



HREIT

**HUMAN RIGHTS AND EQUALITY
INSTITUTION OF TÜRKİYE**

**CONTRIBUTION (IN LINE WITH PREVIOUSLY PUBLISHED LIST
OF ISSUES) OF HUMAN RIGHTS AND EQUALITY INSTITUTION
OF TÜRKİYE (HREIT)
TO THE 142nd SESSION OF HUMAN RIGHTS COMMITTEE ON
INTERNATIONAL COVENANT ON CIVIL AND POLITICAL
RIGHTS**

September, 2024

✓ **Constitutional and legal framework within which the Covenant is implemented (art. 2. Bearing in mind the previous recommendation of the Committee (para. 7),³ please provide information on any steps taken during the reporting period to establish a national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).**

The Human Rights and Equality Institution of Türkiye (HREIT) is a national human rights institution which is accredited, established by law in line with the Paris Principles. HREIT is mandated to protect and promote human rights, combat discrimination and act as national preventive mechanism with its own budget and own independent operational management.

Since the 1992, various human rights units or institutions/organizations have been established in Türkiye within the framework of the qualifications that national human rights institutions should have as specified in the Paris Principles. In this context, The Human Rights Institution of Türkiye (HRIT) was established with the "Law on the Human Rights Institution of Türkiye" dated 21 June 2012 and numbered 6332, to establish an institution in line with the Paris Principles.

In the next process, the existence of HRIT was abolished by a law amendment, and the institution was renamed as the Human Rights and Equality Institution of Türkiye and was restructured with Law No. 6701, which was published in the Official Gazette dated 20 April 2016 and numbered 29690.

Pursuant to the HREIT act 2016, the HREIT was established and mandated effectively fight against torture and ill-treatment as a National Preventive Mechanism (NPM), in addition to its duties as a Equality Body and National Human Rights Institution (NHRI).

Türkiye committed to strengthening the Human Rights and Equality Institution at the Universal Periodic Review 2020. In this regard,

- ✓ The capacity assessment project involved representatives from UNDP, the UN High Commissioner for Human Rights (OHCHR), and the European Network of National Human Rights Institutions (ENNHRI). As a result, a roadmap for compliance with the Paris Principles was prepared.¹

¹ <https://www.tihok.gov.tr/tihok-kurumsal-kapasitesinin-degerlendirilmesine-yonelik-calismalari-baslatti>

- ✓ In the Human Rights Action Plan (2021-2023) Activity 1.2.a., which was shared with the public on 2 March 2021, it was set as a target to align the structure of HREIT with the UN Principles on the Status of National Human Rights Institutions and ensure that it receives accreditation from the Global Alliance of National Human Rights Institutions (GANHRI) within 1 year. In line with the relevant target, it was unanimously decided to initiate the preparations for the accreditation process to GANHRI and to carry out the necessary work with the HREIT Board Decision dated 13 July 2021 and numbered 2021/170.²
- ✓ As of October 2022, HREIT has been accredited B status to GANHRI, partially compatible with the Paris Principles. the Sub-committee of Accreditation of GANHRI made several recommendations, some of which required changes in the Law.³ These recommendations were taken into consideration nationwide.⁴
- ✓ According to the implementation of these recommendations to the Türkiye,
 - ❖ Accrediting and aligning the HREIT with the Paris Principles has been regulated as aims have top priority in many of our key policy documents, particularly the Annual President's Programs 2024⁵, 12nd Development Plan⁶, The National Action Plan for the EU Accession and Human Rights Action Plan⁷.
 - ❖ As a capacity building, conducted training programs for staff on human rights standards and increased budget and resources for effective mandate fulfillment. Now, HREIT has 212 personnel, 88 of whom are educated experts on human rights and equality.
 - ❖ Engaged with civil society and international bodies (especially UN offices) for input and best practices. Established partnerships for sharing experiences through memorandums with other human rights institutions and organizations.
 - ❖ In addition, to enhance its accessibility and effectiveness, HREIT established its first regional office in Gaziantep, where earthquake victims, migrants, and Dom communities reside.⁸

² <https://www.tihek.gov.tr/global-alliance-of-national-human-rights-institutions-ganhri-accreditation-status-has-been-granted-to-the-hreit>

³ <https://www.tihek.gov.tr/public/editor/uploads/1660833133.pdf>

⁴ <https://ganhri.org/wp-content/uploads/2022/11/SCA-Adopted-Report-October-2022-EN.pdf>

⁵ <https://www.sbb.gov.tr/wp-content/uploads/2023/10/2024-Yili-Cumhurbaskanligi-Yillik-Programi.pdf>

⁶ https://www.sbb.gov.tr/wp-content/uploads/2023/12/On-Ikinci-Kalkinma-Plani_2024-2028_11122023.pdf

⁷ https://inhak.adalet.gov.tr/Resimler/SayfaDokuman/1262021081047Action_Plan_On_Human_Rights.pdf

⁸ <https://www.tihek.gov.tr/en/first-affiliated-bureau-of-human-rights-and-equality-institution-of-turkiye-is-established-in-gaziantep>

✓ **Non-discrimination (arts. 2, 3, 6, 25 and 26)**

3. Recalling the previous recommendations of the Committee (paras. 8, 9, 10 and 22) and the report on follow-up to the concluding observations of the Committee, please provide information about: (a) the legislative and other measures taken within the reporting period to prevent and combat discrimination on the basis of gender, sexual orientation, disability, race, ethnicity, religion, and/or nationality; (b) any efforts made to strengthen the legislation in place to protect against discrimination on all the grounds enumerated in the Covenant; and (c) measures to curb hate speech by individuals, media outlets and political figures against groups, such as ethnic Kurds and/or persons on the ground of their sexual orientation or gender identity, as well as to address hate crimes, including by reforming the Criminal Code to establish discriminatory motives as aggravating factors in acts of violence.

The Law on the Human Rights and Equality Institution of Türkiye was adopted by the Grand National Assembly of Türkiye on April 6, 2016.⁹ The Law aims to protect and promote human rights, guarantee the right to equal treatment, prevent discrimination and effectively combat torture and ill-treatment. The Law provides a comprehensive legal framework prohibiting discrimination on the grounds of sex, race, color, language, religion, belief, philosophical and political opinions, ethnic origin, sect, wealth, birth, marital status, health status, disability and age. Ethnic origin is explicitly mentioned in the Law.

HREIT carries out awareness-raising activities on the protection and promotion of human rights and prevention of discrimination; organize training activities in cooperation with relevant institutions; provide guidance to applicants who claim to be victims of human rights violations; inform applicants about administrative and legal procedures and ensure that they follow up their applications. The decision-making body of the Human Rights and Equality Institution of Türkiye is an independent supervisory board called the Human Rights and Equality Board. The Board have the authority to receive and finalize individual applications on human rights and discrimination. The Board also examine and evaluate allegations of human rights violations ex officio. The

⁹ <https://www.tihk.gov.tr/public/editor/uploads/1660833133.pdf>

members of the Board and the staff of the HREIT are authorized to hear witnesses or relevant persons on the subject of the examination and investigation.

