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## FAIR - FIDE RESEARCH MONITORING REPORTING

FAIR IS A HUMAN RIGHTS ORGANISATION SPECIALISING IN THE RELIABLE COLLECTION, ANALYSIS, AND REPORTING OF DATA ON HUMAN RIGHTS VIOLATIONS IN TURKEY. WITH SPECIFIC EXPERTISE IN DEVELOPING SOUND DATA COLLECTION METHODOLOGIES, FAIR ENSURES THE ACCURACY, CONSISTENCY, AND CREDIBILITY OF ITS FINDINGS. THE ORGANISATION TAILORS ITS DATA COLLECTION METHODS TO LOCAL CONTEXTS AND SENSITIVITIES, ENSURING A CLEAR AND ACCURATE PORTRAYAL OF THE EXTENT OF HUMAN RIGHTS VIOLATIONS.

IN TURKEY, THE COLLECTION AND ANALYSIS OF HUMAN RIGHTS-RELATED STATISTICS FACE SEVERAL CHALLENGES. DATA ON ISSUES LIKE FREEDOM OF EXPRESSION, PEACEFUL ASSEMBLY, ARBITRARY DETENTION AND POLICE BRUTALITY, TORTURE AND ILL-TREATMENT, VIOLENCE AGAINST WOMEN, AND MINORITY RIGHTS ARE OFTEN INCOMPLETE, INCONSISTENT, OR DIFFICULT TO ACCESS DUE TO LEGAL AND POLITICAL CONSTRAINTS. THIS LACK OF RELIABLE DATA HAMPERS EFFORTS TO UNDERSTAND THE FULL SCOPE OF VIOLATIONS AND LIMITS THE ABILITY OF CIVIL SOCIETY ORGANISATIONS TO ADVOCATE EFFECTIVELY FOR CHANGE.

FAIR ADDRESSES THESE SHORTCOMINGS BY PRODUCING DETAILED REPORTS THAT MEET INTERNATIONAL STANDARDS, ENSURING THAT GAPS IN DATA COLLECTION ARE FILLED WITH RELIABLE, EVIDENCE-BASED DOCUMENTATION. THESE REPORTS ARE SUBMITTED TO INTERNATIONAL HUMAN RIGHTS MECHANISMS AND INTERGOVERNMENTAL ORGANISATIONS, HELPING TURKEY'S HUMAN RIGHTS SITUATION GAIN GREATER VISIBILITY AND ALLOWING GLOBAL BODIES TO HOLD TURKEY ACCOUNTABLE TO ITS OBLIGATIONS UNDER INTERNATIONAL LAW.

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## INTRODUCTION

In its international commitments under the International Covenant on Civil and Political Rights [ICCPR], Turkey has fallen short of providing detailed and reliable data and statistics on critical human rights issues. Despite repeated calls for transparency and accountability, the Turkish government has consistently failed to offer comprehensive data and statistics as well their interpretation of legally binding documents regarding fundamental rights, particularly in areas such as freedom of expression, peaceful assembly, arbitrary detention, police brutality, torture and ill-treatment, violence against women, and minority rights. This lack of data not only undermines Turkey's commitments under the ICCPR but also severely impedes the ability of international bodies and civil society to assess the true extent of human rights violations in the country.

In the field of **freedom of expression** and **peaceful assembly**, Turkey's restrictive laws and government practices have led to widespread censorship and suppression of dissent. However, reliable data on the number of individuals prosecuted or convicted for exercising these rights is often unavailable. The authorities either fail to release detailed reports or provide vague, incomplete information, making it difficult to track the scope of these violations. Similarly, in cases of **arbitrary detention** -particularly following the 2016 attempted coup- there is little transparency regarding the number of people detained without due process, with the government often labelling such cases as matters of national security, further obscuring the statistics.

Regarding **police brutality** and **torture and ill-treatment**, although Turkey is obligated to uphold international standards, data on the prevalence of these abuses is sparse. Allegations of police violence during peaceful protests and incidents of torture in detention centres are frequent, yet official data documenting these claims is either not published or insufficiently detailed to allow for meaningful analysis. The absence of reliable statistics in these areas severely hinders accountability and fosters an environment where abuses can occur with impunity.

