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## **National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21\***

**Türkiye**

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\* The present document is being issued without formal editing.



## **I. Methodology and consultation process**

1. The Ministry of Foreign Affairs (MFA) coordinated the preparation of this report based on the guidelines issued by the Human Rights Council (HRC). Relevant public institutions, national human rights institutions (NHRIs), civil society representatives, universities were consulted in the preparation process and contributed to the content of the report.
2. The civil society consultations took place in two phases: Consultation meetings were held with participation of civil society representatives and public institutions. All stakeholders were also invited to contribute to the process via a link created on the website of the MFA. Civil society contributions played a key role in identifying priority issues for the national report. The report is published at MFA's website.
3. The recommendations that Türkiye received in the third cycle of the Universal Periodic Review (UPR) in 2020 were translated to Turkish and sent to all relevant public institutions and NHRIs. This report will focus on the developments in the field of human rights since Türkiye's previous UPR and the recommendations accepted by Türkiye in the third cycle of the UPR.

## **II. Context**

4. In order to accurately reflect on the period under review, it is crucial to briefly highlight the significant developments since the last UPR cycle that have shaped the current context.
5. In the past five years, geopolitical circumstances beyond and across Türkiye's borders have worsened and led to unique and tremendous challenges Türkiye had to face. Türkiye had to pursue a simultaneous fight against multiple terrorist organizations operating within its territory and/or along its borders, namely PKK, PYD/YPG, DHKP-C, DAESH and FETO. Türkiye has concurrently continued to face with the biggest influx of human displacement in the world and is now home to almost 3,5 million refugees and asylum seekers.
6. On 6 February 2023, Türkiye was struck by two significant earthquakes that affected 11 provinces (an area of 110 thousand square kilometres) with a population of around 14 million (16.4% of the total population of the country). Over 50,000 people lost their lives, and over 100,000 have been injured making it the deadliest such disaster since the country's founding and the most devastating and unprecedented worldwide natural disaster of this century.<sup>1</sup>
7. Nevertheless, Türkiye has stood firm to protect and promote human rights and continued its efforts aimed at further compliance with international principles and standards both in law and practice. Accordingly, reforms on which Türkiye has focused since the termination of the State of Emergency (SoE)<sup>2</sup> on 19 July 2018, have been rigorously pursued during the past five years. The preparation and implementation processes of all these reforms were carried out with transparent and participatory spirit in extensive consultations with all stakeholders, including civil society representatives, professional organizations, academics, media as well as international organizations.

### **A. Legal framework**

8. Türkiye continuously reviews its legislation and practice in line with its commitment to the international human rights obligations. Legal reforms that have been carried out since the third cycle of the UPR are presented below. (Recommendations 45.20, 54, 55).
9. The implementation process of the Third Judicial Reform Strategy (JRS)<sup>3</sup> for 2019-2023, announced on 30 May 2019, was successfully concluded as of the end of 2023. This process has been marked by the adoption of a series of legislative and administrative measures that contribute to improving effectiveness of the judiciary, enhancing access to and administration of justice, and strengthening the independence and impartiality of the

judiciary in line with the principle “separation of powers”. The rate of implementation of JRS stands at 71,09%. 182 of the 256 activities targeted in JRS have already been implemented. Significant progress has been achieved in other ongoing activities. (Recommendations 45.110, 111, 113, 116, 117, 120, 121, 124, 128, 129, 131, 133, 139).

10. As highlighted in JRS, Human Rights Action Plan (HRAP)<sup>4</sup> covering 2021-2023 was announced on 2 March 2021 with “*Free Individual, Strong Society; More Democratic Türkiye*” vision. HRAP has been designed as a comprehensive plan aimed at further protection and promotion of human rights and fundamental freedoms. (Recommendations 45.21, 22, 30, 53, 162).

11. Following the announcement of HRAP, “Implementation Schedule” was published on 30 April 2021. To effectively implement and monitor HRAP, the “Monitoring and Evaluation Board” was established. To follow-up the implementation process and to ensure reporting and periodic entry of data by the institutions in charge of the activities, a “Monitoring Follow-Up System” was set up. Turkish and English texts of HRAP along with the French and Arabic translations, the implementation directive, its schedule and follow-up reports were made public at the HRAP’s website.