Furthermore, Article 5 of Law No. 6701 stipulates that public institutions and organizations, professional organizations in the nature of public institutions, real persons and private legal entities providing education and training, judiciary, law enforcement, health, transportation, communication, social security, social services, social assistance, sports, accommodation, culture and tourism and similar services cannot discriminate against the person who benefits from these services or who wants to receive information about these services in terms of the activities they carry out.

Pursuant to Article 25 of the aforementioned Law, in case of violation of the prohibition of discrimination, an administrative fine from one thousand Turkish Liras to fifteen thousand Turkish Liras shall be imposed on public institutions and organizations, professional organizations in the nature of public institutions, real persons and private legal entities responsible for the violation, taking into account the gravity of the effects and consequences of this violation, the economic status of the perpetrator and the aggravating effect of multiple discrimination. According to the rate published in the Official Gazette dated 25.11.2023 and numbered 32380, the minimum limit of the administrative fine in the first paragraph of Article 25 of the Law No. 6701 for the year 2024 was redefined as 18,905.00 TL and the maximum limit as 141,934.00 TL. Among the discrimination grounds specified in the law, in 2022 and 2023, the most applications were made to the Institution with the claim of discrimination on the basis of “disability”. It is followed by applications alleging discrimination “on the basis of sex”.

- ✓ In 2021 1180 individual applications were received.
- ✓ In 2022, 2020 individual applications were received. We may say that the number of applications has doubled.
- ✓ In 2023, 2814 individual applications were received.
- ✓ In 2022, 109 complaints were concluded and in 38 cases, it was decided that the prohibition of discrimination was violated. 38 violation, 42 non-violation, 2 conciliation, 9 decision that there is no room for decision, 3 legal opinion etc.

- ✓ In 2023, 128 complaints were concluded and in 31 cases, it was decided that the prohibition of discrimination was violated. 31 violation, 42 non-violation, 2 conciliation, 5 decision that there is no room for decision, etc.
- ✓ Among the discrimination grounds specified in the law, in 2022 and 2023, the most applications were made to the Institution with the claim of discrimination on the basis of “disability”. It is followed by applications alleging discrimination “on the basis of sex”.

Also, examples of HREIT's activities in fighting against discrimination and acting as Equality Body include:

- ✓ An international conference titled “Fighting Discrimination in Working Life” is organized, 2019.¹⁰
- ✓ the Autistic Children's Right to Education and Non-Discrimination Report is published, 2020.¹¹
- ✓ The “2018 Anti-Discrimination Report” is published. The report includes public service areas within the scope of the prohibition of discrimination and policies and activities in these areas. In this context, anti-discrimination policies and activities carried out by public institutions and organizations in the fields of education and training, judiciary, law enforcement, health, transportation, communication, social security, social services, social assistance, sports, accommodation, culture and tourism services have been addressed with a holistic approach.¹²
- ✓ An application guide titled “Individual Application to the Human Rights and Equality Institution of Türkiye” has been prepared regarding applications to be made to the HREIT in the context of the prohibition of discrimination. Within the scope of the duty to inform and raise awareness in order for individuals to learn their rights, the main areas of duty of HREIT, which subjects/whom applications can be made to the HREIT, the scope of the prohibition of discrimination, the issues to be considered when applying

¹⁰ https://www.HREIT.gov.tr/upload/file_editor/2019/04/1555312635.pdf

¹¹ https://www.HREIT.gov.tr/upload/file_editor/2020/04/1585822889.pdf

¹²

https://www.HREIT.gov.tr/upload/file_editor/2019/2018_ayr%C4%B1mc%C4%B1l%C4%B1kla_m%C3%BCc_adele_raporu.pdf

within the scope of the prohibition of discrimination, the transactions that cannot be the subject of application, the application procedure and conditions, the examination process, the finalization of the application and the sanction authority of the HREIT are included.¹³

- ✓ HREIT, which is exclusively tasked with combating discrimination, accepts workplace bullying (mobbing) actions based on discrimination as a type of discrimination and has an important position in combating mobbing. HREIT has prepared a “Mobbing Information Note” that includes detailed information on the subject. The information note prepared regarding workplace bullying has been published on the HREIT’s official website and presented to the public for their information and use.¹⁴
- ✓ On the other hand, in line with the vision of “Free Individual, Strong Society”, in order to ensure more effective implementation of human rights, one of the objectives of the Human Rights Action Plan, which was shared with the public on March 2, 2021 and assigns duties and responsibilities to many public institutions and organizations, is related to increasing the effectiveness in the fight against hate speech, hate crimes, and discrimination. (Target 4.4 Increasing the Effectiveness in the Fight Against Hate Speech and Discrimination)
- ✓ In this context, a national symposium titled “Hate Speech and Hate Crimes” was organized, 2021. At the symposium; The concepts of hate speech and hate crime as the basis of prejudice and intolerance were addressed in the context of human rights, the limits of freedom of expression within the framework of national and international regulations were discussed, and the reflections of hate speech in the media and the methodologies for combating such hate speech were discussed.¹⁵
- ✓ Six meetings of the Consultation Commission Combatting Discrimination, which was established by the HREIT within the scope of the first paragraph of Article 22 of the Law No. 6701 on the Human Rights and Equality Institution of Türkiye, to discuss the problems and solution proposals on issues related to the prohibition of discrimination and to exchange information and opinions on these issues, were held in this reporting

¹³ https://www.HREIT.gov.tr/upload/file_editor/2021/08/1629465532.pdf

¹⁴ https://www.HREIT.gov.tr/upload/file_editor/2021/02/1612789982.pdf

¹⁵ <https://www.tihk.gov.tr/nefret-soylemi-ve-nefret-suclari-sempozyumu-tebligler-kitabi>

period. Representatives of many public institutions and organizations, non-governmental organizations, social and professional organizations, academics and experts in the field participated in the meeting as members of the Commission.¹⁶

- ✓ In order to raise public awareness and contribute to the literature on the prohibition of discrimination, the Book of Decisions on the Prohibition of Discrimination, which compiles the precedent decisions given by the Board between 2018-2020, was prepared. In the content of the book, the Board decisions covering the years 2018-2020 are classified according to the “types of discrimination” listed in Article 4 of Law No. 6701. In this way, it is aimed to be presented to the benefit of both individuals and public and private legal entities in order to guide them.¹⁷
- ✓ Infographic notes on “Discrimination on the basis of marital status” and “Discrimination on the basis of sex” published on the HREIT’s website in order. Other discrimination bases presented to the public in the form of infographic notes every month for their information and benefit.
- ✓ In 2022, the Discrimination Grounds Series were published. The series includes; Discrimination on the Basis of Marital Status Handbook, Gender Discrimination Handbook, Handbook on Discrimination on the Grounds of Race, Color and Ethnic Origin, Discrimination on the Basis of Disability Handbook, Handbook on Discrimination on the Grounds of Religion, Faith and Sect, Discrimination on the Basis of Birth, Discrimination on the Basis of Wealth, Discrimination on the Basis of Language, Age Discrimination Handbook, Discrimination on the Basis of Philosophical and Political Opinion, Discrimination on the Basis of Health Status Handbook.¹⁸
- ✓ The thematic report on the Principle of Non-Discrimination and the Role of Equality Institutions in the Context of Combating Hate Speech and Xenophobia was published, 2023.¹⁹

