

**Opening Statement by Ambassador Burak Akçapar
Permanent Representative of the Republic of Türkiye to the United Nations
Office at Geneva**

Honourable Chairperson,
Distinguished Members of the Committee,

It is an honour and privilege to represent Türkiye at this process where the second periodic report of Türkiye on the implementation of the International Covenant on Civil and Political Rights will be considered.

Türkiye is steadfast in her commitment to the UN human rights system and her determination to respect and protect the civil and political rights as defined in the Covenant.

Türkiye is proud:

- To be party to 16 UN Human Rights Conventions and Protocols, and
- to be among the parties to the ICCPR and both of its Optional Protocols.

My country is dedicated to sustaining transparent and close cooperation with UN human rights mechanisms.

For all intents and purposes, the significance of these mechanisms, including this very Committee may be higher today than ever before, especially as we live through times of information pollution and disinformation at industrial scale.

Türkiye values mutual engagement with the UN treaty-bodies and remains a strong advocate worldwide of the need to uphold human rights. The vision of a society defined by fundamental rights, the rule of law, and democratic values is guaranteed by Türkiye's constitutional order.

Against this background, we strongly value and appreciate this opportunity to engage with your esteemed Committee. This interaction highlights our accountability vis-à-vis our citizens and also the international community.

It also allows us to underscore the determined efforts of Turkish authorities and significant progress we have been making.

In turn, your observations in this process serve as valuable guidance in our efforts to further strengthen the protection and promotion of human rights in Türkiye.

Honourable Chairperson, Distinguished Members,

Türkiye has been committed to the process of protecting and promoting civil and political rights, even under the worsening geopolitical circumstances and their unavoidable fallout on Türkiye's security.

The summary of the last twelve years is that Türkiye has not wavered to uphold and promote democratic values and human rights at a time when our neighbouring regions have been experiencing wars and conflicts, discernible erosion of international order, and gross violations of human rights and international humanitarian law.

Türkiye has had to defend the nation against multiple terrorist organizations operating within its territory and across its borders, including PKK/PYD/YPG, DHKP-C, DAESH and FETO.

Türkiye was concurrently faced with the biggest influx of human displacement in the world. Millions have run to Türkiye for shelter.

Also within the same timeframe, Türkiye faced a brutal coup attempt organized and perpetrated by FETÖ, which our nation has defeated.

The pandemic also coincided with the same period not to mention multiple wars and conflicts in our neighbourhood.

We take pride in having moved forward nonetheless, and made significant progress in multiple areas.

Turkish delegation today is composed of a multi-agency team thanks to the participation of high-level government officials from line Ministries. We look forward to interacting with you.

Without further ado, I would like to hand the microphone over to the head of our delegation, Ambassador Yonca Özçeri.

**Opening Statement by
Ambassador Yonca Özçeri**

Distinguished members of the Committee,

I thank Ambassador Akçapar, Permanent Representative of Türkiye to the UN Office in Geneva.

He highlighted our policy since our last review.

In July 2016, Türkiye faced a large-scale and brutal coup attempt organized and perpetrated by the Fethullahist Terrorist Organization, also known as FETÖ.

FETÖ, a clandestine criminal terrorist organization which infiltrated critical government posts, tried to capture the Turkish state, attempted to suspend the Constitution and take over the democratically elected Government. Terrorist acts perpetrated by FETÖ on that night cost the lives of 251 Turkish citizens and injured over 2000. Several key institutions representing the will of the Turkish people, first and foremost, the Parliament, were heavily assaulted.

In order to restore the Turkish democracy and protect the fundamental rights and freedoms of the Turkish people, the State of Emergency was declared shortly after and it was endorsed by the Turkish Parliament on 21 July 2016.

Throughout the State of Emergency, maintaining its cooperation with international organizations, particularly the United Nations and the Council of Europe, Türkiye acted in line with its international human rights obligations and observed the principles of necessity and proportionality.

A good example of this close international cooperation is the establishment of the Inquiry Commission on State of Emergency Measures, to examine applications against administrative acts carried out during the State of Emergency.

Türkiye terminated the State of Emergency on 19 July 2018. All notifications of derogations from certain human rights obligations were also revoked on the same day.

Since then, Türkiye has fully focused on its reform agenda.

