

TURKISH CITIZENS LIVING ABROAD
THE JOURNAL OF

**RIGHTS
AND
FREEDOMS**

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RIGHTS AND FREEDOMS IN INTERNATIONAL LAW

The Turkish diaspora, which has reached a population of 6.5 million by reaching the 4th generation abroad since the 1960s, when the immigration started, has now become the main element in the countries where it is located. Members of the Turkish diaspora, a significant part of which have also acquired the citizenship of the country in which they have settled, add value to our country as well as their countries of residence in every aspect of life in economic, scientific, social and cultural terms. Whereas, those who have legal citizenship status in the resident country are under the equal protection of the state, and those who continue to live as immigrants under the immigration policies of the countries, the Turkey-EU partnership consensuses specific to EU countries and on the basis of culture agreements, the existence of many situations in which the Turkish diaspora faces discrimination in the context of rights and freedoms cannot be denied.

In addition to fundamental rights and freedoms such as to live, security, establishing a family, education, work and travel, the definition and framework of religious and cultural rights are also of great importance in terms of identity and belonging of the Turkish diaspora.

In terms of the legal status that is the basis of rights, our citizens who are not citizens but immigrants in the country of residence have a privileged status in EU countries compared to the citizens of other third countries. Within the context of the partnership agreement signed between the European Community (EC) and Turkey (Ankara Agreement) and the standstill clause covered in article 41 in the Additional Protocol which entered into force in 1973, it has been decided that the countries cannot aggravate the conditions they implement as of the date they approved the protocol on topics like provision of services or starting a business (freedom of settlement) by Turkish people. In some countries, the conditions related to the provision of services or establishing a business for our citizens, which are called "The ones with Ankara Agreement", must be exempted from the new restrictions imposed for the citizens of other countries. In addition, the Association Council Decision No. 1/80 dated September 19, 1980 on the Development of Partnership stipulated the right to work not only of Turkish workers but also of their family members. However, despite our partnership law with the EU, there may be practices where even the prohibition of degradation, which is a very basic principle in the protection of the rights of our citizens, is circumvented or neutralized.

In addition to different legal statuses in the context of rights and freedoms, another factor that determines the relationship of a person with the country of residence is nationality and / or ethnic origin. However, there is a parenthesis about ethnic origin and legal status

that needs to be clarified here; Minority groups such as Catalans, Basques, Galicians and Occitans, who have a different ethnic origin from the ethnic structure that constitutes the majority in the country they are located in, have a legal status as autochthonous (native) minorities. Because the communities that migrated predominantly in the 20th century from Turkey, the Balkans, the Middle East and from North Africa are not considered to be autochthonous minorities while being members of different ethnic backgrounds and nationalities, and although there are discussions of recognizing them as minorities, they do not currently have an official minority status and in this context, a legal basis in terms of positive discrimination.

Two other components that should be evaluated in relation to the rights of people in the country where they live; In terms of mother tongue and religion, it would be appropriate to first look at the international standards of religious and cultural rights.

United Nations (UN) is the highest organization that is the source of determining the standards in terms of international law. Under the umbrella of the UN, the rights of individuals and groups have been set forth in the International Covenant on Civil and Political Rights (ICCPR), which entered into force in 1976 and ratified by 172 countries, and as a complementary to it, a total of 18 conventions and additional protocols on human rights were also prepared.

In the context of prohibition of discrimination, which is the most basic principle in terms of human rights, it is decided that the ICCPR signatory countries will guarantee and respect the rights of all individuals on its territory who are subject to the authority of sovereignty without any discrimination such as race, color, gender, language, religion, political or other opinions, national and social origin, property, birth or any other status. (Article 2/1)

In addition to the principles of non-discrimination and equality before the law, the right to fulfill one's own religion is also emphasized within the ICCPR. In the convention, freedom of thought, religion and conscience is guaranteed with a separate article on religious rights (Article 18). According to this article, everyone has the freedom of thought, conscience and religion. This right includes the freedom of everyone to have or adopt any religion or beliefs of their choice, and the freedom of everyone to worship in public or in private, individually or with others, practice their own religion or beliefs, practice the requirements of their believe or teach them. In addition, signatory countries are obliged to respect the freedom of parents and legal guardians to provide their children with a religious and moral education in line with their own beliefs.

In Article 20, another very important article in terms of combating Islamophobia, incitement to hatred and violence is prohibited:

"The defense of any national, racial or religious hostility that incites discrimination, hatred or violence is prohibited by law." (Article 20/2)

The UN's 1981 Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief defined freedom of thought, conscience or belief within the framework of the following provisions:

- “(a) To worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;*
- (b) To establish and maintain appropriate charitable or humanitarian institutions;*
- (c) To make, acquire and use to an adequate extent the necessary articles and materials related to the rites or customs of a religion or belief;*
- (d) To write, issue and disseminate relevant publications in these areas;*
- (e) To teach a religion or belief in places suitable for these purposes;*
- (f) To solicit and receive voluntary financial and other contributions from individuals and institutions;*
- (g) To train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief; i) Communicating and maintaining national and international communication with individuals and communities on matters of religion and belief”(Article 6)*
- (i) To establish and maintain communications with individuals and communities in matters of religion or belief at the national and international levels.*

The International Convention on the Rights of the Child, which entered into force in 1990, guarantees the cultural, religious and linguistic rights of children. The relevant articles of the agreement are as follows:

“In States where there are minorities or indigenous peoples based on race, religion or language, children belonging to such a minority or indigenous peoples, can benefit from their own culture, believe in and practice their own religion and use their own language together with other members of the minority community to which they belong and cannot be deprived of his right. ” (Article 30)

A similar article that guarantees the right of children to receive religious and moral education is also included under the title of Right to Education in the UN Covenant on Economic, Social and Cultural Rights:

“The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.” (Article 13/3)

In terms of the countries covered by the international standards set by the United Nations, the standards of the Council of Europe come at a lower level. The European Convention on Human Rights of 1950, adopted by the Council, entered into force in 1953. All 47 member states of the council are parties to the convention. One of the most fundamental principles in this convention is again the prohibition of discrimination. In addition, freedom of thought, conscience and religion is guaranteed by the contract.

Council of Europe's General Policy Recommendation No. 5 on Combating Intolerance and Discrimination against Muslims by the European Commission Against Racism and Intolerance (ECRI) were accepted in 2000. In this decision, the member states were recommended the following;

- Prevention of discrimination based on religion in the workplace, education and other areas of social life,
- To undergo legal and administrative arrangements that will guarantee freedom of religion.

At the more regional level, the European Union, in the Treaty on European Union (1992) has included the following provision;

"The Union is founded on values of respect for human dignity, freedom, democracy, equality, rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to member states in a society dominated by pluralism, non-discrimination, tolerance, justice, solidarity and equality of men and women. " (Article 2)

The human rights document included in the continuation of the report and which is based on the classification of some regulations and developments affecting the rights and freedoms of the Turkish diaspora abroad is the 2007 European Union Declaration of Fundamental Rights. The basis for the classification of this text in the report is that it is historically the most recently approved document and is a legal text adopted by EU countries at the Union level, more specifically to the ratios to other umbrella conventions.

All international legal texts quoted above and the standards they set require countries not to discriminate against any group on the basis of the principle of equality and to allow minority groups to protect and transmit their religious and cultural values.

However, the main problem regarding rights and freedoms is that the standards suffer serious losses from the international level to the national level and countries do not reflect the annotations they put in international texts or the exceptional provisions they bring at the national level or even the basic principles, as they should be.

Although the general framework drawn by documents such as the UN Conventions on cultural and religious rights, the European Convention on Human Rights, the European Union Declaration of Fundamental Rights provides reference for international judicial mechanisms, unfortunately, the reflection of the provisions in these documents on national legislation is insufficient.

In fight against Islamophobia, especially against religion-based hate speech, a comprehensive regulation cannot be made even at the international level on the grounds of freedom of expression. Most Western countries make reservations on this matter.

Another important problem for the Council of Europe and the EU is that cultural rights are defined for national and linguistic official minorities and do not cover immigrants. The pluralism and cultural diversity emphasized within the EU is the diversity of the citizens of the member states. The issue of the recognition of the rights of minorities has been left within the jurisdiction of the member states themselves.

Regarding religious rights, the fact that freedoms can be restricted in order to protect public safety, public order, general health and morals or the fundamental rights and freedoms of others is interpreted widely by EU members, and it is used as a legal basis for generalizing prohibitions against Muslims, especially based on the emphasis on terror and restricting the influence of foreign countries.

Although the general framework of rights and freedoms at the international level accepts racism, crime and discrimination as prohibited and foresees respect for religious and cultural values, the reality we live in falls far from the ideal one.

Based on this fact, the Presidency for Turks Abroad and Related Communities aims to provide decision makers with examples that affect rights and freedoms for a more just and pluralistic world, and thus to make the steps to be taken more visible for the co-existence of communities reshaped by the phenomenon of migration in the 21st century. It prepares a selection of developments reflecting the public opinion in this field on a yearly basis with the title of "Citizens Abroad, Rights and Freedoms Diary".

In the next parts of the study, an evaluation of the regulations and developments that took place in 2020 regarding the rights and freedoms in countries where our citizens are densely populated, and then sample news recorded chronologically according to their categories will be presented. The records, which are negatively indicated with a minus sign in the study, point to the issues that countries should be particularly sensitive to in order not to cause a reduction in the rights and freedoms of the Muslim society in general and the Turkish diaspora in particular. In this respect, the study is not a compilation of all legal and political developments in the relevant countries, but a compilation of issues that have an impact on the public and are important for our diaspora.

DEVELOPMENTS INTERESTING OUR CITIZENS ABROAD IN THE CONTEXT OF RIGHTS AND FREEDOMS

Regulations and developments regarding the rights and freedoms that concern our citizens abroad were scanned both through media and other open sources, and 281 exemplary records were obtained that became public knowledge in 2020. 125 of 281 records in a total of 19 Western countries including the USA, Canada, Australia and New Zealand along with 15 countries in Europe, happened in Germany, the first of the top 5 countries where the number density of our citizens is the highest. 35 in France, where our citizens live the most after Germany, 20 in the Netherlands, 30 in Austria, 10 in Belgium, regulations or developments stand out as examples that affect the rights and freedoms of the Turkish diaspora.

Among these examples, those who have the potential to adversely affect the Muslim society in general or the Turkish diaspora in particular may lead to violations of more than one right or basically mean a violation of the prohibition of discrimination, to be able to create a categorization, they are classified by making use of the rights and freedoms in the EU Declaration of Fundamental Rights. In order to better understand the titles used in terms of scope, the EU Declaration of Fundamental Rights is also attached at the end of the study.

Considering the distribution of the records included in the study; Out of total 281 records, 110 are positive and 171 are regulations and developments that are likely to have negative results. The distribution of these records by country and category is given in the table. The first 5 places in the table are the countries with the highest concentration of the Turkish diaspora, followed by the number of enrollments:

GERMANY	POSITIVE	NEGATIVE
125 ENTRIES	58 POSITIVES:	67 NEGATIVES:
	1 RIGHT TO AN EFFECTIVE REMEDY	3 RIGHT TO AN EFFECTIVE REMEDY
	1 FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK	8 FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK
	1 RESPECT FOR DIVERSITY	3 RESPECT FOR DIVERSITY
	7 FREEDOM OF RELIGION and CONSCIENCE	3 FREEDOM OF RELIGION and CONSCIENCE
	4 RIGHT TO EDUCATION	5 RIGHT TO LIBERTY and SECURITY
	2 RIGHT TO LIBERTY and SECURITY	28 RACISM and DISCRIMINATION
	36 COMBATING RACISM AND DISCRIMINATION	1 FREEDOM OF EXPRESSION AND INFORMATION
	1 PROHIBITION OF ABUSE AND TORTURE	1 RESPECT FOR HUMAN DIGNITY
	1 RESPECT FOR PRIVACY	4 PROHIBITION OF ABUSE AND TORTURE
	1 FREEDOM OF MOVEMENT AND RESIDENCE	1 RESPECT FOR PRIVACY
	3 RIGHT TO CITIZENSHIP	1 FREEDOM OF MOVEMENT AND RESIDENCE
		4 FREEDOM OF ASSEMBLY AND OF ASSOCIATION
		1 RIGHT TO CITIZENSHIP
		2 RIGHT TO LIFE

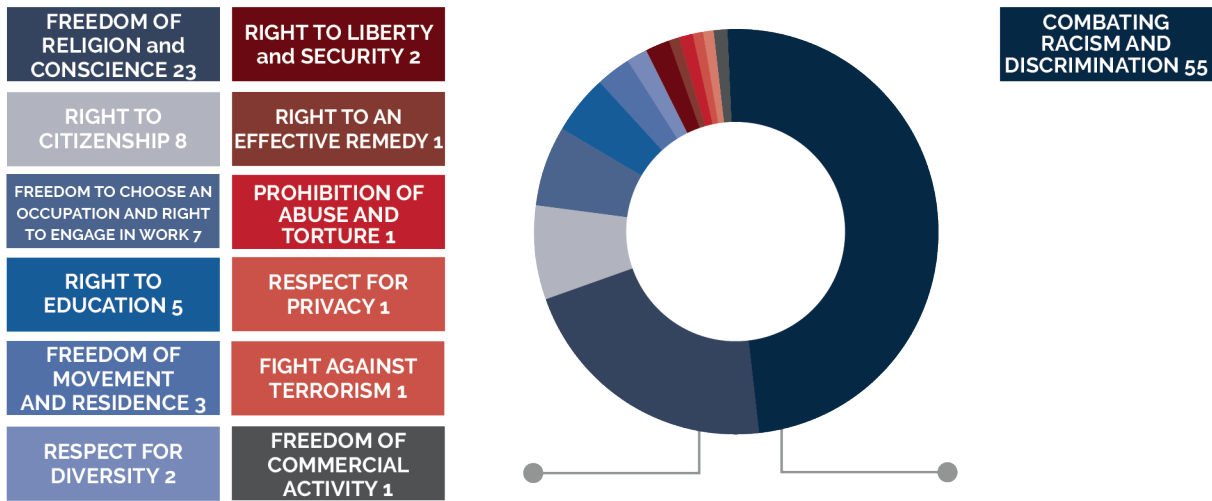
FRANCE	POSITIVE	NEGATIVE
35 ENTRIES	1 RESPECT FOR DIVERSITY	2 RIGHT TO AN EFFECTIVE REMEDY
	1 FREEDOM OF RELIGION and CONSCIENCE	1 FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK
	1 FIGHT AGAINST RACISM AND DISCRIMINATION	2 RESPECT FOR DIVERSITY
	1 RIGHT TO CITIZENSHIP	1 THE RIGHTS OF THE CHILD
	1 VATANDAŞLIK HAKKI	8 FREEDOM OF RELIGION and CONSCIENCE
		1 RIGHT TO EDUCATION
		2 RACISM AND DISCRIMINATION
		5 FREEDOM OF EXPRESSION AND INFORMATION
		2 PRESUMPTION OF INNOCENCE
		1 FREEDOM OF MOVEMENT AND RESIDENCE
		3 FREEDOM OF ASSEMBLY AND OF ASSOCIATION
		2 EQUALITY BEFORE THE LAW
		1 RIGHT TO LIFE

NETHERLANDS	POSITIVE	NEGATIVE
20 ENTRIES	2 FREEDOM OF RELIGION and CONSCIENCE	1 RESPECT FOR EU LAW
	5 FIGHT AGAINST RACISM AND DISCRIMINATION	2 FREEDOM OF RELIGION and CONSCIENCE
		1 RIGHT TO EDUCATION
		4 RACISM AND DISCRIMINATION
		4 FREEDOM OF ASSEMBLY AND OF ASSOCIATION
		1 EQUALITY BEFORE THE LAW

AUSTRIA	POSITIVE	NEGATIVE
30 ENTRIES	1 RIGHT TO EDUCATION	1 FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK
	4 FIGHT AGAINST RACISM AND DISCRIMINATION	5 RESPECT FOR DIVERSITY
		4 FREEDOM OF RELIGION and CONSCIENCE
		2 RIGHT TO EDUCATION
		1 RIGHT TO LIBERTY and SECURITY
		7 RACISM AND DISCRIMINATION
		1 COMPLIANCE WITH THE LAW
		1 FREEDOM OF EXPRESSION AND INFORMATION
		1 FREEDOM OF COMMERCIAL ACTIVITY
		1 FREEDOM OF ASSEMBLY AND OF ASSOCIATION
		1 EQUALITY BEFORE THE LAW
BELGIUM	POSITIVE	NEGATIVE
10 ENTRIES	1 FREEDOM OF RELIGION and CONSCIENCE	1 PRINCIPLES OF LEGALITY AND PROPORTIONALITY OF CRIMINAL OFFENCES AND PENALTIES
		2 FREEDOM OF RELIGION and CONSCIENCE
		1 RIGHT OF EDUCATION
		3 RACISM AND DISCRIMINATION
		1 FREEDOM OF EXPRESSION AND INFORMATION
		1 PROTECTION OF PERSONAL DATA
DENMARK	POSITIVE	NEGATIVE
15 ENTRIES	2 FREEDOM OF RELIGION and CONSCIENCE	2 FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK
	2 FIGHT AGAINST RACISM AND DISCRIMINATION	1 RESPECT FOR DIVERSITY
	1 RIGHT TO CITIZENSHIP	2 FREEDOM OF RELIGION and CONSCIENCE
		2 RACISM AND DISCRIMINATION
		1 PROTECTION OF PERSONAL DATA
		1 FREEDOM OF ASSEMBLY AND OF ASSOCIATION
		1 RIGHT TO ASYLUM
USA	POSITIVE	NEGATIVE
11 ENTRIES	2 FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK	1 FREEDOM OF MOVEMENT AND RESIDENCE
	3 FREEDOM OF RELIGION and CONSCIENCE	1 RIGHT TO LIFE
	1 FIGHT AGAINST RACISM AND DISCRIMINATION	1 FREEDOM OF MOVEMENT AND RESIDENCE
	3 RIGHT TO CITIZENSHIP	
UNITED KINGDOM	POSITIVE	NEGATIVE
8 ENTRIES	2 FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK (1 SCOTLAND)	1 RESPECT FOR EU LAW
	1 FREEDOM OF MOVEMENT AND RESIDENCE	2 RACISM AND DISCRIMINATION
	1 FIGHT AGAINST TERRORISM	1 FREEDOM OF MOVEMENT AND RESIDENCE

SWEDEN	POSITIVE	NEGATIVE
8 ENTRIES	1 FREEDOM OF RELIGION and CONSCIENCE	1 THE RIGHTS OF THE CHILD
	3 FIGHT AGAINST RACISM AND DISCRIMINATION	2 FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK
		1 RACISM AND DISCRIMINATION
SWITZERLAND	POSITIVE	NEGATIVE
4 ENTRIES	1 FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK	1 FREEDOM OF RELIGION and CONSCIENCE
		1 RACISM AND DISCRIMINATION
		1 FREEDOM OF MOVEMENT AND RESIDENCE
CANADA	POSITIVE	NEGATIVE
3 ENTRIES	1 FREEDOM OF RELIGION and CONSCIENCE	1 PRINCIPLES OF LEGALITY AND PROPORTIONALITY OF CRIMINAL OFFENCES AND PENALTIES
	1 FIGHT AGAINST RACISM AND DISCRIMINATION	
EUROPEAN UNION	POSITIVE	NEGATIVE
2 ENTRIES	1 FREEDOM OF MOVEMENT AND RESIDENCE	1 RACISM AND DISCRIMINATION
AUSTRALIA	POSITIVE	
2 ENTRIES	1 FREEDOM OF RELIGION and CONSCIENCE	
	1 FIGHT AGAINST RACISM AND DISCRIMINATION	
NORWAY	POSITIVE	
2 ENTRIES	1 FREEDOM OF RELIGION and CONSCIENCE	
	1 FIGHT AGAINST RACISM AND DISCRIMINATION	
GREECE	POSITIVE	NEGATIVE
2 ENTRIES	1 FREEDOM OF RELIGION and CONSCIENCE	1 RIGHT TO ASYLUM
BULGARIA	POSITIVE	
1 ENTRIES	1 FREEDOM OF RELIGION and CONSCIENCE	
FINLAND	POSITIVE	
1 ENTRIES	1 FREEDOM OF COMMERCIAL ACTIVITY	
ITALY	POSITIVE	
1 ENTRIES	1 FREEDOM OF RELIGION and CONSCIENCE	
NEW ZEALAND	POSITIVE	
1 ENTRIES	1 FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK	

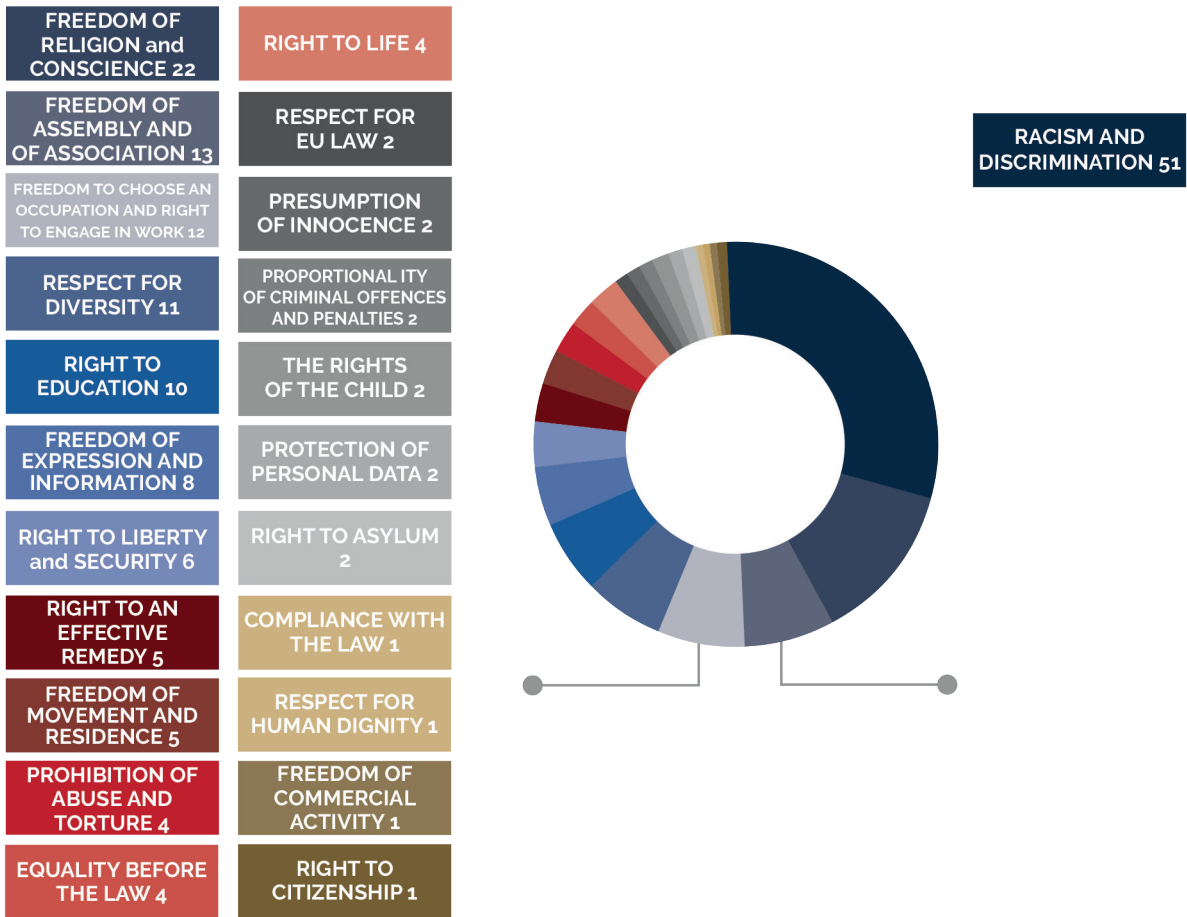
When we take a look at the areas in which 110 positive developments took place in 2020 in the countries focused in the study, it can be seen that the positive practices of the states, concerning Turks and Muslims, are mostly concentrated on the fight against racism and discrimination. Amounts of positive practices and regulations in other areas are given in the chart.