¹⁶<https://www.tih.gov.tr/ayrimcilikla-mucadele-istisare-komisyonu-5-toplantisi-gerceklestirildi>

¹⁷<https://www.tih.gov.tr/public/editor/uploads/LEOn2OwK.pdf>

¹⁸<https://www.tih.gov.tr/kategori/pages/ayrimcilik-temelleri-serisi>

¹⁹<https://www.tih.gov.tr/kategori/pages/nefret-soylemi-ve-yabanci-dusmanligi-ile-mucadele-baglaminda-ayrimcilik-yasagi-ilkesi-ve-esitlik-kurumlarinin-rolu>

- ✓ Monitoring Report on Post-Earthquake Events in the Context of Human Rights and Discrimination Law was published, 2023.²⁰
- ✓ Thematic report on Children's Right to Access to Justice was published.²¹
- ✓ Türkiye Rights of Older People Report was published.²²
- ✓ Report on the Right to Education and Non-Discrimination of Children with Autism was published.²³
- ✓ International Symposium on the Impacts of the Use of Artificial Intelligence (AI) on the Principle of Non-Discrimination was held, 2022.²⁴
- ✓ Workshop on Prohibition of Discrimination in Working Life in the Light of the Constitutional Court Decisions was organized, 2023.²⁵
- ✓ Training on “The Principle of Equality and Non-Discrimination” was given to administrators and teachers working in high schools affiliated to the General Directorate of Secondary Education of the Ministry of National Education was organized on May 20, 2024.
- ✓ “A Webinar on Cyber Bullying and Discrimination” was held, 2023.²⁶
- ✓ Prohibition of Discrimination Training on “Monitoring Disadvantaged Groups in the Provision of Public Services” was given to Provincial Human Rights Board Members on 2022.
- ✓ Press Releases are shared on HREIT’s website on 1 March “Zero Discrimination Day”, on Allegations of Violation of the Prohibition of Discrimination in Housing Rental by A Russian Citizen, Violating the Prohibition of Discrimination in House Leasing, the Potential for Age Discrimination Targeting the Older Person Arising from The Imposition of A 10,000 Turkish Lira Limit On Bank Branch Transactions, the

²⁰ <https://www.tihek.gov.tr/kategori/pages/Deprem-Sonrasi-Yasananlara-iliskin-insan-Haklari-ve-Ayrimcilik-Hukuku-Baglaminda-izleme-Raporu>

²¹ <https://www.tihek.gov.tr/kategori/pages/cocuklarin-adalet-erisim-hakki-raporu>

²² <https://www.tihek.gov.tr/kategori/pages/Turkiye-Yasli-Haklari-Raporu-Yayimlandi>

²³ <https://www.tihek.gov.tr/kategori/pages/Otizimli-Cocuklarin-Egitim-Hakki-ve-Ayrimcilik-Yasagi-Raporu>

²⁴ <https://www.tihek.gov.tr/en/pages/International-Symposium-on-the-Impacts-of-the-Use-of-Artificial-Intelligence-on-the-Principle-of-Non-Discrimination-was-Held>

²⁵ <https://www.coe.int/en/web/ankara/-/workshop-on-prohibition-of-discrimination-in-working-life-in-the-light-of-constitutional-court-judgments>

²⁶ <https://www.tihek.gov.tr/kategori/iceriklist/haberler/13>

Allegations of a Disabled Person Being Subjected to Discriminatory Treatment in Public Transport.²⁷

➤ **Violence against women (arts. 2, 3, 6, 7 and 26)**

7. With reference to the Committee’s previous concluding observations (paras. 12 and 13) and the report on follow-up to the concluding observations of the Committee, please provide information: (a) about the measures taken during the reporting period to address “honour killings”; (b) about the steps taken to provide assistance and access to justice for victims, including disaggregated data on the number of complaints, investigations, prosecutions and convictions during the reporting period, about efforts to facilitate access to official remedies, rather than informal mediation, and about the shelters and psychosocial services available to victims; and (c) about any targeted measures that have been taken to protect women from gender-based violence, including domestic violence, during the COVID-19 pandemic.

One of the types of discrimination prohibited by Article 3 of the HREIT Law is gender-based discrimination. HREIT is responsible for examining claims of violations of the prohibition of discrimination or torture and ill-treatment upon application, and it also has the authority to conduct ex officio investigations in these areas.

In the previous period, the “Support for Human Rights Boards and Women's Rights Project” (İNKAP), prepared within the framework of the financial cooperation of the European Union and Türkiye, was carried out by the Turkish Human Rights Institution (TİHK) with one of its main objectives being to ensure gender equality. The start date of the project in question is September 2014, the implementation period is 24 months, and the budget is 2,498,000 Euros. The general objective of the project is to ensure that all citizens and civil society benefit from the rights and freedoms in compliance with the standards and practices determined by international agreements to which Türkiye is a party, to the maximum extent.

The specific objectives of the project are to develop standards for the investigation and application processes regarding human rights violations, to raise awareness in society regarding

²⁷ <https://www.tihk.gov.tr/18-24-mart-yasli-lar-haftasi-basin-aciklamasi>



human rights, to encourage women's participation in economic, social and cultural life, to contribute to the effective implementation of necessary measures to prevent domestic violence and honor killings, to support the strengthening of communication and coordination between the Turkish Human Rights and Equality Institution and local human rights boards, and especially to encourage local civil society organizations to participate in the activities and events of human rights boards. Within the scope of this component, activities were carried out to develop standards for the investigation and application processes regarding human rights violations, and training activities were carried out to contribute to the increase in the current capacities of HREIT and Provincial and District Human Rights Boards.

In order to determine the standards of procedures related to human rights violations, field visits, preliminary guidance and focus group meetings and current situation analysis were conducted, needs were determined and two different sets of workshops and roundtable meetings were organized with the participation of 180 members representing the Human Rights Boards. Training programs were organized for the members of the Provincial and District Human Rights Boards and desk officers on fundamental rights and freedoms, human rights violations and procedures for evaluating violation applications. A total of 454 representatives were reached in 10 provinces, namely Samsun, Bursa, Trabzon, Eskişehir, Konya, İstanbul, Antalya, Ankara, İzmir and Adana, through the training programs. Training of the members of the Human Rights Boards operating at the central and local level and opinion leaders such as muhtars, imams and teachers on issues such as women's rights, children's rights, refugee rights and asylum seeker rights. In this way, it is aimed to increase the awareness of local human rights board members and opinion leaders on the relevant topics and to improve the reception of violation applications at the local level. Within the scope of the said activity, women's rights seminars were held for provincial and district board members, desk officers and editors, and in addition to women's rights, children's rights, refugee rights and asylum seeker rights were also discussed. 1176 officials were reached through the seminars held in 20 provinces including Samsun, Mardin, Bursa, Siirt, Zonguldak, Ankara, Gaziantep, Çorum, Adana, Antalya, Nevşehir, Malatya, Muş, İstanbul, Konya, İzmir, Afyonkarahisar, Trabzon, Sakarya and Erzincan. Within the scope of the activity, imams of large mosques that can appeal to large audiences and are respected by the public were invited to the trainings organized, and in addition to imams, mukhtars, public education center trainers, civil society organizations and health personnel (psychologists and nurses) who are thought to be effective in protecting women's

rights, preventing domestic violence and honor killings were also invited to the trainings. Within this scope, 565 opinion leaders were reached with 10 training programs. Visits were made to schools and relevant institutions and organizations, issues related to human rights were discussed, painting and photography competitions were organized throughout Türkiye, a feature-length film consisting of 5 different short stories was shot, numerous animations were produced in different formats and 7 public service announcements were prepared.