12. The implementation process of HRAP which was successfully concluded in April 2023, has been marked by the adoption of various legislative and administrative measures that contribute to further protection and promotion of human rights. The rate of implementation of HRAP stands at 66,2%. 260 of the 393 activities targeted in HRAP have been implemented. Significant progress has been achieved in other ongoing activities.

13. In line with the JRS of 2019 and the HRAP of 2021, a series of legal amendments have been introduced through nine consecutive judicial packages and a number of other measures have been put to practice through subsidiary legislation and regulation.

14. Significant measures taken to improve effectiveness of the judiciary, enhance access to and administration of justice are summarized below (Recommendations 45.19, 97, 103, 131, 136, 137, 139, 141, 182):

- With a view to preventing long pre-trial detentions, amendments to the Criminal Procedure Code (CPC) were introduced, emphasizing the use of detention as a last resort.
- Upper limits for the pretrial detention of juveniles pushed to crime were reduced.
- In decisions of detention, continued detention and dismissal of requests for release, proving that judicial control measures would be insufficient was defined as a prerequisite.
- For the catalogue crimes for which strong suspicion constitutes a ground for detention, an additional requirement that the suspicion be “*based on concrete evidence*” was introduced.
- For judicial control measures, upper time limit was introduced. The use of technological means was also introduced.
- Objections to a higher court were introduced against detention and judicial control decisions.
- Possibility of release was introduced in respect of those arrested outside work hours upon an arrest warrant for statement-taking, on the condition that he/she will be present before the competent legal authority on the determined date.
- The administrative response period (also known as implied refusal) was reduced from 60 days to 30 days, with a view to securing legal predictability and transparency in the administration’s work and procedures.
- The scope of mediation in civil disputes was expanded.
- A new trial procedure, namely “summary judgment procedure” was introduced for certain criminal cases, in order to allow a quicker settlement based on an agreement between the prosecutor and the defendant.

- The procedure for holding hearings via audio or video transmission was revised and the e-hearing procedure was made more effective and widely integrated into the system.
- Stricter criteria were introduced for law education. The law school entrance threshold was raised and equivalency standards for law faculties were redefined to improve the quality of graduates.
- Law clinics were expanded to offer students practical training in judicial and administrative units.
- Legal profession entrance exam which requires a higher standard for those entering the field was introduced.
- The assistant judge and prosecutor positions were established to make the preparatory period for judges and prosecutors more effective and to increase professional experience.
- Judges appointed to specialized courts for the first time are now sent to training programs related to their areas of expertise before taking office.
- Judges and prosecutors continue to be given in pre-service and in-service training programs about human rights, including the case-law of the Constitutional Court (CCt) and the European Court of Human Rights (ECtHR).
- The promotion and inspection criteria for judges and prosecutors were updated. Objective performance criteria such as adherence to target deadlines, adequate reasoning, decision accuracy and sensitivity to human rights were introduced.
- Compatibility of judgments and decisions by judges and prosecutors with the case-law of the CCt and the ECtHR was adopted as criteria in promotion and oversight processes.
- Standard application forms were prepared and added to the Lawyer Portal as well as the e-Government Portal with a view to facilitating application for legal aid for persons with financial difficulties.
- Victim rights were strengthened to protect the rights of those harmed by a crime. An independent unit was established within the Ministry of Justice to provide services in this area.
- Legal amendments have been made to ensure that issues pertaining to private life which are not relevant to the offense or alleged incident shall not be reflected in judicial proceedings.
- The process to apply for legal aid was simplified for individuals with limited financial means.
- Fundamental human rights topics were included in pre-service and in-service trainings for all public officials.

15. Other legislative and administrative measures taken since the last UPR cycle, including those in line with the JRS of 2019 and the HRAP of 2021, are presented in the subsequent relevant paragraphs.