Furthermore, Turkey does not provide adequate data on **violence against women** and **minority rights**. While some data on gender-based violence is available, it is often incomplete or does not reflect the full extent of the problem, particularly with regard to domestic violence and femicides. As for minority rights, the Turkish government consistently fails to publish detailed statistics on the treatment of ethnic and religious minorities, including Kurds, Alevis, and refugees, leaving significant gaps in understanding the systemic discrimination faced by these groups. The lack of transparency in these areas highlights Turkey's failure to meet its international obligations and the urgent need for more robust data collection and reporting practices.

Under these conditions, FAIR requests that the UN Human Rights Committee urge Turkey to provide accurate and comprehensive data in compliance with its obligations under the Covenant, particularly regarding the issues outlined below. This will enable the Committee to better understand and evaluate Turkey's human rights situation and facilitate the drafting of informed concluding observations on Turkey's reports.

## HUMAN RIGHTS ACTION PLAN

In its second periodic report submitted under Article 40 of the Covenant, pursuant to the optional reporting procedure, Turkey highlighted the announcement of its Human Rights Action Plan (HRAP) on 2 March 2021, under the vision of “Free Individual, Strong Society; More Democratic Türkiye.” The report claims that the plan was developed with a participatory approach, incorporating input from local stakeholders, including NGOs, professional organisations, academics, media representatives, as well as the Council of Europe (CoE) and the European Union (EU). However, the information provided by Turkey is limited and lacks historical accuracy and factual support, failing to fully substantiate these claims.

**The current HRAP is announced on 2 March 2021 as a part of a project financed by the Council of Europe. The government also launched a web site to share the information on progress and development in relation to HRAP which is no more updated since the end of the above-mentioned project.**

Human Rights Department at the Ministry of Justice has been working on “A New Human Rights Action Plan” [HRAP] **since 2014**. The first Action Plan was basically an intent for the implementation of ECtHR decisions: “Action Plan for the Prevention of Violations of the European Convention on Human Rights”. The preparation of second Action Plan was announced to the public by the Turkish Presidency **in 2018** within the scope of its second 100-day Action Plan of the government. It was indicated that a new initiative was underway based on the “Action Plan for the Prevention of Violations of the European Convention on Human Rights” which was actually published in the Official Gazette of 1 March 2014. **However, the action plan of 2014 and attempt of 2018 were not enforced. The 2021 HRAP, too, seems destined to follow the same unfortunate course, languishing amidst unfulfilled promises and half-measures, its lofty ambitions unlikely to materialise in any substantive form.**

On 14 February 2019, human rights organisations were invited to a workshop at the Ministry of Justice’s Human Rights Department in Ankara to provide their assessments and recommendations for the drafting of a new HRAP. Several organisations participated, submitting their opinions both in person and in writing to the Ministry. The drafting of the HRAP was reaffirmed by authorities when the Judicial Reform Strategy Document was published in the Official Gazette on 24 October 2019. **Although rights-based organisations contributed to the HRAP process by offering their opinions and recommendations, these were not reflected in the final version of the Action Plan.** For Turkey to successfully deliver a meaningful new HRAP, it must first present a clear account of the current human rights situation, addressing both its constitutional and legal dimensions.

## HUMAN RIGHTS AND EQUALITY INSTITUTION OF TURKEY

Civil society organisations (CSOs) in Turkey have expressed significant criticism regarding the establishment and functioning of the Human Rights and Equality Institution of Turkey (TİHEK/HREIT). One of the central concerns is the institution's lack of independence, which directly contravenes the Paris Principles, the set of international standards adopted by the UN in 1993 to guide the creation of national human rights institutions (NHRIs). The Paris Principles emphasise that NHRIs must be autonomous from government influence, have a broad mandate, and be free to investigate human rights violations independently. However, CSOs rightfully argue that TİHEK's close ties to the government, including the appointment of its members by the President, severely undermine its ability to act impartially and independently. This lack of autonomy raises concerns about the institution's capacity to hold the government accountable for human rights violations, which is a key function expected from any NHRI under the Paris Principles. Despite the government's expectations for TİHEK to receive accreditation from the Global Alliance of National Human Rights Institutions by October 2022, it remains classified as a "B" status institution, indicating it is only partially compliant with the Paris Principles.

