



# International Covenant on Civil and Political Rights

Distr.: General  
31 October 2024

Original: English

---

## Human Rights Committee 142nd session

### Summary record of the 4162nd meeting

Held at the Palais Wilson, Geneva, on Wednesday, 23 October 2024, at 3 p.m.

*Chair:* Ms. Abdo Rocholl

## Contents

Consideration of reports submitted by States parties under article 40 of the Covenant  
(*continued*)

*Second periodic report of Türkiye*

---

\* Reissued for technical reasons on 29 November 2024.

---

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.



*The meeting was called to order at 3.05 p.m.*

**Consideration of reports submitted by States parties under article 40 of the Covenant**  
(continued)

*Second periodic report of Türkiye (CCPR/C/TUR/2; CCPR/C/TUR/QPR/2)*

1. *At the invitation of the Chair, the delegation of Türkiye joined the meeting.*
2. **A representative of Türkiye** said that his Government was steadfast in its commitment to the United Nations human rights system and its determination to respect and protect civil and political rights. It was proud to be a party to more than 15 United Nations human rights treaties and valued its engagement with the corresponding treaty bodies, viewing the interactive dialogue as an opportunity to underscore its accountability to citizens and the international community.
3. **A representative of Türkiye** said that, to restore democracy and protect the fundamental rights and freedoms of the Turkish people following the coup attempt of July 2016, a state of emergency had been declared that had remained in place until July 2018. Throughout the state of emergency, the Government had continued to cooperate with international organizations and to act in line with international human rights obligations and principles. Thereafter, it had been able to focus fully on its reform agenda, and its achievements under that agenda were detailed in the second periodic report (CCPR/C/TUR/2) currently before the Committee. The implementation of the judicial reform strategy launched in 2019 had included the introduction of a summary trial procedure for certain criminal offences and the establishment of assistant judge and prosecutor positions to enhance professional training and expertise. The Government had launched the Human Rights Action Plan for the period 2021–2023 in 2021. It was currently working on the next iteration, covering the period 2024–2028, as well as an update of the judicial reform strategy.
4. Achieving zero tolerance of violence against women had been a priority on the human rights agenda, and a new law, as well as amendments to the Penal Code, had been adopted to enhance protection and ensure effective punishment. The fourth National Action Plan for Combating Violence against Women covered the period 2021–2025 and had been prepared with input from all relevant stakeholders. The number of special units devoted to combating domestic violence had been increased to over 400 nationwide as at the end of October 2023 and new technological applications such as electronic bracelets and the KADES (Women's Emergency Support) mobile application had improved the authorities' capacity to respond effectively. Additionally, the recently developed Vision Document and Action Plan for the period 2024–2028 set out a range of initiatives designed to strengthen and protect the nation's families.
5. As host to the largest refugee population in the world, Türkiye stood firm in its commitment to managing irregular migration, combating migrant smuggling while upholding the principle of non-refoulment and implementing reforms that strengthened democratic standards, even in the face of ongoing global and regional crises, instability and acts of terrorism. It would continue to meet its obligations despite the serious challenges inherent in meeting the needs of millions of persons fleeing violence and seeking refuge in its territory.
6. **Mr. Gómez Martínez** said that the Committee had confidence in the State party's capacity and determination to overcome the difficulties it faced. He had noted that the periodic report listed a range of actions undertaken under the Human Rights Action Plan without specifying the legal instrument or regulations within which the new measures were framed. It would be helpful to know the precise legal norm providing for the adoption of each of the actions and measures mentioned. The delegation's comments on the absence from the Plan of measures to guarantee the independent functioning of the judiciary and prevent the undue use of counter-terrorism legislation against opposition politicians, political activists and journalists would also be appreciated.
7. The State party affirmed in its periodic report that Turkish nationals belonging to minority groups enjoyed the same rights as other nationals and also benefited from minority status, yet it was apparently not considering withdrawing its reservation to article 27 of the