As can be seen from the graph, the point that needs to be emphasized in the fight against racism and discrimination, which is one of the leading areas where states take positive steps, is that the scale of the struggle unfortunately also points out the magnitude of the problem. Especially in Germany, the fact that there are many investigations related to the far-right ideology in the army and police organization is very important in terms of revealing the will to solve the problem. In this context, these investigations were stated as positive developments in the study. However, since the multitude of investigations reveal how widespread the far-right ideology among state officials is, it actually indicates a serious negativity.

Secondly, freedom of thought, conscience and religion has been one of the prominent areas where positive gestures have been taken in many states. An important part of these positive steps was; In order to raise the morale of the Muslim community during the pandemic, even if it was temporarily, the adhan was allowed to be read openly.

In the study, a distribution in the issues that are likely to affect the Turkish and Muslim communities abroad in a negative way is as follows:



Racism and discrimination are the most prominent areas in terms of regulations, statements and practices that reflect on the public and are likely to have negative consequences. In addition to some institutional practices such as documentation and follow-up centers targeting only Muslims, generalizing approaches towards Muslims reflected in the statements of politicians or the weakness in the fight against far-right terrorism are included under this headline.

Especially in the fields of religious freedoms and establishing associations, there are some regulations that can lead to significant restrictions on choosing and training their own religious leaders, international cooperation and donations. Regulations in France and Austria on this issue are included in the study under the title of Close-Up.

In the context of the right to engage in work, it is seen that the headscarf, which is not an expression or a symbol according to the belief of Muslim women, but a religious requirement, is now legally declared as an obstacle to work. This situation reveals that the presupposition that a Muslim woman cannot work professionally and impartially if she fulfills the requirements of her religion in line with her beliefs, in a wider context, prejudices and fears against Muslims are also brought to the legal ground. On the other hand, the professionalism and neutrality of people whose religious beliefs do not require a dress / appearance condition and whose religiousness is not visible from the outside are not questioned even if they fulfill other requirements of their religion. It should definitely be taken into consideration that the discrimination caused by this situation violates the right of Muslim women to education and work and strikes social consensus and peace.

All these issues, whose general evaluation is given in the next part of the study, will be summarized in chronological order under the relevant heading in the EU Charter of Fundamental Rights.

GERMANY



- RIGHT TO LIFE 05.01.2020

Mehmet B., 37, married and has 5 children, died in front of the police station with a police bullet in the city of Gelsenkirchen, North Rhine-Westphalia, Germany. It was stated by the family that the person did not show any resistance to the police, but he received disproportionately harsh intervention. The statements, about the person who received 4 bullets to his body with the intervention of 4 different police officers, made by the North Rhine-Westphalia State Minister of Interior Herbert Reul that there are signs the victim had psychological problems were again denied by the family.

- RIGHT TO CITIZENSHIP 05.01.2020

The Turkish businessman, who was a candidate from the Christian Social Union Party CSU for the mayor of the town of Wallerstein in the Bavarian local elections held on March 15, 2020, had to withdraw from the candidacy as a result of the pressure emerging within the party organization on the grounds that "the representative of the Christian Social Unity Party cannot be a Muslim". In his statement, Wallerstein CSU President Georg Kling stated that after the Turkish businessman became a candidate, he faced serious resistance within the party. On the other hand, the withdrawn candidate stated that some party members wanted him to withdraw from the mayoral race because he was a Muslim.

+ RIGHT TO EDUCATION 10.01.2020

The information that Turkey started negotiations on an agreement to prepare the legal groundwork to open 3 schools in Germany appeared on the news. It is envisaged that these Turkish schools will open in Berlin, Cologne and Frankfurt.

- THE RIGHT TO EDUCATION 14.01.2020

German Federal Education Minister Anja Karliczek made a statement that children starting primary school should be subjected to a two-stage language test. In his statement, the Minister stated that, according to the Pisa test data, 20 percent of the students in the 15-year-old group had trouble understanding what they read, and suggested that the first exam to be held in the kindergarten and the second exam in the primary school.

– FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 14.01.2020

In the state of Hessian, the intern lawyer, who was prevented from attending the lawsuits wearing a headscarf, made an individual application to the Constitutional Court against the decision. Within the framework of the court's decision, the headscarf restriction for judges, prosecutors and lawyers of the state of Hessian has been upheld. The Federal Constitutional Court stated that the legislature's decision was linked to the obligation to demonstrate neutrality in terms of worldview and religion for the professions in question. In its decision, the Federal Constitutional Court stated that the obligation in question was legitimate, even if it meant an interference with the applicant's religious freedoms and fundamental rights. Some states such as North Rhine-Westphalia, Berlin and Baden-Württemberg have similar regulations, while in other states there is no restriction on headscarves. Although the ban on headscarves for lawyers is currently limited to only some states, the decision is likely to set a precedent for similar cases and lead to a wider violation of rights by establishing a legal basis for such restrictions at the federal level.

– RIGHT TO AN EFFECTIVE REMEDY AND TO A FAIR TRIAL 17.01.2020

The German Constitutional Court has made a new regulation regarding the extradition process of the defendants who have been filed in other countries and for this reason a search warrant has been issued. Accordingly, if the defendants who have a request for repatriation to their countries are in danger of being subjected to political prosecution in the country to which they will be sent, their returns may not be processed. The Constitutional Court stated in its decision that the commitment of the country to be extradited to act in accordance with international law was not sufficient. In the case-law, where the decision originally derived from, the extradition of a defendant accused of murder by Turkey was blocked. The subjected practice, which prevents the relatives of the deceased from accessing justice, can also provide protection to members of terrorist organizations like PKK, FETÖ etc.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 20.01.2020

The school administrators, who took action when the pictures of Hitler salutes or swastikas in two schools in Nuremberg started to circulate in mobile chat groups of school-age youth, sent a letter to each parent and warned them. Making a statement to the media on the subject, the principal stated that while he did not consider the incident as a major case, it was the best way to warn the families with a letter. In addition, in 2019, school administrators filed a criminal complaint to police officials when a technical high school student distributed pictures with unconstitutional Nazi symbols in the classroom.

- PROHIBITION OF RACISM AND DISCRIMINATION 26.01.2020

The German Military Counterintelligence Service announced that the number of far-right cases in the German army, especially in the Special Operations Command, increased from 360 in 2018 to 550 as of 2019. In the announcement, although there are 550 cases of far-right cases, it was stated that a total of 14 extremists were identified among defense forces personnel in 2019, 8 of them were radical right-leaning, and a total of 40 personnel were blacklisted in terms of constitutionality.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 27.01.2020

In the city of Erding, near Munich, a 17-year-old middle school student prosecuted for neo-Nazi-leaning social media posts, hate speech against foreigners, especially Turks, and for damaging public property, was sentenced by the court to perform community services and mandatory visits to Dachau Nazi Concentration Camp Monument for 8 hours 7 days a week.

- FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 28.01.2020

The person who applied for an internship at an architecture firm in Berlin received an e-mail from the firm rejecting his application with the words "Please, we do not want Arabs". According to the data of the German Federal Employment Agency, an applicant with foreign background who applies for a job and internship is 24 percent less likely to be accepted than those of German origin.

+ RIGHT TO EDUCATION 04.02.2020

The Hamburg High Administrative Court ruled in favor of the student in the case filed by a 16-year-old technical high school student who wanted to attend classes with a veil. However, against the decision, which received serious criticism from the school administration and politicians such as SPD, Greens and AfD, it was announced in Hamburg and Schleswig-Holstein that a School Law change would be proposed to prohibit veils and burka.

+ RIGHT TO EDUCATION 04.02.2020

The coalition government of Schleswig Holstein state of Germany submitted a bill to the state assembly of the Christian Democratic Union and the Free Democratic Party to prohibit university students from attending classes with veils and burka. The German Green Party, one of the coalition partners, opposed to this offer and the law was rejected.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 06.02.2020

Carnival costumes were banned in a kindergarten in the capital of Thuringia, Erfurt, on the grounds that it caused cultural segregation among students. The educational institution that provides full-time pre-school education in Erfurt banned students from wearing costumes during the carnival (Rosenmontag and Faschingsdienstag) celebrated before Easter on the grounds that it nurtures prejudices among students, creates stereotypes and damages multiculturalism.

- FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 12.02.2020

The administration of Herne Marien Hospital, which was designated by the school as an institution with official cooperation for a student studying at Bochum Health College, rejected the headscarved student, stating that she was not allowed to wear a headscarf on the grounds that it "harmed the impartiality".

+ FIGHT AGAINST RACISM AND DISCRIMINATION 13.02.2020

In his speech at the General Assembly, German Federal Assembly Social Democratic Party Deputy Helge Lindh apologized for the 'violence' and 'humiliation' against Muslims and said, "If we tell Muslims how they should be, what we expect from them, how they should behave, we will humiliate them and reap hatred. He also expressed; "Let's not go on telling Muslims what modern Islam is. First understand what it means to get a job as a trained woman with headscarf."

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 13.02.2020

The right-wing populist AfD (Alternative for Germany) Party submitted a proposal to the Parliament to monitor the activities of the Turkish mosque association, the Turkish-Islamic Union of Religious Affairs (DITIB) by the German Federal Office for the Protection of the Constitution. In the motion, AfD called for a broad analysis of the link between DITIB, the largest Islamic umbrella organization in the country, and the "Islamist" Muslim Brotherhood, and demanded that the necessary measures be implemented to protect the fundamental order of freedom and democracy. In the resolution, it was stated that the Muslim Brotherhood is the most influential "Islamist movement" in the world, and it was emphasized that the activities of their organizations affiliated with the Muslim Brotherhood should be monitored more closely. The AfD's motion drew a rebuff by both the coalition and other opposition parties, and the motion was rejected.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 16.02.2020

In Germany, the far-right Neo-Nazi organization named Gruppe S has been desolved. In a written statement made by the Federal Prosecutor's Office, it was reported that 4 people were arrested for establishing an extreme right-wing terrorist organization and 8 people for providing support to the organization. The terrorist organization in question was established in September 2019 to organize attacks against politicians, refugees and Muslims in order to shake the public order and create civil war-like conditions in Germany in the states of Baden-Württemberg, Bavaria, Lower Saxony, North Rhine-Westphalia, Rhineland-Palatinate and Saxony-Anhalt by Werner S, Michael B, Thomas N. and Tony E.

- PROHIBITION OF RACISM AND DISCRIMINATION 17.02.2020

In 2019, in Hagen, Germany, an arson attack was carried out on the Grand Mosque, which operates under the Islamic Community National Vision Association. In the attack, the garbage bins and cardboards in front of the mosque building were set on fire, causing material damage. The mosque congregation caught the 53-year-old attacker and handed him over to the police. The perpetrator was sentenced to 3.5 years in prison for violation of private property in the trial that lasted for a year. The anti-Islamic background of the incident was not evaluated in the case and therefore the incident was not included in the scope of hate crimes. Within the scope of the court decision, since the attack was not categorized as an attack on the place of worship and it was ignored that the incident was carried out with anti-Islamic motivation, the aggressor was punished for ordinary crimes, and did not receive an aggravated punishment as required by hate crimes.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 19.02.2020

Within the scope of the fight against far-right and hate crimes in Germany, the draft law obliging to report the content in question to the German Federal Criminal Police Office (BKA) in order to start the prosecutions against those who commit threats, racist propaganda, hatred and hate speech on social media.

- PROHIBITION OF RACISM AND DISCRIMINATION 20.02.2020

The right-wing populist Alternative for Germany (AfD) Party distributed coloring books with racist motives to the participants at an event organized in Krefeld. In the books, people dangling from their cars with a Turkish flag and guns in their hands are depicted with another picture including drawings of African men in a pool disturbing women in bathing suits where there are also burka-wearing women.

+ RIGHT TO LIBERTY AND SECURITY 21.02.2020

Federal Minister of the Interior Seehofer stated that, after the racist terrorist attack in Hanau, measures to protect "sensitive organizations" such as mosques as well as areas such as train stations and airports will be activated within the scope of increased security measures throughout the country.

+ RIGHT TO CITIZENSHIP 25.02.2020

In Hamburg state elections candidates with a Turkish origin have won the right of representation in parliament with 13 seats. In the Hamburg State Assembly, which has a total of 123 members, Bülent Öneş from the Social Democrat Party, Kazım Abacı (for the third time), Cem Berk, Güngör Yılmaz (for the second time) and Ali Şimşek, Yusuf Uzundağ from the Green Party, Filiz Demirel and Sina Demirhan, David Erkalp (with preferential votes) from the Christian Democratic Union have won a seat. The Left Party head of the list candidate Cansu Özdemir, Deniz Çelik, Metin Kaya and Mehmet Yıldız who also entered the parliament in which almost the 10 percent is composed of deputies of Turkish origin.

+ RIGHT TO LIBERTY AND SECURITY 26.02.2020

Following the Hanau attack, State Minister of the Interior of Berlin, Geisel, stated that the mosques will be better protected by uniformed and plainclothes police officers, in a statement he made, in order to increase the security of places of worship within the scope of the measures to fight against the far right throughout Germany. It has been also stated that security measures will be made more effective in all clubs belonging to Muslims, as well as mosques, in Berlin.

- THE RIGHT TO EDUCATION 27.02.2020

In the 5th Munich Education Report, according to the comparison made between students with foreign nationalities and students with German passports, only 15.8 percent of foreign students are doing Abitur (A high school diploma that makes college or university education possible), while this rate is 40.6 percent for German students. In the report, it was noted that students with a migration background experience difficulties due to the lack of language proficiency and students from immigrant families are also at a disadvantage in terms of social welfare, which is reflected in their educational success. In the report, it was determined that 11.9 percent of foreign students do not have a diploma, whereas this rate drops to 4.2 percent for German students.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 02.03.2020

In his press release, German Chancellor Angela Merkel stated that people with different family origins, beliefs and skin colors live in Germany and stated that equal rights and obligations apply to everyone. Merkel announced that a law will be enacted in October to make the fight against the far right and hate crimes more effective. Stating that all institutions responsible for the implementation of the laws will be strengthened in terms of personnel, Merkel noted that they allocated 125 million Euros for 2020 for efforts to prevent the far-right movements in Germany.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 03.03.2020

German Chancellor Angela Merkel stated that after the racist attack in which nine immigrants were killed in Hanau on February 19, 2020, a government commission will be established to combat extreme right-motivated violence and racism within the framework of the demand from migrant associations. On the other hand, Federal Minister for Family Affairs Franziska Giffey demanded more allowance for the fight against racism with the statements "Germany has a racism problem". On the other hand Minister of State for Migration, Refugees and Integration Annette Widmann-Mauz drew attention to the far-right terrorism and said, "Far-right violence is the biggest danger in our country right now, we need to recognize racism, name it and fight it".

- PROHIBITION OF RACISM AND DISCRIMINATION 06.03.2020

The evidence obtained during the raid on the militants of the far-right organization called Aryan Circle Germany was forgotten and lost in front of the place that was raided because of Göttingen Police Service's negligence.

- RIGHT TO LIFE 12.03.2020

German businessman Josef H. (61), who killed his 38-year-old Turkish wife and 8-year-old son Yunus by cutting his throat in the state of Baden Württemberg in Germany in 2019, was not punished on the grounds that he had no criminal capacity in the case where he was tried with life imprisonment. On the other hand, German businesspeople inaugurated two radiotherapy centers with an investment of 7 million euros shortly before the murder.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 18.03.2020

Interior Minister Horst Seehofer announced that the radical racist 'Reichsbürger' group, which rejected the German constitution in Germany, was included in the ban list for the first time ever on the grounds that the organization's ideology, based on racism, anti-Semitism and historical revisionism, is against democratic values. According to the reports of the Federal Office for the Protection of the Constitution; Heike W., the most well-known name of the organization, which has 19,000 members throughout Germany, is making propaganda for the organization with his publications on social media. It is also stated in the report that the Reichsbürger organization formed an alliance with the Nazi-leaning Combat18 group under the code name "Adolf Hitler Combat League", which was banned a few months ago. Members of the organization filed an appeal to the court for the decision.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 22.03.2020

During the Covid-19 quarantine process, it was allowed to call adhan openly in many mosques throughout Germany. In this context, although it was limited to the quarantine period in Duisburg Central Mosque and Cologne Central Mosque, for the first time, adhan was called publicly.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 24.03.2020

In the case held by the Dresden High State Court, 8 members of the far-right terrorist organization "Revolution Chemnitz" were tried on charges of establishing and being a member of a terrorist organization. Members of the organization were sentenced to prison ranging from two years three months to five and a half years.

- THE RIGHT TO LIBERTY AND SECURITY 27.03.2020

In the response of the German Minister of the Interior to the Left Party's parliamentary question, it was stated that 1620 attacks were made against asylum seekers and 128 attacks were made against refugees in 2019. In the response, it was stated that in 260 attacks, arson attempts were made, explosives and weapons were used, and 229 people were injured. In Germany in 2018, 1775 attacks against asylum seekers and 173 attacks on refugee homes were recorded.

- RIGHT TO LIBERTY AND SECURITY 06.04.2020

According to the research conducted for the documentary "Weak State" by the German public broadcaster ARD, 2,558 crimes committed with racist motives ranging from drawing swastikas to attacks with explosives and arson were recorded between 2015-2018. It was stated in the research that only 467 of these crimes could be illuminated by the police. This means that the police initiated an investigation on the perpetrator or perpetrators in only 18 percent of this far right cases. In only 206 cases, the perpetrator or perpetrators were sentenced to fines or imprisonment. Therefore, approximately 44 percent of the cases illuminated and only 8 percent of all cases could result in conviction.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 07.04.2020

Within the framework of the "Destination Agreement" signed by DITIB with the administration of the State of Rhineland-Palatinate, the first step towards the regional organization gaining the status of a religious community was taken.

- PROHIBITION OF RACISM AND DISCRIMINATION 08.04.2020

It is reported that the investigation file of the neo-Nazi Stephan E., who murdered Germany's Kassel Regional Governor Dr. Walter Lübcke, on the case in which he was accused of attacking a left-wing activist and teacher in 2003, got lost. The accused, who previously had a criminal record for crimes such as bombing a refugee home, stabbing a Turkish religious official in Frankfurt, attacking trade unionists with sticks on May 1, and seriously injuring an Iraqi refugee with a knife, has not been sufficiently investigated and his links has been left unclear although there are strong suspicions that he might be affiliated with the NSU terrorist organization.