Another point of criticism from CSOs is the institution's narrow mandate and limited effectiveness in addressing pressing human rights issues, such as torture, discrimination, and freedom of expression. According to the Paris Principles, NHRIs should have a wide and clear mandate to protect and promote all human rights, yet TİHEK's framework and activities appear to fall short of this standard. CSOs argue that the institution fails to engage meaningfully with the public or civil society, and its investigations into human rights abuses lack transparency and thoroughness. Furthermore, there is concern that TİHEK's resources are insufficient to carry out comprehensive investigations and reporting, further limiting its impact. Overall, the institution's failure to meet the Paris Principles undermines its credibility and effectiveness, leading CSOs to call for reforms that would ensure its independence and broader human rights mandate.

In addition to concerns about its independence and mandate, the National Preventive Mechanism (NPM) function of TİHEK has also been widely criticised by CSOs. As the designated NPM under the Optional Protocol to the Convention against Torture (OPCAT), TİHEK is tasked with monitoring places of detention to prevent torture and ill-treatment. However, CSOs argue that TİHEK has failed to fulfil this critical role effectively. The lack of transparency in its inspections, the absence of timely and detailed reports, and its limited capacity to conduct thorough investigations have all been highlighted as major shortcomings. Furthermore, TİHEK's close affiliation with the government raises doubts about its ability to impartially address complaints of torture and ill-treatment, particularly in sensitive cases involving state actors.

Critics also point out that TİHEK does not engage sufficiently with independent experts or CSOs in carrying out its NPM duties, which undermines the credibility of its monitoring process. Under the Paris Principles, an NHRI should collaborate with civil society to enhance its monitoring and reporting functions, yet TİHEK's lack of meaningful engagement with external stakeholders has led to accusations of superficial oversight. As a result, CSOs continue to call for substantial reforms to ensure that Turkey's NPM operates in line with international standards, particularly with regard to the independence, transparency, and effectiveness of its operations.

Despite the government's efforts to present TİHEK as a fully functioning, independent institution established in accordance with the Paris Principles, the statistics provided in Turkey's second periodic report reveal that TİHEK fails to meet the requirements of its mandate.

- Examinations conducted upon applications:

<i>Year</i>	<i>Combatting Discrimination and Ensuring Equality</i>	<i>Protection and Promotion of Human Rights</i>	<i>NPM</i>	<i>Other Applications and requests</i>	<i>Total</i>
2017	102	129	153	38	422
2018	371	78	598	60	1 107
2019	70	124	965	30	1 189
2020	276		679	408	1 363
2021	180	287	529	189	1 185
<b>Total</b>	<b>999</b>	<b>618</b>	<b>2 924</b>	<b>725</b>	<b>5 266</b>

The table above presents the official statistics from TİHEK. The title of the table, “Examinations Conducted Upon Applications,” is deliberately misleading to the reader. A simple fact checks reveals that the numbers actually reflect the total applications submitted to TİHEK, not the examinations conducted. For instance, we selected the National Prevention Mechanism function for the year 2018, as it is the earliest available report on TİHEK’s website, to illustrate this discrepancy.<sup>1</sup>

According to the statistics shared by the government, TİHEK conducted 598 examinations based on applications. However, TİHEK itself reports: “In 2018, a total of 598 applications were submitted to the institution within the scope of its National Prevention Mechanism function. Of these, 65 applications made by individuals deprived of their liberty were not processed as they fell outside the institution’s mandate. Additionally, 324 applications were rejected for failing to meet the preliminary review criteria outlined in Article 48 of the Regulation on the Implementation of the Law on the Human Rights and Equality Institution of Turkey. A further 76 applications were referred to relevant authorities, such as Ministries, Governorates, Public Prosecutor’s Offices, and Provincial/District Human Rights Boards, to prevent irreparable or difficult-to-reverse harm. It should be noted that preliminary review conditions were not required for applications referred to these bodies. The number of applications that met the preliminary review criteria and proceeded to investigation was 133.”