Visits were made to 10 primary schools selected from the Altındağ and Çankaya districts of Ankara accompanied by child experts, and information was given to 3rd and 4th grade students in the 9-11 age group about children's rights and what can be done in case of rights violations, and brochures were distributed. Approximately 1000 students were interviewed face to face during school visits. In order to raise awareness in society in the field of human rights, especially women's rights, the schools in Istanbul, Izmir, Çanakkale, Mersin, Aydın, Yozgat, Gaziantep, Bursa, Trabzon and Ankara. Approximately 1057 people were reached through the panels. Visits were made to relevant civil society organizations in the same provinces. Media campaigns and press conferences were organized to raise public awareness, spot films were prepared, and project messages were supported through social media and the website.

The “Violence Prevention Workshop” was organized on November 15-16, 2019, with the aim of drawing attention to the rapidly increasing phenomenon of violence in society, evaluating the effectiveness of the mechanisms introduced to combat violence, and determining multifaceted and holistic policies to combat violence. Presentations were made on various topics such as “Protection of the Family and Prevention of Domestic Violence”, “Outlook of Domestic/Family Violence in Türkiye According to the Results of the Domestic Violence Against Women Research and Family Structure Research”, “Analysis of Incidents Occurring in the Gendarmerie Responsibility Area Between 2008-2017 on Femicides” and “Protection and Support of Victims of Domestic Violence in the Judicial Process”. In addition, a special issue on Violence Prevention was added to the HREIT Academic Journal, consisting of important papers presented at the Violence Prevention Workshop.²⁸

In addition, on the occasion of March 8 International Women's Day, women's rights are discussed in many aspects within the scope of the Symposium to be held on 2022.²⁹

²⁸ https://www.HREIT.gov.tr/upload/file_editor/2020/05/1588775400.pdf

²⁹ <https://www.HREIT.gov.tr/kadinhaklarisempozyumu/>

- ✓ UNICEF Training on Monitoring and Reporting Violations of Women's Rights and Children's Rights was given to our Experts and Assistant Experts, 2021.³⁰
- ✓ A Press Release was made on the International Day for the Elimination of Violence against Women on 2021,³¹
- ✓ The Proceedings of the Women's Rights Symposium were published on 2022.³²
- ✓ An interview on “Women's Rights and Vulnerable Groups” was held on 2022.³³
- ✓ In cooperation with Üsküdar University Human Rights Studies Application and Research Center, an online information session on “Women's Rights in the Context of Combating Discrimination” was held on 2022.³⁴
- ✓ A Press Release was made about International Women's Day on 2023,³⁵
- ✓ A Press Release was made on the International Day for the Elimination of Violence against Women on 2023,³⁶
- ✓ “Combating Violence against Women in the Light of Constitutional Court Decisions” on Workshop” was held, 2024³⁷

- **Prohibition of torture and cruel, inhuman or degrading treatment or punishment (arts. 2, 7, 9, 10, 12 and 14)**

10. Recalling the previous recommendation of the Committee (para. 14), please provide information about: (a) reports that incidents of torture and ill-treatment, including beatings, sleep deprivation, sexual abuse, foot whipping, being forced to strip naked, stress positions, and blindfolding and/or handcuffing for extended periods, were widespread in police lockups and unofficial detention locations in the aftermath of the attempted coup in 2016

³⁰ <https://www.tihek.gov.tr/kurumumuz-ile-unicef-is-birliginde-egitim-gerceklestirildi>

³¹ <https://www.tihek.gov.tr/en/press-release-on-november-25-the-international-day-for-the-elimination-of-violence-against-women>

³² <https://www.tihek.gov.tr/kadin-haklari-sempozyumu-bildiriler-kitabi>

³³ <https://www.youtube.com/watch?v=sAOnGH0QKok>

³⁴ <https://www.tihek.gov.tr/uskudar-universitesinde-ayrimcilikla-mucadele-baglaminda-kadin-haklari-konulu-bilgilendirme-konferansi>

³⁵ <https://www.tihek.gov.tr/8-mart-dunya-kadinlar-gunune-iliskin-basin-aciklamasi>

³⁶ <https://www.tihek.gov.tr/25-kasim-kadina-yonelik-siddete-karsi-uluslararası-mucadele-gunune-iliskin--basin-aciklamasi>

³⁷ <https://www.tihek.gov.tr/anayasa-mahkemesi-kararlari-isiginda-kadina-yonelik-siddetle-mucadele-calistayi-gerceklestirildi>

and that emergency decree provisions establish retrospective immunity for the perpetrators of such offences; (b) reports of the systemic use of torture and ill-treatment, including severe beatings, kicking, punching, verbal abuse, threats of sexual violence, sexual violence, prolonged stress positions, handcuffing, and denial of basic needs, including to extract confessions from accused persons, in the south-east region of Türkiye; and (c) any independent complaints mechanisms that are in place to investigate all forms of torture and ill-treatment, as well as about the number of investigations, prosecutions and convictions during the reporting period, including about the punishments handed down to perpetrators and the compensation awarded to victims.

Pursuant to Article 9 HREIT act 2016: “Undertaking regular visits, with or without prior notice, to places where those deprived of their liberties or those under protection are held; delivering the reports related to such visits to relevant agencies and organizations, and disclosing such report to the public when considered necessary by the Board; examining and evaluating the reports regarding visits made to such places by boards committees that monitor prisons and detention houses, provincial and sub-provincial human rights boards and other relevant individuals, agencies and organizations.” are counted among the duties of Institution.

The HREIT is the only authority acting as the NPM in Türkiye, within the framework of the provisions of the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

Following the accreditation process, some initiative have been made regarding the criticism issues. The budget of the NPM was made independent from the budget of the Institution without the need for any amendment to the HREIT act 2016 in order to implement the recommendation in paragraph 22 of the Recommendation Report No. CAT/OP/Tur/R.2 of the SPT.