- PROHIBITION OF RACISM AND DISCRIMINATION 20.04.2020

The justified decision was announced in the NSU case, which lasted for 5 years, regarding the killing of 10 people, 8 of them of Turkish origin, by the Munich Higher Regional Court. The writing of the 3 thousand 25-page decision took 93 weeks. No defendants remained in prison, except for Beate Zschaepe, who was considered to be the only surviving member of the organization and was sentenced to life imprisonment. In the joint statement published by the lawyers of the case under the headline "the monument to the bankruptcy of the rule of law", it was stated that the size of the NSU terror network was denied in the justified decision and the results of the evidence collected were not sufficiently investigated. "The role of security units and intelligence in the justified decision was completely ignored." In their assessment, the lawyers stated that even the name of the intelligence officer Andreas T., who was at the scene at the time of the murder of Halit Yozgat, one of the victims, was not included in the final decision.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

28.04.2020

The Hessian State Ministry of Culture announced that it unilaterally terminated the agreement with the DITIB Hessen State Union, which has been ongoing since 2012, for the Islamic religion lessons given in schools, on the grounds that the organization violated the principle of independence and was an extension of the Turkish government. The regulation will come into force as of the 2020-2021 academic year, and it has been reported that 56 primary schools and 12 secondary schools in the state will be affected by this decision.

– PROHIBITION OF RACISM AND DISCRIMINATION 04.05.2020

The first hearing of the case against the racists who verbally abused the Turkish family sitting in a cafe in the city of Wiesloch in September 2018 saying "Heil Hitler, Germany belongs to Germans", started after a period of one and a half years. Sinan K. and his wife and 3 of the 7 defendants who were attacked at the first hearing of the case that appeared in Heidelberg gave their testimonies, and Manuel, Johannes and Lucas B., 3 of whom were brothers, accepted the charges against them. It was revealed that one of the racists who attacked Sinan K. and his family was working as a contracted personnel in the police force.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

04.05.2020

The Minister of Justice of the state Hesse in Germany, Eva Kühne Hörmann, threatened Muslim families who made their children fast, with punishment. In her statement on social media, she said, "If you force your children to fast, you will account for it."

– THE RIGHT TO LIBERTY AND SECURITY 11.05.2020

It was decided to dismantle the cameras placed for security purposes in the neighborhood of Dorsfeld in Dortmund, which is one of the most concentrated areas of far-right Neo-Nazi sympathizers in Germany. Gelsenkirchen Administrative Court, in the lawsuit filed by four residents of the district, emphasized on the immunity of personal data and recording without the knowledge of the person in the public space was not legal, and ordered the removal of the cameras installed in September 2019.

– FREEDOM OF EXPRESSION AND INFORMATION 12.05.2020

According to the data released by the European Center for Press and Media Freedom, attacks against members of the media, especially from far-right and right-wing circles, and subsequent deficiencies in criminal prosecutions threaten the freedom of the press. In Germany, between 2015 and 2020, 119 journalists were subjected to direct physical violence, 77 percent of these attacks were carried out by far-right and right-wing affiliated perpetrators. A recent study conducted by Bielefeld University with 322 media members reveals that 59.9 percent of journalists have been attacked at least once in the last 1 year. This rate was recorded as 42 percent in 2017.

– PROHIBITION OF RACISM AND DISCRIMINATION 13.05.2020

The Association of Counseling Centers for Victims of Right-wing, Racist and Anti-Semitic Violence (VBRG) has announced the 2019 data on far-right and racist violence in the states of Saxony, Thuringia, Saxony-Anhalt, Brandenburg, Berlin, Mecklenburg-Vorpommern, Schleswig-Holstein and North-Rhine Westphalia, where about half of the population of Germany live. According to the report of the organization, 1347 violence incidents committed by far rightists in these 8 states were recorded in 2019 and in the light of the data, it was shared that in 2019, at least 5 people were the victims of extreme right-wing violence, and 80 percent of which were bodily injury cases.

– PROHIBITION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT 19.05.2020

The house of the Turkish family residing in the city of Solingen was raided by the Police Special Operations Unit in the morning, entering the house with a search warrant, violence was inflicted on the 22-year-old son Ahmet Tayyip Y. It was later found that the reason of the raid was that Ahmet Tayyip Y. was present at the scene while a person with an African origin was beaten by a gang.

– PROHIBITION OF RACISM AND DISCRIMINATION 27.05.2020

According to the German Federal Criminal Police Office (BKA) crime statistics, the number of politically motivated crimes increased by 14 percent in 2019 to 41 thousand 177. It has been reported that more than 50 percent of criminal acts ranging from hate speech to injury, arson and murders were committed by far-right-leaning attackers. The number of crimes committed by right-wing extremists increased by 9.4 percent compared to 2018, reaching 22,342. In his assessment of the data, Federal Minister of the Interior Horst Seehofer stated that the biggest threat was the "far right threat" as before.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 29.05.2020

3 students studying at the Saxony State Bautzen Police College were dismissed for their Nazi sympathies. It was determined that these students gave Nazi salutes in the campus area and used the slogans "Heil Hitler" and "Sieg Heil".

+ FIGHT AGAINST RACISM AND DISCRIMINATION 04.06.2020

In Germany, the State Anti-Discrimination Act (Berliner Landes-Antidiskriminierungsgesetz) was passed in the State Assembly for the first time at the state level in Berlin. The law covers areas not covered by the current federal "General Equality Act" (AGG) and aims specifically to protect against discrimination in the public sphere and by government personnel. With the law enacted by the state, the state of Berlin brings a right to appeal and compensation in case of discrimination due to origin, skin color, gender, religion, belief, disability, age and gender identity and social status in all public institutions including the police, schools, municipalities, and in autonomous organizations where the government has more than half the share. However, the law in question caused great controversy in Germany. Federal Interior Minister Horst Seehofer and the interior ministers of some states pointed out that this could put the police in a particularly difficult situation and make it difficult to send police from other states to Berlin upon request, as the law will also apply to police sent to the state of Berlin for duty by other states.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 18.06.2020

The "Law on Combating Right-Wing Extremism and Hate Crimes" was approved by the Bundestag. With the help of the law, it is aimed that the German justice system will have more effective tools in combating hate crimes and in this context, it is aimed to increase the penal sanctions. Accordingly, a series of amendments were made in the existing Penal Code, and the motivation of anti-Semitism was added to a German legal text for the first time as an aggravating crime factor. The law also activates the application mechanism to the Federal Criminal Police Service (BKA) in order to immediately initiate the investigation process for acts such as violence, death threats and hate speech through social networks .

- FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 18.06.2020

A 16-year-old student with headscarf, who applied for a job as a cashier to a grocery chain in Hamburg to work in the vacation time, was subjected to anti-Islamic treatment by the market manager. Market manager told the student, "You either take off your headscarf or you can't work here.". The company apologized to the student who shared his incident on social media and had to pay compensation to the young girl as a result of the filed lawsuit.

- PROHIBITION OF RACISM AND DISCRIMINATION 22.06.2020

The Federal Government's € 50,000 financial support package for the establishment of psychological counseling and support mechanisms for victims of racist attacks after the Hanau attack has been suspended by the Hessen State Administration.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 24.06.2020

In Germany, the far-right organization " Nordadler " (North Eagle) has been banned for activities against constitutional order. By the instructions of the Federal Minister of the Interior Horst Seehofer, the organization was banned and searches were made in buildings belonging to members of the organization in the states of North Rhine-Westphalia , Lower Saxony, Brandenburg and Saxony.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 30.06.2020

It was decided to dissolve a part of the Special Forces Command KSK in the German Defense Forces on the grounds that there were far-right tendencies. Accordingly, it was reported that in the 2nd Division of the KSK, which consisted of 70 soldiers, one fourth of the soldiers belonging to the company was subject to an investigation on the grounds of their far-right tendencies and this company was decided to be abolished completely. Other units of the KSK will be kept under some kind of surveillance, by ensuring the centralization of commando training, control will be increased in the training process.

- PROHIBITION OF RACISM AND DISCRIMINATION 06.07.2020

Recommended by the "European Commission Against Racism and Intolerance" (ECRI), affiliated with the Council of Europe, in order to identify racist tendencies in the German police force, Racial Profiling Research has been canceled on the grounds that the Ministry of Interior already prohibited discrimination by the police and that there is no need for a research, although the Federal Minister of Justice, Christine Lambrecht, stated that a research should be done for the practice of "racial profiling" in which the suspects are evaluated according to their skin color and appearance in the absence of justification, and that the research is not intended to make a general accusation against anyone and is necessary for the determination of the current situation.

– FREEDOM OF ASSEMBLY AND OF ASSOCIATION 09.07.2020

In the 2019 report published by Germany's internal intelligence agency, the Federal Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz - BfV), the Union of Turkish-Islamic Cultural Associations in Europe (ATİB) was included in the category of "extremist structure that has the potential to threaten internal security and that has no contact with radical Islam" and has been taken under surveillance by internal intelligence. In the previous reports, whereas only Associations affiliated with the European Nationalist Turkish Associations Federation also defined as "Bozkurtlar (A mythological sacred animal)" (AÜTDF), have been recorded as organizations with racist motivations established by foreigners, in the 2019 report the Nationalist Movement, expressed with the words "One of the umbrella organizations closer to the Islamic wing", ATİB has been taken into the same coverage. Based on the report, on 15 July 2020, the Central Council of Muslims in Germany (Zentralrat der Muslime in Deutschland - ZMD) announced that the membership of ATİB, one of its founding members, will be examined.

– CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 13.07.2020

In the state of Baden -Wurtemberg in a primary school teacher gave a third grader a punishment homework titled "Why we mustn't speak Turkish in school" consisting of 2 pages of paper for speaking Turkish in the break. After the lawsuit on the matter, the school administration apologized to the family and the teacher involved in the incident was dismissed from the school. A Turkish teacher working in the region, contacted the mother of the child, stated that the child was deeply affected by this incident, and that the child told his mother he never wanted to speak Turkish again and wanted to leave his school.

– THE RIGHT TO LIBERTY AND SECURITY 14.07.2020

In the investigation regarding the threat letter signed "NSU 2.0", which targeted Seda Başay Yıldız and her family, one of the involved lawyers of the National Socialist Underground (NSU) terrorist organization case, which previously killed 10 people, 8 of whom were Turkish, the address and other information of Yıldız was questioned from the Hessen Police Department system. After the detection, it was revealed that Turkish cabaret artist İdil Baydar and Left Party Hessen State Assembly Group President Janine Wissler, who received a threatening letter signed "NSU 2.0", were interrogated from the computers belonging to the police. This development also brought the resignation of the Hessen Police Chief Udo Münch. Some media outlets claim that the letters are sent directly from the police computers. As of July 2020, the number of threat letters sent with the signature of NSU 2.0 has reached 70.

– TRAVEL AND RESIDENCE FREEDOM 18.07.2020

The residence permit of Ayşe İ., who retired from Germany, has been revoked after she stayed 6 months uninterrupted in Turkey, on the grounds that she allegedly stayed 1 year. Ayşe İ. stated that she sent a letter to the Foreign Office in order to request an extension on her permit 1 month before her 3-year residence permit has expired, which was sent with 4 months delay because of the Coronavirus outbreak and received an answer with the words "We can't extent your permit because you stated that you'll live in Turkey from now on.". The lawsuit filed by Ayşe İ. to compensate her loss of right is ongoing.

– THE RIGHT TO EDUCATION 22.07.2020

In the German state of Baden- Württemberg, the city council announced that it prohibited children from wearing burqas in schools. The City Council also prohibited teachers from wearing burqas before in the state. State Prime Minister Winfried Kretschmann, the number of students wearing the burka clothing covering their faces entirely in the school consists of a small number, but with the new law the burqa is completely prohibited. It has been reported that the burqa ban will be implemented at all levels of the education system.

– PROHIBITION OF RACISM AND DISCRIMINATION 23.07.2020

It is claimed that the social media manager of the German army Marcel B., is to be associated with the extreme right and at least two soldiers were active in a right extremist chat application channel where coup scenarios were spoken. In the aforementioned chat channel, it is stated that more than 240 people participated in the conversation during the period of November 2019-June 2020. The Ministry of Defense made a statement regarding the allegations; allegations against Marcel B. will be investigated in a "quick and thoughtful" way and emphasized that the Ministry has especially a "zero tolerance" policy on extreme right tendencies. However, following the succession of far-right scandals in the German army in the previous year, the military intelligence unit, MAD, was already reorganized and started a special working group with the cooperation of the State Office for the Protection of the Constitution, an internal intelligence unit, in order to detect the far-right and get rid of the army more quickly. Thereupon, the number of cases detected also increased, with 600 suspected cases identified only in 2019. These last claims, on the other hand, have reinforced the suspicions that the far-right cases will increase despite this unit.

– RESPECT FOR DIGNITY 29.07.2020

The Federal Ministry of Foreign Affairs appointed rabbi MaFedlhake to represent Judaism, Evangelical pries Peter Joergensen to represent Protestantism, and Nurhan Soykan to represent Islam as consultants within the scope of "Religion and Foreign Policy" project. Following the discrediting campaigns against Nurhan Soykan in the political circles and in the media that she adopted a radical understanding of Islam and that she could not distance herself from anti-Semitism at an expected level, the Ministry of Foreign Affairs announced that it had postponed the religious consultancy practice planned to be established within the Ministry.

– FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 01.08.2020

A 42-year-old nurse, who has been working in the Evangelical city clinic for 25 years in the city of Gelsenkirchen, Germany, decided to wear a headscarf and was dismissed from the clinic on the grounds that it was "against Christian values".

+ FIGHT AGAINST RACISM AND DISCRIMINATION 11.08.2020

Germany's first league Bundesliga team FC Köln has included the DITIB Central Mosque in the Cologne city silhouette in its new jersey. A club fan who felt himself disturbed wrote an email to cancel his membership in which he stated that "He can't reconcile neither himself nor the club with Islam" and got a respond from the club with the words "Hadi Tschüss" (Hadi Bye).

– FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 12.08.2020

Dr.Müjgan P., the first female general manager of the German Fire Brigade (DFV), which has one million three hundred thousand firefighter members, filed a lawsuit against the union on charges of sexual harassment, insult and discrimination. Harassing and mobbing her for being the manager, one of the DFV vice presidents said, "Is that supposed to be the manager of the German Fire Brigade Union necessarily a Turk!" and another deputy director told the female manager, "You are not suitable here!". It was also alleged that a deputy director sent messages containing sexual harassment to Müjgan P. for three months.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

13.08.2020

In the state of Saarland, Germany, an application was made, concerning four elementary schools that have religion classes in scope of a pilot project, to the Administrative Court of Saarland State on the grounds that Islam lessons are contrary to the principle of separating religion and state affairs, that sectarian courses are basically unconstitutional and collaboration with the Turkish-Islamic Union for Religious Affairs (DITIB) which is considered to be an official extension of Turkey in Germany, which got rejected by the court on the grounds that the plaintiff was not the direct addressee of the matter and that personal rights were not damaged.

- PROHIBITION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT 15.08.2020

Images shared on social media in Dusseldorf, just like the US George Floyd case, two police officers disregard the warnings by a person recording the moment while police officers push their knees onto a person's neck in the city center. The Minister of Internal Affairs of the State KRV stated about the incident that the police neutralized the resisting person by using the rights recognized by the law and that no violence was experienced. As part of the investigation of the incident, the state parliament prepares a report.

- PROHIBITION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT 15.08.2020

In the city of Frankfurt, videos were shared on social media where the police used violence with punches and kicks against the person they wanted to detain, despite lying on the ground defenseless. In the statement made by the Frankfurt police, it was stated that the crowd on the street was asked to disperse, the detained person has insulted the police and was laid on the ground after spitting at the police. In the footage, it was recorded that the police, who wanted to detain the person lying on the ground without resistance, punched and kicked the person while trying to handcuff him. It is observed that the 29-year-old person, who was laid on the ground in a vulnerable way, was kicked by another police officer in the head, and tear gas was sprayed on the crowd who objected to the situation and police violence. Following the incident, an investigation was opened against the police officers.

– PROHIBITION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT 18.08.2020

15-year-old Kadir H., who went home from school with an electric skateboard in the Neustadt district of Hamburg, was stopped by the police on the grounds that he was driving the vehicle on the sidewalk. The police asked the Turkish boy for an identity card, stating that he would take criminal action, and when the child without an identity card objected to the punishment, the police called 3 more police officers to the scene and used disproportionate force by pressing the child with asthma, who resisted being detained, against the pavement. In the images reflected on social media, it is seen that the child was unable to breathe during the police intervention and that he was ignored.

+ PROHIBITION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT 19.08.2020

Three police officers were dismissed from duty, who used violence against the person they detained in Frankfurt, Germany. Two videos showing police officers using violence against a 29-year-old person in the incident that took place on a Sunday night, 15.08.2020, were shared on social media many times. In one of the videos, it was recorded that three police officers kicked and punched the person they had laid on the ground, although he did not resist. In the first assessment made after the incident, it was stated that two more police officers were subject to disciplinary proceedings and three police officers were dismissed.

+ FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 27.08.202

In an appeal at the Federal Labor Court in Erfurt, Germany, it was decided that the teacher, who was not allowed to work on the grounds that she was wearing a headscarf, was discriminated against because of her religious belief. The court, which concluded that the general headscarf ban contained in the Neutralitätsgesetz (Law of Neutrality), which entered into force in 2005 in the state of Berlin, was unconstitutional, and upheld the compensation decision of the State Court, a lower court. The Federal Labor Court's decision also referred to the Constitutional Court's decision in 2015. In 2015, the German Constitutional Court approved that two female teachers could wear a headscarf in their classes, and in this decision it was stated that freedom of religion could not be restricted due to an "abstract danger", but that the headscarf ban could be imposed if there was a "sufficient concrete danger" in the disturbance of school peace.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 31.08.2020

The Claim Allianz Against Islamophobia and Anti-Muslim Hate, which was established with the support of the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth to increase communication between non-governmental organizations operating in the fight against anti-Islam racism and to monitor the issue from a single center, aims to record anti-Muslim racism cases recorded by independent associations in Germany and Austria into a central database through the report.eu page, which was established with the support of the European Union and the Mercator Foundation. Turkish associations are also involved in the I Report project, which was launched on 31 August 2020.

+ COMBATING RACISM AND DISCRIMINATION 02.09.2020

Within the framework of the Action Plan against the Far-Right and Hate Crimes dated 30 October 2019, following the decision of the Federal Cabinet on 18 March 2020, the first session of the fight against far-right and hate crimes commission meeting was held on 20 May 2020, in which the second session was planned to be held with NGO representatives and experts that later met as planned with the Federal cabinet headed by Chancellor Merkel on 02.09.2020. The Commission decided to implement better protection mechanisms for the far right and victims of hate crimes across the country, the Federal Anti-Discrimination Agency (Antidiskrimierungsstelle des Bundes) to work more effectively, to open new centers for counseling and psychological support to victims, and to strengthen the existing ones.

– PROHIBITION OF RACISM AND DISCRIMINATION 06.09.2020

According to the results of a survey conducted by a German newspaper with the interior ministries and police chiefs in 16 states, disciplinary offenses related to 170 far-right and racist-oriented cases have been recorded at the federal level police organizations in the last 5 years. According to the results of the research, which consists of data compilation of police officers who were disciplined for their actions and actions related to the far right within the police organization, the highest number of cases were recorded in the state of Bavaria. The officials of the state of Hessen, in which it was revealed that the targeted names were queried on the computers of the police force within the scope of the NSU 2.0 signed threat letters sent in recent years to the NSA Lawyer Seda Bařay Yıldız, the Left Party deputy Janine Wissler and Turkish cabaret artist İdil Baydar, on the other hand, did not want to participate in the survey. According to the results of the survey, the state of Bavaria with 30 cases was in the first place, Schleswig Holstein with 26 cases in the second place, and North Rhine Westphalia with 21 cases in the third place. Similarly, 18 cases were recorded in the states of Baden-Württemberg and Mecklenburg-Vorpommern, and in the state of Hamburg, 5 far-right related records were identified, including 1000 firearms and weapon parts and the seizure of Nazi symbols. It is stated that the police officers involved in the incident in Hamburg were released after 11 months of imprisonment and a fine. In the study, it was stated that there were no incidents only in the state of Bremen.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 18.09.2020

An investigation was initiated against 17 police officers of the Mecklenburg Vorpommern state police for their Neo-Nazi links.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 20.09.2020

On the 20th anniversary of the death of Enver řimřek, who was murdered by the NSU terrorist organization on September 9, 2000, the name was given to a square in the Winzerla district in the city of Jena, the capital of Thuringia, and attention was drawn to the far-right terror.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 23.09.2020

In a lawsuit filed by a Christian couple living in Oer-Erkenschwick, in the state of North Rhine- Westphalia, Germany, who were disturbed by the public call of prayer at the Abdulhamit Mosque affiliated to DITIB, the High Administrative Court ruled that reciting the call to prayer was religious freedom.