Covenant. He would welcome an explanation of that position since the affirmation appeared to reflect a situation favourable to withdrawal rather than an obstacle. Information on action taken to ensure compliance with the Views adopted by the Committee under the Optional Protocol in cases involving Türkiye, including *Özçelik et al v. Türkiye* (CCPR/C/125/D/2980/2017), would be helpful. He would also like to know what action had been taken in response to the conclusion reached by the European Commission for Democracy through Law that constitutional amendments adopted in 2017 placed the separation of powers between the legislative and executive branches of government in jeopardy; whether the State party was considering action to ensure better application of the Paris Principles and thus secure a category A rating for the Human Rights and Equality Institution of Türkiye from the Global Alliance of National Human Rights Institutions; and how the Human Rights and Equality Institution's governing board was appointed and by whom.

8. He would welcome the State party's comments on the observation that, despite its assurances to the contrary, the definitions of acts of terror and terrorists contained in articles 1 and 2 of the Anti-Terror Law were open to broad and arbitrary interpretation that would permit their application to human rights defenders. It might also respond to concerns that, despite amendments in 2024, article 2206 of the Penal Code was still not clear enough to prevent its application from resulting in arbitrary detention and imprisonment and unjust convictions and that, according to various sources, the State Party was considering reinstating the death penalty. The Committee was also concerned at the fact that Law No. 7262 on the Prevention of the Financing of the Proliferation of Weapons of Mass Destruction, contained measures that would appear to extend its scope beyond the stated aim of applying the recommendations of the Financial Action Task Force. It therefore appeared that, under the terms of that law, non-government organizations (NGOs), including human rights organizations, might be considered to represent a risk and, accordingly, might be subjected to strict supervision and restrictions on the rights of association and independence in their activities. He would like to receive disaggregated data on the fines levied and hearings conducted in application of Law No. 7262 and to hear whether its provisions might be amended to bring them into line with article 22 of the Covenant.

9. **Mr. Helfer** said that he would like to know whether revisions to the State party's legal framework were envisaged to ensure effective protection against discrimination on all grounds and for all persons, both in law and in practice. Members of the LGBTQ community reportedly faced systematic discrimination and violence, but, because its founding law did not recognize sexual orientation and gender identity as protected characteristics, the Human Rights and Equality Institution was unable to act on complaints of discrimination on those grounds. Might the State party amend the founding law accordingly?

10. In view of the challenges that minority religious communities faced in acquiring official place-of-worship status for their meeting places, an explanation of the application process that Alevis, Jehovah's Witnesses and Protestant Christian sects must follow would be helpful. He wished to know what was being done to uphold the use of the Kurdish language in all spheres and to investigate and prosecute racially motivated violence against Kurds. He also would like to know what amendments were planned to close lacunae in the laws addressing hate speech and hate crime and ensure more effective investigation and prosecution of such offences. Information on the National Action Plan on the Rights of Persons with Disabilities 2023–2025, including on any efforts to eliminate the ban on appointing persons with a physical disability as judges and prosecutors and to remove accessibility barriers in courthouses, police stations and prisons, would be helpful.

11. The Committee had concerns about the proportionality of the derogations from the Covenant introduced during the state of emergency, which had apparently resulted in over 130,000 public sector employees being dismissed; about the fact that emergency decrees had been transposed into ordinary legislation and permanent revisions of national laws and applied not only to members of terrorist organizations and direct participants in the coup attempt but also to persons who had only tenuous connections with terrorist organizations, if any, and the events in question; and about Law No. 7145, which had extended the Government's authority to dismiss any public official on the basis of such a connection. He would like details of the efforts made to ensure that the measures were proportionate, limited

in scope and targeted only individuals and organizations with genuine connections to terrorist groups.

12. Given that the Inquiry Commission on the State of Emergency Measures set up to deal with complaints about such measures had rejected over 85 per cent of the applications submitted to it, he would be interested to hear how complaints were investigated and what steps had been taken to ensure the Commission's independence and impartiality. It would likewise be helpful to know what steps had been taken to prevent violations of non-derogable rights during the state of emergency, since reports indicated that some of them, including the principle of legality in criminal law, had not been respected.