This comparison clearly demonstrates that the government’s claim of 598 “examinations” is misleading, as the majority of these cases were either rejected or referred elsewhere, with only 133 actually investigated. Furthermore, there is no data provided on the number of cases that resulted in actual violation decisions, leaving a significant gap in transparency regarding TİHEK’s effectiveness in addressing human rights violations. Without statistics on these violation rulings, it is impossible to gauge the true impact of the institution’s work.

<sup>1</sup> <https://www.tih.gov.tr/kategori/pages/Yillik-Raporlar>

## CAPACITY OF PENITENTIARY INSTITUTIONS

Under the sub-section “Capacity of Penitentiary Institutions” in Turkey’s second periodic report, the government provides only limited information on how it plans to address the rising prison population. The continuous increase in the prison population reflects a political decision by the governing parties in Turkey. Prisons in Turkey, we know, serve a punitive role that extends far beyond merely housing individuals convicted of crimes. They have become mechanisms of punishment that surpass the traditional bounds of criminal justice and penal law. Consequently, the prison system faces numerous issues related to access to fundamental rights and freedoms, both within the framework of criminal law and the penal execution system.

According to data from the General Directorate of Prisons and Detention Houses (CTE), as of 1 July 2024, Turkey has a total of 403 penal institutions, consisting of 272 closed prisons, 99 standalone open prisons, 4 juvenile education centres, 11 closed women’s prisons, 8 open women’s prisons, and 9 closed prisons for children and youth.<sup>2</sup> The official total capacity of these institutions is 295,328 individuals. However, it is important to note that this figure represents an expanded capacity, meaning under normal circumstances, the number of prisoners should be around two-thirds of this total. Even under these conditions, according to data from the Council of Europe’s **Annual Penal Statistics - SPACE 2022** report, Turkey’s prisons operate at 113% capacity, making it the country with the fifth-highest overcrowding rate in Europe, following Romania, Cyprus, France, and Belgium.<sup>3</sup> According to the 2023 report, the occupancy rate is shown as 100%, but the current prison population data indicates that this rate has likely risen above 110% once again.

Data from CTE shows that 6 penal institutions were closed in 2022 and 16 more in 2023. However, in the same periods, 22 new institutions were opened in 2022, and another 16 in 2023. The Ministry of Justice’s 2024 budget proposal includes plans to open 12 more prisons in the coming year. This suggests that the current political outlook in Turkey envisions a future heavily reliant on incarceration. Moreover, since 2021, new types of prisons such as “S-Type,” “Y-Type,” and “High-Security” prisons have been introduced. According to the CTE’s list of current facilities, there are now 51 new types of prisons in operation, consisting of 22 Y-type, 22 high-security, and 7 S-type prisons.<sup>4</sup>

Before the 2000 amnesty, known as the “Rahşan Amnesty,” which followed the “Return to Life Operation” of 19 December, the total number of prisoners in Turkish prisons was around 70,000. By 1 December 2023, the number had increased nearly fourfold. As of 2 May 2024, the prison population had grown 4.702 times since 2000. This significant increase is reflected in the **Council of Europe’s Annual Penal Statistics - SPACE** data. Between 2005 and 2022, Turkey saw an extraordinary 369% increase in its prison population, the highest among Council of Europe member states.<sup>5</sup> Malta ranked second, with an 87% increase during the same period, while 29 other countries reported decreases. Before Russia’s expulsion from the Council, Turkey had the second-largest prison population after Russia. Now, it holds the top position. Additionally, Turkey has the highest prison

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<sup>2</sup> <https://cte.adalet.gov.tr/Home/SayfaDetay/cik-genel-bilgi>