- PROHIBITION OF RACISM AND DISCRIMINATION 24.09.2020

In the investigations, that took place after it was determined that Nazi propaganda was made in 5 different online chat groups, in which police officers were involved in the city of Düsseldorf, and pictures of Adolf Hitler and swastikas were shared, the houses of 34 police officers were searched. Following the incident, KRV Minister of the Interior Herbert Reul stated that the incident was embarrassing. According to the North Rhine-Westphalia State Assembly reports reflected in the media, enquiries and investigations have been carried out against about 100 far-right police officers since 2017, but most of the investigations against far-right police have not yet been completed. Against 71 ongoing investigations, some of them were given disciplinary penalties in the enquiries and investigations of 29 police officers, while the charges against others were timed out.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 25.09.2020

In the Leipzig police force, the police officer who shared far-right and racist posts in social media groups was suspended from duty.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 28.09.2020

Press Spokesperson for the Right-wing Populist Alternative Party for Germany (AfD) Christian Lüth was asked on a television show about immigrants, and he replied: "The worse the situation in Germany, the better for the AfD. We can still shoot them all. It is no problem. Or we can put them in the gas chambers. I do not care." Following his statements, AfD Bundestag Group Co-Chair Alexander Gauland announced at the Parliamentary Group Meeting that the person in question was unanimously dismissed from the party.

- PROHIBITION OF RACISM AND DISCRIMINATION 01.10.2020

In the chat application group , which included 25 police officers working within the city police department of Berlin, it was determined that Muslims were compared to monkeys, immigrants were compared to insects and mice, and messages of violence and racist content were shared.

– PROHIBITION OF RACISM AND DISCRIMINATION 01.10.2020

It has been determined that the far-right personnel scandal within the police force, of which the news appeared repeatedly in Germany, extends to the Federal Office for the Protection of the Constitution (Verfassungsschutz), which is responsible for collecting intelligence on threats to the democratic order, in which within its unit in the state of KRV there is a team with far-right tendencies. It was determined that the far-right team members, who were noticed as a result of their anti-Islamic and xenophobic posts on their social media accounts, were in contact with the far-right groups on social media. As a result of the disciplinary investigation initiated against four people, three of whom were in the observer group in the organization and one of whom was an administrative clerk, on the grounds that they were far-rightists, one personnel lost his management duty by receiving disciplinary punishment, and it was contented with the other three personnel to only changing their positions.

– PROHIBITION OF RACISM AND DISCRIMINATION 06.10.2020

Within the scope of the "Extreme Right Radicalism Situation in the Security Forces Report" shared with the public by German Federal Minister of the Interior Horst Seehofer, disciplinary crimes and suspicious cases recorded between 1 January 2017 and 31 March 2020 in all security units at the federal and state level in Germany included information that 377 security personnel and 1,064 military personnel with far-right radical tendencies were identified, 319 of which were at the state level and 58 at the federal level.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 07.10.2020

It was determined that a 26-year-old police academy student in the state of Thuringia shared racist and unconstitutional symbols and expressions in his groups on social media and chat applications, and the relevant person was dismissed.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 08.10.2020

A police officer in charge of the police force in the city of Leipzig, in the state of Saxony, was dismissed for using hateful expressions in front of primary school students and pedagogues.

– PROHIBITION OF RACISM AND DISCRIMINATION 09.10.2020

Nuremberg supporter Christian Keck, known to have neo-Nazi affiliations, died of a heart attack at an organization meeting he attended in Thuringia, and a "Sleep in peace Keck" banner was hung in the stadium belonging to the Bundesliga team FC Nürnberg for the leader of the far-right organization. The funeral ceremony held for Keck in Erlangen on September 16, 2020 has turned into a meeting point for the Neo-Nazis. Immediately after this development, the banner in question was hung on the fence of the club's Ma - Morlock Stadium and was not removed for days.

– FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 13.10.2020

A Muslim youth, who applied to a company that does asphalt works in the town of Spree-Neiße in the state Brandenburg, received a reply that there are more suitable candidates for the position and that they do not prefer a "Muslim who fulfills religious requirements" as the company.

– PROHIBITION OF RACISM AND DISCRIMINATION 15.10.2020

In a chat application group, that included 26 police candidates who were trained at the police academy in Berlin, the capital of Germany, it was determined that unconstitutional and prohibited symbols such as swastikas, racist messages and criminal images such as animal pornography were shared.

– CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 18.10.2020

The citizenship application of a Lebanese doctor, who settled in Germany in 2002 and graduated from medical school and worked as a department chief, was rejected because he did not shake hands with a female employee working in the foreigners' office. The citizenship certificate of the doctor who applied for the transition to German citizenship in 2012 and passed the citizenship exam with full points, who did not shake hands with the female employee here due to his belief in the foreigners' office in 2015, was withdrawn to obtain the required official naturalization certificate at the last stage. While the Stuttgart Administrative Court also ruled against the doctor, the Administrative Court of the State of Baden- Württemberg, which is a higher court, upheld the decision on the grounds that the doctor did not deserve citizenship by not shaking hands and violated the principle of equality in the constitution.

– PROHIBITION OF RACISM AND DISCRIMINATION 19.10.2020

It has been revealed that there is a link between the organization Werner S. the far-right terrorist group, which was caught in preparation for a terrorist attack in February 2020, with the racist structure in the police force, which has a wide repercussion in Germany. It is claimed that Thorsten W. a police officer played an important role in the terrorist organization established by Werner S. and that he gave gun licenses to many right-wing extremists while he was in office between 2013-2014. During the investigation after the Police Department of Hamm officer Thorsten W. was revealed, it has been determined that there are racist mobile chat groups among district police officers too.

– PROHIBITION OF RACISM AND DISCRIMINATION 21.10.2020

A mobile chat group was identified in which members of the Bad Lobenstein fire brigade of the state of Thuringia were included and where they shared unconstitutional and racist expressions.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

21.10.2020

The Berlin Chief Prosecutor's Office decided to search 5 businesses and a mosque on the grounds that financial aid to small businesses were misused in the new type of coronavirus (Covid-19) epidemic. As a result of this decision, during the morning prayers in the Mevlana Mosque in Berlin's Kreuzberg district, 150 police officers stepped on mosque rugs with boots and conducted a search during prayer time, which caused reactions.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 22.10.2020

In November 2019, the court sentenced the neo-Nazi assailant who used racist insults to a black woman alongside her 9-year-old daughter in the city center of Hanover to 1 year and 2 months in prison.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 29.10.2020

In the investigation of far-right radicalism in the police departments of the state of North Rhine- Westphalia , it was found that one police engraved a swastika symbol on the arsenal cartridges and shared it on social media, another police was displayed with a Hitler salute, and SS symbols were found on the personal belongings of the police officers. In the statements, it was expressed that the digital files seized in the raids as a result of the investigations initiated by the state police department under the name of " Janus " continue to be examined.

– PROHIBITION OF RACISM AND DISCRIMINATION 29.10.2020

It is reported that two police officers on duty in Berlin purchased a 1940s radio with the swastika symbol on it from an antique shop. An eyewitness at the antique shop stated that the police in question preferred specifically the one with the swastika in the shop where almost 400 antique radios were located.

– CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 02.11.2020

In the call by the education ministries of some state governments in Germany for a minute silence in schools for teacher Samuel Paty, who was murdered for showing his students the caricatures that insulted Hz. Muhammad in France, the perpetrator was described as an "Islamic terrorist", which caused discomfort among the Muslim parents.

– FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 04.11.2020

A citizen named Merve Ş., who voluntarily served as an honorary judge (magistrate) in the Munich court was banned from being an honorary judge because of his headscarf upon the application of another judge. In the banning letter sent by the court, expressions such as “because you do not want to take off your headscarf in lawsuits” were included. Despite the fact that there is a ban on wearing a headscarf in the Bavarian Court Regulations, Merve Ş., who was put into office in March with the Federal Constitutional Court declaring that it was a favorable decision and that there was no harm in working with the headscarf, was dismissed upon the Court’s objection to the decision.

– FREEDOM OF ASSEMBLY AND OF ASSOCIATION 05.11.2020

The demonstration to be held in Frankfurt on November 7, 2020 to protest Charlie Hebdo Magazine, was banned with the statement made by Markus Frank, who is responsible for the security affairs of the Frankfurt City Council, for public order and security reasons. Frank stated that the victims were mourned with their relatives due to the terrorist attacks in France and Austria, and he found it intolerable that a demonstration against the satirical magazine Charlie Hebdo was going to be held in their liberal and open cities at that time.

– FREEDOM OF MEETING AND ASSOCIATION 06.11.2020

After the decision to ban “Gray Wolves” in France, some politicians in Germany started to express their opinions that a similar step should be taken in Germany. Christoph de Vries, one of the domestic politicians of the Union Parties in the Bundestag, used the following expressions: “We must ban the “Gray Wolves” in Germany on the occasion of the correct reaction of France. They pose a serious threat to our free and democratic constitutional order to anyone who is not ethnically Turkish, such as Kurds and Armenians.”. Christoph Ploß, President of the Christian Democratic Union Hamburg, stated that the banning of “Gray Wolves” in Germany was already too late. The Bozkurt movement is considered to be an extension of the “extreme right” Nationalist Movement Party in Turkey. In the 2019 Constitution Protection Report, the “Gray Wolves” movement was defined as “the propaganda tool of nationalist far-right views”.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 12.11.2020

In his speech on the 65th anniversary of the German army Bundeswehr, German President Steinmeier stated that religious officials should be appointed to provide moral support to Muslim soldiers, such as the practice launched for Jewish soldiers.

– PROHIBITION OF RACISM AND DISCRIMINATION 11.11.2020

Some police officers interviewed within the scope of a study carried out by the Ruhr University in Bochum stated that some of their colleagues targeted Turks in a planned way by using even simple mistakes such as “forgetting the turn signal” as an excuse in daily traffic patrols. According to the results of the study, 62 percent of people of color and 42 percent of other immigrants stated that they felt that the police used violence due to discrimination, while this rate was 31 percent for non- immigrants.

– PROHIBITION OF RACISM AND DISCRIMINATION 12.11.2020

Cemal Bozođlu, from the Green Party, criticized the government’s proposal to revoke the protection order in the cases related to the NSU murders in Bavaria and stated that the public conscience regarding this case has not yet been relieved, and that more than two thousand signatures were collected with a request to establish a second investigation commission to investigate the undisclosed links of the NSU terrorist organization. The Bavarian State Ministry of the Interior is expected to respond to 3 motions containing 72 questions they submitted as the Bavarian State Green Parliament Group to enlighten the file.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 12.11.2020

In Germany, the Federal Prosecutor’s Office announced that a lawsuit was filed against Werner S. and his organization (Gruppe S.), which raided mosques in Germany and planned a terrorist attack against immigrants, and that 11 people would appear before a judge for membership to a terrorist organization and one person for supporting a terrorist organization. It was stated that the terrorist organization aimed to drag the country into chaos with actions that would disrupt Germany’s public order, including assassinations of politicians. The organization was destroyed before it could act, thanks to a police informant infiltrating the organization.

+ CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 16.11.2020

In Mannheim Yavuz Sultan Selim Mosque, the police, who came to the mosque immediately after the notification letter that there were two bombs in the mosque, cordoned off the mosque and its surroundings and started a search in the mosque. It was highly appreciated that the police wore leather protectors on the feet of bomb searching police dogs, and that the police entered the mosque after wearing overshoes on their shoes, not to step on mosque rugs. However, this notice to the mosque is the third bomb notice.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 16.11.2020

The phones of 31 police officers working in the city of Mülheim were confiscated for racist sharing in the chat group and an investigation was initiated. While it was determined that Nazi symbols were loaded on the phones examined and the Horst Wessel Anthem , known as Hitler's anthem on a phone, North Rhine Westphalia Minister of the Interior Herbert Reul announced that 151 security workers were examined with the suspicion of far right tendencies.

- RIGHT TO AN EFFECTIVE LEGAL WAY 17.11.2020

Thirty years after the fire in an apartment in Kempten on November 17, 1990, in which a five-year-old Turkish child died and other family members were seriously injured, it was determined that the confession letters written by the far-rightists were not taken into consideration, and police insisted on the claim that the outbreak of fire was because of anger and vengeance arising from a dispute on the use of the ground floor, and that the investigation, which lasted for about two years, was left inconclusive. In addition to the resumed investigation, the Green Party Group in the Bavarian state parliament also raised a parliamentary question to the state Ministry of the Interior as to whether a general review of the arson attacks of the 1990s, in which inexplicable and far-right and racist motives were possibly ignored , was planned.

+ RESPECT FOR PRIVATE AND FAMILY LIFE 17.11.2020

The Düsseldorf Administrative Court ruled that people could not be removed from their homes at midnight for the purpose of deportation, after the police raided a house at 04:30 am for deportation on the instructions of the Duisburg Immigration Office. It was stated in the decision that this process can be done only during daytime, except between 21.00 and 06.00, except for exceptions such as resisting the police, and that these hours, which are accepted as night, are considered as "bedtime".

- THE RIGHT TO LIBERTY AND SECURITY 17.11.2020

In the state of Hannover, six of the nine investigation regarding death threat letters sent in the summer to Turkish associations, mosques, businessmen and shopkeepers were stopped because results couldn't be obtained.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 18.11.2020

Mecklenburg-Vorpommern State Minister of Internal Affairs, Lorenz Caffier , who served as state minister for the longest time in Germany (14 years) , resigned after it was revealed that he had bought a weapon from a person with far-right connections . Caffier stated that he was wrong in his resignation speech, announced on the ministry's social media account, and apologized.

- PROHIBITION OF RACISM AND DISCRIMINATION 18 .11.2020

In the interview of the Green Party politician Memet Kılıç, who is also the President of the Union of Foreign Assemblies of Germany, caused reactions for his generalizing justification on the proposal entitled "Zero tolerance against Islamist threats" offered by the Green party to the federal council with the words "The parties had to take the brakes when the Muslims did not do what is necessary in the face of the Islamist threat."

- FREEDOM OF MEETING AND ASSOCIATION 18.11.2020

In Germany, a joint proposal by the Christian Democratic Union (CDU), the Christian Social Union (CSU) and the Social Democratic Party (SPD) and the opposition Free Democratic Party (FDP) and the Greens to ban the Idealistic Movement (Ülkücüler Hareketi) has been accepted by majority of votes in the German Bundestag. After the proposal titled "We challenge nationalism and racism - We must repel the influence of the Idealistic Movement" was accepted in the parliament, the German Ministry of the Interior will examine the associations and structures affiliated to the Idealist Movement in Germany and decide whether they can be banned or not.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 19.11.2020

The Magdeburg Prosecutor's Office seized the mobile phones of around 50 police officers, after the anonymous notification of the sharing of far-right content in the groups in a chat application reached the Ministry of Internal Affairs of the State of Saxony- Anhalt .

+ RIGHT TO CITIZENSHIP 24.11.2020

German Harmonization Foundation Director Gonca Türkeli- Dehnert , Vice President of the Federal Political Center Cemile Giousouf , Director of the Allianz Culture Foundation Esra Küçük and the Greens Party former Deputy of the Federal Assembly Özcan Mutlu, were elected as a member of the UNESCO Germany National Committee led by Prof. Dr. Maria Böhmer, former Federal Minister of Integration.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

25.11.2020

The application of a Muslim woman, who applied for a passport after she became a German citizen, was rejected on the grounds that she presented a photograph with a headscarf, and the woman was asked to submit a document regarding her religious affiliation in order to accept the photograph. Upon the application of the Muslim woman to the Federal Anti-Discrimination Office (ADS), the ADS ruled that there would be no need to prove the person's statement for religious affiliation, therefore the request was unlawful, and her passport was prepared after apologizing to the woman.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 25.11.2020

At the 3rd meeting of the Government Commission for Combating the Far Right and Racism on November 25, 2020, an action plan of 89 points was adopted to combat the far right and the allocation of more than 1 billion Euros for projects to be implemented between 2021-2024 was envisaged. The action package, which includes the removal of the expression "race" from the constitution, must be approved by the Federal Government as a whole in order for it to come into force.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 25.11.2020

At the Bremen fire department, after a firefighter reported on racism in the agency, the state council's Internal Affairs Committee brought Senator Ulrich Maeurer to power. The organization also appointed a special investigator to carry out the disciplinary investigation, and it was stated that the fire brigade would be cleared from the far rightists. Spokesperson of the Commission and Deputy of the Green Party in the state, Mustafa Kemal Öztürk, stated that the city of Bremen is known for its support for the fight against racism and that fascism will not be tolerated in the city. Öztürk stated that racist firefighters deliberately delaying while going to save lives, even thinking about killing a female employee by excluding her, and greeting each other with a Nazi salute every morning are not acceptable behaviors.

+ RIGHT TO CITIZENSHIP 25.11.2020

Erkan Zorlu, the head of the Greens Troisdorf Organization in Troisdorf, North Rhine-Westphalia, who was born in Troisdorf, became the first Turkish politician to be elected as vice president by the city's city council. Zorlu, who was elected as deputy mayor with the votes of the Greens, SPD, FDP, Left Party and Faction group, stated that the municipal council gave an important message with this election at a time when racism and xenophobia were on the rise.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 30.11.2020

An investigation was launched against 26 soldiers, most of whom were on duty in the military garrison in the city of Neu am R benberge in the state of Lower Saxony, for allegedly sharing in far-right conversation groups.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 01.12.2020

It has been announced by the Federal Ministry of the Interior that the activities of the far-right group called "Wolfsbrigade 44" or " Sturmbrigade 44" were banned. In the states of Hessen, Meclenburg-Vorpommern and North Rhine- Westphalia, the homes of 13 members of the group were searched, seizing the group's assets and far-right propaganda material. It has been stated that the group, estimated to be active since 2016, is in a hierarchical organization, and its members act within a certain distribution of tasks and strict rules of behavior. The Ministry of the Interior also banned the activities of two far-right groups called "Combat 18" and " Nordadler " in 2020.

+ COMBATING RACISM AND DISCRIMINATION 02.12.2020

An investigation was launched against 8 military members, including the department manager, who were working at the procurement office in Ulm on suspicion of being members of the far-right Imperial Citizens group. Noting that the suspects were members of the hunting and shooting clubs, they used weapons and that they had guns in their homes, security officials emphasized that the situation was worrisome, while Minister of Defence Annegret Kramp Karrenbauer said, "We will not leave even the smallest area for the enemies of the constitution in the army".

- RIGHT TO LIBERTY AND SECURITY 06.12.2020

It has been stated that in the ongoing investigation regarding the NSU 2.0 signed letters sent to lawyer Seda Basay Yildiz, comedian Idil Baydar and Left Party Hessen Deputy Janine Wisse, perpetrators are still not caught. In their statement to the press, the three victims criticized that they have read the information that their personal information was accessed from the police station from media sources, that they were not contacted adequately, the issue was not on the agenda of the Parliament, and deviancies like the Frankfurt police again investigating the Frankfurt police have happened.

+ RIGHT TO EDUCATION 07.12.2020

According to the Education Report of the Federal Government, while the proportion of educated immigrants has increased significantly in recent years, there is no difference left between the ages of 16 and 19 between immigrant students and German students. According to the PISA research, the reading skill is ahead of the Germans in immigrant students, while the difference in science and mathematics is closing day by day according to the TIMSS research.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 11.12.2020

Neo-Nazi Fabian D. (23), who lives in Cham, Bavaria, was sentenced to two years in prison by the Nuremberg Fürth State Court for publishing an attack plan against Muslims and Jews on the Internet as a member of the racist group "Feuerkrieg Division" established in 2019. With this decision, Neo-Nazi Fabian D. became the first person to be tried and convicted in Germany as a member of a racist group.

- RIGHT TO AN EFFECTIVE REMEDY AND TO A FAIR TRIAL 21.12.2020

Right-wing terrorist Stephan B. wanted to attack the synagogue in the city with the weapons he loaded into his car on October 9, 2019 and to broadcast live with the camera on his forehead, but because the synagogue garden was locked, he first murdered a woman passing by, then opened fire to the residents of a Turkish restaurant killing a disabled customer who could not escape to the back like other customers. The accused who killed 2 people in the attack, that was described as racist and antisemitic, and who was deemed to have attempted to kill 51 people, was sentenced to aggravated life imprisonment. Restaurant owner İsmail T., whose testimony was heard that the attacker also targeted him, said. On the other hand, he was not found guilty of attempted murder on İsmet T. because the testimony of the restaurant owner was not considered sufficient and it was accepted that the attacker targeted the police, not the defendant İsmet T.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 23.12.2020

The attorney general's office announced on social media that two suspects were arrested in the Neukölln district of Berlin, that have connections with numerous far-right attacks, including arson and threats, in particularly between 2016 and 2018. On the other hand, the series of attacks also triggered a political debate. In his statement the Berlin Interior Senator Andreas Geisel said in September 2020 "There are also failures and setbacks in the investigation, the victims were not warned by the Federal Office for the Protection of the Constitution and the police against suspected Neo-Nazis.". The Berlin Police Chief also admitted that the police were inadequate. Despite years of investigations, an investigation team was established in the spring of 2019, after the Berlin police failed to catch any perpetrators, to re-investigate at least 72 acts, especially between 2016 and 2018, such as arson and threats, to review the entire investigation and identify possible mistakes by the police two special inspectors were appointed, it was finally possible for the two suspects to be arrested.