13. Concerns about anti-corruption measures in Türkiye had already been raised by the Council of Europe Group of States against Corruption and the Working Group on Bribery of the Organisation for Economic Co-operation and Development (OECD). An update on the steps taken to implement the recommendations made by those two bodies would be welcome, as would information on specific efforts to investigate and prosecute corruption allegations such as the bribery allegations made by Reis Sedat Peker in 2022, alleged corruption in the construction sector after the 2023 earthquake and alleged prosecutorial corruption in major Turkish cities in 2023 and 2024. The delegation's comments on allegations that trustees had in some cases transferred assets seized following the coup attempt to entities with close ties to the Government and an explanation of the safeguards adopted to prevent the possibility of corruption in such cases would be helpful.

14. **Ms. Tigroudja** said that violence against women appeared to have been normalized in Türkiye, with tens of thousands of women reportedly having lost their lives as a result of domestic violence or so-called honour crimes in the reporting period. The country's withdrawal from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) in 2021 might even have encouraged such normalization. Moreover, gender-based violence was apparently not limited to home settings but was also used against women detainees. In particular, women detained on suspicion of links to a terrorist organization – including Mukadder Alakus, who had submitted a complaint to the Committee under the Optional Protocol ([CCPR/C/135/D/3736/2020](#)) – had reportedly been ill-treated, assaulted – in some cases sexually – and denied medical care. There appeared to have been no attempt to establish the facts of such reports and identify and punish those responsible. It also appeared that women victims of violence were afraid to file a complaint owing to the passive attitude of the police, judiciary and medical and social services and the risk of stigmatization and revictimization.

15. In view of the foregoing, she would like to know what the State party was doing to combat honour crimes; to ensure access to shelters for women victims of domestic violence while also ensuring that they were not separated from their children; and to combat the impunity enjoyed by perpetrators – particularly when they were agents of the State – of gender-based violence, including rape and other forms of sexual violence. She also wished to know whether the State party might consider rejoining the Istanbul Convention.

16. Other areas of concern were the travel bans, restrictions on freedom of movement and passport cancellations imposed upon academics, civil servants, judges, prosecutors, opposition politicians and even students suspected of having taken part in the coup attempt or of belonging to a terrorist organization. International Criminal Police Organization (Interpol) Red Notices and politically motivated extradition proceedings were also reported to have been used against such persons if they had travelled abroad. In the light of such reports, she invited the delegation to provide details of the revisions made to the regulations governing the issue and revocation of passports; statistical data showing the number of persons whose passports had been revoked and the number subjected to travel bans, the reasons for the revocation or ban and the occupations of those affected; and clarification regarding the use of Red Notices and the safeguards in place to prevent politically motivated extradition requests.

17. In view of reports of mass expulsions to Afghanistan and the Syrian Arab Republic, increasing anti-migrant hate speech, “voluntary” returns that were in reality forced under threat of detention or return to a conflict zone, and inhumane and degrading conditions in holding centres for asylum-seekers, she would like to know what specific steps were being

taken to ensure that the principle of non-refoulement was respected in practice; that requests for protection were examined on a case-by-case basis; and that foreign nationals were not subject to coercion and that, when they did choose to return to their country, their return was genuinely voluntary. She also wished to know how the list of safe countries was drawn up and, in the light of the recently published report of the Council of Europe Group of Experts on Action against Trafficking in Human Beings, what steps were being taken to strengthen legal safeguards for persons under temporary protection to make them less vulnerable to all forms of trafficking in persons.

18. **Mr. Teraya**, referring to reports of a systematic practice of State-sponsored extraterritorial abductions and forced returns of persons allegedly associated with the Gülen movement, said that he would appreciate confirmation that the State party was not engaged in what might constitute a policy of extraterritorial abduction. He would also welcome clarification as to whether, in stating, in the periodic report (CCPR/C/TUR/2, para. 143), that “some allegations” were part of a “malicious strategy of” the Fetullah Terrorist Organization, the State party was implicitly acknowledging the existence of other cases that were not part of such a strategy. He would welcome the delegation’s comments on those allegations and details of the procedures in place to address such offences. He would also like detailed information about alleged cases of enforced disappearance within Türkiye and in areas of northern Syria occupied by Türkiye, including the number of cases and the whereabouts of the affected individuals.