In addition to having sufficient financial resources, other qualities that NPMs should have are functional independence and sufficient security for employees to act independently. Although there is currently no amendment to the HREIT act 2016, the Strategic Plan published by the Institution for the period between 2024-2028 includes various performance indicators on the aforementioned issue. In this framework, under Objective (A4) titled "Improving Institutional Capacity and Enhancing Performance", it is stated that studies on legislative amendments will be carried out in order to "ensure that the structure of the Institution is fully harmonized with the Paris



Principles" and "harmonize the Law with OPCAT". In addition, the Strategic Plan states that initiatives will be taken to adopt legal arrangements to strengthen the security of tenure and personal rights in order to "strengthen the immunity and status of the Board Members and Human Rights and Equality Experts/Assistant Experts in accordance with the nature of the work carried out independently of the administration".

The duties of the HREIT as a NPM can be classified under two main headings; undertake regular visits to centers where individuals deprived of their liberties or under protection and examine application submitted by individuals who have been deprived of their liberty or placed under protection.

In accordance with the OPCAT, HREIT is authorized to obtain any information relating to detention centers, including information persons held therein, and to enter all detention centers. Furthermore it can interview persons deprived of their liberty directly, without witnesses, or through an interpreter if deemed necessary. It is also empowered to contact, brief and meet with the UN Subcommittee on Prevention of Torture (SPT) when necessary, as well as to make recommendations to the relevant authorities and to submit recommendations and observations on existing or draft legislation with a view to improving the treatment and conditions of persons deprived of their liberty.

The visiting schedule is prepared by the NPM before each calendar year to conduct regular visits in accordance with the types, numbers, sizes and geographical distributions of these places, as well as news in media, reports of organizations operating at national and international levels, applications made to the Institution and information obtained from the Institution's previous visits regarding these places.

According to Article 19 of the Law "The examination, inquiry, visiting and report drafting duties and other duties given to the HREIT by the Law and other legislation shall be carried out by Human Rights and Equality Experts and Assistant Experts and also by other staff members assigned by the Head. Where authorized by the Head, such personnel listed in the paragraph one shall have the authority to request necessary information and documents from all public institutions and agencies and other natural and legal persons, to examine and take copies of the same, to receive written and oral information from relevant persons, to undertake visits to places where those deprived of liberty and those under protection are held and to carry out examinations in such places and draw up necessary reports and to interview the person(s) alleged to have been

ill-treated. Public institutions and agencies and other natural and legal persons shall have to facilitate the visits undertaken by the HREIT and fulfil their requests without delay.”

NPM visits begin with a meeting with the officials of the HREIT visited. In this meeting, the authorities are informed about the duties and powers of the NPM, the purpose of the visit and how it is carried out, and the information needed such as the number of persons at the HREIT or room placement plans is obtained from the authorities before the visit. Then, the visiting delegation, in the light of the principles and standards within the framework of national and international law;

(1) Meets privately and in groups with the persons chosen by them among both those deprived of their liberty or taken under protection and the personnel,

(2) Visits rooms of those deprived of their liberty and taken under protection, and common places of the HREIT,

(3) Examines various files and records.

(4) The delegation meets again with the authorities to share their initial findings and observations, conveys the problems that need urgent solutions, and concludes the visit by stating that the report are submitted to them and the relevant authorities, and to express the information that the cooperative dialogue continues. During the visit, at the meetings with the authorities, the confidentiality of the information provided by the interviewees and the security of these persons are observed, and necessary precautions are taken to ensure that these persons do not suffer any harm due to the visit.³⁸

According to Law No. 6701, HREIT has the power to visit “the places where people are deprived of their liberty or kept under protection”. This regulation does not provide a narrow list of what “places of detention” are. Therefore, NPM is able to visit as wide a range of detention centres as possible, including but not limited to:

- Prisons
- Police Custody Centres
- Removal Centres where foreigners under administrative detention are kept,

³⁸ National Preventive Mechanism in 20 Questions Booklet.
<https://www.HREIT.gov.tr/public/editor/uploads/1662109803.pdf>

- Refugee Camps/ Accommodation Centres,
- Airport Transit Zones,
- Psychiatric Centres/Hospitals,
- Juvenile Prisons
- Care Centres for Children,
- Social Care Centres for People with Disability and the Older Persons,
- Nursing Homes for Older Persons,
- Pre-trial Prisoner Waiting Areas at the Courthouses.

Although the law allows for it to be shared or not, regarding the Board's decision, all visit reports are shared on the HREIT's website and social media accounts.

These visits are decided annually by the Board. Between 2017 and 2023, the NPM carried out monitoring visits to 266 centres in total.

Table 1: NPM Visits in 2017-2023 (The Distribution of the Visits in 2023 by the Type of the Centre)

Centers	2017	2018	2019	2020	2021	2022	2023	TOTAL
Penitentiary Institution	3	7	15	5	26	26	24	106
Custodial Prison	1	5	3	2	9	10	19	49
Removal Centers	0	4	2	2	5	6	3	22
Disabled and Special Care Centers	0	2	3	1	6	7	4	23
Nursing Home	0	2	5	1	3	2	3	16
Temporary Refuge Centers	0	4	1	0	1	1	0	7
Children's Homes Site	0	2	2	2	2	3	5	16
Transit Zone	0	0	1	0	1	2	3	7
Psychiatric Hospital	1	2	3	0	2	4	3	15
Courthouse/Prisoner Waiting Room	0	0	0	0	0	2	2	4
Hospital Waiting Room for Prisoners	0	0	0	0	1		0	1
TOTAL	5	28	35	13	56	63	66	266

Since 2020 October, 206 detention centers have been visited under the NPM duty. In 2021, it has been planned to visit 53 detention centers. However, since there were 3 unplanned visits in addition to these 53 planned visits 56 detention center visited in 23 provinces. All visits made in 2021 was unannounced.

In 2022, 63 detention centers in 46 provinces were visited. In 2022, 37 provinces that had not been visited in previous years were visited and thus all 81 provinces were visited within the scope of our NPM duty. Of the 63 visits carried out within the scope of the NPM, 56 were monitoring visits and seven were follow-up visits. Among the 63 visits carried out during the year, three visits were made as a result of an ex officio decision, two visits were made by a delegation consisting of officials from the Institution and SPT, and two joint visit were made by a delegation consisting of officials from the HREIT and Ombudsman Office of Azerbaijan.³⁹

In 2023, 66 detention centers in 32 provinces were visited. Out of 66 visit, 5 visit were announced which are Ankara Akyurt Removal Center, Diyarbakır Courthouse Prisoner Waiting Area, Siirt Eruh District Gendarmerie Command, Sırameseler Children's Homes Site (joint visit with UNICEF), Samsun Provincial Police Department. In addition, out of 66 visits, 5 visits were follow up visit which are Ankara Elmadağ Women Open Penal Institution, Ankara Akyurt Removal Center, Trabzon Atakoy Mental and Nervous Diseases Hospital, Ankara West Courthouse Prisoner Waiting Area, Samsun Provincial Police Department.⁴⁰