- PROHIBITION OF RACISM AND DISCRIMINATION 29.12.2020

Five officers and a retired police officer on duty at the Osnabrück Police Department of the Lower Saxony state were found to have posted hundreds of photos and videos containing extreme right-wing content, Nazi symbols, and xenophobia in chat applications. While the four civil servants were suspended as part of the investigation, Lower Saxony Interior Minister Boris Pistorius said in his assessment of the issue, "If the charges against the officers are proven, we will call them to account harshly and with all our determination. The extreme right-wing officers have no place in the police force."

- PROHIBITION OF RACISM AND DISCRIMINATION 30.12.2020

In the response given by the Federal Government to the written question of the Left Party, it was stated that the traces of 475 far-right people who were convicted or warranted were lost, and 58 far-right people were thought to be in the neighboring countries of Germany. Of those who disappeared, there are arrest warrants for acts of terrorism and violence for 125 of them, and for political crimes 109 for them. In previous years, the government announced the number of missing Neo-Nazis as 253. According to the statements of the Federal Office for the Protection of the Constitution, which is responsible for internal intelligence, the far right has recorded a record rise in recent years. Far-right crimes, which were detected as 19 thousand 409 thousand in 2018, increased by 9.7 percent in 2019 and reached 21 thousand 290. In addition, according to the organization, the number of right-wing extremists is 32 thousand, of which at least 13 thousand are "prone to violence and are dangerous". The term "dangerous" is used for people who are capable of committing serious crimes of violence, up to a terrorist attack, for political reasons.

FRANCE



– PROHIBITION OF RACISM AND DISCRIMINATION 18.01.2020

A young high school student named Mila replied "I hate religion. The Quran is a religion of hate" to a user who criticized her about his sexual orientation in his live broadcast on social media. Upon this statement, Mila, who received reactions and threats, had to change her school. While an investigation was launched for the threats against the young girl, to whom the politicians expressed their support, the hate speech she carried out was not the subject of any investigation. Insulting religion and religious symbols in France are in the scope of freedom of expression.

– FREEDOM OF EXPRESSION AND INFORMATION 22.01.2020

The application of Murat B., who has been living in France for 43 years, for citizenship, was rejected on the grounds that he was an " Erdogan sympathizer".

– RIGHT TO LIFE 25.01.2020

A 23-year-old Turkish teenager, who was detained in France, was found hanging in prison.

– FREEDOM OF EXPRESSION AND INFORMATION 02.02.2020

The citizenship application of Şerife B., who also lived in France for many years, was rejected on the grounds of her husband Murat B.'s political commitment to Turkey.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 19.02.2020

While French banks did not allow the mosque associations affiliated with the Religious Affairs Turkish-Islamic Union to open bank accounts, the bank accounts of the Paris and Bordeaux Religious Services Attachés were also closed.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 19.02.2020

French Minister of the Interior Christophe Castaner stated that Turkey, Morocco and Algeria were given information that imams can't come from abroad into the country as of 2024.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 26.03.2020

Recitation of adhan in the public sphere is normally prohibited in France, but during the Covid-19 process, in order to boost morale for the Muslim community, the Lyon Grand Mosque and later, in Marseille and Strasbourg , it was allowed to recite adhan only for once.

- EQUALITY BEFORE THE LAW 0 8.05.2020

Muslim places of worship were not included in the French Prime Minister Philippe's decision to re-open places of worship for Christians and Jews, which were closed after the coronavirus restrictions.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 13.05.2020

The "Law Against Hate on the Internet" has been adopted in France. With this regulation, it is aimed to prevent hate crimes committed over social media and internet. In addition to removing the detected content within 24 hours, it is also envisaged that the perpetrators will be punished.

- PROHIBITION OF RACISM AND DISCRIMINATION 18.06.2020

Regarding the "Law Against Hate on the Internet", the French Constitutional Council has decided that the law is violating the freedom of expression in a unnecessary, inappropriate and unproportionate manner on the grounds that it has given social media platforms the responsibility of analyzing content in a very short period of time, and that those platforms who are avoiding risk will be removing the marked content without distinguishing them.

- FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 08.07.2020

Lawyers were found wrong in the Douai Court in Lille, France, against the Lille Bar Association 's ban on the use of headscarves and religious symbols during the hearing. In the court decision, it stated that lawyers should do their job regardless of any political opinion or belief, and therefore they all wear a uniform gown.

- FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 02.10.2020

Emmanuel Macron who has spoken about "Fight against separatism and communitarianism", in the press conference entitled "Republic in Action (Running)" in the city of Les Murea, despite not including any other religious group, stressed that the intention of the "Fight Against Separatism and Communitarianism Law", which is in preparation, is not to "label all Muslims".

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 04.10.2020

A dozen fully equipped police officers raided on suspicion of "Islamism and Communalism" on the school building of the "Foi et Pratique" association, which is located in the 11th district of Paris, but only detected some deficiencies in the fire system of the school building and action was taken regarding that. While the raid was carried out on Saturday-Sunday during the course hours of students, nothing related to the suspicion was found and it drew reactions due to the predominant ethnic profiling.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 08.10.2020

Fully equipped police raided a school belonging to a Muslim association in the Seine Saint Denis district of Paris, where a large number of Muslims live , during daytime while parents and students were present, and a person who recorded the raid while passing through the street was detained.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 08.10.2020

Funeral procedures were disrupted due to a police raid on a Muslim funeral agency with a large number of fully equipped police; families waiting were left in a difficult situation. There were no arrests as a result of the raid.

– FREEDOM OF EXPRESSION AND INFORMATION 19.10.2020

In a statement on his own page, the French Minister of the Interior announced that 80 Muslim social media users were investigated, and 51 associations were reported to the prosecutor's office on the grounds that they "radicalized" or "incited Muslims to commit crimes".

– THOUGHT, CONSCIENCE AND FREEDOM OF RELIGION 23 .10.2020

A law proposal for imprisonment for sermons according to a certain ideology made by religious communities was prepared. While the phrase "destructive and provocative sermon" is defined in the proposal as "all kinds of sermons involving the interpretation of Republic values, principles or a religious text according to a certain ideology through prayer, teaching, spreading or propaganda"; It is foreseen that the preaching of this nature to be punished with one year in prison and 15 thousand euros of administrative fine. The repetition of offenses, sharing through social media, use of the authority or in case the preached victim has weaknesses such as age or mental state etc. is to be granted 3 years of imprisonment and an administrative fine of 30 thousand Euros. The proposal also includes the recognition of the perpetrators of the crime as "war power and militia" according to the National Security Law. Whether the sermon given conforms to the republican values is at the discretion of the administration. On the other hand, the sharing of all religious messages via social media will become traceable.

– FREEDOM OF EXPRESSION AND INFORMATION 24 .10.2020

A draft law has been prepared on the imposition of a prison sentence and a fine if a record is taken to reveal the face and identity of a police officer while on duty. The highly controversial article 24 of the bill prepared by the French government prohibits the recording of any record that would reveal the face or identity of a police officer while on duty, and stipulates a one-year prison sentence and an administrative fine of 45,000 euros for those who recorded. If the proposal becomes a law, recording of human rights violations in police interventions will become a crime.

– CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 26.10.2020

Journalist Elizabeth L. stated that she expected Muslims in the country to mourn for Samuel Paty for a week and remove her headscarf while doing so.

– RIGHT TO EDUCATION 30.10.2020

The French Senate requested that the statement "Academic freedoms are used with respect to the values of the Republic" should be added to the draft Law on Education submitted by the relevant ministry. A 14-person "reconciliation" commission will work on this request and text, which brings many reactions and questions such as whether academic freedom in the public has been hit and whether students with headscarves will be able to continue their bachelor and doctoral studies in this case.

– CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 31 .10.2020

French Minister of the Interior Gerald Darmanin, stated that in the scope of anti-discrimination law, those who refuse a doctor or teacher of the opposite sex can be sentenced to imprisonment of up to 5 years and a fine of 75 thousand euros on grounds of discrimination. On the other hand, Ministry of the Interior defining the patient's preference for a fellow doctor as a discrimination case is criticized for conflicting with the provision stated in the France Ministry of Health website expressed as "Laws give every patient the right to freely choose their doctor."

– PRESUMPTION OF INNOCENCE AND RIGHT OF DEFENSE 04.11.2020

Ahmet Ç's name, whose trial continues with the allegation that he committed the crime of "inciting the public to hate" since August is also mentioned in; The "Decision on the Abolition of the Gray Wolves", published on November 4, 2020. While the decision involves the dissolution of a group that does not exist legally; A statement was included that will directly affect the ongoing judicial process and violate the presumption of innocence, claiming Ahmet Ç. as the leader of this so-called formation, and claiming that he led the protests since 2016, and finally targeted the Armenian community.

– FREEDOM OF ASSEMBLY AND OF ASSOCIATION 04.11.2020

The “Gray Wolves” movement was abolished with the instruction of the President and the decision of the Council of Ministers on the grounds of inciting discrimination and hatred and involvement in acts of violence. Termination involves the dissolution of a group that does not exist legally. As such, the Decree did not actually establish a “legal” transaction. Gray Wolves do not have the status of a legal entity established on any legal basis in France. This decree, which involves the dissolution of a structure that does not exist legally, has been widely debated in the international public. As a matter of fact, even Le Pen, the leader of the far-right FN Party, criticized the issue by asking the question “How did you dissolve a structure that does not exist legally?” on his social media account.

– FREEDOM OF TRAVEL AND RESIDENCE 19.11.2020

Gilles Platret, the spokesperson of the Republican Party in France, stated that action will be carried out to make the residence permit difficult.

– FREEDOM OF EXPRESSION AND INFORMATION 21.11.2020

“The Crime of Preventing the Freedom of Teaching” Law Proposal, submitted with the joint signature of the 53 Senators, after the murder of teacher Samuel Paty includes the request to restrict the freedom of teaching and to deem any attack on educators as a crime and to include an article on the subject in the Criminal Code. According to the proposal, any attempt to prevent or to prevent the freedom of teaching by coercion, threat, insult or intimidation will be punished with a one-year imprisonment and an administrative fine of 15,000 Euros. Criticisms are expressed that the penalty in the draft may lead to the parents' inability to make any objections regarding the topics covered in the lessons.

+ RIGHT TO CITIZENSHIP 25.11.2020

It was decided to facilitate the transition to French citizenship for foreigners working in jobs that are determined as needed by the Ministry of the Interior between 24 March and 10 July 2020 in France. The decision includes cleaning work, care services, education sector, transportation, security service, agriculture, postal services, food sector, home and family-child care, funeral services, health, medical and paramedical industry employees.

- RIGHT TO AN EFFECTIVE LEGAL WAY 26.11.2020

On December 9, 2019, in a protest demonstration on pension reform, the AA Paris Photojournalist Mustafa Y. has been injured in the eye by the intervention of the police and despite the fact that he had a report of incapacity to work for 100 days and that there are video records capturing the event, Paris Prosecutor's Office has decided not to prosecute the incident.

- FREEDOM OF ASSEMBLY AND OF ASSOCIATION 02.12.2020

Although the French non-governmental organization, the Union Against Islamophobia (CCIF), dissolved itself on 27 November 2020 due to pressure, it was closed by a Cabinet Decree. The decision to close the CCIF included the rationale for radicalization and raising Islamophobia without providing concrete evidence. The establishment has declared the termination of itself before the decision, therefore a formation that does not exist legally has been dissolved.

- RIGHT TO AN EFFECTIVE LEGAL WAY 0 2.12.2020

Two Turks, who were battered on their way to work by the Armenian group that closed the highway in Lyon on 28 October 2020 and had reports of battering, were summoned as suspects and started to be tried without arrest, with the condition of judicial control and a ban on going abroad.

- PRESUMPTION OF INNOCENCE AND RIGHT OF DEFENSE 10.12.2020

It was reported in the media that a bill proposed by Republican Party Vice President Guillaume to admit radicalized Muslims to "administrative detention camps" was submitted to parliament in November.

+ CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 11.12.2020

In 2015, the French Council examined the Chalon Sur Saone Municipality's decision to abolish the alternative menu application on days where pork was served in the cafeterias of its own public schools and decided that alternative menus were not against the principle of "secularism". In the decision, while expressing that no municipality has an obligation to introduce alternative menus, the expression "there is neither an obligation nor a violation of secularism" was used. With this decision, the municipalities were not obliged to offer alternatives, but the removal of existing alternatives on the grounds that they were against secularism was found unlawful. The decision concerns Muslims who consume certain products as well as the Jewish community, vegans and vegetarians.

CLOSE-UP

The Detention of 4 10-Year-Old Children in Albertville City

The most striking thing that happened in France during 2020 was undoubtedly the detention of 4 10-year-old children in Albertville.

First the French President Emmanuel Macron's press conference on October 2,2020 about "Combating Islamism" and then the murder of the schoolteacher Samuel Paty, on October 16,2020 in Conflans-Sainte-Honorine, pressure increased on Muslims, their schools and NGOs. The education which was suspended after the incident, started again on Monday November 2, throughout France and as a result of the incident, the French Government announced that the themes of "freedom of expression" and "freedom to teach" will be covered in schools throughout November, and within this scope, these cartoons are expected to be shown in classes.

In scope of these developments, in the city of Alberville 4 elementary school students in the age of 10, 3 of whom are Turkish and one of them Moor, answering the question of their teacher "What do you think about Samuel Paty's death?" as "I don't find it right for him to show the caricatures.", were found to be in a "frivolous approach" according the teacher, as well as leading the teacher, who was also the principal, to report the children to the police after the lesson. At around 07:00 on Thursday, November 5, Albertville police raided the homes of 4 children with 10 fully equipped police officers, awakened the children from their sleep and searched their rooms, then took their parents and children to the police station separately.

The 2 children were taken to the Albertville police station and the other 2 to the nearby Chambéry police station. Chambéry police questioned the children and their families, despite the officials being told that according to the testimony of the witnesses the procedure was not proper. The families of three Turkish children, one girl and two boys, confirmed that there were pedagogues in the detention process, but stated that the children were taken to the center separately from their families and the use of a disproportionate police force during the raid process created trauma for the children.

In both police stations, children were "detained" and questioned separately from their parents. While this process lasted 11 hours, parents were also questioned separately and have been exposed to irrelevant and provocative questions such as; " Do you worship?", "Do you pray?", "What do you think about the tension between Macron and Erdogan?"

At the end of 11 hours after releasing the families, they have not been given any report or record regarding the situation. While the state did not provide any psychological

and legal support to the families and children after the incident, the process was left without a follow-up. The families stated that their children were seriously affected by the incident, they did not want to go to school and that they would request a change of school with a report to be taken after being examined by a psychologist.

In the face of this incident the deepening of social segregation is revealed, by looking at the size of the mass which continues to hate speech because the children are Muslims, although there are many groups of people from different religions who share their concerns for "human rights" and "children's rights" of 4 10-year-old children who could not be suspected of fleeing or obfuscating evidence, who got taken early in the morning and detained for 11 hours.



View of one of the children's room after a search
by the police.
Anadolu Agency

NETHERLANDS



- FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 10.02.2020

As a result of the proposal submitted by the Socialist Party (SP) and the State Reform Party (SGP) in the Netherlands, a parliamentary investigation was carried out against mosques by a commission established within the parliament on "unwanted foreign financing" between 10-20 February 2020. In the parliamentary investigation conducted against mosque organizations that receive funding from countries defined as "non-free countries", a total of 8 mosque representatives, including the Netherlands Religious Foundation, answered the questions asked by the commission members about whether foreign financing caused objectionable activities in their associations. In the Dutch political system, this method of investigation, which the invited people have to attend and testify under oath, is seen as one of the heaviest methods the parliament has in its mandate to oversee the government. The fact, that the expression "unwanted foreign financing" does not have a basis in the criminal law and is a political concept, has been criticized by some lawyers in the Netherlands, and the investigation targeting only mosques was considered as discrimination.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 19.02.2020

The 33-year-old suspect threatening massacres against Muslims with the message "I will do the same tomorrow. I will buy a gun to kill the damned Muslims" following the mosque attack in Christchurch, New Zealand on March 15, 2019, via social media in the town of Marknesse was caught upon his mother's notice and was sentenced to 90 days in prison for "terrorist threat attempt".

- PROHIBITION OFF RACISM AND DISCRIMINATION 02.04.2020

According to the research published by the Netherlands Social Cultural Planning Bureau (SCP) in 2020, 69 percent of Muslims in the last 12 months stated that they were probably exposed to discrimination based on religion, and 55 percent definitely. According to the research, 71 percent of Turks in the Netherlands have probably been discriminated against, and 57 percent definitely. 59 percent of Turks stated that they were subjected to discrimination in education, 51 percent in the labor market, 59 percent in the workplace, 41 percent in public institutions, and 38 percent in the public sphere.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 03.04.2020

During the Covid-19 process, in order to boost morale to the Muslim community in the Netherlands, adhan was called loudly in many mosques to be heard from the outside. Call to worship is a right protected in the Dutch Constitution within the framework of freedom of religion. In this context, in order to boost the morale of the society during the Covid-19 process, adhan was read louder than usual in 40 mosques throughout the country, especially in Amsterdam, Haarlem, Hilversum, Zaandam, Alkmaar and Hoorn.

– EU LAW 01.05.2020

Despite the decision on August 16, 2011 to exempt all Turkish citizens from language and integration tests in accordance with the Ankara Agreement provisions by the Netherlands Supreme Administrative Court, when the integration law comes into force, a language and adaptation test will be implemented on all Turkish citizens coming to the Netherlands on grounds that some part of people of Turkish origin have not been sufficiently in compliance with Netherlands.

– EQUALITY BEFORE THE LAW 11.05.2020

It turned out that the Dutch Tax Authority (De Belastingdienst), between 2012 and 2015, more strictly inspected those with second citizenship in its controls on income tax payments. The tax office, which had to admit this after investigations by major media outlets, admitted that between 2012 and 2015 they subjected approximately 11,000 people to more strict control than those of Dutch nationals alone. As a result of the parliamentary investigation carried out on the subject in November 2020, the Dutch government had to resign in January 2021.

– PROHIBITION OF RACISM AND DISCRIMINATION 12.05.2020

The negative text written about Islam and marriage among Muslims in the educational content prepared by Noordhoff Publishing for citizenship education, which is widely used in the Dutch education system, caused a reaction in the Muslim community. Thereupon, Enes Yiğit, member of the municipal council of DENK party, objected to the situation by sending an e-mail to the publishing house. In its reply, the publisher stated that they did not intend to offend the Muslims and apologized. The publisher has stated that it has removed the book from direct sale and will review the curriculum again.

– RIGHT TO EDUCATION 09.06.2020

In the research carried out by the Municipality of Utrecht, it has been revealed that the primary schools in Utrecht violated the law regarding the enrollment of children in school. According to the law, it is forbidden for families to enroll their children in primary school before the age of 3. However, in practice, it was learned that schools do not take into account the age limit of 3, especially for Dutch families who live in wealthy districts of Utrecht and have a high level of education, and register their children earlier. For this reason, segregation in education is increasing and especially children of Turkish and Moroccan origin attend "black" schools because there is no place left in the "white" schools in the Netherlands. Black schools, as reflected in the literature, is an adjective used for schools with a high population of immigrants and lower overall achievement.

– FREEDOM OF ASSEMBLY AND OF ASSOCIATION 19.06.2020

As a result of the debates in the Dutch House of Representatives, the Netherlands has given the Ministry of Social Affairs and Employment instructions to start an investigation against 9 non-governmental organizations which are taking financial aid from Turkey with the goal of giving children of Turkish origin Turkish language education, to find out if they are conducting objectionable activities. The report of the investigation, which was commissioned by a private research bureau, without being based on any legislation regarding the criminal law or civil society, was published on 19 June 2020. In the report, it was stated that no educational content against democracy, contradicting or separating with the constitutional order was encountered in these weekend schools. In the study, it was also stated that Turkish lessons were requested by the parents due to its positive effects on children; according to parents the lessons improve children's language skills, contribute to the formation of identity, increase social participation and educational achievements, and have an important social function.

– PROHIBITION OF RACISM AND DISCRIMINATION 25.06.2020

The Dutch Police did not share crime statistics on Muslim discrimination in its latest report. The non-governmental organization the Union Against Islamophobia and Discrimination (CTID), which fights against Islamophobia and discrimination, negatively assessed the fact that despite worrying developments regarding Muslim discrimination, cases related to it are no longer recorded by the police. In a letter sent to political parties in the House of Representatives, CTID requested that the police to record Muslim discrimination again.

– FREEDOM OF ASSEMBLY AND OF ASSOCIATION 13.10.2020

Among the draft laws included in the final report of the parliamentary investigation against mosques; There is also a draft law to regulate article 2:20 of the Civil Law so that anti-democratic and extremist associations can be closed more easily by the Office of the Attorney General. The related bill, presented by the government, was adopted by the House of Representatives on 13 October 2020. The draft law is at the Senate stage and is expected to be voted in 2021. According to the regulation to be made, if not only the activity itself but also the objectives pose a threat to the public order, the legal entity is required to be banned and it is foreseen that criminal sanctions will be imposed not only on the association but also on the persons involved in the association's management.