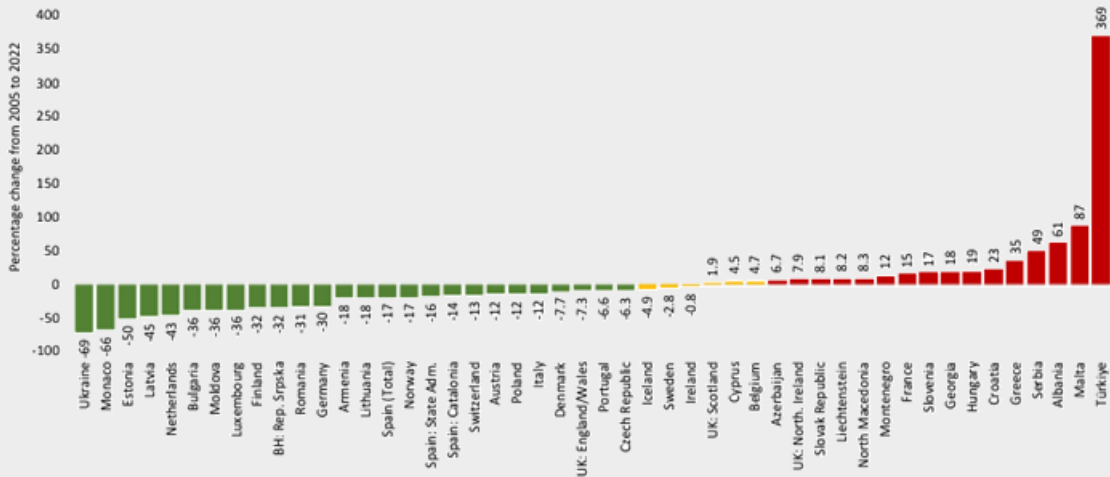
<sup>3</sup> [wp.unil.ch/space/files/2023/06/230626\\_Key-Findings-SPACE-I\\_Prisoners-and-Prisoners-in-Europe-2022.pdf](https://wp.unil.ch/space/files/2023/06/230626_Key-Findings-SPACE-I_Prisoners-and-Prisoners-in-Europe-2022.pdf)

<sup>4</sup> <https://cte.adalet.gov.tr/Home/haritaliste>

<sup>5</sup> [https://wp.unil.ch/space/files/2023/06/230626\\_Key-Findings-SPACE-I\\_Prisoners-and-Prisoners-in-Europe-2022.pdf](https://wp.unil.ch/space/files/2023/06/230626_Key-Findings-SPACE-I_Prisoners-and-Prisoners-in-Europe-2022.pdf)



population rate in Europe, with 355.2 prisoners per 100,000 people. According to the 22 May 2023 edition of the **Prison Statistics Bulletin**, the rate was 352 per 100,000 in 2021 but rose to 400 in 2022.<sup>6</sup>



CTE data also reveals that on July 3, 2023, the number of detainees and convicts stood at 360,722. Following the “2023 Penal Execution Regulation,” which was published in the **Official Gazette** on 15 July 2023, the number dropped to 270,607 by 2 August 2023, and to 251,101 by 1 September 2023. This suggests that approximately 110,000 inmates were released under this regulation, although exact figures are not confirmed. However, by 2 May 2024, the number of detainees and convicts had surged back to 329,151, marking a sharp increase of about 78,050 prisoners in just eight months, one of the fastest growth rates in Turkey’s recent history.

<sup>6</sup> <https://adlisicil.adalet.gov.tr/Resimler/SayfaDokuman/22052023101534Haber%20Bülteni%20-%20CTE%20%2022.05.2023.pdf>

## PEACEFUL ASSEMBLY

Turkey consistently attempts to present itself to the international community as a nation that upholds and facilitates the right to peaceful assembly. In various reports and statements to international bodies, the government emphasises its legal framework that guarantees freedom of assembly, citing isolated examples of protests or gatherings that were allowed to proceed. Official narratives often stress the existence of mechanisms designed to safeguard these rights and claim that restrictions are only imposed in the interest of public safety or order. However, these claims often conflict with on-the-ground realities, where peaceful assemblies are frequently met with excessive police force, arbitrary detentions, and legal proceedings against participants. By selectively highlighting certain events and downplaying or justifying the suppression of others, Turkey seeks to convince the global community of its commitment to democratic principles, while in practice, it often undermines the very rights it claims to protect.

One of the most striking examples of this approach can be seen in Turkey's second periodic report under the section on "Meetings and Demonstrations." According to the data provided by the government, the total number of participants in meetings and demonstrations exceeds half the population. From 2016 to 2021, the average number of "protests/activities" reported is around 40,000 annually, even during the global pandemic, despite a decline in participation. However, as is often the case, Turkey fails to provide any breakdowns regarding the nature of these protests or activities. It is evident that the government includes political party rallies, public concerts, opening ceremonies, and government-sponsored gatherings in these figures. Therefore, Turkey must provide detailed information on the specific nature of these protests and activities. Accurate data and statistics are essential for a reliable analysis of the situation regarding protests.