By the way, to the visits made by the HREIT itself, joint visits can also be made in cooperation with other institutions. Joint NPM visits were carried out with the Ombudsmen of Azerbaijan⁴¹, Macedonia and Georgia⁴² within two years. Also, joint NPM visits were made to Children's Closed Penal Institution⁴³ and Children's Home Site⁴⁴ with UNICEF officials. In addition to that, two visits were made by a delegation consisting of officials from the HREIT and Subcommittee of Prevention of Torture (SPT)⁴⁵. In 2023, Istanbul Autism Care Rehabilitation and Family Counseling Center⁴⁶ visited with the lawyers of Istanbul No. 1 Bar Association, Sincan T Type

³⁹ 2022 Annual Report, p.93. <https://www.tihek.gov.tr/public/editor/uploads/2022.pdf>

⁴⁰ HREIT, 2023 Annual Report, p.80. <https://www.tihek.gov.tr/public/editor/uploads/YoW91ZFt.pdf>

⁴¹ <https://www.tihek.gov.tr/kurumumuz-heyeti-azerbaycanda-temaslarda-bulundu/> , <https://www.tihek.gov.tr/kurumumuz-heyeti-azerbaycan-ulusal-onleme-mekanizmasiyla-ortak-ziyaret-gerceklestirdi/>

⁴² <https://www.tihek.gov.tr/tihek-heyeti-gurcistanda-temaslarda-bulundu/> , <https://www.tihek.gov.tr/a-joint-working-visit-was-held-with-georgian-ombudsmans-office-to-sincan-open-penal-institution/>

⁴³ <https://www.tihek.gov.tr/joint-visit-to-sincan-closed-juvenile-penitentiary-institution-with-unicef/>

⁴⁴ <https://www.tihek.gov.tr/hreit-delegation-conducted-an-announced-visit-to-bursa-sirameseler-childrens-houses-site-with-unicef-officials/>

⁴⁵ <https://www.tihek.gov.tr/joint-visit-by-hreit-and-spt-to-cankaya-district-police-detention-centers/> , <https://www.tihek.gov.tr/joint-visit-by-hreit-and-spt-to-sincan-no-1-l-type-closed-penitentiary-institution/>

⁴⁶ <https://www.tihek.gov.tr/tihek-heyeti-istanbul-otizm-bakim-rehabilitasyon-ve-aile-danisma-merkezine-habersiz-ziyaret-gerceklestirdi/>

Closed Penal Institution⁴⁷ visited with the lawyers of Ankara No. 1 Bar Association and Kocaeli Köseköy Care Center, Rehabilitation and Family Counseling Center Directorate⁴⁸ visited with lawyers of Kocaeli Bar Association.

Following the visit, visit report prepared by experts and shared with the public according to Article 9 (j) HREIT act 2016; “Undertaking regular visits, with or without prior notice, to places where those deprived of their liberties or those under protection are held; delivering the reports related to such visits to relevant agencies and organizations, and disclosing such report to the public when considered necessary by the Board...” In addition to HREIT act 2016, with the HREIT Board Decision numbered 158/2 and dated 31 August 2021, it was decided that unless there is a contrary situation, decisions will be announced to the public. Since the date of the principal decision, all visit reports have been announced to the public.

As a result of the observations made during the visits carried out within the context of the NPM mission, in general, it has been understood that the administration and staff in penal institutions have a positive attitude towards the prisoners⁴⁹, and when there are complaints about the staff; an investigation has been launched and the necessary precautions and disciplinary procedures have been taken if the personnel who mistreated them are detected.⁵⁰ Likewise, although there are no widespread problems regarding the use of the right to petition⁵¹ recommendations have been made to the relevant institutions regarding the problems experienced.⁵²

⁴⁷<https://www.tihk.gov.tr/hreit-delegation-made-an-unannounced-visit-to-sincan-t-type-closed-penitentiary-institution/>

⁴⁸<https://www.tihk.gov.tr/hreit-delegation-visited-kocaeli-kosekoy-care-rehabilitation-and-family-counselling-center/>

⁴⁹ Bingöl M Type Closed Penitentiary Institution Visit Report, paragraph 25; Afyonkarahisar No.1 Closed Penitentiary Institution Visit Report, paragraph 42; Erzincan T Type Closed Penitentiary Institution Visit Report, paragraph 32; Sinop Open Penitentiary Institution Visit Report, paragraph 32; Izmir No.2 F Type Closed Penitentiary Institution Visit Report, paragraph 59; Yalova A3 Type Closed Penitentiary Institution Visit Report, para 29.

⁵⁰ Bingöl M Type Closed Penitentiary Institution Visit Report, paragraph 94; Kilis L Type Closed Penitentiary Institution Visit Report, paragraph 88; Şırnak T Type Closed Penitentiary Institution Visit Report, paragraph 42; Erzincan T Type Closed Penitentiary Institution Visit Report, paragraph 32.

⁵¹ Tunceli A3 Type Closed Penitentiary Institution Visit Report, paragraph 46; Karadeniz Ereğli A2 Type Closed Penitentiary Institution Visit Report, paragraph 42; Sinop Open Penitentiary Institution Visit Report, paragraph 33; Kilis L Type Closed Penitentiary Institution Visit Report, paragraph 89; Trabzon E Type Closed Penitentiary Institution Visit Report, paragraph 31; Tarsus Women’s Closed Penitentiary Institution Visit Report, paragraph 32; Hakkâri K Type Closed Penitentiary Institution Visit Report, paragraph 89.

⁵² Amasya E Type Closed Penitentiary Institution Visit Report, paragraph 90; Erzincan T Type Closed Penitentiary Institution Visit Report, paragraph 62; Espiye L Type Closed Penitentiary Institution Visit Report, paragraph 105; Sincan No. 1 L Type Closed Penitentiary Institution Visit Report, paragraph 103.

However, it has been observed that some penal institutions have issue of overcrowding that negatively affects the living spaces of prisoners.⁵³ Prisoner's obligation to sleep on a mattresses placed on the floor due to the crowding problem in prisons was detected during visits to Sincan No. 1 L Type Closed Prison⁵⁴ and to Tarsus Women's Closed Prison⁵⁵, recommendations on this issue are included in the reports. The same determination and recommendation is also included in the Denizli T Type Closed Prison Visit Report⁵⁶. Therefore, it is considered that it would be useful to review the situation regarding penal institutions housing overcapacity prisoners within the framework of a general planning.

During visits, the needs of women and children staying with their mothers are particularly monitored. For instance, during a NPM visit, it was conveyed to our visiting delegation that children staying with their mothers and breastfeeding mothers were not given food suitable for their condition, and that they were expected to obtain diapers and food from the canteen. Regarding this issue, the Prison Administration stated that children's food and diaper needs are met by psychologists in consultation with aid organizations, the Ministry of Family and Social Policies and municipalities, and also stated that these products can be obtained from the canteen. Prison Administration also stated that the food needs of children housed in the prison are met in accordance with the Feeding Regulations for Convicts, Detainees and Penitentiary Institution Personnel; as of 24/01/2022 an additional 17 TL subsistence allowance is provided in addition to the daily 17 TL for children staying with their mothers in the prison, breastfeeding mothers and pregnant women.⁵⁷ In the visit report, it was recommended to take care of providing food for children staying with their mothers and to supply food suitable for breastfeeding mothers and to continue their cooperation in providing free diapers to children staying with their mothers⁵⁸.