19. Given that many cases of enforced disappearance dating from the 1980s and 1990s had apparently still not been resolved, he would like to know whether legislation was in place to ensure that enforced disappearances were addressed in compliance with international standards; whether a specific definition of enforced disappearance had been adopted within the criminal justice system; how historical cases were investigated and the rights of victims, including the right to truth, safeguarded; and what oversight mechanisms were in place to prevent enforced disappearances and provide remedies for victims.

20. Lastly, he would like to know the extent to which the prison system expansion plan mentioned in the report (para. 175) would serve to address overcrowding and how the State party ensured compliance with international standards such as the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). Were the rules governing early release applied without discrimination so that political prisoners were not excluded from that option? He would also like information about the outcome of investigations into prisoner deaths, including the death of Mustafa Kabakçioğlu, and about the use of solitary confinement.

21. **Mr. Ndiaye** said that he would like to know how the State party guaranteed impartiality in the investigation of torture allegations, particularly in sensitive cases involving persons suspected of belonging to the Kurdistan Workers’ Party or the Gülen movement; how many torture-related prosecutions had been brought; how many of such cases had resulted in convictions and prison sentences as well as effective reparation for the victims; and whether any law enforcement officers had been suspended or removed from duty and then prosecuted following complaints submitted to the Law Enforcement Oversight Commission. He would also like information about the respective roles in torture prevention efforts of independent bodies, including the Human Rights and Equality Institution; about the safeguards in place to prevent acts of torture; about any measures taken to protect vulnerable groups such as migrants against torture in detention centres; and about the legal assistance available to persons claiming or proven to be victims of torture and the number of cases in which assistance had been provided.

22. Regarding liberty and security of person, he would appreciate information about any safeguards for ensuring access to legal aid and legal counsel for suspects, especially those living in rural areas and those facing charges of a political or terrorism-related nature, and about the conditions governing such access. Were legal aid and contact with a lawyer guaranteed or were there exceptions? He would also be interested to learn about the procedure for contesting remand detention and the applicable time frames; about the legal norms

invoked to authorize the continued detention of hunger strikers such as Ebru Timtik and Aytaç Ünsal; about the conditions in which they had been held; and about the protocols in place to ensure that hunger strikers' health could be protected without violating their right to protest. He wondered whether the State party applied rulings of the European Court of Human Rights, particularly those related to pretrial detention and release on health grounds, and, if it did not, for what reason. Details of the fair trial guarantees in place would be helpful, as well as an indication of how such guarantees were upheld. He was keen to learn what measures were in place to ensure judicial independence and shield the judiciary from political pressure, particularly in the light of cases such as those of the judges Alparslan Altan and Hakan Baş and the fact that over 2,800 judges and prosecutors had been removed from office and placed in pretrial detention following the coup attempt.

23. He would like to know what the specific objectives were of the third National Action Plan against Trafficking in Persons and what its current implementation status was, as well as details of the mechanisms in place to ensure funding and oversight of support services for trafficking victims. He wondered whether there were any plans to increase shelter capacity for foreign victims of trafficking outside Ankara; how often residency permits for victims were renewed and at what cost; what specific actions were taken to prevent children from being trafficked, especially in border regions and in the vicinity of schools; and how the State party ensured effective coordination with NGOs and protected persons participating in the safe return programme from being exposed to revictimization. Information about efforts to combat forced labour and forced marriage among migrants would also be appreciated.