16. The Fourth JRS covering 2025-2029, drafted by the Ministry of Justice (MoJ) in consultations with all relevant stakeholders, was made public by President Erdoğan on 23 January 2025.<sup>5</sup> It outlines a roadmap to complement previous reforms and to address new needs with a view to ensuring a justice system based on the rule of law and the respect for human rights. It encompasses a series of goals and measures under certain thematic pillars such as “Rule of Law: the independence and impartiality of the judiciary”, “Legal Security” and “Effectiveness of the Judiciary”. The MoJ is also working on the new Human Rights Action Plan.

## B. Institutional framework

17. Works by NHRIs have been contributing to efforts to improve the protection and promotion of human rights and fundamental freedoms. Meanwhile, strengthening NHRIs is an important component of these efforts. (Recommendations 45.23, 25, 26, 41, 45, 47, 48).

18. The Human Rights and Equality Institution (HREIT), established as an independent institution in line with the Paris Principles, is mandated as NHRI, National Preventive Mechanism (NPM) against Torture and Ill-treatment, and Anti-discrimination and Equality Institution.<sup>6</sup> In October 2022, the HREIT was granted “B” status by Global Alliance of National Human Rights Institutions (GANHRI). In May 2024, the HREIT opened its first regional office in Gaziantep. Further regional offices are also planned to be established in other provinces.

19. The HREIT is a public legal entity with its own budget and has administrative and financial autonomy. It fulfils its duties and exercises its powers independently; no office, authority, organization or person shall give orders, instructions, advice or suggestions on the issues falling within its purview. (Recommendations 45.27, 28, 31, 32, 33, 43, 44, 46).

20. The HREIT has three main duties: protecting and promoting human rights as NHRI, preventing torture and ill-treatment and acting as NPM under the Optional Protocol to the Convention against Torture (OPCAT), combating discrimination and acting as an Equality Body. The HREIT was also designated as the “National Rapporteur” for the Group of Experts on Action against Trafficking in Human Beings (GRETA) of the Council of Europe (CoE).

21. The HREIT makes *ex officio* examinations on human rights violations, delivers decisions and follows their outcome before relevant institutions. It also examines alleged discrimination cases upon application and assists victims on administrative and legal remedies they can resort to. As NPM under OPCAT, the HREIT examines applications by persons deprived of their liberty or placed in protection, pays regular visits to the places they are held, with or without prior notice, and prepares reports on these visits.

22. The Ombudsman Institution (OI), established as an independent institution in compliance with the Paris Principles, is mandated to examine and investigate all kinds of actions and conduct of the administration for compliance with law and equity.

23. The OI is accessible to all segments of society, particularly persons in vulnerable situations. All persons are able to file complaints to OI free of charge, in person or through their legal representative, including in languages other than Turkish. Children can also make electronic applications on their own.

24. The OI addresses complaints by evaluating them under two main categories: “Compliance with Law, Equity and Human Rights” and “Good Governance Principles”, adopting a justice approach based on human rights alongside relevant legislation. In cases of violation, the OI provides recommendations to administrations. Compliance by public institutions with the decisions of the OI has shown significant progress over the years. It rose from 20% in 2013 to 70% in 2018 and reached 77.51% in 2023, with a steady upward trend. (Recommendation 45.41).

25. The HREIT and the OI follow the implementation of the international human rights conventions to which Türkiye is party, submit their views to the relevant bodies, maintain cooperation and dialogue with national and international institutions as well as civil society, and carry out activities for education and raising awareness on human rights. They follow and take into consideration in their works the observations and decisions of the international human rights mechanisms, including the United Nations (UN) Human Rights Treaty Bodies and the ECtHR. (Recommendation 45.141).

26. The HREIT and the OI are provided with adequate financial and human resources required for the conduct of their activities. (Recommendations 45.24, 32, 42, 49).

27. The HREIT and the OI prepare annual activity reports which also include findings on applications, violations addressed and visits made during the year. All reports by HREIT and OI are accessible on their websites.<sup>7</sup>

28. The number of applications to the HREIT and the OI has significantly increased over the years, rising from 369 in 2017 to 2830 in 2023 for the HREIT, from 5639 in 2014 to 19,317 in 2023 for the OI. This demonstrates increased public trust in their processes.