⁵³ Aksaray T Type Closed Penitentiary Institution Visit Report, paragraph 29; Sincan No. 1 L Type Closed Penitentiary Institution Visit Report, paragraph 29; Şırnak T Type Closed Penitentiary Institution Visit Report, paragraph 20; Bodrum S Type Closed Penitentiary Institution Visit Report, paragraph 17; Tarsus Women's Closed Penitentiary Institution Visit Report, paragraph 18.

⁵⁴Sincan No 1 L Type Close Penitentiary Institution Visit Report, paragraph 30.

⁵⁵Tarsus Women's Closed Penitentiary Institution Visit Report, paragraph 18.

⁵⁶Denizli T Type Closed Penitentiary Institution Visit Report, paragraph 64.
<https://www.tih.gov.tr/public/images/kararlar/p9bziz.pdf>

⁵⁷Antalya L Type Closed Penitentiary Institution Visit Report, paragraph 56.

⁵⁸Antalya L Ttype Closed Penitentiary Institution Visit Report Visit Report, paragraph 99.

Physical conditions of the penitentiary institution is another issue that stands out during NPM visits. It has been determined that there is a need for maintenance and repair in some penal institutions, heating problems may occur due to insufficient building insulation, old beds need to be replaced, the amount of hot water is insufficient, hygiene conditions are not adequately provided, and recommendations have been made regarding these issues.⁵⁹ It was observed that most of the penitentiary institutions visited had a laundromat or a washing machine and dryer in a suitable area, and that prisoners could generally wash their laundry for a certain fee. It has been determined that the problems experienced at this point are generally due to the laundry not being washed properly or in institutions where the laundry is dried with a dryer, and the laundry is given to the prisoners before it is completely dried. Since it is known that handing out laundry that is not well cleaned or damp may pose a risk of causing skin disorders in public areas, penal institutions are expected to show the necessary sensitivity at this point.⁶⁰ During the visits, we also encountered penal institutions that did not have laundry facilities and where the prisoners washed their clothes with their own means.⁶¹ It has been recommended that a suitable area be allocated as a laundry in these penal institutions.⁶²

In accessing the right to health; It has been observed that there is a generally well-functioning system in emergency response, examination, treatment, medication supply and monitoring the health status of those with chronic diseases; no common problems were observed. However, it has been observed that some institutions may respond to health requests other than emergencies with

⁵⁹ Bingöl M Type Closed Penitentiary Institution Visit Report, paragraph 99,101,102; Aksaray T Type Closed Penitentiary Institution Visit Report, paragraph 90; Tunceli A3 Type Closed Penitentiary Institution Visit Report, paragraph 79, 82; Ardahan T Tipi Open Penitentiary Institution Visit Report, paragraph 68; Yalova A3 Type Closed Penitentiary Institution Visit Report, paragraph 58; Şırnak T Type Closed Penitentiary Institution Visit Report, paragraph 73-75, Sincan No. 1 L Type Closed Penitentiary Institution Visit Report, paragraph 95, 97; Karadeniz Ereğli A2 Type Closed Penitentiary Institution Visit Report, paragraph 63, 64, 67, 71; Gölbaşı K1 Type Closed Penitentiary Institution Visit Report, paragraph 91; Erzincan T Type Closed Penitentiary Institution Visit Report, paragraph 60; Silivri No. 5 L Type Penitentiary Institution Visit Report, paragraph 73-74; Sinop Open Penitentiary Institution Visit Report, paragraph 84; Izmir No.2 F Type Closed Penitentiary Institution Visit Report, paragraph 125; Amasya E Type Closed Penitentiary Institution Visit Report, paragraph 83, 85; Hakkâri K Type Closed Penitentiary Institution Visit Report, paragraph 83; Espiye L Type Closed Penitentiary Institution Visit Report, paragraph 93, 96, 97.

⁶⁰ Silivri No. 5 L Type Penitentiary Institution Visit Report, paragraph 75; Afyonkarahisar No.1 Closed Penitentiary Institution Visit Report, paragraph 91; Sincan No. 1 L Type Closed Penitentiary Institution Visit Report, paragraph 100.

⁶¹ Gölbaşı K1 Type Closed Penitentiary Institution Visit Report, paragraph 39; Hakkâri K Type Closed Penitentiary Institution Visit Report, paragraph 29; Izmir No.2 F Type Closed Penitentiary Institution Visit Report, paragraph 55.

⁶² Hakkâri K Type Closed Penitentiary Institution Visit Report, paragraph 84; Izmir No.2 F Type Closed Penitentiary Institution Visit Report, paragraph 126.

a delay due to density.⁶³ It has been observed that in some institutions, there may be a small number of problems regarding health records, and that these problems sometimes arise from the hospitals to which the prisoners are referred.⁶⁴

The Institution accepts applications in parallel with its duties and powers. Pursuant to Article 9/I of Law No.6701, the Institution is responsible for inquiring into, examining, taking a final decision on and monitoring the outcomes of applications submitted by individuals who have been deprived of their liberty or placed under protection, within the scope of the national preventive mechanism. Thus, the applications of individuals who have been deprived of their liberty in places of detention or taken under protection within the framework of the NPM mandate.

In 2021, 1185 applications made to the Institution. These applications were categorised within the framework of 3 main duties of the Institution and examined by the relevant units. In this context, 529 applications within the scope of NPM were received.⁶⁵

In 2022, 2020 applications made to the Institution and 947 applications within the scope of NPM were received while in 2023, total number of application made to the Institution was 2830 and 1234 of them received within the scope of NPM.

It can be observed that there is a tendency to escalate the number of application made to the Institution in direct proportional to number of visited centers in a year. Since 2021 to April 2024, 16 violation decision, 323 rejection of violation decision and other types of decisions are made regarding the applications. Examples of the Board Decisions regarding violation are given below.

For example, an application was received regarding the claim that the prisoner, who is 78 years old and has many diseases, was kept in handcuffs in the hospital for 50 days. During the evaluation process of the application; It was taken into consideration that the addressee's statement that the applicant was handcuffed for security reasons was not sufficiently founded, and that it did not seem possible for the prisoner to escape from the hospital, considering his advanced age and diseases that prevented him from living his life on his own. In the HREIT Board Decision numbered 2020/133; It was stated that handcuffing the prisoner who was treated in intensive care

⁶³ Afyonkarahisar No.1 Closed Penitentiary Institution Visit Report, paragraph 73; Sincan No. 1 L Type Closed Penitentiary Institution Visit Report, paragraph 80.

⁶⁴ Gölbaşı K1 Type Closed Penitentiary Institution Visit Report, paragraph 43; Sincan Youth Closed Penitentiary Institution Visit Report, paragraph 42; Silivri No. 5 L Type Penitentiary Institution Visit Report, paragraph 38.