*The meeting was suspended at 4.10 p.m. and resumed at 4.30 p.m.*

24. **A representative of Türkiye** said that the Human Rights Action Plan had been formulated in the course of 55 meetings and 5 large-scale workshops, and the resulting document had been shared with NGOs, minority groups, bar associations, justice officials, journalists and academics for comment. State institutions also worked with stakeholders in implementing the Plan, and any organization or body was able to submit feedback through an official website. The Plan made reference to international principles such as the best interests of the child – one of its lines of action was the establishment of juvenile justice centres – and provided for the opening of legal assistance and victim support centres.

25. The Penal Code, the Code of Criminal Procedure, Law No. 5275 on Sentence Enforcement and Security Measures and electoral laws had all been amended in line with the principles set out in the Plan. Specific amendments had included the introduction of a right to appeal to a higher court and of a requirement for concrete evidence to be presented in order for pretrial detention to be ordered, even if there was a risk of flight, and the recognition as an aggravating circumstance in cases involving violence against women of a previous marriage between the victim and perpetrator. Additionally, the juvenile justice system had been strengthened, the maximum allowable response time for administrative bodies to act upon citizen petitions had been reduced from 60 to 30 days, and specialized courts had been established to deal with banking, finance and technology-related disputes, among other matters.

26. On 15 July 2016, fighter jets, weapons and tanks had been used against the Turkish nation, including against the Turkish Grand National Assembly and other institutions, killing 251 persons and injuring over 2,000 more, including public servants, law enforcement officers and civilians. The aim of the coup attempt had been to overturn the democratic, constitutional order and, in such circumstances, international instruments, as well as national law, including article 15 of the Constitution, authorized extraordinary measures, including the declaration of a state of emergency and suspension of certain rights and freedoms. The state of emergency had been temporary, but necessary to uphold democracy and combat terrorist organizations such as the Fetullah Terrorist Organization and Democratic Union Party.

27. Decree-Laws, which were an instrument used in a state of emergency, were subject to two forms of review: approval and adoption by the Turkish Grand National Assembly and review by the Constitutional Court. The Constitutional Court had so far heard 37 cases and annulled 141 provisions in respect of such laws.

28. Public servants were bound by a duty of loyalty, and that obligation had been recognized by the European Court of Human Rights as well. The Constitution and other Turkish laws provided that such persons were not at liberty to act against the unity of the State and, under Law No. 657 on Civil Servants, such persons were not permitted to be members of political parties. Public servants could not engage in any transaction that compromised their impartiality. The swift dismissal of public servants who were associated with terrorist organizations was therefore legitimate, as such persons posed a threat to public order. Following the establishment of the Inquiry Commission on the State of Emergency Measures, it had become possible under Decree-Law No. 685 for judges and prosecutors who had been dismissed to appeal to the Council of State within a period of 60 days. The Commission had been recognized by the European Court of Human Rights as a domestic remedy which had to be exhausted before a case could be filed with the Court. Decisions of the Commission were subject to appeal in administrative proceedings, and direct appeals could be made to the Constitutional Court, the United Nations and the European Court of Human Rights. Fifteen per cent of all dismissal decisions examined by the Commission had been annulled.

29. The Structure of the Council of Judges and Prosecutors had been configured to meet the country's needs and was in line with international standards. Members of the Council were elected by consensus by all political parties in the parliament. The scope of authority of the Minister of Justice, who attended meetings of the Council's general assembly, and of the Deputy Minister of Justice, who had a seat in only one chamber of the Council and held one of seven votes, was limited by detailed legislation.

30. **A representative of Türkiye** said that clear definitions of "terror" and associated terms were provided in Turkish law. Article 1 of Anti-Terror Law No. 37/13 provided that the use of force, intimidation or threats with the aim of subverting the constitutional order constituted an act of terrorism, while article 2 defined persons who were members of terrorist organizations that aimed to subvert the constitutional order – which included persons who did not commit acts of terrorism but who committed crimes on behalf of such organizations or who were otherwise organizationally linked to them – as terrorists. The Court of Cassation and the Constitutional Court followed the jurisprudence of the European Court of Human Rights closely and issued their judgments in line with the jurisprudence of the international courts. Türkiye dealt with a constant terrorist threat – as attested to by the terrorist attack on a Turkish aerospace company which had occurred that very afternoon and about which the delegation had just been informed – and had effective mechanisms for doing so that conformed to international standards. The Constitutional Court had, moreover, annulled a provision that provided for the possibility of prosecuting persons who did not belong to terrorist organizations as if they were members of such organizations, and a separate offence had therefore been defined under article 220 (6) of the Turkish Penal Code.