260. In the last 5 years, more than 99% of the mass protests/activities in Türkiye were held in a peaceful environment without any intervention. Figures regarding demonstrations and intervention rates are listed in the following table.

<i>Year</i>	<i>Protests/activities</i>	<i>Protestors/participants</i>	<i>Intervention rate</i>
2016	40.016	43.900.170	2%
2017	38.976	25.277.339	0,8%
2018	46.389	31.036.329	0,8%
2019	53.118	32.553.402	0,7%
2020	33.609	5.452.212	0,8%
2021	46.555	10.016.895	0,6%

The data provided by Turkey on protests and activities is statistically meaningless and offers little value for meaningful analysis.

Another significant issue related to data and statistics on peaceful assemblies is the number of bans on meetings and demonstrations issued by provincial governors. These blanket bans often cover all protests or activities within the province. For example, in the province of Van, such bans have been renewed every 15 days and have effectively remained in place year-round for nearly 6 years. The government should also disclose data on

individual bans of peaceful assemblies. These figures are essential to provide a more accurate and transparent understanding of the state of the right to peaceful assembly in the country.

According to the data compiled by FAIR, since 2018, in **179 provinces**<sup>7</sup> governors issued **blanket bans** on meetings and demonstrations. In 2024 in 20 different provinces all meetings and gatherings were banned simultaneously following the final decision in the infamous Kobane Trial. At least **3,721 meetings, gatherings, and press statements** were **intervened and/or dispersed** by the police -frequently by excessive use of force and tear gas or other agents-, a total of **813 events, exhibitions, theatre plays, and press statements** were **banned or prevented**, and finally at least **25,861 persons/demonstrators/protesters** were **detained during the police interventions**.<sup>8</sup> The total number of detainees also include 319 children.

	2018	2019	2020	2021	2022	2023	2024	Total
Number of provinces where actions and events are banned	20	24	36	26	28	22	23	179
Number of banned/prevented events, performances, plays, concerts, etc	114	197	113	118	128	96	47	813
Number of meetings and assemblies intervened	608	1,149	753	334	544	223	110	3,721
Number of people detained during meetings and assemblies	3,720	4,371	2,123	3,677	5,764	4,141	2,065	25,861

Turkey's second periodic report reveals a striking ability to artfully twist the truth, moulding it to fit its narrative while obscuring the realities of its actions. In the section titled "Meetings and Demonstrations," the government cites three examples -namely the "Pride Parade," "Saturday Mothers," and "International Women's Day"- to support its claim of fostering an environment where all groups can exercise their right to peaceful assembly without restrictions. However, it is the same government that actively suppresses these peaceful gatherings through the use of excessive police presence and force. Moreover, participants in these assemblies are often met with legal charges and court cases for exercising their constitutional rights. For instance, the case against the Saturday Mothers, initiated after their 700th-week vigil, continues despite a Constitutional Court ruling acknowledging the violation of their rights.



Detention of Saturday Mother Emine Ocak in 1997 and 2018. [on the left] and police intervention to MPs and demonstrators on the day of 700<sup>th</sup> vigil. [on the right]

The **Saturday Mothers**, a group of relatives of those forcibly disappeared in Turkey during the 1980s and 1990s, have been holding peaceful weekly vigils since 1995 to demand justice and accountability for their missing loved

<sup>7</sup> Excluding repeated multiple blanket bans. These bans are usually enforced for 15 days and extended on a regular basis in certain provinces like Van and Mardin.

<sup>8</sup> The total number of detainees is based on publicly available information, news, FAIR network. We should remind that the numbers are minimum we could reach. For instance, in 2019, we can validate detention of 225 persons during meetings staged in February. But, according to the official numbers published by the Ministry of Interior Affairs a total of 735 persons were detained in connection with the same demonstrations. And the ministry does not publish similar statistics regularly. Therefore, the real number of detainees must a lot more than this.

