kısa dönem askerlik yapmak hakları olduğu halde uzun dönem askerlik yapmak zorunda bırakıldığını ve uzun dönem askerliğin yedek subay olarak değil er olarak yaptırıldığını biliyor musunuz?
Bilmiyorsunuz çünkü vicdanınız yok!!!

Translate Tweet
10:45 PM · Oct 23, 2019 · Twitter for Android

Under Law no. 7179, mandatory military service is for a period of twelve-month. Yet, those who have graduated from a bachelors' program perform mandatory military service for six months, rather than twelve. However, the purged public servants cannot benefit from this privilege.

xxii. The purged academics are discriminated against in academic publishing

It has been widely reported that Turkish academic journals do not publish articles written by the purged academics. Associate professor Gül Köksal is one of the many victims of this practice.¹¹

Barış İçin Akademisyenler HAKKIMIZDA/ABOUT US HABERLER/NEWS
RAPORLAR/REPORTS DAVALAR/LAWSUITS

İhraç Edilen Akademisyenin Makalesi Üniversite Yayınından Çıkarıldı

Yazar / Referans: Beyza Kural, Bianet
Tarih: 25.09.2018



Doc. Dr. Gül Köksal, Anadolu Üniversitesi, ihraç edildiği gerekçesiyle Anadolu Üniversitesi Açıköğretim Fakültesi yayınının yeni basımında yer almayacak makalesini "Üretimlerimizi kendi kanallarımızdan paylaşımına açacağız" diyerek erişime açtı.

¹¹ <https://barisicinakademisyenler.net/node/757>

III. CONCLUSION

In conclusion, it would not be an exaggeration to say that emergency decrees have significantly dented the sacked officials' ability to earn their livelihood in a decent way. Enacted between 2016 and 2018, the emergency decrees do not include any provision on their duration, time limit, or due date for the measures or sanctions that are laid down therein. Moreover, all emergency decrees were approved by the Turkish Parliament. Having received the approval of the Parliament, emergency decrees are qualified as ordinary and permanent law. Thus, ad hominem measures or sanctions against more than 125,000 legal and real persons, have acquired the qualification of being part of permanent law.

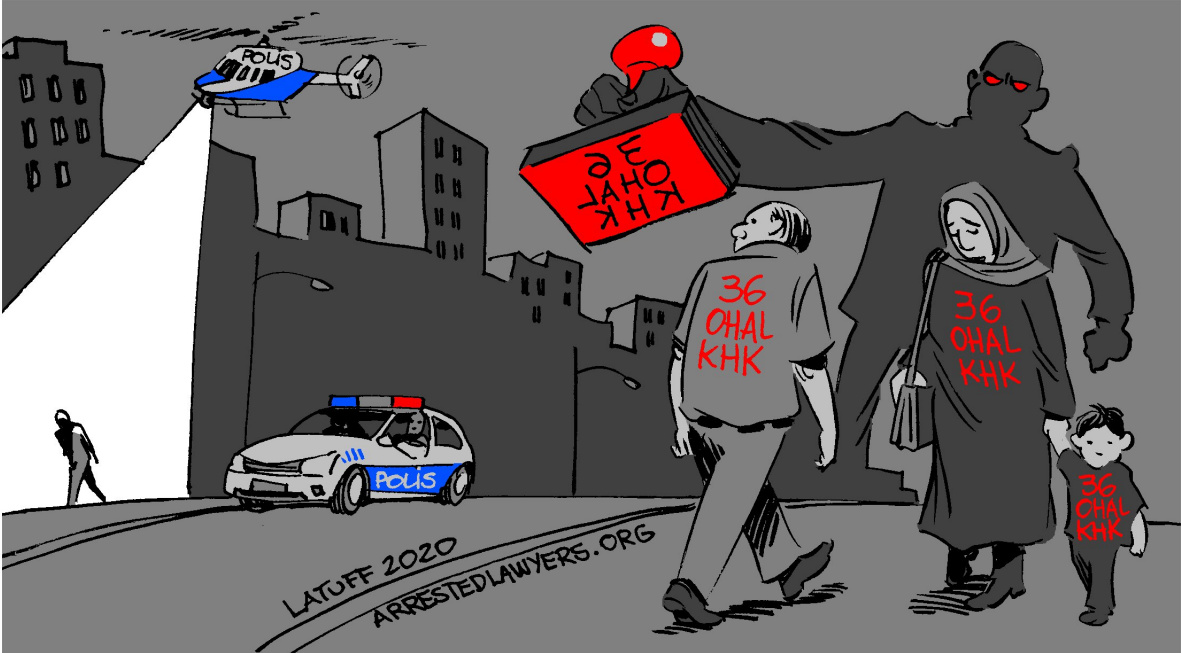
The official end of emergency rule in 2018 summer, in this regard, only serves to obscure the nature of their lasting presence in legal domain and in social life given their lifelong consequences. The situation has even gotten worse for many purge victims given the lack of measures to acquire legal remedy on domestic realm and in the front of ECHR. For the fear of being overwhelmed by the inundation of trove of applications from Turkey, the Strasbourg-based court urges Turkish applicants to exhaust the domestic channels. But for observers and experts, this seems to be an implausible option given the dismal state of legal affairs and rule of law inside Turkey.