31. The maximum duration of pretrial detention – which, pursuant to article 100 and subsequent articles of the Criminal Code of Procedure, was to be applied as an exceptional measure – was prescribed by law. For lesser offences, the maximum allowable period of pretrial detention was six months, while, for graver offences, the maximum period of pretrial detention was one year. During the prosecution of terror-related crimes, detention periods of two or three years were allowed; in highly exceptional cases, they could be extended to a maximum of five years. Periods of pretrial detention were not taken into account once legal proceedings had been completed.

32. Public prosecutors were authorized to investigate offences *ex officio* and did not discriminate against journalists or members of NGOs in doing so. Prosecutorial decisions could be appealed before a higher court. Under Turkish law, if it was determined that a complaint had been based on unfounded allegations, prosecutors could decide not to prosecute at any stage in the process.

33. **A representative of Türkiye** said that she wished to inform those present that her delegation had been apprised of the fact that a terrorist attack had just been carried out in Ankara and had unfortunately left martyrs and injured people in its wake. On behalf of her delegation, she wished those injured a speedy recovery. Might those who had died rest in peace.



34. **A representative of Türkiye** said that, in reviewing the activities of NGOs, a risk-based system was used whereby such organizations were subjected to stricter oversight when there was a risk that they were involved in financing terrorism or money laundering. That system in no way jeopardized or compromised the rights of freedom of association and organization, which were enshrined in the Constitution. Institutions were required by law to report on any aid that they collected or sent abroad and were subject to restrictions if they failed to do so. The Government was committed to protecting and improving the institutional status of NGOs in the country.

35. **A representative of Türkiye** said that the prison system in Türkiye was focused on inmates' rehabilitation and reintegration into society. The Government observed the Nelson Mandela Rules, international standards and the recommendations of international organizations to which it belonged. Prison systems were monitored by means of review and control systems at the national and international levels. At women's prisons, only women were employed as guards and only women conducted physical searches. Judicial review and control mechanisms affording special benefits were in place for women who gave birth while in prison or who had young children. Children below the age of six years could stay in prison with their mother if she so decided; they were not obliged to do so by the State. The Government was addressing the current problem of prison overcrowding, not by building more facilities, but instead by rehabilitating offenders and reintegrating them into society with a view to ensuring that they did not reoffend. Prisoners underwent medical and psychological evaluations before being placed in solitary confinement. Placement in solitary confinement required the approval of a judge and was used very rarely and usually for periods shorter than the maximum allowable duration. Health services in prisons were provided by doctors employed by the Ministry of Health. Upon arrival, prisoners were examined by doctors at the prison facility and referred to outside hospitals if necessary. Prisoners who became too unwell to remain in prison were referred to outside hospitals. Türkiye had an ex officio mechanism for release on grounds of ill health as well. The Istanbul Protocol served as an important guide for dealing with criticism and issues raised in that regard. The response of the authorities in the event of hunger strikes by prisoners as provided for by article 82 of Law No. 5275 on Execution of Sentences and Security Measures did not violate human dignity. The European Court of Human Rights had ruled that cases involving the authorities' response to hunger strikes that had been brought before it had been inadmissible.