29. The HREIT and the OI also publish reports on thematic issues or international and regional geopolitical developments with a view to contributing the protection and promotion of human rights at global level.

30. “Inquiry Commission on State of Emergency Measures” (SoEC) which started functioning on 22 May 2017 to receive and examine applications concerning administrative acts carried out within the scope of the SoE (in effect from 21 July 2016 to 19 July 2018) completed its work on 22 January 2023. The SoEC is recognized as an effective domestic remedy by ECtHR and its decisions are subject to judicial review. During its mandate, the Commission received a total of 127,292 applications. Of these applications, the Commission accepted 17,960 cases and rejected 109,332. (Recommendation 45.138).

### **C. Conformity with international obligations and cooperation with international mechanisms**

31. Türkiye continues to uphold its international obligations deriving from the conventions it has ratified as well as customary international law, while maintaining its long-standing cooperation with international mechanisms, in particular, UN Human Rights Treaty Bodies and the Special Procedures of the HRC. (Recommendations 45.16, 17).

32. Türkiye is party to 16 UN Human Rights Conventions and Protocols thereto. Since the last UPR cycle, Türkiye has submitted its State Party Reports under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW). (Recommendations 45.1, 2, 6, 10).

33. Interactive dialogues were held in Geneva respectively with the CEDAW Committee, the Committee on the Rights of the Child, the CMW Committee, the Committee Against Torture and the Human Rights Committee concerning Türkiye’s relevant State Party Reports. The Subcommittee on Prevention of Torture (SPT) visited Türkiye in September 2022.

34. Türkiye recognizes the competence of the Human Rights Committee, the Committee Against Torture, the CEDAW Committee, the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities to receive and consider communications regarding alleged violations of the concerned convention by Türkiye. Since the last UPR cycle, Türkiye meticulously replied to the communications sent by these Committees. (Recommendations 45.6, 10).

35. Türkiye has a standing invitation to the Special Procedures of the HRC since 2001. Special Rapporteur on violence against women and girls conducted an official visit to Türkiye in 2022. Türkiye has duly provided replies to the communications sent by the Special Procedures.

36. UN Gender Equality and Women's Empowerment Unit (UN Women) is among the institutions with which Türkiye maintains close cooperation. The Europe and Central Asia Regional Office of UN Women has been operating in Istanbul since 2014. The Agreement establishing UN Women’s Country Office in Ankara was signed in 2024. Its domestic legal approval process is ongoing.

37. In 2021, Türkiye ratified the Paris Agreement on climate change. (Recommendation 45.88).

38. As a founding member, Türkiye has a long-standing and well-established cooperation with the CoE and its mechanisms. Türkiye implements the judgments of the ECtHR. The ratio for execution of the Court’s judgments by Türkiye stands at 89%. This is well above the average rate (79%) of all CoE members. (Recommendations 45.121, 141, 142).

39. Türkiye has ratified several CoE Treaties since 2020, including Protocol No. 15 amending the European Convention for the Protection of Human Rights and Fundamental Freedoms. As of January 2024, Türkiye is signatory to 151 and party to 120 out of 227 CoE Conventions. (Recommendation 45.1).

40. CoE human rights bodies have continued to carry out their visits to Türkiye. CoE Commissioner for Human Rights as well as Commission against Racism and Intolerance (ECRI) visited Türkiye in 2024, while the European Committee for the Prevention of Torture (CPT) carried out 1 periodic and 2 ad hoc visits to Türkiye in the last five years.

### III. Promotion and protection of human rights

#### A. Non-discrimination

41. The constitutional system of Türkiye is based on the equality of all individuals without discrimination before the law, irrespective of “language, race, colour, gender, political opinion, philosophical belief, religion and sect, or any such consideration”.

42. Türkiye has an extensive legal framework against discrimination. In addition to the Constitution, variety of laws, including the Turkish Criminal Code (TCC), Civil Servants Law, Law on Political Parties, Labour Code and the Basic Law of National Education, specifically recognize the equality of all persons before the law and prohibit discrimination on all grounds. It is important to underline that Article 122 of TCC entitled “hatred and discrimination” provides a penalty for hate crime.