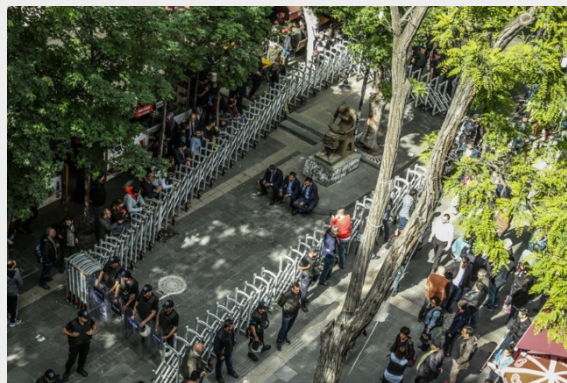
ones. Despite the non-violent nature of their gatherings, the state has repeatedly banned their protests, particularly in recent years, and subjected the participants to brutal police intervention. In 2018, on the 700th week of their vigil, the group was violently dispersed, with many, including elderly participants, detained by force. These actions reflect the government's increasing intolerance of dissent and its disregard for the right to peaceful assembly, as the demands for truth and justice by the Saturday Mothers are met with repression rather than dialogue. There are still 2 separate on-going court cases against the members of the Saturday Mothers related to the vigils on the 700<sup>th</sup> week and 950<sup>th</sup> week on the allegations of staging an illegal demonstration.

**8 March Women's Day in Turkey** has become a significant occasion for advocating women's rights, yet it is frequently marred by state-imposed restrictions and police intervention. In recent years, despite peaceful intentions, marches and demonstrations held to commemorate International Women's Day have been met with harsh crackdowns, particularly in major cities like Istanbul. Authorities often cite security concerns to justify bans on gatherings, and protesters are met with police barricades, tear gas, and detentions. The state's heavy-handed approach has overshadowed what is meant to be a day of empowerment and solidarity for women, with the emphasis shifting from celebration to resistance against the systemic suppression of women's voices.



Police intervention to Pride March on İstiklal Avenue in İstanbul [on the left] and Boğaziçi University gate locked with handcuffs by the police to prevent entrance of students [on the right]

Similarly, **LGBTQ+ Pride marches** in Turkey have faced increasing repression, particularly since 2015 when Istanbul's Pride Parade, once one of the largest in the region, was banned for the first time. Subsequent attempts to hold Pride events have been met with aggressive police responses, including the use of tear gas, rubber bullets, and mass arrests. Government officials often claim that these bans are imposed for reasons of "public safety" or to protect public morality, reflecting the broader climate of hostility towards the LGBTQ+ community. The continued repression of Pride events highlights Turkey's troubling trajectory away from protecting LGBTQ+ rights and towards increased marginalisation and criminalisation of the community. For instance, among many others, the court case launched against Boğaziçi University students in connection with a pride march in 2021 on the university campus is still on-going.



Human Rights Statue in Ankara has been in detention for more than a year between 2017 and 2018 to prevent any peaceful assemblies, press statements, and gatherings in Ankara.

## MINORITY RIGHTS

Turkey's reservation to Article 27 of the International Covenant on Civil and Political Rights (ICCPR), which guarantees the rights of individuals belonging to ethnic, religious, or linguistic minorities to enjoy their own culture, profess and practice their own religion, or use their own language, reflects a complex interplay with the Lausanne Peace Treaty. While Turkey asserts that its obligations under the ICCPR are fulfilled through the provisions of the Lausanne Peace Treaty, this interpretation has been criticised for imposing significant limitations on minority rights. The Treaty primarily recognises the rights of non-Muslim minorities, yet Turkey's reservation suggests a reluctance to extend the same protections to other minority groups or to address contemporary issues such as cultural and linguistic rights more broadly. This reservation effectively narrows the scope of minority rights under international law and creates a disparity between Turkey's domestic practices and its international commitments, leaving several minority communities without comprehensive legal protection or full enjoyment of their rights.

Turkey continues to treat all minority groups outside the Armenian, Greek, and Jewish communities as if they do not exist, due to its ambiguous interpretation of the Lausanne Peace Treaty. By not fully clarifying how it interprets the Treaty, Turkey effectively ignores the rights and needs of these other minority groups. Consequently, as rightly pointed out by the Human Rights Committee, Turkey is obligated to provide a clear explanation of its interpretation of the Lausanne Treaty and specify which rights are afforded to which minority groups. This lack of transparency prevents a comprehensive understanding and effective implementation of minority rights, leaving many communities without adequate protection or recognition.