36. **A representative of Türkiye** said that the provisions of the Istanbul Protocol were adhered to meticulously in his country. Continuous training programmes were in place so that the system stood ready to respond to any occasional personnel shortages. In order to bring forensic reporting into line with international standards as part of the Human Rights Action Plan, a series of training programmes for doctors and forensic personnel had been held for 89 experts working in a range of positions. Approximately 5,000 doctors had received training on the Istanbul Protocol in 2023 and approximately 8,000 had done so thus far in 2024. Such training was an ongoing activity, and doctors were being asked for feedback with a view to improving the process. The procedures used for the medical examination and evaluation of prisoners were prescribed by law, and rules in that regard had been defined on the basis of the Istanbul Protocol, while certain rules pertaining to examination units and the provision of health services were defined by the Ministry of Health. No person other than the prisoner being examined was permitted to enter the examination room without the doctor's express permission. All prisoners' medical records were included in their personal file. Emergency health stations operated at all times and neighbourhood clinics also offered their services. Prisoners requiring a longer period of hospitalization were placed in dedicated hospital wards that were treated as part of the prison system.

37. Units providing health services to refugees operated in 32 cities and offered free vaccinations for refugee children. Health institutions in Türkiye offered medical services to all persons, including members of the LGBTQ community, without discrimination. Allegations of discrimination were reviewed diligently and resolved on an urgent basis.

38. **A representative of Türkiye** said that her Government pursued a zero-tolerance policy with regard to violence against women and had adopted Law No. 6284 on Protection of the Family and Prevention of Violence Against Women, while the Turkish Penal Code provided for the punishment of such acts. In withdrawing from the Council of Europe



Convention on Preventing and Combating Violence against Women and Domestic Violence, which a number of States had not ratified, the Government had exercised its right to do so under article 80 of the Convention. The Government considered claims that its withdrawal from the Convention had resulted in an increase in acts of violence against women in the country to be baseless. The Government had worked with centrally located and local stakeholders on the development and implementation of action plans and coordination mechanisms for combating violence against women. Some 613 institutional mechanisms, including mechanisms for the provision of protective services, were used to assist victims of violence and their accompanying children. There were violence prevention centres in 83 cities, and 112 shelters and 418 violence prevention units operated in the country. Electronic bracelets and GPS technology were used to monitor perpetrators of violence against women. Women who were at risk of acts of violence or who had been subjected to such acts could call a dedicated hotline that operated around the clock. The Ministry of Family and Social Services had established a women's support system. As at 7 October, more than 1 million notifications of incidents of violence against women had been received, of which more than 800,000 had been found to be substantiated and had been acted upon. Services aimed at preventing violence against women and other vulnerable groups in areas affected by earthquakes had also been made available. Training seminars for public officials and the general public had been launched in 2017 and had reached 4.5 million people. The Government also focused on conducting research, gathering statistical data and holding activities to raise public awareness as part of its efforts to combat violence against women.

39. **A representative of Türkiye** said that his country was a party to the Convention relating to the Status of Refugees and the Ministerial Commitments of the Group of Seven Interior and Security Ministers of 2021. The principle of non-refoulement was also enshrined in Turkish law. The treatment of refugees and asylum-seekers was subject to judicial process, as were extradition proceedings. Such proceedings were monitored by representatives from the Office of the United Nations High Commissioner for Refugees and other human rights institutions, and no extradition was carried out in the absence of a judicial decision or the documented consent of the person concerned. Free legal representation was provided to foreign nationals when necessary, as were urgent medical care and medicines. Extradition centres were run in compliance with international standards, were subject to national and international monitoring mechanisms and could be visited by NGOs. Records kept by the United Nations attested to the large number of asylum-seekers, vulnerable groups and refugees in the country. Through its collaboration with the United Nations, the Government operated dedicated desks in provincial administrative services that determined the needs of refugees and asylum-seekers and deployed health and education services accordingly.

40. Those desks also identified victims of human trafficking and referred them to specialized units. A national action plan for combating trafficking in human beings which defined terms related to that phenomenon and which called for awareness-raising measures and the improvement of victim services would be put into action in the first quarter of 2025. When necessary, trafficking victims received a six-month residence permit that could be extended to a maximum of three years free of charge. The Government operated a rehabilitation and reintegration centre for such victims with the support of the employment and health authorities.