43. Since the last UPR cycle, further progress has been made in combating discrimination and promoting equality. HRAP of 2021 outlined specific measures to improve the effectiveness of the fight against all forms of discrimination and hate speech, such as developing investigative guidelines for hate crimes, conducting public awareness campaigns and improving data collection on discrimination and hate-related offenses. (Recommendations 45.29, 40, 61, 65, 66, 72).

44. Works by the HREIT, as Anti-discrimination and Equality Institution, and the OI have been contributing to these efforts.

45. Following duties have been performed by the HREIT for combating discrimination:

(a) Examining violations of the prohibition on discrimination, *ex officio* or upon application, conducting examinations and inquiries, taking decisions and following their outcome;

(b) Guiding those who apply to the HREIT alleging that they have been victim of discrimination about the administrative and legal remedies they can resort to and assisting them in following their applications;

(c) Providing information for the public, including through mass media, on combating discrimination;

(d) Contributing to the determination of principles for national education curriculum to foster an understanding of equality and tolerance from an early age and for vocational training courses for public officials;

(e) Preparing annual reports.

46. Its administrative and financial autonomy ensures that the HREIT operates independently, enabling it to investigate discrimination cases, impose fines and oversee compliance with anti-discrimination legislation in public and private sectors. Anyone who claims to be a victim of discrimination can apply to the HREIT free of charge at provincial and district governors’ offices. The identity of adult applicants can be hidden on request while the identity of minor applicants always remain undisclosed. While it is sufficient for the applicant to put forward the existence of strong indications substantiating his/her allegation, the person or institution accused with violation must prove that the allegation is false. This ensures that victims of discrimination have a favoured position in the proceedings,

reinforcing their access to justice and remedy. In cases where the HREIT finds a violation of non-discrimination, it can impose a fine against the persons or institutions responsible. 2510 applications have been lodged before the HREIT under its anti-discrimination mandate since 2017.

47. The OI also has the power to examine discrimination cases. 122 such applications have been lodged before the OI between 2021-2023. Furthermore, the OI is able to monitor whether public institutions comply with the principle of non-discrimination in all complaints, even in the absence of an explicitly raised allegation. In doing so, it *ex officio* upholds the principle of non-discrimination and provides recommendations to administrations in cases of violation. The OI carries out also activities to raise the level of awareness particularly on remedies to be applied against discrimination and hate crimes.

48. Further information on combating discrimination is provided in related sections of this report.

## **B. Rights of women**

49. Türkiye is committed to the goals of improving the rights of women, ensuring their full and equal participation in all spheres of life and strengthening their status in society.

50. As a result of its policy for women's empowerment, female enrolment and schooling rates of girls at all levels of education have increased considerably. Crucial steps have also been taken in terms of increasing the participation of women in labour market, as envisaged in the National Employment Strategy for 2014-2023. (Recommendations 45.202, 205, 206, 213, 215, 252).

51. "Strategy Document and Action Plan for the Empowerment of Women" (2018-2023) was designed to strengthen the role and participation of women in economic life and foresaw actions and policies for the empowerment of women to be implemented by public administration in cooperation with NGOs, universities and private sector.

52. The new "Strategy Document and Action Plan for the Empowerment of Women" covering 2024-2028 consists of various objectives, strategies and activities as well as monitoring and evaluation indicators under 5 main policy areas which are education, health, economy, leadership and participation in decision making processes, and environment and climate change. (Recommendations 45.50, 56, 59, 62, 63, 67, 71, 73, 134, 201, 216, 223, 229, 231, 232, 234, 237, 238, 239, 240, 244, 245, 246, 249, 250, 253).

53. The 12<sup>th</sup> National Development Plan (2024-2028) stipulates ambitious goals in the field of the rights of women, including but not limited to integrating equality of opportunity for women into all budgeting processes, increasing women's participation in the labour market, improving girls' and women's education, as well as ensuring women's full and effective involvement in decision-making mechanisms at all levels. Furthermore, for the first time, "temporary special measures" such as quotas and supplementary support were included in the National Development Plan. Moreover, also for the first time, a separate chapter on women's empowerment was included in the 2023 Budget Guidebook for citizens published by the Presidency. As a result of steps taken in this context, OECD included Türkiye for the first time among the countries that successfully integrate equality of opportunity for women into all planning and budgeting processes. (Recommendations 45.50, 62, 63, 67, 216, 237, 238, 245, 250).