To dodge international criticism, the Turkish government set up a seven-member commission, dubbed as OHAL Commission, to deal with reviewing the applications by the dismissed public workers. Out of 125,000 so applications so far now, the Commission has only restored a small number (%9.6) of public servants to their posts.¹² The Commission faces credible charges of slow-walking the review process. It never offers a plausible and convincing explanation for its refusals when it simply dismissed a file submitted by a public workers. This foot-dragging and shambolic working leave purge victims increasingly disenchanted and disillusioned.

This report only offers a brief glimpse into the ever-widening plight of purge victims in the post-coup era as emergency decrees have substantially shut down the prospect of a decent living within the boundaries of Turkey. What amplifies their agony is the fact that the sacked workers are also denied travel abroad after their passports have been automatically revoked following dismissals. This lifelong travel ban hardens their suffering. In dozens of cases, authorities refused to waive the ban for countless terminally-ill people. The only and rare exception for this collective practice was the cancer patient Professor Haluk Savas who was briefly allowed for medical treatment abroad. What enabled his brief overseas travel on medical grounds was a concerted public pressure.

¹² <https://arrestedlawyers.org/2019/12/26/factsheet-turkeys-state-of-emergency-dismissals/>

As the bulk of findings in this report attest, entire layers of daily life are under ever-growing grip of prohibitive mindset that denies the most basic components of livelihood to the dismissed officials. Even opening a bank account becomes a difficult challenge as laws are tailored to made inaccessible to them. Military service whose structure is clearly defined in laws is imposed on purge victims in different way, in clear departure from the procedure. The list of bans or practices, as documented by the report, illustrates the depth of agony and sufferings inflicted on sacked workers as private companies increasingly collaborate with authorities or act in fear of political backlash to deny the basic services to people in the post-coup era. To sum up, the emergency rule, more than one and a half year after its end, remains to be in place with dire consequences for its targeted population. This reality, often overlooked and ignored by observers, needs to be taken into account when analyzing the state of political and legal affairs in Turkey.





HRD is a non-profit and independent civil society organization campaigning to defend human rights and to help people facing persecution all around the world and with a special focus on Turkey. HRD was established in 2018 Köln/Germany, by Turkish lawyers, former bureaucrats and entrepreneurs who are political-asylum seekers in Germany and Europe.

HRD is preparing reports concerning human rights violations, establishing contacts to other Human Rights NGO`s and stakeholders, State Officials and regional as well as international organizations.

HRD is also giving legal advice to victims, initiating litigation procedures on behalf of the victims and preparing official petitions and communications to the relevant UN Human Rights Mechanisms.

www.humanrights-ev.com info@humanrights-ev.com



The Arrested Lawyers Initiative (ALI) is a human rights group, founded in 2016. The ALI is based in Brussels, makes advocacy for lawyers persecuted due to exercising their profession. The ALI has produced more than 10 reports and factsheets which have been cited by the UN High Commissioner and Special Rapporteurs, the European Parliament, the US State Department and various NGOs.

www.arrestedlawyers.org general@arrestedlawyers.org