+ PROHIBITION OF RACISM AND DISCRIMINATION 02.11.2020

DENK Party Deputy Farid Azarkan stated that the discrimination against Muslims is at a serious level and laid an initiative note (initiatiefnota) on to the agenda of the House of Representatives on the need to combat discrimination against Muslims more effectively in the fields of education, youth, security, state policies and internet.

+ PROHIBITION OF RACISM AND DISCRIMINATION 11.11.2020

Netherlands Ministry of Social Affairs and Employment, in its official statement shared with the House of Representatives; Based on the request stated in a motion dated March 13, 2019, he met with Muslim communities within the scope of combating Muslim discrimination, in the interviews it has been stated that Muslims experience discrimination especially in the labor market and education, the rate of criminal complaints among those who experience discrimination is low, and the negative reflection of Muslims on media affect them negatively in their daily lifes, that issues such as the increase in discrimination cases against women wearing headscarves and lack of sufficient awareness of Muslim discrimination in the society came up. The Ministry announced that they will seek opportunities to combat Muslim discrimination in different fields.

- FREEDOM OF ASSEMBLY AND OF ASSOCIATION 12.11.2020

At the session of the Dutch House of Representatives on 12 November 2020, in a motion offered by four political parties, namely the People's Party for Freedom and Democracy (VVD), the Christian Democratic Party (CDA), Democrats 66 (D66) and the Socialist Party (SP); In order to prohibit the Gray Wolves (Grijze Wolven), who describe them as an extreme right-wing and nationalist movement, causing serious tensions in the Netherlands and separating the society, it was asked to investigate the legal possibilities of cooperation with other European countries. The motion was adopted by other blogs in parliament, with the exception of the DENK party. In the Dutch political system, the "motions" may be part of an incentive for the government to take any further step forward, without making any other decision. The starting point of the motion in question is the decision taken in France to ban Gray Wolves.

- PROHIBITION OF RACISM AND DISCRIMINATION 13.11.2020

In a jointly prepared textbook by the Dutch Tax and Customs Administration and the STC MBO College of shipping and transportation, which is on a vocational school level, a divided map of Turkey has been included. While borderlines of all the countries on the map have been depicted according to international law, Turkey's borders have been divided by giving them to Kurdistan and Armenia. DENK deputy Tunahan Kuzu shared the map on his social media accounts criticizing it with the words "See how big the hatred has become towards Turks and Turkey in Dutch schools". After the objection of the DENK Party to the school, STC MBO College stated in a written statement to the public that a "wrong" map was used, but this was not intentional and that the book in question would be confiscated.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 20.11.2020

Farid Azarkan, MP from DENK party, tabled a motion with the words "Islam is part of the Netherlands and Muslims are citizens of the Netherlands," that was accepted by the House of Representatives with 123 affirmative votes of 150.

- FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 23.11.2020

As a result of the parliamentary investigation against mosques, the government brought to the agenda the draft law requiring bequest receiving associations to provide mandatory information to the country authorities in case of a request for information. Within this framework, it is envisaged that non-governmental organizations should fulfill the information request of the mayors or the Chief Prosecutor's Office regarding donations they receive from outside the EU, and associations managers that refuse to provide the requested information will be banned from being in the management of the association for up to five years by court decision. The aforementioned information request can be made by the relevant authorities in order to "protect the public order". Information will be shared with at least nine public institutions including the police, intelligence agency and tax office if deemed necessary. In addition, it is envisaged that organizations with the status of foundations will transmit their income-expenditure balance to the Chamber of Commerce every year and that this information can be examined by public institutions, police, Chief Prosecutor's Office, intelligence organizations and tax office etc.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

23.11.2020

While the building purchased by the Dutch Religious Foundation (HDV) for funeral procedures had to be turned over to HDV by Schiphol Real Estate Management (Schiphol Real Estate), Schiphol Real Estate Management refused to turn over the building to the foundation because it was the subject of the HDV's parliamentary investigation report on mosques. Upon this incident, HDV brought the situation to the court, and as a result, it was decided that Schiphol Real Estate Management had to turn over the building to the foundation, since the Netherlands Religious Foundation was established and operated in accordance with the laws of the Netherlands.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 18.12.2020

As a result of the investigations conducted by the Dutch Ministry of Primary Education, Secondary Education and Media, Education Inspectorate and research institutions, it has made an official statement that they will work on an action plan to prevent the increasing social stratification in the Dutch education system.

AUSTRIA



– PROHIBITION OF RACISM AND DISCRIMINATION 09.01.2020

In Austria, the government announced that an independent documentation center authorized by the state would be established on the grounds of taking measures against political Islam in order to prevent Muslims from radicalizing with religious motivations. In the statement, it is stated that this center will distinguish real Muslims from "radical Islamists". Ümit Vural, the President of the Islamic Belief Community (IGGIÖ) in Austria, pointed out that such a documentation center for Muslims would create an image threatening the state in Austria and incite discrimination against the Muslim identity.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 10.01.2020

Austrian Minister for Integration Susanne Raab stated that children will be protected from religious coercion by raising the ban on wearing a headscarf to the age limit of 14 within the scope of combating political Islam in Austria. According to the research published in December 2019 by Kenan Güngör, a German sociologist and political consultant of Turkish origin, Raab stated that 55 percent of Afghan youth living in Vienna see Islam above Austrian laws and 45 percent want to see an Islamic leader at the top of the state. She stated that "Political Islam" wanted to bring the Sharia and undermine the democratic system and that there was a real problem. She further stated that later the ban could be extended to include teachers too.

– PROHIBITION OF RACISM AND DISCRIMINATION 19.01.2020

After the debates on headscarf ban until the age of 14 in schools that were on the agenda in Austria, the religious neutrality of schools started to be discussed. In this context, the removal of crosses hanging in classrooms in Austria was requested by some MPs so the laws to be enacted are not discriminatory only against Muslims and if the target is to make schools neutral environments. In response to these comments, the Minister of Integration, Susanne Raab, stated that "Every girl forced to wear a headscarf means a lot of trouble for us." However, she stated that the cross is part of Austrian cultural history and therefore will not be removed from classes.

– FREEDOM OF EXPRESSION AND INFORMATION 31.01.2020

8 Turkish employees working as bus drivers in transportation services in Vienna were fired from their jobs by the company after sharing their videos on social media by making Rabia and Bozkurt signs. Investigations were opened against the drivers who not only lost their jobs but were also reported. It is also possible an investigation to be opened against those who appear in the video but do not make Rabia and Bozkurt signs and only applaud. In Austria, which banned some political symbols in 2019, those who violate this ban are fined up to 4,000 euros. In case of repetition of the violation, the fine goes up to 10,000 Euros. Within the scope of the prohibition of political symbols, it is prohibited to display the Bozkurt sign or to include excessive political content in films, theaters, and similar events.

– FREEDOM OF COMMERCIAL ACTIVITY 19.02.2020

a German-Turkish food business in the city of Wels, where Turkish products and halal meat will also be sold, was not allowed to open on the grounds that it would only appeal to the Turks. Gerhard Kroiss, Deputy Mayor of the far-right Austrian Freedom Party (FPÖ) alleged that the supermarket in question only appeals to the Turkish community and does not suit to such a sensitive place as the Wels weekly market. The Deputy Mayor also stated that they agreed with Markus F., the owner of the property where the supermarket will be opened, not to rent the place in question. Reacting to the incident, the Green Party filed a criminal complaint against the Wels Municipality due to its opposition to the "Anti-Discrimination Law", while the manager of the enterprise, Eren S., stated that politics in Wels was too involved in the local economy.

– EQUALITY BEFORE THE LAW 08.03.2020

Mert M., a football player of Turkish origin living in Austria, refused to play in the Austrian National Team and when he was transferred to Italy's Sassuolo team, the player was urgently recruited into the army. He was informed that his military service would be suspended only if he played for the Austrian National Team, otherwise he would have to enlist. The football player, who transferred from Rapid Wien to Sassuolo with a 5 million euro transfer fee, declared that he requested the suspension of his military service up to the age of 35 in accordance with the law. Currently in Italy, the footballer cannot enter Austria.

- CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 10.04.2020

Austrian Freedom Party (FPÖ) member and MP Stefan Hermann stated that Christians in the country could not celebrate Easter due to the coronavirus measures, and that the same situation should be valid for the next month of Ramadan. Stating that Muslims came together with all family members and open iftar in crowded events held in mosques, the deputy warned that this situation should be prevented by the Prime Minister and the government during the coronavirus process. He stated that it was unfair for Christians to tolerate Muslims' Ramadan celebrations. He gave statements by sharing posters on the subject through the website and social media accounts, on the posters were written "Same rights for everyone? Unable to celebrate Easter for Austrians, but mass iftar for Muslims during Ramadan? Incredibly, Muslims should also restrict their iftar activities. Sadly, our traditions are being changed. "

- FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 21.05.2020

As of January 2021, Austria plans to oblige vehicle drivers who are called by taxi and mobile applications to speak German at B1 level. In order to work in this field, a document showing B1 level or a primary and secondary education diploma from a school whose language of education is German will be required. The draft is criticized on the grounds that in Austria, especially foreigners are employed in the transportation sector, and that many people will become unemployed with this new law, even in the capital city of Vienna. After the regulation, it is stated that many companies have the risk of not finding drivers and losing their customers. On the other hand, Gökhan Keskin, President of the Transport and Traffic Division of the Vienna Chamber of Commerce, stated that he supports the issue, that the image of the transport sector will improve and every driver should be able to provide information about the journey and the city.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 02.06.2020

The European Commission against Racism and Intolerance (ECRI) of the Council of Europe pointed out that raising the headscarf ban in primary schools in Austria up to the age of 14 would result in discrimination among students, and requested the Austrian government to revise the proposal. In the report published in 2019 on the incidents of discrimination and racism in Austria, ECRI drew attention to the increasing xenophobia and Islamophobia as well as the discrimination experienced in the field of education and work in the country, stating that this leads to xenophobia in the society. The report warned that political discourses targeting Muslims and foreigners are separating and hostile, and that politicians in particular should stay away from discourses that segregate and provoke the society.

– CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 12.06.2020

Austrian Integration Minister Susanne Raab stated that the fact that 52.2 percent of the students in Vienna using languages other than German in their daily lives is causing the Austrian society not to be interactive. In his statement, Raab also used the expression that people using other languages do not belong to Austrian society.

– PROHIBITION OF RACISM AND DISCRIMINATION 16.06.2020

Austrian Freedom Party (FPÖ) Chairman Norbert Hofer said at a meeting, "I am not afraid of the Corona, I am afraid of the Quran, the Quran is more dangerous!". These words to provoke the people were brought to the court by the Vienna City Council at the initiative of the Egyptian city council member Omar Al-Rawi. The Vienna City Council filed a criminal complaint against the head of the FPÖ. Martha Bissmann, a former deputy and politician from the SÖZ Party, also reacted to the statements of the far-right leader and stated that they would file a criminal complaint against Hofer.

– PROHIBITION OF RACISM AND DISCRIMINATION 30.06.2020

Austrian state television ORF used a drawing of a Muslim woman wearing a headscarf for the depiction of a cleaning woman in the visual showing the professional groups continuing their work during the coronavirus process. Immediately after this publication of ORF, Turkish NGOs living in Austria, politicians of Turkish origin, Turkish media organizations and prominent names of the Muslim community reacted to the issue with their posts and labels on social media, and they expressed that they were uncomfortable with identifying and creating a perception in this direction. The next day, ORF apologized to the Muslim community with a post it shared on social media.

– THE RIGHT TO LIBERTY AND SECURITY 01.07.2020

Attacks were carried out against the Turks who reacted to the burning of the Turkish flag in the demonstrations held in Vienna, the capital of Austria, for 4 days, accompanied by the symbols of the PKK terrorist organization. After Ozan Ceyhun, the ambassador of Turkey in Vienna, described the members of PKK in the demonstrations as terrorists in various TV programs, upon which he was summoned by the Foreign Minister of Austria to his office and got requested not to use the expressions "supporters of terrorist organizations" while identifying the demonstrators.

– PROHIBITION OF RACISM AND DISCRIMINATION 07.07.2020

While it was announced by the Austrian Ministry of Internal Affairs that the identities of 220 Turkish people, who reacted to the burning of the Turkish flag and similar hate crimes in the demonstrations held in Vienna with the symbols of the PKK terrorist organization, were detected and that action will be taken against them, the FPÖ group head and former Interior Minister Herbert Kickl also argued that the Turks involved in the events should be dismissed from Austrian citizenship, deported and, if any, their refugee status should be dropped. Expressing that the integration of Turks into Austria in general is problematic, the far-right Austrian Freedom Party (FPÖ) made a statement that no Turkish origin should be granted Austrian citizenship. The Ministry of the Interior announced that it has given instructions to establish a special commission to clarify whether Turkey has any effect on the related events.

– CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 10.08.2020

In Austria, the Social Austria of the Future (SÖZ) Party reported that they demanded the transition of Turks and former Yugoslav immigrants from immigrant status to minority group status. The Austrian Integration Minister reacted to the matter and rejected this request and explained that the main duty of immigrants in Austria is integration and learning German. It was explained that the existing minority groups officially recognized in Austria were accepted due to the fact that they were minority groups that existed in the pre-Republic period, and it is meaningless to count those who immigrated to Austria as a minority group.

– CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 11.08.2020

The Social Austria of the Future (SÖZ) Party made a request in June 2019 to withdraw the decision to abolish the possibility of having the driving license exam in Turkish. The Austrian Integration Minister explained that this request could not be accepted on the grounds that it would harm the integration.

– PROHIBITION OF RACISM AND DISCRIMINATION 06.09.2020

Austrian Minister of Finance Gernot Blümel has been a candidate from the Austrian People's Party (ÖVP) in the Vienna state and mayoral elections. He stated that if he is elected as the mayor of Vienna, among the activities he will carry out within the scope of the election promises, he will require German language proficiency at B1 level from those who want to be tenants in the municipality's residences. The proposal of the Minister, who argued that integration can only be possible with certain rules, which is an old proposal presented by the far-right Austrian Freedom Party (FPÖ) in 2011. Throughout Austria, lower rent is required in municipal housing, and the practice is a social service for those with low income. Blümel did not win the mayor election. He continues his duty as the Minister of Finance.

- CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 10.09.2020

In the 2020 integration report published by the Austrian Ministry of Integration, it was explained that especially Turks and Muslims are experiencing adaptation problems. While the expression "Political Islam" is frequently used to explain the integration problems of Muslims in the report content, Austrian Integration Minister Susanne Raab stated in the presentation of the report, claiming that parallel societies were formed in Vienna, used the expressions: "We have seen that in the 10th region of Vienna where immigrants are concentrated; Shopping from Turkish supermarkets, sending children to Islamic nurseries, playing football at Turkish sports clubs and going to mosques on weekends is not integration! ". The minister also explained that she was uncomfortable with the massive refugee admission in Austria after 2015 and that this would not be allowed to happen again. Stating that she was uncomfortable with the spread of Chinese and Italian culture and gastronomy in Austria in the presentation of the report, the minister stated that she did not want a "Chinatown" and "Little Italy" in Austria.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 17.09.2020

Prosecuted for alleged racist, sexist and misogynistic statements in the city of Graz, the police officer was sentenced to 15 months' imprisonment and a fine of 1,260.00 Euros. During the search of the house of the police officer, who did not accept the charges of "Nazi propaganda and racism" directed against him, elements showing his admiration for Nazi leader Adolf Hitler and photographs of Hitler on his mobile phone were found. Witnesses heard at the hearing also stated that they witnessed the defendant using racist and anti-foreign rhetoric many times.

- RIGHT TO EDUCATION 29.09.2020

The rumors that hundreds of people attending the wedding were carrying coronavirus after coronavirus was detected in some guests at a Turkish wedding in the city of Schrems, Lower Austria, caused chaos in the state. Saying that all Turkish students in the city of Schrems were not admitted to schools due to the coronavirus, Stephan Bartosch, the spokesperson of the Green Party's state youth organization, stated that what was done was a racist crime. There is no official statement on the subject.

– FREEDOM OF ASSEMBLY AND OF ASSOCIATION 05.10.2020

211 organizations were examined in the audits initiated in 2019 against non-governmental organizations, mosques and kindergartens established by Turks. In the audit, it was stated that 40 percent of the organizations were found to be engaged in activities contrary to their legal statutes, and action was taken to cancel the non-profit status of these associations. In the statements, it was expressed that while the Union of Turkish-Islamic Cultural Associations in Europe Austria (ATIB) associations have been transferring money to Turkey Religious Foundation, ATIB chairman stated that the documents relating to the charges made by the Ministry of Finance has not yet been shared with them, and that they thought that the related subject was a political action made for the elections of state and municipalities of Vienna.

– RIGHT TO EDUCATION 13.10.2020

Some language education experts have initiated a petition on the internet for the closure of German classes on grounds that German classes where immigrant children are educated are not given educational materials and administrative facilities given to normal classrooms by the school administration, immigrant children studying in German classes receive a total of 20 hours of education, during this period, only German is studied and physical education lessons and social and cultural activities are not held, for this reason, the physical and personal development of children has been delayed, and children with different perception levels have to be educated together because of the lack of age discrimination in German classes.

– FREEDOM OF EXPRESSION AND INFORMATION 26.10.2020

The Austrian Ministry of Defense has dismissed the Austrian Army Imam Abdulmedzid Sijamhozic of Bosniak origin. In the statement made by the Ministry; It has been claimed that the imam has been spreading posts supporting the famous "Jihad Movement" in Bosnia over social media, and the decision taken within the scope of the fight against "Political Islam" was also discussed with the Austrian Islamic Society (IGGÖ). It was also stated that the cooperation with IGGÖ would continue and a new imam was requested to be appointed. However, İGGÖ stated that the issue and any evidential content were not shared with them by the Ministry, while İmam Abdulmedzid Sijamhozic denies the accusations.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 04.11.2020

Immediately after the terrorist attack in Vienna, in the city of Eisenstadt, Burgenland, the school director of the Eisenstadt diocese and the former deputy mayor of the Austrian People's Party (ÖVP) shared a message via social media containing the statements; "Terror in Vienna! Welcome to refugees!!!". Upon the message, the school administration terminated his job on the grounds that the principal was a bad example. While the school administration stated that tolerance and respect are taught in schools and there is no place to provoke with hatred, the far-right Austrian Freedom Party (FPÖ) organization of Burgenland state criticized the decision of the school administration.

- COMPLIANCE WITH THE LAW 09.11.2020

In simultaneous raids on 60 houses and associations in four provinces of Austria (Styria, Kärnten, Wien and Niederösterreich) between 05:00 and 08:30 in the morning, 70 people working in associations and communities were detained on suspicion of connection with terrorism. The fact that there were some academics working to combat Islamophobia among the detainees has been the subject of criticism. While these persons were released on the same day, nothing constituting a crime regarding them was detected. Among the questions directed to the persons taken into custody within the scope of the investigation, that are not considered as crimes according to international law included questions like "Do you perform your religious services at home? In your opinion, does your spouse have to wear a headscarf? Can a woman refuse to wear a headscarf? Do you have friendships with non-Muslim Austrians? How do you evaluate the women and children being waken up for the morning prayer at 04:00? After what age should children fast? ".

+ FIGHT AGAINST RACISM AND DISCRIMINATION 10.11.2020

Within the scope of the fight against the far right across Austria, special operations police raided 11 houses in 7 states. 40 people were arrested. As a result of the searches, a large number of materials and weapons with Nazi symbols were confiscated. It has been announced that the majority of racist and extremist crimes committed by individuals are committed through social media and online games. Documents, mobile phones and computers found in the homes of the arrested persons were taken into examination.

+ RIGHT TO EDUCATION 11.12.2020

The Austrian Constitutional Court ruled that the law prohibiting the use of headscarves in primary schools, which is effective since 2019, was unconstitutional. In its reasoned decision, the Constitutional Court stated that Muslim girls were subjected to discrimination with the ban and their right to access education was taken away, and this decision also excluded the plan of the government to increase the headscarf ban limit, which was included in the government program, to the age of 14, in other words, to extend the ban from primary schools to the end of secondary school.

- FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 17.12.2020

With the Anti-Terror Package created by the Austrian government for the purpose of combating terrorism, it is foreseen that changes will be made to the current Islamic Law, which will mean an intervention in the rights of the Austrian Islamic Society (IGDO), which is the institution that is responsible for all Muslims in the country and has the official representation status. In addition to auditing the financial resources and accounting records of all associations affiliated to IGGÖ, it is also expected to be obliged to keep the records of the people who hold the office of Imams throughout the country and share them with the government. According to the package, if the information requested by the government is not delivered by the associations within 6 weeks, the associations will be fined up to 72,000.00 Euros. Under the name of combating terrorism, the package containing the inspection and registration obligations for Muslim NGOs has not been negotiated with the IGGÖ, which has an official status.

- FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 22.12.2020

The Austrian police fined 100 euros for the driver who listened to the Quran while traveling in Vienna with his car. On the criminal petition the police wrote "making disturbing noise" as a reason for the punishment. The driver stated that the penalty was imposed due to the fact that the Arabic verses were heard from the outside of the vehicle at high volume.