⁶⁵ HREIT, 2021 Report on the National Preventive Mechanism Against Torture and Ill-Treatment, p.129.

for approximately 2 months was a disproportionate practice and incompatible with human dignity, and therefore decided that the prohibition of ill-treatment was violated.⁶⁶

An application was received regarding the allegation that physical violence was committed to the applicant in the penal institution. During the evaluation process of the application; The findings in the reports prepared by the addressee Institution physician and the hospital physician to which the applicant was referred and the sworn witness statements were taken into consideration. In the Board decision numbered 2023/779; As a result of the shifting of the burden of proof, it was stated that the addressee had to present stronger evidence than witness statements in order to prove the contrary of the situation proven by medical reports, but addressee did not present such sufficient evidence and therefore it was decided that the prohibition of ill-treatment was violated.⁶⁷

An application was received regarding the allegations that law enforcement officers committed physical violence during the detention process and that the doctor in charge issued a false medical report without performing any examination. During the evaluation process of the application; Camera records of the moment of physical violence and general forensic examination procedures, as well as the findings in the second medical report received by the applicant on the same day, were taken into consideration. In the Board decision numbered 2023/847; It was stated that the treatment of law enforcement officers was not legitimate and proportionate, and that issuing a report without respecting patient privacy and performing an examination did not comply with effective investigation standards, and therefore it decided that the material and procedural aspects of the prohibition of ill-treatment were violated.⁶⁸

An application was received regarding allegations of physical violence by law enforcement officers during identity vetting and in the detention center. During the evaluation process of the application; The issue of the addressee Institution's failure to provide the camera records of the places where the applicants were detained, the camera records viewed by the HREIT delegation during the unannounced visit to the addressee Institution and the general forensic examination report prepared for the applicants were taken into consideration. In the Board decision numbered

⁶⁶ HREIT	Board	Decision	Numbered	2020/133,	20/05/2020.
https://www.tihek.gov.tr/public/images/kararlar/95AABA.pdf					
⁶⁷ HREIT	Board	Decision	Numbered	2023/779,	05/10/2023.
https://www.tihek.gov.tr/public/images/kararlar/ey1p60.pdf					
⁶⁸ HREIT	Board	Decision	Numbered	2023/847,	02/11/2023.
https://www.tihek.gov.tr/public/images/kararlar/a8n18s.pdf					

2023/859; It was stated that the burden of proof was on the addressee in the face of concrete and consistent claims of the applicants, but the contrary of their claims could not be proven convincingly, and therefore it was decided that the prohibition of ill-treatment was violated.⁶⁹

On the other hand, NHRIs have a critical role to play in facilitating trainings and in promoting community and national-level awareness. In line with this role of NHRIs, the HREIT conducted training activities on prevention of ill-treatment and torture. In this regard, on April 2023 our experts provided training to the staff of the General Directorate of Prisons and Detention Houses on “International and European Standards on Issues Examined by Monitoring Mechanisms During Penitentiary Institution Impressions”. Additionally, on February 2024 provided training to the staff of the Gendarmerie General Command on “Solution suggestions to complaints received about personnel”⁷⁰.

Furthermore, some publications have been made as an extension of awareness raising activities. For instance, “NPM in 20 Question Booklet” has been published and distributed during visits. In addition, in April 2023 "National Prevention Mechanism (Simplified Version for Children) Brochure" prepared in cooperation with UNICEF Türkiye Office and published. Also, "National Human Rights Institutions (NHRI) Series: Tools to Support Child-Friendly Practices. NHRIs and the Tool for Monitoring Children's Rights in Closed Environments" was published in cooperation with UNICEF Türkiye Office. Moreover, Prisoner Rights Guide⁷¹ has been published in our website.

In addition to mentioned initiatives, some fundamental documents in the area has been translated to Turkish and published in our website. Some of these fundamental documents; Nelson Mandela Rules, Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2022 edition), The Méndez Principles (Principles on Effective Interviewing for Investigations and Information Gathering-May 2021) and Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

⁶⁹ HREIT Board Decision Numbered 2023/859, 23/11/2023.
<https://www.tihek.gov.tr/public/images/kararlar/9xluz3.pdf>

⁷⁰ <https://www.tihek.gov.tr/jandarma-cezaevi-hizmetleri-calistayina-katilim-saglandi>

⁷¹ <https://www.tihek.gov.tr/kategori/pages/Mahpus-Haklari-Rehberi>

On the other hand, NHRIs have a critical role to play in facilitating trainings and in promoting community and national-level awareness. In line with this role of NHRIs, the HREIT conducted training activities on prevention of ill-treatment and torture. In this regard, on April 2023 our experts provided training to the staff of the General Directorate of Prisons and Detention Houses on “International and European Standards on Issues Examined by Monitoring Mechanisms During Penitentiary Institution Impressions”. Additionally, on February 2024 provided training to the staff of the Gendarmerie General Command on “Solution suggestions to complaints received about personnel”⁷².

Furthermore, some publications have been made as an extension of awareness raising activities. For instance, “NPM in 20 Question Booklet” has been published and distributed during visits. In addition, in April 2023 "National Prevention Mechanism (Simplified Version for Children) Brochure" prepared in cooperation with UNICEF Türkiye Office and published.⁷³ Also, "National Human Rights Institutions (NHRI) Series: Tools to Support Child-Friendly Practices. NHRIs and the Tool for Monitoring Children's Rights in Closed Environments" was published in cooperation with UNICEF Türkiye Office. Moreover, Prisoner Rights Guide⁷⁴ has been published in our website.

The "Symposium on Monitoring Penal Institutions in Terms of Human Rights and the Criminal Justice System" was held in 2022 in cooperation with Constitutional Court. The opening speech was given by SPT Chair Suzanne Jabbour.⁷⁵

In addition to mentioned initiatives, some fundamental documents in the area has been translated to Turkish and published in our website. Some of these fundamental documents; Nelson Mandela Rules, Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2022 edition), The Méndez Principles (Principles on Effective Interviewing for Investigations

⁷² <https://www.tihk.gov.tr/jandarma-cezaevi-hizmetleri-calistayina-katilim-saglandi>

⁷³ <https://www.tihk.gov.tr/en/unofficial-turkish-translation-of-the-report-on-the-rights-of-the-child-and-inclusive-social-protection-a-hrc-54-36>

⁷⁴ <https://www.tihk.gov.tr/kategori/pages/Mahpus-Haklari-Rehberi>

⁷⁵ <https://www.tihk.gov.tr/spt-baskani-suzanne-jabbourun-insan-haklari-ve-ceza-adalet-sistemi-acisindan-ceza-infaz-kurumlarinin-izlenmesi-sempozyumu-acilis-konferansi>



and Information Gathering-May 2021) and Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.⁷⁶

⁷⁶ <https://www.tihek.gov.tr/en/unofficial-turkish-translation-of-the-general-comment-no-1-on-article-4-of-the-optional-protocol-to-the-convention-against-torture-and-other-cruel-inhuman-or-degrading-treatment-or-punishment>