54. Ministry of Family and Social Services (MFSS) has pursued a series of projects and programmes aimed at increasing women's participation in employment and labour force, supporting women entrepreneurs and expanding education opportunities in collaboration with the relevant public institutions, private companies as well as international organisations.

55. As a result of these policies, from 2020 to 2023, women's employment rate increased from 26.3% to 31.3% and women's participation rate in the labour force increased from 30.9% to 35.8%.

56. Following the parliamentary elections held in May 2024, the ratio of women parliamentarians in the Grand National Assembly reached approximately 20%, the highest



level recorded in the parliament's history. Following the local elections held in March 2024, the number of woman mayors at provincial level has tripled. (Recommendations 45.50, 238, 245).

57. Combating violence against women is a high priority policy for Türkiye. Offering holistic response with the principle of zero tolerance, Türkiye has achieved an exemplary track record with essential amendments in the legal framework, effective action plans and coordinated services.

58. The 4<sup>th</sup> National Action Plan to Combat Violence Against Women (2021-2025) was prepared in consultation with all relevant stakeholders and set out the framework and specific actions towards strengthening efforts at local and national levels to prevent violence against women and comprehensively address this issue. Provincial action plans are developed and monitored periodically to ensure the effective implementation of the National Action Plan in all provinces. (Recommendations 45.51, 58, 68, 217, 218, 219, 220, 221, 222, 223, 226, 227, 231, 233, 234, 237, 243).

59. Presidential Circular on Combating Violence Against Women, published in November 2023, aims to combat violence against women through a multifaceted and holistic approach involving all stakeholders, including public institutions, civil society and private sector. Works are carried out under 5 thematic pillars which are "access to justice and legislation", "policy and coordination", "protective and preventive measures", "public awareness" and "data collection". (Recommendations 45.71, 136, 137, 228).

60. Institutional support services for victims of violence against women have increased in number. In addition to 112 guest houses for women which can accommodate a total 2,808 people, 84 Violence Prevention and Monitoring Centres and 418 Contact Points Against Violence deliver services in all provinces. With the introduction of new technological applications like electronic bracelet, Women Support application (called KADES), WhatsApp line and 24/7 hotline, the capacity to fight violence against women has been improved. (Recommendations 45.68, 217, 224, 225).

61. In addition to Law on the Protection of Family and Prevention of Domestic Violence against Women No: 6284 which is designed to protect women against all forms of violence, the following legal and administrative measures have been adopted since the last UPR cycle: (Recommendations 45.37, 52, 57, 68, 217, 221, 222, 224, 226, 228, 233, 235, 236, 237, 251).

- The offense committed against a spouse/ex-spouse or a woman has been regulated as an aggravated crime.
- The minimum sentences for intentional homicide, intentional injury, torture, torment and threats committed against women were increased.
- The crime of intentional injury against women was included among the offenses that can be a ground for a pre-trial detention.
- One-sided acts of persistent stalking were defined as a separate crime, providing increased protection to victims.
- Women who are victims of violence have been granted, if they so request, free legal aid and assistance of a lawyer appointed by the Bar Association.
- Special investigation bureaus set up to cover cases of domestic violence were expanded.
- All relevant personnel including judges and prosecutors in charge of examining these crimes have been given special training.

62. "Strategy Document and Action Plan for the Strengthening of the Family" (2024-2028), announced in May 2024, also contains measures aimed at promoting the rights of women and the child. (Recommendation 45.199).

## C. Rights of the child

63. Türkiye has been intensively working towards strengthening the rights of the child. Significant steps have been taken to improve the legal and institutional framework for protecting and promoting the rights of the child.