Distinguished Members,

I would like to highlight the elements of significant progress achieved **in reform agenda**.

In 2012;

- The right to individual application to the Constitutional Court has become operational.
- The Ombudsman Institution, an independent and effective complaint mechanism for public services, was established.

In 2013;

- In line with “the zero-tolerance policy towards torture” adopted in 2003, penalties for the crime of torture were increased, and the statute of limitations was lifted.

In 2014;

- The Human Rights Compensation Commission was established, and its mandate was enlarged to meet emerging needs.
- Hate crimes were incorporated into the Penal Code.
- Obstruction of freedom of religion and conscience was defined as a crime.

In 2016;

- The Law Enforcement Oversight Commission was set up to allow citizens to submit complaints related to law enforcement services.

- The Human Rights and Equality Institution was established, in line with the Paris Principles, as a public legal entity with its own budget, administrative and financial autonomy. It undertakes three major tasks. Namely it functions as National Human Rights Institution, National Preventive Mechanism against Torture and Ill-treatment, and Anti-discrimination and Equality Institution. It is worth noting here that the Institution was granted “B” status by Global Alliance of National Human Rights Institutions (GANHRI).

In 2017;

- The minimum age for being elected as a Member of Parliament was lowered to 18.

Ladies and Gentlemen,

After the Judicial Reform Strategy was published in 2019, eight judicial reform packages have been adopted.

The Human Rights Action Plan for 2021-2023 was also announced in 2021. It was meticulously implemented under the vision of “Free Individual, Strong Society; More Democratic Türkiye”.

Within the framework of our judicial reforms and the Human Rights Action Plan, I would like to share some highlights achieved so far;

- The right of appeal was introduced for certain offenses affecting freedom of expression, so that such cases can be reviewed again through appeals after the initial appeal stage (2019).

- In a new provision, the expressions of opinion made for the purpose of criticism is excluded from the definition of offences related to freedom of expression (2019).

- Torture was recognized as a grounds for dismissal from public service. Public prosecutors are instructed to prioritize torture investigations by way of a regulation.
- With a view to prevent long pre-trial detentions, amendments to the Criminal Procedure Code were introduced, thus the use of detention as a last resort is emphasized.
- Objections to a higher court are introduced against detention and judicial control decisions.
- In decisions of detention, continued detention and dismissal of requests for release, proving that judicial control measures would be insufficient was defined as a prerequisite.
- For the catalogue crimes which strong suspicion constitutes a grounds for detention, an additional requirement that the suspicion should be “*based on concrete evidence*” is introduced.
- An upper time limit is introduced for judicial control measures, the use of technological means is also introduced.
- Legal amendments are made to ensure that issues pertaining to private life which are not relevant to the offense or alleged incident shall not be reflected in judicial proceedings.
- The administrative response period (also known as implied refusal) was reduced from 60 days to 30 days, with a view to secure legal predictability and transparency in the administration's work and procedures.
- The scope of mediation in civil disputes was expanded, and mediators were specialized in different fields.
- A new trial procedure, the summary judgment procedure, was introduced for certain criminal cases, in order to allow quicker resolution based on an agreement between the prosecutor and the defendant.

- The procedure for holding hearings via audio or video transmission was revised, and the e-hearing procedure was made more effective and widely integrated into the system.
- The assistant judge and prosecutor positions were established to make the preparatory period for judges and prosecutors more effective and to increase professional experience.
- Judges appointed to specialized courts for the first time are sent to training programs related to their areas of expertise before taking office.
- The promotion and inspection criteria for judges and prosecutors were updated. Objective performance criteria such as adherence to target deadlines, adequate reasoning, decision accuracy, and sensitivity to human rights were introduced.
- Victim rights were strengthened to protect the rights of those harmed by a crime. An independent unit was established within the Ministry of Justice to provide services in this area (2020).
- In line with the principle of the best interest of the child, the procedure for the custody transfer of children was shifted from enforcement offices to the Ministry of Justice. Thus, a child-centered approach was adopted, ensuring these procedures are carried out with the participation of specialists.
- The process for individuals with limited financial means to apply for legal aid was simplified.
- Special regulations were made for female prisoners with children, as well as prisoners over 70 years old.
- Provisions were introduced allowing a suspension of enforcement in cases where the prisoner's spouse or children suffer from chronic illness or disability.
- All visit for children by their visitors were made "open visits."