This ambiguity not only undermines the rights of unrecognised minority groups but also perpetuates social and legal inequalities within Turkey. The failure to explicitly address the rights of these minorities fosters an environment where their cultural, linguistic, and religious needs are overlooked or inadequately addressed. This situation exacerbates the marginalisation of various ethnic and religious communities, who face systemic challenges in asserting their identities and accessing their fundamental rights. The lack of a clear, inclusive policy exacerbates tensions and fosters a climate of exclusion and discrimination.

Furthermore, Turkey's approach to interpreting and implementing the Lausanne Peace Treaty highlights a broader issue of compliance with international human rights standards. By narrowly applying the Treaty's provisions and maintaining reservations that limit the scope of protections, Turkey effectively undermines the spirit of international agreements designed to safeguard minority rights. This selective implementation not only hampers the realisation of universal human rights but also damages Turkey's credibility on the international stage. Addressing these shortcomings requires a committed effort to align domestic practices with international human rights norms, ensuring that all minority groups receive equal protection and recognition under the law.

## RECOMMENDATIONS

### **Publishing Detailed Statistics with Breakdowns and Addressing CSO Requests:**

Recommend that Turkey publish detailed statistics with comprehensive breakdowns on key human rights issues, including peaceful assemblies, prison conditions, and the treatment of minority groups. This should involve transparent reporting on the nature and outcomes of legal and administrative processes affecting these areas. Additionally, Turkey should actively address and respond to the specific requests and recommendations made by CSOs, ensuring that their insights and concerns are integrated into policy and practice. This approach will enhance accountability, provide a clearer picture of human rights conditions, and facilitate more effective monitoring and improvement of human rights protections.

### **Improvement in Data Collection and Reporting Mechanisms:**

Urge Turkey to develop and implement reliable data collection methodologies for monitoring and reporting on human rights issues. This should include improved reporting on peaceful assemblies, prison conditions, and the effectiveness of the National Prevention Mechanism (TİHEK) in line with the Paris Principles.

### **Engagement with Civil Society Organisations:**

Encourage Turkey to engage more actively with CSOs in the development and implementation of human rights policies. This engagement should include meaningful consultation with diverse minority groups to ensure that their perspectives and needs are adequately represented and addressed.

### **Regular and Comprehensive Reporting:**

Advise Turkey to submit regular and comprehensive reports to the HRC, including detailed information on the implementation of human rights protections, the status of minority rights, and the effectiveness of institutional measures such as TİHEK.

### **Enhanced Legal and Institutional Frameworks:**

Recommend that Turkey strengthen its legal and institutional frameworks to better protect minority rights and ensure compliance with international standards. This includes improving the effectiveness of TİHEK and other relevant bodies, ensuring they operate independently and transparently.

### **Addressing Inconsistencies in Human Rights Practices:**

Call for a comprehensive review and reform of Turkey's human rights practices to address inconsistencies between domestic laws and international commitments. This includes ensuring that all minority groups have access to the rights guaranteed under international treaties, including freedom of expression, peaceful assembly, and protection from arbitrary detention and ill-treatment.

### **Clarification and Expansion of the Lausanne Peace Treaty Interpretation:**

Instruct Turkey to provide a clear and detailed explanation of its interpretation of the Lausanne Peace Treaty, including how it applies to various minority groups beyond the historically recognised Armenian, Greek, and Jewish communities. Turkey should outline specific rights and protections afforded to all recognised minority groups and address contemporary issues such as cultural and linguistic rights.

**Detailed Statistical Data on Minority Rights:**

Request Turkey to provide comprehensive and transparent statistics on the rights and conditions of all minority groups, including detailed breakdowns of applications, grievances, and the outcomes of related legal processes. This should include data on the number and nature of bans on peaceful assemblies, the scope of minority rights protections, and statistics related to prison populations and conditions.

**Address Historical Grievances and Ongoing Issues:**

Request Turkey to address historical grievances and ongoing issues faced by minority communities. This includes ensuring that rights related to property, religious freedoms, and political representation are fully honoured and that historical injustices are acknowledged and remedied.