64. “Strategy Document and Action Plan on the Rights of the Child” (2023-2028), launched in April 2023, introduces comprehensive strategies to ensure a more inclusive society for children and strengthen protective and preventive services for them. Presidential Circular of 2023 on Combating Violence Against Women also encompasses measures to prevent violence against children, including raising awareness and institutional coordination efforts. (Recommendations 45.235, 253, 258, 262).

65. The MFSS is the responsible authority for determining the best interests and protection needs of child, including unaccompanied children, and for providing the necessary services for their protection, such as accommodation, health care services, psycho-social assistance and rehabilitation. Under the coordination of the MFSS, “Children are Safe Teams” are set up in all provinces to identify children at risk through field work, household visits and visits to educational institutions, and to refer these children and their families to the appropriate social services. Turkish Statistical Institute launched a Children’s Statistics Portal to improve data tracking on children’s well-being, aligning with Sustainable Development Goals (SDGs). (Recommendations 45.254, 257).

66. Provincial Children’s Rights Committees have been established to promote children’s participation in family, social and public life. These committees aim to raise awareness about children’s rights and involve them in decision-making processes at various levels. Efforts have also been made to educate children about their rights through the creation of accessible publications such as the “Child Protection Law for Youth and Children” and the “Child-Friendly Constitution”, distributed nationwide in partnership with UNICEF. “Children’s Rights Research and Development Centre” affiliated with the Ministry of National Education (MNE) plays a pivotal role in aligning educational system with human rights through conducting researches, tracking reports and participating in events to enhance awareness and advocacy for the rights of the child. Detailed information on the functioning and works of the OI which receives applications from children without requiring legal representation, has been incorporated into educational curricula to raise children’s awareness about the OI. (Recommendations 45.136, 137, 211, 235).

67. Turkish legal framework provides significant guarantees against child labour, such as compulsory education, minimum age for work and working conditions and hours. Besides, in line with the “National Program and Action Plan for Combating Child Labour” (2017-2023), comprehensive measures have been taken focusing on priority groups such as “children working on the streets”, “children employed in heavy and dangerous works” and “children employed in migratory and temporary agricultural works”. These children are reintegrated into education or vocational training programs while their families receive psychosocial and financial support through the “Social and Economic Support Service”. This service which is provided to families who are unable to financially support their children also ensures that children who had dropped out of school due to financial difficulties continue their compulsory education. Child labour combating units were set up in all provinces to prevent child labour through identification and monitoring of child labour, ensuring the access to public services of children who work or are at risk of working and of their families, raising awareness on the subject, and ensuring the co-ordination and cooperation of all relevant institutions and organisations in this field. (Recommendations 45.207, 211, 253, 254, 256, 259, 260, 261).

68. Türkiye gives particular attention to the rights of the girl child and takes comprehensive measures aimed at ending early and forced marriages as well as increasing girls’ education rate. In line with the “Strategy Document and National Action Plan on Combating Early and Forced Marriages (2018-2023)”, Türkiye has expanded its efforts particularly through Provincial Action Plans which involve collaboration between the MFSS and local authorities. These plans focus on addressing cultural and societal barriers to education and are tailored to address specific regional needs, especially in areas affected by

disasters where vulnerabilities are heightened. Training programmes to support the implementation of these plans were provided to professionals from relevant public authorities. (Recommendations 45.34, 88, 203, 206, 211, 213, 227, 241, 242, 243, 247, 248, 263).

69. Special attention has also been given to scaling-up the quality of criminal justice responses and survivor services for children affected by crimes. “Child Justice Centres” have been established to ensure a child-friendly judicial process through integrating child courts, prosecutors and victim support services into a single facility. “Judicial Interview Rooms” have been established in 165 courthouses to prevent secondary victimization of children during judicial proceedings. In line with the principle of the best interest of the child, the procedure for the custody transfer of children was shifted from enforcement offices to the Ministry of Justice. Thus, a child-centred approach was adopted, ensuring these procedures are carried out with the participation of specialists. (Recommendations 45.136, 137).