- Family visits for juvenile prisoners were introduced.
- Women prisoners with a dependent child under 18 years-old with disability or severe illness, and sentenced to less than 10 years in prison, are allowed to have their sentences deferred, for up to one year under certain conditions.
- Prisoners and detainees following different religions were provided additional opportunities for open and video visits during their religious holidays.

As regards elections;

- The national electoral threshold was reduced from 10% to 7% to increase democratic representation in 2022.
- With an amendment, voting for people with disabilities has been facilitated.

Regarding the rights of different religious and sectarian groups;

- Several regulations were implemented to protect the rights of Alevi and Bektashi citizens. In 2022, the Alevi-Bektashi Culture and Cemevi Directorate was established within the Ministry of Culture, allowing municipalities to provide maintenance and material support.
- Improvements were made for the rights of non-Muslims, facilitating property ownership for their community foundations.

Up to here I have enumerated the most significant elements of reform.

Building on these achievements, we are currently working on the new Human Rights Action Plan for 2024-2028 and on the renewed Judicial Reform Strategy with a view to.

Distinguished Members,

Türkiye pursues the policy of zero tolerance against violence against women. It is a priority item within Türkiye's overall human rights agenda. Our road map for combating violence against women is laid out in national action plans since 2007. Fourth National Action Plan, covering for 2021-2025, was prepared with the contributions of all relevant stakeholders.

Let me emphasize certain significant steps taken to effectively combat violence against women.

First and foremost, Law on the Protection of the Family and the Prevention of Violence Against Women was enacted, and necessary amendments were made to the Penal Code to this end.

In this regard;

- The offense committed against a spouse/ex-spouse or a woman has been regulated as an aggravated crime. It is a significant progress towards effective punishment of crimes of violence against women.
- The minimum sentences for intentional homicide, intentional injury, torture, torment, and threats committed against women were increased.
- The crime of intentional injury against women was included among the offenses that can be a grounds for a pre-trial detention.
- One-sided acts of persistent stalking were defined as a separate crime, providing increased protection to victims.
- Women victims of violence were granted free legal aid and support.
- Special domestic violence bureaus were expanded. (As of the end of October 2023, they are available in 81 provincial centers, 144 districts, and 225 courthouses).
- With the new technological applications like electronic bracelet, Women Support application (called KADES), WhatsApp and 24/7

hotline, we have improved our capacity to fight violence against women.

As regards, **the obligation to protect the family**, we have recently developed a Vision Document and Action Plan, for 2024-2028, which outlines a wide range of initiatives to strengthen the institution of family.

Ladies and gentlemen,

Without a doubt, in order to put the new legal and institutional framework into practice, special attention is paid for ensuring **continuous training** of relevant public officials.

Fundamental human rights topics are included in pre-service and in-service trainings for all public officials, particularly law enforcement officials, prosecutors and judges.

Dear participants,

Hosting the largest refugee population in the world, Türkiye has been determined to continue its efforts to manage irregular migration and combat migrant smuggling.

In this regard, following a transparent and participatory process together with all national and international stakeholders, the new **Law on Foreigners and International Protection** was enacted in April 2013. With this new law, the principle of *non-refoulement* which was already respected by Türkiye has gained legal basis for those who have the risk of facing torture or similar inhuman treatment.

The Law also set the basis for the establishment of the Presidency of Migration Management in charge of implementing policies and strategies concerning migration issues.

Dear Committee members,

Türkiye emphasizes its commitment to the UN human rights system and its determination to respect and protect the civil and political rights as defined in the Covenant.

Türkiye stands firm to continue reforms for strengthening its democratic standards, even in the face of ongoing global and regional crisis, instability and terror acts right across its borders. It will continue to uphold its obligations despite serious challenges as to meeting the needs of millions of persons fleeing violence and seeking refuge in our country.

In conclusion, I reiterate our commitment to sustaining transparent and close cooperation with international human rights mechanisms.

Our dialogue with the Human Rights Committee is of vital importance in that regard. We believe that its forthcoming observations will serve as a valuable guide in our efforts to further strengthen the protection and promotion of human rights in Türkiye.

Thank you.