CLOSE-UP

**PROHIBITION OF FOREIGN
FINANCING FOR MUSLIM NGOs**

CLOSE-UP

PROHIBITION OF FOREIGN FINANCING FOR MUSLIM NGOS

For the first time with the Islamic Law passed in Austria in 2015, a legal obstacle has been placed for reverends who serve abroad, in accordance with the provision that they can't receive financing for non-governmental organizations' regular expanses which are providing religious services. In the following period, these initiatives have been transported to the international platform with this practice setting an example for many EU member countries, and in 2018, with the decision of the Parliamentary Assembly of the Council of Europe dated 10 October 2018 and numbered 2237 (2018) titled "Regulating the Funding of Islam from Abroad in Europe to Prevent Radicalization and Islamophobia".

In this process, many EU countries such as Belgium, the Netherlands, Denmark, France, Germany, and especially Austria, have turned to legislative studies such as both aggravating the language requirement regarding religious officials and regulating or prohibiting associations providing religious services from receiving funding from abroad.

At this point, chaplains sent from Turkey to reverends or religious NGOs, are dealt with an wholesome understanding, together with the practices of third countries allegedly supporting Salafist movements, without taking Turkey's partnership with the EU or Turkey's candidate status into account.

Beyond this generalizing approach, it can be clearly seen from the statements of the deputies of different countries in the plenary meeting of the PACE, that the target of these activities carried out under the headline of combating terrorism is Turkish NGOs that have no relation with terrorism, rather than radical groups. The prohibitive understanding of immigrants' cultural ties with their country of origin and their religious freedoms find ground in both the country's legislation and EU texts under the justification of "restricting the exposure of unwanted foreign elements" by NGOs.

One of the most recent examples of these regulations has been the Bill to Strengthen Respect for the Principles of the Republic in France. With the regulation, it is foreseen to facilitate the closure of NGOs providing religious services and to introduce financial control. One of the important highlights in the draft is the prohibition of demand for different treatment in public services due to belief and the prohibition of pressures against this. As a matter of fact, French Interior Minister Gerald Darmanin stated in his interview on 31 October 2020 that those who refuse a doctor or teacher of the opposite sex will be sentenced to imprisonment within the scope of the anti-discrimination law of up to 5 years and 75 thousand Euros.

A few days after the terrorist attack in Austria in Vienna, on 11 November 2020, the Austrian government announced that it was drafting an omnibus law on the fight against terrorism. It was also announced in the omnibus law that "Political Islam" would be regulated as a penalty clause. However, with such a regulation, the fact that an opinion constitutes a basis for the penalty in the context of criminal law, in other words, the fact that the thought is made a crime has been the subject of serious criticism. As a result of the criticism, the law proposal, which abandoned the use of this concept, also foresees the easier closure of mosques whose radical actions were detected, recording the information of all imams working throughout the country, increasing the framework of the prohibition of religious symbols and making changes in the association law.

In the "Joint Statement" of the European Union Justice and Home Affairs Council dated 13 November 2020 on the fight against radicalism and the prevention of terrorism, issues such as transparency of NGO financing, protection from the influence of foreign elements and the training of religious officials within the EU were emphasized and the security and counter-terrorism package, and the counter-terrorism agenda in 09 December 2020 also included overseas financing and training of officials in the field.

All these developments, alongside the norms for religious and cultural rights set by international law, does not match up with the EU's fundamental values, more specifically as a part of our partnership law it violates the partnership council decision numbered 1/80 which states that member countries will cooperate with Turkey on maintaining cultural ties of Turkish workers and family members with Turkey.

On the other hand, the real problem is to make international communication and cooperation of all Muslim NGOs who have not been charged with any crime illegal, to put their freedom of donation under state control and, most importantly, to abolish the right to determine their own religious leaders. somehow striking the existence of a single religious group. Moreover, the fact that a statement such as "Enlightenment will be encouraged" can be used without hesitation in the text of the PACE and in the statements of Western politicians is a sign that the oppression against Muslims is just beginning.

BELGIUM



– FREEDOM OF EXPRESSION AND INFORMATION 18.01.2020

One of former ministers of the state of Brussels and the mayor of Saint-Josse-ten-Noode, Emir Kir, was expelled from the Socialist Party on the grounds that he met with 2 mayors of the Nationalist Movement Party from Turkey, who came on the invitation of the European Union institutions.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 27.01.2020

The Belgian government decided to start an imam training program to train imams inside Belgium with the support of the government in the Catholic University of Leuven in February, on the grounds to prevent religious officers coming from abroad, particularly Turkey and Morocco, and to 'protect Muslim communities from foreign influences' in the country.

– PRINCIPLES OF LEGALITY AND PROPORTIONALITY OF CRIMINAL OFFENCES AND PENALTIES 10.03.2020

In the city of Charleroi, Belgium, on 21 June 2015, 28-year-old Alper Top fell to the ground with a punch thrown in the face by a professional boxer while trying to separate the fight of people he did not know, his head hit the concrete floor and he died in the hospital. The Belgian court sentenced the defendant who killed Alper Top to 200 hours of work.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 30.03.2020

Belgian authorities allowed the adhan to be read from the minaret to boost morale for Muslims living in the country after the interruption of prayers in mosques due to the Corona virus, and this was the first time that the adhan was read from the mosques in the capital Brussels to be heard from outside.

– RIGHT TO EDUCATION 04.06.2020

In 2017, a group of Muslim women brought the headscarf ban of a high school in Brussels to court. The Constitutional Court of Belgium has decided that the headscarf ban is not contrary to the Constitution and the European Convention on Human Rights and paved the way for the headscarf ban in Belgium.

– PROHIBITION OF RACISM AND DISCRIMINATION 05.06.2020

"Turkey Court", which is founded in Belgium as a legal entity, although not being legally binding, is commencing operations to organize hearings to rule on human rights cases related to Turkey to create public opinion against Turkey together with some activists and academics throughout Europe.

– PROHIBITION OF RACISM AND DISCRIMINATION 03.09.2020

It has been identified that a private social media group called the Belgian Slim Blue Line (dedicated to the movie of the same name in 1988), in which around 6,700 retired and on-duty police officers are members, police is displaying racist attitude especially against young immigrants, using names such as "rats" and "vermin" for them, where violence was praised and recommendations were given on methods of violence. While emphasizing that the existence of the group or membership in the group does not contravene any law, the Belgian Federal Police Service stated that officers who made racist comments would be investigated.

– PROHIBITION OF RACISM AND DISCRIMINATION 08.09.2020

A gym in Schaerbeek has announced that any item that could be used to cover the head such as headscarf, hat, and hoodie for security reasons is prohibited. Knowing the existence of headscarves produced for sports and believing that this ban was imposed with the intention of discrimination against women wearing headscarves, Leïla M. entered the hall with a headscarf to test her thoughts, but she did not receive any warning to take it off. Leïla M. stated that this situation demonstrated that the ban was a means of discrimination against women wearing headscarves.

– RIGHT TO THE PROTECTION OF PERSONAL DATA 11.12.2020

Belgian Supreme Administrative Court ruled for the defendants who are taking social security allowance in an unfair manner, despite possessing houses and fields in Turkey, to return the allowance and dispose the social houses that they are currently living in. The court also ruled that the explicit consent of the individuals was required for the investigation of their assets abroad, but in the case in question, although consent was obtained with pressure, a decision was reached based on the results of the research only.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

17.12.2020

In the Flemish and Walloon regions of Belgium, the prohibition of slaughtering animals without anesthesia has been brought to the Constitutional Court of Belgium by Jewish and Muslim organizations. The Belgian Constitutional Court referred the case regarding the ban applied in the Flemish region to the Court of Justice of the European Union (CJEU). Prior to the announcement of the decision, the opinion of the rapporteur on the file was announced on 10 September 2020. The rapporteur expressed his opinion that the aforementioned ban was not in line with European Union law as it is. In the decision of the European Court of Justice, it was stated that the slaughter of sheep and cattle without being drugged was exceptionally allowed within the scope of respect for freedom of belief, but this did not prevent the member states from "protecting animals more comprehensively during the slaughter ritual". For this reason, it has been stated that member states may introduce rules for the more comprehensive protection of animals.

OTHER COUNTRIES

- RIGHT TO ASYLUM 07.01.2020 – DENMARK

The Council of Europe's Committee for the Prevention of Torture (CPT) reported the poor conditions in refugee camps in Denmark. The report cited concerns over the conditions of refugees.

- RIGHT TO EDUCATION 21.01.2020 – DENMARK

In the Skurup district of Malmö, the municipality has banned girls under the age of 13 from wearing headscarves in schools. Female teachers who protested the decision by wearing headscarves were subjected to hate attacks on social media.

+ FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 27.01.2020 – SCOTLAND

While the wearing of headscarves by police officers in Scotland was previously subject to the permission of their superiors, with a new regulation, the Scottish Police Service included the headscarf among THEIR official uniform options. The headscarf has been among the uniform options of the British police since 2001.

+ FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 27.01.2020 – UNITED KINGDOM

In the UK, a new residence and work permit for scientists and experts in their fields will be implemented under the name of the Global Talent Visa.

- THE RIGHTS OF THE CHILD 03.02.2020 – SWEDEN

The report prepared by the Swedish Red Cross states that an increasing number of refugee children in the group classified as "unaccompanied asylum-seeking children" are being exploited for purposes such as sexual abuse, crime or forced labor, and it has been revealed that 38.5 percent of refugee children do things they do not want, including prostitution in exchange for money or shelter.

+ FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 04.02.2020 – USA

In the city of Paterson with a population of 150,000, İbrahim Mike Baycora of Turkish origin went down in history as the city's first Muslim Police Chief. Baycora took an oath by pressing the Quran and started his duty.

+ FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 04.02.2020 – SWITZERLAND

"It's sad to have a headscarved cashier, I will not set foot in that store again" a customer of the famous Swedish-based furniture chain in Aubonne, Switzerland, commented online. The stores head of social media responded: "Our company's values are clear: We treat everyone with respect, regardless of their origin, religion or sexual orientation. Before you judge a person on his outfit, you must know him. We are not prejudiced and our employee you mentioned is loved and respected by everyone. Therefore, we do not welcome your comment that is clearly discriminatory. We are not sorry that someone with such ideas does not come to our store. "

– PROHIBITION OF RACISM AND DISCRIMINATION 06.09.2020 SWITZERLAND

"There are few immigrant students in our classrooms," stated the administration of Göttibach Primary School in the town of Thun, near Bern introducing the situation as a desirable and advantageous element for teachers. This promotion also attracted the reaction of the teachers' union.

– FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 10.02.2020 – DENMARK

A 19-year-old Muslim woman, who started working as a soldier in the Danish army on February 3, 2020, had to leave the army due to her headscarf. According to the news of the Danish state television; The Muslim woman was asked to take off her headscarf or leave her union, and the woman who did not want to take off her headscarf resigned. The young woman stated that she was told that the headscarf was not a problem at the promotions of the "Army Day", while the Danish Army Communications Director announced that they sent her brochures containing the army's dress code by e-mail, and the Danish Defense Minister Trine Bramsen stated that there is a headscarf ban in the army and that the uniform rules will not change.

+ FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 12.02.2020 – USA

The United States Air Force has changed the regulation regulating the appearance of dress and personnel, allowing religious clothing to be worn on the condition that it is "plain and unpretentious". In recent years, the Air Force has allowed some of the soldiers to wear a headscarf or grow a beard, and this issue has been reflected in the legislation with the new regulation.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 17.02.2020 DENMARK

For the first time, religious and official marriages were held by the Danish Turkish Religious Foundation (DTDV) , which was included among the faith societies by the Danish Church Ministry in 2006, and the mosques operating under its roof on the basis of the authority granted to them.

+ RIGHT TO CITIZENSHIP 18.02.2020 – USA

Tayfun Selen, who was elected as the Mayor of New Jersey's Chatham Municipality in 2019 and became the first Mayor of the USA with Turkish origin, officially started his duty as "Municipal Commissioner" of the Morris District with a population of 500 thousand.

– FREEDOM OF MOVEMENT AND RESIDENCE 19.02.2020 – UNITED KINGDOM

In the statement made by the Ministry of Internal Affairs of the United Kingdom, it was stated that with the end of the freedom of movement practice on December 31, 2020, citizens of EU and non-EU countries will be subject to the same immigration regulations from now on, and job offer and English knowledge have been made mandatory.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 20.02.2020 – USA

In the US, in Paterson, New Jersey, where there is a large Turkish population, mosques are allowed to use loudspeakers according to the Regulation passed by the City Council. According to the regulation, mosques will be able to read the call to prayer within 16 hours between 6.00 am and 22.00 pm.

+ FIGHT AGAINST TERROR 24.02.2020 – UNITED KINGDOM

The British Home Office accepted the names TAK and HPG as "different names of the PKK" and included them in the list of banned organizations. In its proposal to the parliament, the ministry also included two far-right organizations in the list; The Sonnenkrieg Division (SKD) and the System Resistance Network, a different version of the previously banned organization National Action.

– CULTURAL, RELIGIOUS AND LINGUISTIC DIVERSITY 27.02.2020 - DENMARK

At the handshake ceremony held at the Copenhagen City Hall for those who gained Danish citizenship, a Muslim man could not obtain a Danish citizenship certificate because he did not want to shake hands.

– FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 06.03.2020 – DENMARK

Research conducted by the University of Copenhagen revealed that women from ethnic minorities, especially women with headscarves, have difficulties in finding a job, and also that women wearing headscarves have 60 percent less chance of finding a job than Danish women.

– RIGHT TO ASYLUM 09.03.2020 – GREECE

A group of members of the German far-right Identity Movement went to Lesbos Island to prevent asylum seekers who wanted to cross to Europe via Greece by sea. The far-right, including ex-convicts, who migrated to the Greek Islands from various European countries, formed voluntary militia forces to support the security of the EU borders.

– PROHIBITION OF RACISM AND DISCRIMINATION 06.04.2020 UNITED KINGDOM

Tell Mama, a non-governmental organization that monitors anti-Muslim hate crimes, pointed out that the far-right started fake news campaigns on social media that the coronavirus was spreading due to Muslims, and there were many false allegations and physical attacks targeting Muslims in March.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 15.04.2020 – SWEDEN

The principal of Prastamosse school, which did not enforce the ban on headscarves imposed in schools by the municipality in Skurup, Skone, Sweden, was dismissed from duty.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 25.04.2020 – USA

In the city of Minneapolis, Minnesota, the adhan started to be read on a loudspeaker for the first time. The application is planned to continue throughout the month of Ramadan.

- EU LAW 28.04.2020 - UK

1963 Association Agreement between the European Economic Community and Turkey (Ankara Agreement) regarding the conditions for Turkish citizens to obtain an indefinite residence permit in the UK, based on the right to establish a business and perform services was amended by the Home Office as of March 16, 2018. While those who benefited from the Ankara Agreement, were able to apply for an indefinite residence at the end of 4 years without any language requirement or application fee before, the required time for application was increased to 5 years like the citizens of other countries, as well as the application fee of £ 2,389 became demandable from each applicant and each family member separately. In the lawsuit filed by Turkish citizens regarding the amendment, a very controversial and legally controversial verdict was taken from the Court of Appeal on April 28, 2020. Despite the Ankara Agreement, in the decision, in the immigration rules guide prepared by the British Home Office for Turkish citizens, it was argued that "there is no commitment to make no changes in the policy regarding the application" and therefore "the expectation that the conditions would not change is not legitimate".

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 02.05.2020 - CANADA

The municipalities of cities such as Toronto, Edmonton, Ottawa and Hamilton, which evaluated the demands from the Muslim community since the beginning of Ramadan, allowed the noon, afternoon and evening prayers to be read on the loudspeaker during Ramadan.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 02.05.2020 - ITALY

In the city of Cosenza, Italy, where quarantine rules and restrictions were applied due to the coronavirus, the evening call to prayer was read aloud from the police vehicle to boost morale for Muslims.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 02.05.2020 - AUSTRALIA

Australian officials welcomed the demands of the Muslim community to read the prayer from the loudspeakers during Ramadan and approved the reading of the evening prayers at Broadmeadows Mosque, and official permission was issued for Emir Sultan Mosques in Meadow Heights and Dandenong too.

– PROHIBITION OF RACISM AND DISCRIMINATION 08.05.2020 – INTERPOL

The International Police Organization (Interpol) has announced that in the last 5 years, extreme right-based violence has increased by more than 300 percent in the world and pointed out that especially the extreme right-wing organization on the internet is an important concern.

– RIGHT TO LIFE 25.05.2020 – USA

In the city of Minneapolis, African-American George Floyd died in the hospital where he was taken after a policeman pressed his neck with his knee for a long time despite him begging "I can't breathe" while being detained. The images related to the incident gathered great reaction on social media, as debates on police violence against African descent resurfaced in the country, protests spread from Minneapolis, where the events started, to many cities across the country.

+ FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 28.05.2020 – UNITED KINGDOM

A 40-year-old Muslim woman was appointed as the Midlands acting district judge, as the UK's first headscarved judge after 17 years of legal career.

– PROHIBITION OF RACISM AND DISCRIMINATION 03.06.2020 – UNITED KINGDOM

According to the news published in the United Kingdom, the data regarding the period in which the pandemic measures were implemented reveal that the police carried out disproportionate detention and fines against people of African origin and other ethnic minorities.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 04.06.2020 – DENMARK

The draft law to remove Muslims from the "faith society" group in Denmark, which was defended by the New Right (Nye Borgerlige) Party with insults against Islam on the podium, was not accepted with the rejection votes of 85 of the 95 deputies who participated in the voting. In the voting, 8 deputies of the Danish People's Party abstained, while 2 deputies of the New Right Party voted in favor of the bill.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 11.06.2020 – NORWAY

Philip Manshaus, who first killed his 17-year-old sister at home and then shot towards a mosque in the attack he carried out on 10 August 2019, was sentenced to 21 years in prison, the longest prison sentence stipulated by Norwegian law. Manshaus, who came to the mosque after killing his sister and opened fire to the place of worship from outside, injured a person lightly who tried to prevent him, and 3 people who were in the mosque for the preparations for the Eid al-Adha survived the attack. The verdict on the accused, who received one of the highest sentences in Norwegian history, was approved in June 2020.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 16.06.2020 – SWEDEN

3 out of 7 NMR (Nordiska Mottstånd Rörelse) Northern Resistance Movement (Nordiska Mottstånd Rörelse) and Nordfront (Northern Front) members who attacked demonstrators chanting "We do not want racists in our streets" with a stick and knife in front of the police on 1 June 2019 in Lund and battered most of them were sentenced, where 2 were sentenced to conditional convictions and judicial fines, and one to probation and public service. On the other hand, the 17-year-old militant was acquitted.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 23.06.2020 – DENMARK

Spokesperson for the Red-Green Alliance (Union List) and MP Pernille Skipper, in her speech at the parliament, touched on the problem of racism and Islamophobia in the country and stated that "dark" skinned people in Denmark are less fortunate than "white" skinned people and are exposed to inequality. There are some things that need to be said: yes, there is racism in Denmark." she said.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 25.06.2020 – DENMARK

In Denmark, the leader of the Stram Kurs (Strict Direction) Party, Rasmus Paludan, who tried to enter the parliament by burning the Quran and being at enmity with Islam was sentenced to 3 months in prison.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 25.06.2020 – DENMARK

In Denmark, the prohibition of the call to prayer has been brought to the agenda of the parliament by political parties due to its "disturbing" sound. Likewise, the possibility of banning church bells is among the discussions.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 28.06.2020 – USA

Four US police officers were suspended on the grounds of "racism and anti-Islamism". An investigation was initiated on the allegations of officers working in the city of San Jose, California, making racist comments on social media, and 4 police officers involved in the incident were suspended from duty.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 01.07.2020 – CANADA

Salma Lakhani, a business philanthropist in the province of Alberta, became the first Muslim deputy governor in Canada.

– PROHIBITION OF RACISM AND DISCRIMINATION 06.07.2020 – DENMARK

It has been reported that the necessity to wear a mask due to the coronavirus measures, is being used as an excuse for xenophobia among the public and a series of harassments from insulting to foreigners living in Denmark to coughing in their faces have been reported. An immigrant told the media that he came to Copenhagen in May to work in the financial sector, but they had to move to a quieter part of the city due to the aggressive reactions of xenophobics despite wearing masks.

– FREEDOM OF MOVEMENT AND RESIDENCE 16.07.2020 – SWITZERLAND

The Swiss Minister of Justice Karin Keller Sutter stated that there is a need for a regulation to deny residence permits to those who do not meet the integration criteria and to decide the residence permit of immigrants who receive large amounts of social assistance by the Federal Office of Migration.

– FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 01.08.2020 – DENMARK

According to the records of the Danish police department, it was announced that 60 people were imposed administrative fines for violating the "Veiling Law", which is also known as the "burqa and veil" law. In Denmark, an administrative fine of up to 10 thousand kron is applied to those who wear veils and burqas, which are banned in the public space within the scope of the "Veiling Law", which entered into force on August 1, 2018.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 29.08.2020 – SWEDEN

The Danish far-right Strict Direction Party leader Rasmus Paludan, who wanted to burn Quran in Malmö, Sweden was banned from entering Sweden for two years.