41. **A representative of Türkiye** said that article 42 of the Constitution provided that nobody could be deprived of the right to education, while articles 4 and 8 of the Basic Law on National Education provided that educational institutions were open to all without discrimination on the basis of race, gender or other grounds. The Kurdish language had been offered as an elective course in school years 5, 6, 7 and 8 for a minimum class size of 10 students since 2012. The course – which placed emphasis on the improvement of intercultural skills and incorporated international guidelines – had been taken by 24,000 students so far. The Ministry of Education had not received any reports of school administrators preventing students from choosing the course. Teachers for the course could be transferred from other institutions or hired on a temporary basis where necessary.

42. **The Chair** said that, before continuing with the Committee's questions, she wished to express, on behalf of all the Committee members, their profound condolences to the families and loved ones of the victims of the tragedy at a Turkish aerospace company in

Ankara. They stood with the Turkish people at that very difficult moment and wished to express their deepest sorrow at the loss of life.

43. **Mr. Gómez Martínez** said that he wished to know how many NGOs had been investigated and how many had had their operations suspended under Law No. 6415 on the Prevention of the Financing of Terrorism.

44. **Mr. Helfer** said that the delegation might comment as to whether the scale on which persons had been dismissed from their posts and on which civil society, educational and other organizations had been closed following the declaration of a state of emergency in 2016 had been strictly proportional and limited to the exigencies of the situation, in accordance with the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights). He would be grateful for additional explanations as to how the system for the judicial review of emergency decrees functioned and whether that system had changed since the events of 2016. He would also welcome additional statistics in that regard. He understood that the European Court of Human Rights had noted that the Inquiry Commission constituted a domestic remedy, but it had also found violations in relation to how the emergency laws had been applied, and he would therefore appreciate additional information as to whether the Commission and the Constitutional Court had been given an effective opportunity to conduct a fair review of the laws in question.

45. He wished to know whether the competence of the national human rights institution might be amended to enable it to accept complaints on grounds that were covered by the Covenant but not by Turkish law. He would be keen to learn how the State party was responding to recommendations issued by the Group of States Against Corruption and the Working Group on Bribery in International Business Transactions.

46. **Ms. Tigroudja** said that she would be interested to know why the State party had withdrawn from the Istanbul Convention, especially in the light of the considerable contribution it had made to bringing the Convention into being. She would be grateful to learn whether it was the case that, pursuant to article 6 of Law No. 6532, members of the secret services could not be prosecuted for abducting persons abroad who were suspected of being affiliated with the Gülen movement and forcibly returning them to Türkiye without the benefit of extradition proceedings. She wondered whether their abduction could render the detention of such persons and judicial proceedings against them null and void, as would appear to be provided for by articles 9 and 14 of the Covenant.

47. **Mr. Teraya** said that he wished to know to what extent the issue of prison overcrowding was recognized in the State party both in quantitative and qualitative terms and to hear the delegation's comments regarding reports that the current state of the prison system was inadequate. He would be grateful to receive a response from the delegation to the Committee's earlier questions regarding allegations that enforced disappearances had been carried out both in Türkiye and extraterritorially.

48. **Mr. Ndiaye** said that he would be grateful to learn what concrete measures had been taken in practical terms to implement initiatives such as the Human Rights Action Plan and the removal of the statute of limitations for crimes of torture. He wished to know how many persons it had become possible to prosecute since the statute of limitations for such crimes had been removed and how the national human rights institution performed its role as the national preventive mechanism, including in respect of persons accused of the most heinous crimes. The delegation might comment on what was done to ensure that persons accused of such crimes had the benefit of legal assistance. It would be helpful to know why so many dismissals and resignations of judges and civil servants had taken place in that connection.

49. **Ms. Kran**, taking note of the recent censorship and arrest of numerous journalists and social media users by the State party in the wake of the death of the Islamic scholar Fethullah Gülen and a statement issued by the Ministry of the Interior that anybody who posted condolences for Mr. Gülen would be prosecuted and punished under counter-terrorism laws, said that she would welcome an explanation as to how those actions were compatible with the obligation of the State party under the Covenant to guarantee the right to freedom of expression.

*The meeting rose at 6 p.m.*