+ RIGHT TO CITIZENSHIP 07.09.2020 – DENMARK

In Denmark, the "Independent Greens" party, of which the leader is Pakistani Deputy Sikandar Malik Siddique, and which declared that it will follow a moderate policy towards immigrants, has joined the political life.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 01.10.2020 – SWEDEN

The administrative court in the city of Malmö lifted the ban imposed last year, ruling that Muslim workers could perform their prayers during working hours.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 01.10.2020 – AUSTRALIA

Stipe L., who attacked a Muslim woman with a headscarf expecting a baby in Sydney, Australia, was sentenced to 3 years in prison.

- FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 01.10.2020 – SWITZERLAND

The Free Democratic Party and the Swiss People's Party stated that they are preparing a referendum for the annulment of the law on the recognition of religious communities which was passed by the Cantonal Parliament on September 2, 2020.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 02.10.2020 – NORWAY

The "obligation to show ears in passport photos", which has been implemented in Norway since 2014, has been lifted by the Norwegian government on the grounds that fingerprint scanning is sufficient for security, despite the police's opinion that it should continue.

- RIGHT TO THE PROTECTION OF PERSONAL DATA 04.10.2020 – DENMARK

The Danish Ministry of Immigration and Integration has prepared a draft law that includes more severe conditions for asylum seekers who are not accepted as refugees and are waiting to be sent to their countries in return centers. In the new draft law announced by the Ministry, it is envisaged that the asylum seekers are identified and the data on their mobile phones will be analyzed. In addition, the rooms of asylum seekers who do not come to the removal center for 3 days without a legal excuse will be evacuated within 1 week.

– FREEDOM OF MOVEMENT AND RESIDENCE 07.10.2020 – USA

Three Muslim men living in the USA brought their inclusion to the court, for being on the list of “no-fly persons” for years because of refusing to be informants for the FBI.

– PROHIBITION OF RACISM AND DISCRIMINATION 07.10.2020 – DENMARK

According to data from the Danish Police Service, hate crimes have increased by 25 percent in Denmark, and the majority of these crimes are religiously motivated crimes.

+ FREEDOM OF MOVEMENT AND RESIDENCE 21.10.2020 – EU

The Court of Justice of the European Union declared in its decision numbered C-720/19 on 21.10.2020, the plaintiff, who lost his German citizenship after acquiring Turkish citizenship after becoming a German citizen, has not lost the right of permanent residence during the process of becoming a German citizen and remained valid, based on the Association Council Decision numbered as 1/80.

+ FIGHT AGAINST RACISM AND DISCRIMINATION 29.10.2020 – SWEDEN

The 55-year-old woman, who told the 23-year-old Muslim woman working in the pharmacy in the Jönköping region that she was more beautiful without wearing a headscarf before, became ugly with the headscarf, and who accused her that “her husband forced her to do this” was fined 3,600 krona for insult and was ordered to pay 5,000 krona compensation to the victim.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 02.11.2020 – GREECE

The first mosque built in Athens, the capital city of Greece, was opened to worship.

+ RIGHT TO CITIZENSHIP 03.11.2020 – USA

The politician Ajlan Kurdoğlu, of Turkish origin, was a candidate for the Arizona state council and won the primary elections, performed very well in the November 3, 2020 elections and lost the election with a small margin.

+ EU LAW 09.11.2020 – FINLAND

A new regulation has been made upon the complaints of foreigners residing in Finland that they do not know at least one of the Finnish or Swedish languages despite having a residence permit, and that they cannot get sufficient service in most of the banks and their loan applications are rejected. With the decision taken on the basis of the financial legislation amendment made by the European Union in 2017, it was decided that Finnish or Swedish language skills are not required for obtaining basic banking services in Finnish banks.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 12.11.2020 – USA

After two arrested Muslim women sued the New York Police Department (NYPD) in 2018 for their headscarves to be removed for their passport photos, the NYPD, which went through a policy change, decided to photograph Muslim women wearing a headscarf during detention, as long as their faces were not prevented from being seen.

+ FREEDOM TO CHOOSE AN OCCUPATION AND RIGHT TO ENGAGE IN WORK 14.11.2020 – NEW ZEALAND

In New Zealand, a regulation has been made for Muslim female police officers to wear a headscarf in accordance with the standards set by official uniforms. In the statement made by the New Zealand Police Service, it was emphasized that different perspectives and experiences make the work better, it is important to preserve diversity, and that problems will be better solved by appreciating different opinions. Together with the Massey Design School, the organization develops the most suitable fabric and design for the performance of the task and the needs by taking the ideas of Muslim female officials.

– PROHIBITION OF RACISM AND DISCRIMINATION 16.11.2020 – SWEDEN

In a famous clothing brand, an immigrant woman went to make a change at the store with a hidden camera, but the officials refused the woman's request for change. Likewise, a Swedish customer was equipped with a hidden camera and when the test was repeated, it was seen that the change request was accepted.

+ RIGHT TO CITIZENSHIP 25.11.2020 – USA

Businesswoman Derya Taşkın, living in the state of New Jersey, became the first American of Turkish origin to be appointed on behalf of the Democratic Party to the electoral committee of 538 members who officially elected the president in the country.

– PRINCIPLES OF LEGALITY AND PROPORTIONALITY OF CRIMINAL OFFENCES AND PENALTIES 26.11.2020 – CANADA

In Canada, the Quebec Court of Appeal, reduced the 40-year period of application for parole to 25 years for Alexandre Bissonette, who injured 6 people and killed 6 people named Mamadou Tanou Barry (42), Abdelkrim Hassane (41), Khaled Belkacemi (60), Aboubaker Thabti (44), Azzeddine Soufiane (57) and Ibrahim Barry (39), who was praying at the Quebec City Mosque in 2017. In the incident, which is known as the “bloodiest place of worship massacre” in the history of the country, the court of first instance sentenced him to life imprisonment for 40 years without parole, while the appeal decision allowed Bissonnet to apply for parole after 25 years. In the appeal, it ruled that the first verdict violated the rights and freedoms clause of the consecutive penal provision and that the sentence should be applied as the law was before 2011. However, the amendment to the Canadian Criminal Code in 2011 gives judges the right to imprisonment in blocks of 25 years for those who killed more than one person. Bissonette pleaded guilty to 6 first-degree murders and 6 attempted murders at its hearing in March 2018.

+ FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION 27.11.2020 – BULGARIA

Under the leadership of the Bulgarian Ministry of Education and Science, the Bulgarian Chief Mufti’s Office, the High Islamic Institute of Sofia (VII) and the Sofia University of Librarianship and Information Technologies (Unibit) will organize an Islamic religious teaching course for teachers from the Muslim community. Teachers who successfully complete the course will be able to teach in the Islamic religion courses, which are taught as elective courses in public schools.

– EQUALITY BEFORE THE LAW 23.12.2020 – SWITZERLAND

It was observed that a group of Turkish and foreign passengers landing at Basel-Mulhouse Airport did not fill out the travel permit document registered on the phone in printed form and were fined as a result, while a French passenger in the same situation wasn’t.

APPX. CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

FOREWORD

The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values.

Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice.

The Union contributes to the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States and the organisation of their public authorities at national, regional and local levels; it seeks to promote balanced and sustainable development and ensures free movement of persons, services, goods and capital, and the freedom of establishment.

To this end, it is necessary to strengthen the protection of fundamental rights in the light of changes in society, social progress and scientific and technological developments by making those rights more visible in a Charter.

This Charter reaffirms, with due regard for the powers and tasks of the Union and for the principle of subsidiarity, the rights as they result, in particular, from the constitutional traditions and international obligations common to the Member States, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Social Charters adopted by the Union and by the Council of Europe and the case-law of the Court of Justice of the European Union and of the European Court of Human Rights. In this context the Charter will be interpreted by the courts of the Union and the Member States with due regard to the explanations prepared under the authority of the Praesidium of the Convention which drafted the Charter and updated under the responsibility of the Praesidium of the European Convention.

Enjoyment of these rights entails responsibilities and duties with regard to other persons, to the human community and to future generations.

The Union therefore recognizes the rights, freedoms and principles set out hereafter.

TITLE I / DIGNITY

Article 1 Human dignity

Human dignity is inviolable. It must be respected and protected.

Article 2 Right to life

1. Everyone has the right to life.
2. No one shall be condemned to the death penalty, or executed.

Article 3 Right to the integrity of the person

1. Everyone has the right to respect for his or her physical and mental integrity.
2. In the fields of medicine and biology, the following must be respected in particular:
 - (a) the free and informed consent of the person concerned, according to the procedures laid down by law,
 - (b) the prohibition of eugenic practices, in particular those aiming at the selection of persons,
 - (c) the prohibition on making the human body and its parts as such a source of financial gain,
 - (d) the prohibition of the reproductive cloning of human beings.

Article 4 Prohibition of torture and inhuman or degrading treatment or punishment

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

Article 5 Prohibition of slavery and forced labour

1. No one shall be held in slavery or servitude.
2. No one shall be required to perform forced or compulsory labour.
3. Trafficking in human beings is prohibited.

TITLE II / FREEDOMS

Article 6 Right to liberty and security

Everyone has the right to liberty and security of person.

Article 7 Respect for private and family life

Everyone has the right to respect for his or her private and family life, home and communications.

Article 8 Protection of personal data

1. Everyone has the right to the protection of personal data concerning him or her.
2. Such data must be processed fairly for specified purposes and on the basis of the consent of the person concerned or some other legitimate basis laid down by law. Everyone has the right of access to data which has been collected concerning him or her, and the right to have it rectified.
3. Compliance with these rules shall be subject to control by an independent authority.

Article 9 Right to marry and right to found a family

The right to marry and the right to found a family shall be guaranteed in accordance with the national laws governing the exercise of these rights.

Article 10 Freedom of thought, conscience and religion

1. Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change religion or belief and freedom, either alone or in community with others and in public or in private, to manifest religion or belief, in worship, teaching, practice and observance.
2. The right to conscientious objection is recognised, in accordance with the national laws governing the exercise of this right.

Article 11 Freedom of expression and information

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.
2. The freedom and pluralism of the media shall be respected.

Article 12 Freedom of assembly and of association

1. Everyone has the right to freedom of peaceful assembly and to freedom of association at all levels, in particular in political, trade union and civic matters, which implies the right of everyone to form and to join trade unions for the protection of his or her interests.
2. Political parties at Union level contribute to expressing the political will of the citizens of the Union.

Article 13 Freedom of the arts and sciences

The arts and scientific research shall be free of constraint. Academic freedom shall be respected.

Article 14 Right to education

1. Everyone has the right to education and to have access to vocational and continuing training.

2. This right includes the possibility to receive free compulsory education.
3. The freedom to found educational establishments with due respect for democratic principles and the right of parents to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions shall be respected, in accordance with the national laws governing the exercise of such freedom and right.

Article 15 Freedom to choose an occupation and right to engage in work

1. Everyone has the right to engage in work and to pursue a freely chosen or accepted occupation.
2. Every citizen of the Union has the freedom to seek employment, to work, to exercise the right of establishment and to provide services in any Member State.
3. Nationals of third countries who are authorised to work in the territories of the Member States are entitled to working conditions equivalent to those of citizens of the Union.

Article 16 Freedom to conduct a business

The freedom to conduct a business in accordance with Union law and national laws and practices is recognised.

Article 17 Right to property

1. Everyone has the right to own, use, dispose of and bequeath his or her lawfully acquired possessions. No one may be deprived of his or her possessions, except in the public interest and in the cases and under the conditions provided for by law, subject to fair compensation being paid in good time for their loss. The use of property may be regulated by law in so far as is necessary for the general interest.
2. Intellectual property shall be protected.

Article 18 Right to asylum

The right to asylum shall be guaranteed with due respect for the rules of the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and in accordance with the Treaty on European Union and the Treaty on the Functioning of the European Union (hereinafter referred to as 'the Treaties').

Article 19 Protection in the event of removal, expulsion or extradition

1. Collective expulsions are prohibited.
2. No one may be removed, expelled or extradited to a State where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment.

TITLE III / EQUALITY

Article 20 Equality before the law

Everyone is equal before the law.

Article 21 Non-discrimination

1. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.
2. Within the scope of application of the Treaties and without prejudice to any of their specific provisions, any discrimination on grounds of nationality shall be prohibited.

Article 22 Cultural, religious and linguistic diversity

The Union shall respect cultural, religious and linguistic diversity.

Article 23 Equality between women and men

Equality between women and men must be ensured in all areas, including employment, work and pay.

The principle of equality shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of the under-represented sex.

Article 24 The rights of the child

1. Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.
2. In all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration.
3. Every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests.

Article 25 The rights of the elderly

The Union recognises and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life.

Article 26 Integration of persons with disabilities

The Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.

TITLE IV / SOLIDARITY

Article 27 Workers' right to information and consultation within the undertaking

Workers or their representatives must, at the appropriate levels, be guaranteed information and consultation in good time in the cases and under the conditions provided for by Union law and national laws and practices.

Article 28 Right of collective bargaining and action

Workers and employers, or their respective organisations, have, in accordance with Union law and national laws and practices, the right to negotiate and conclude collective agreements at the appropriate levels and, in cases of conflicts of interest, to take collective action to defend their interests, including strike action.

Article 29 Right of access to placement services

Everyone has the right of access to a free placement service.

Article 30 Protection in the event of unjustified dismissal

Every worker has the right to protection against unjustified dismissal, in accordance with Union law and national laws and practices.

Article 31 Fair and just working conditions

1. Every worker has the right to working conditions which respect his or her health, safety and dignity.
2. Every worker has the right to limitation of maximum working hours, to daily and weekly rest periods and to an annual period of paid leave.

Article 32 Prohibition of child labour and protection of young people at work

The employment of children is prohibited. The minimum age of admission to employment may not be lower than the minimum school-leaving age, without prejudice to such rules as may be more favourable to young people and except for limited derogations.

Young people admitted to work must have working conditions appropriate to their age and be protected against economic exploitation and any work likely to harm their safety, health or physical, mental, moral or social development or to interfere with their education.

Article 33 Family and professional life

1. The family shall enjoy legal, economic and social protection.
2. To reconcile family and professional life, everyone shall have the right to protection from dismissal for a reason connected with maternity and the right to paid maternity leave and to parental leave following the birth or adoption of a child.

Article 34 Social security and social assistance

1. The Union recognises and respects the entitlement to social security benefits and social services providing protection in cases such as maternity, illness, industrial accidents, dependency or old age, and in the case of loss of employment, in accordance with the rules laid down by Union law and national laws and practices.
2. Everyone residing and moving legally within the European Union is entitled to social security benefits and social advantages in accordance with Union law and national laws and practices.
3. In order to combat social exclusion and poverty, the Union recognises and respects the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources, in accordance with the rules laid down by Union law and national laws and practices.

Article 35 Health care

Everyone has the right of access to preventive health care and the right to benefit from medical treatment under the conditions established by national laws and practices. A high level of human health protection shall be ensured in the definition and implementation of all the Union's policies and activities.

Article 36 Access to services of general economic interest

The Union recognises and respects access to services of general economic interest as provided for in national laws and practices, in accordance with the Treaties, in order to promote the social and territorial cohesion of the Union.

Article 37 Environmental protection

A high level of environmental protection and the improvement of the quality of the environment must be integrated into the policies of the Union and ensured in accordance with the principle of sustainable development.

Article 38 Consumer protection

Union policies shall ensure a high level of consumer protection.

TITLE V / CITIZENS' RIGHTS

Article 39 Right to vote and to stand as a candidate at elections to the European Parliament

1. Every citizen of the Union has the right to vote and to stand as a candidate at elections to the European Parliament in the Member State in which he or she resides, under the same conditions as nationals of that State.

2. Members of the European Parliament shall be elected by direct universal suffrage in a free and secret ballot.

Article 40 Right to vote and to stand as a candidate at municipal elections

Every citizen of the Union has the right to vote and to stand as a candidate at municipal elections in the Member State in which he or she resides under the same conditions as nationals of that State.

Article 41 Right to good administration

1. Every person has the right to have his or her affairs handled impartially, fairly and within a reasonable time by the institutions, bodies, offices and agencies of the Union.
2. This right includes:
 - (a) the right of every person to be heard, before any individual measure which would affect him or her adversely is taken,
 - (b) the right of every person to have access to his or her file, while respecting the legitimate interests of confidentiality and of professional and business secrecy,
 - (c) the obligation of the administration to give reasons for its decisions.
3. Every person has the right to have the Union make good any damage caused by its institutions or by its servants in the performance of their duties, in accordance with the general principles common to the laws of the Member States.
4. Every person may write to the institutions of the Union in one of the languages of the Treaties and must have an answer in the same language.

Article 42 Right of access to documents

Any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, has a right of access to documents of the institutions, bodies, offices and agencies of the Union, whatever their medium.

Article 43 European Ombudsman

Any citizen of the Union and any natural or legal person residing or having its registered office in a Member State has the right to refer to the European Ombudsman cases of maladministration in the activities of the institutions, bodies, offices or agencies of the Union, with the exception of the Court of Justice of the European Union acting in its judicial role.

Article 44 Right to petition

Any citizen of the Union and any natural or legal person residing or having its registered office in a Member State has the right to petition the European Parliament.

Article 45 Freedom of movement and of residence

1. Every citizen of the Union has the right to move and reside freely within the territory of the Member States.
2. Freedom of movement and residence may be granted, in accordance with the Treaties, to nationals of third countries legally resident in the territory of a Member State.

Article 46 Diplomatic and consular protection

Every citizen of the Union shall, in the territory of a third country in which the Member State of which he or she is a national is not represented, be entitled to protection by the diplomatic or consular authorities of any Member State, on the same conditions as the nationals of that Member State.

TITLE VI / JUSTICE

Article 47 Right to an effective remedy and to a fair trial

Everyone whose rights and freedoms guaranteed by the law of the Union are violated has the right to an effective remedy before a tribunal in compliance with the conditions laid down in this Article.

Everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal previously established by law. Everyone shall have the possibility of being advised, defended and represented.

Legal aid shall be made available to those who lack sufficient resources in so far as such aid is necessary to ensure effective access to justice.

Article 48 Presumption of innocence and right of defence

1. Everyone who has been charged shall be presumed innocent until proved guilty according to law.
2. Respect for the rights of the defence of anyone who has been charged shall be guaranteed.

Article 49 Principles of legality and proportionality of criminal offences and penalties

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national law or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed. If, subsequent to the commission of a criminal offence, the law provides for a lighter penalty, that penalty shall be applicable.

2. This Article shall not prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles recognised by the community of nations.
3. The severity of penalties must not be disproportionate to the criminal offence.

Article 50 Right not to be tried or punished twice in criminal proceedings for the same criminal offence

No one shall be liable to be tried or punished again in criminal proceedings for an offence for which he or she has already been finally acquitted or convicted within the Union in accordance with the law.

TITLE VII / GENERAL PROVISIONS GOVERNING THE INTERPRETATION AND APPLICATION OF THE CHARTER

Article 51 Field of application

1. The provisions of this Charter are addressed to the institutions, bodies, offices and agencies of the Union with due regard for the principle of subsidiarity and to the Member States only when they are implementing Union law. They shall therefore respect the rights, observe the principles and promote the application thereof in accordance with their respective powers and respecting the limits of the powers of the Union as conferred on it in the Treaties.
2. The Charter does not extend the field of application of Union law beyond the powers of the Union or establish any new power or task for the Union, or modify powers and tasks as defined in the Treaties.

Article 52 Scope and interpretation of rights and principles

1. Any limitation on the exercise of the rights and freedoms recognised by this Charter must be provided for by law and respect the essence of those rights and freedoms. Subject to the principle of proportionality, limitations may be made only if they are necessary and genuinely meet objectives of general interest recognised by the Union or the need to protect the rights and freedoms of others.
2. Rights recognised by this Charter for which provision is made in the Treaties shall be exercised under the conditions and within the limits defined by those Treaties.
3. In so far as this Charter contains rights which correspond to rights guaranteed by the Convention for the Protection of Human Rights and Fundamental Freedoms, the meaning and scope of those rights shall be the same as those laid down by the said Convention. This provision shall not prevent Union law providing more extensive protection.

4. In so far as this Charter recognises fundamental rights as they result from the constitutional traditions common to the Member States, those rights shall be interpreted in harmony with those traditions.
5. The provisions of this Charter which contain principles may be implemented by legislative and executive acts taken by institutions, bodies, offices and agencies of the Union, and by acts of Member States when they are implementing Union law, in the exercise of their respective powers. They shall be judicially cognisable only in the interpretation of such acts and in the ruling on their legality.
6. Full account shall be taken of national laws and practices as specified in this Charter.
7. The explanations drawn up as a way of providing guidance in the interpretation of this Charter shall be given due regard by the courts of the Union and of the Member States.

Article 53 Level of protection

Nothing in this Charter shall be interpreted as restricting or adversely affecting human rights and fundamental freedoms as recognised, in their respective fields of application, by Union law and international law and by international agreements to which the Union or all the Member States are party, including the European Convention for the Protection of Human Rights and Fundamental Freedoms, and by the Member States' constitutions.

Article 54 Prohibition of abuse of rights

Nothing in this Charter shall be interpreted as implying any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms recognised in this Charter or at their limitation to a greater extent than is provided for herein.