## **D. Rights of persons with disabilities**

70. Türkiye launched numerous protective and supportive measures to ensure the full and effective participation of persons with disabilities in public and social life through advancing their rights and promoting their access to employment, education and services, in line with the Convention on the Rights of Persons with Disabilities (CRPD). (Recommendations 45.276, 281, 282, 283, 284, 285, 286, 287, 288, 290).

71. The declaration of 2020 as the “*Year of Accessibility*” has led to many achievements, such as the introduction of “Accessibility Guide”, “Accessibility Assessment Module” at the MFSS website, “Accessibility Logo” for buildings and the update of “TS 9111 Accessibility Requirements”.

72. “2030 Barrier-Free Vision Document”, announced in December 2021, outlines comprehensive goals for achieving full inclusion and accessibility under 8 main policy areas, such as inclusive and accessible society, protection of rights and justice, health, inclusive education, economy and disaster management. (Recommendations 45.136, 137, 201, 203, 204, 214, 278, 280, 281, 287, 289).

73. The Action Plan on Disability Rights was put into practice for 2023-2025 as a roadmap for implementing the Vision Document. The Plan includes several actions such as reviewing legislation, furthering measures aimed at full participation in all spheres of life, improving the inclusivity of health and education services as well as public awareness campaigns. (Recommendations 45.201, 203, 204, 253, 280, 281, 287).

74. “Strategy Document and Action Plan on the Rights of the Child” (2023-2028) also encompasses a series of measures for children with special needs with a view to increasing their participation in public life and decision-making processes, improving their access to education and health services as well as planning activities in disaster and emergency situations. (Recommendation 45.201, 203, 204, 281, 287).

75. Disaster preparedness, intervention and recovery policies were reviewed in order to meet the needs of persons with disabilities. Emergency plans include accessible shelters and communication systems to provide timely and effective support in disaster and crisis situations. (Recommendation 45.88).

76. Inclusive education has been prioritized with significant improvements in accessibility for students with disabilities. “National Action Plan for Educational Practices through Mainstreaming/Integration” (2022-2026) focuses on eliminating physical and communicative barriers and equipping schools with appropriate teaching materials. Schools are required to establish committees to ensure the full implementation of inclusive education regulations. Teachers continue to be given in-service trainings on inclusive teaching practices. Resources such as Braille materials and sign language guides have been developed to support equitable learning opportunities. Adequate administrative, human and financial resources have been allocated to support these efforts. Projects such as “Accessible Universities” have been implemented to foster inclusivity and awareness in higher education institutions. (Recommendations 45.59, 204, 211, 214, 277, 279, 280, 281, 287).

77. Reforms in the justice sector have focused on making legal services more accessible. Court buildings are being renovated to meet updated accessibility standards while sign language interpretation services are now widely available during legal proceedings. Virtual hearings have also been introduced, allowing individuals with mobility challenges to participate remotely.

78. Furthermore, legal arrangements have been made to ensure full participation by persons with disabilities to elections.

79. “Social Inclusion of Persons with Mental Disabilities Project”, ongoing since 2018, continues to strengthen the social inclusion of individuals with mental disabilities. Vocational training programmes and employment opportunities have been expanded with the strict enforcement of employment quotas.

## **E. Refugees, asylum seekers, international protection and human trafficking**

80. The world faces unprecedented levels of displacement which highlights its integrated structure. Therefore, effective migration management requires a global and sustainable approach. Türkiye supports the Global Compact for Refugees and pays specific attention to implementation of the principle of burden and responsibility sharing. (Recommendations 45.294, 297).

81. Türkiye hosts one of the largest refugee populations in the world with almost 3.5 million refugees and asylum seekers. Türkiye continues to apply human-centred approach for people seeking refuge and to share best practices. (Recommendations 45.85, 86, 298, 299).

82. Meanwhile, Türkiye is tirelessly continuing its efforts to prevent irregular migration. Türkiye apprehended 254,000 irregular migrants and 10,000 smugglers in 2023, and 225,000 irregular migrants and 13,000 smugglers in 2024.

83. The institutional framework for migration management, including action against human trafficking, evolved since the last UPR cycle. In October 2021, the Ministry of Interior’s Directorate General on Migration Management, responsible for co-ordinating national action on migration, was transformed into Presidency of Migration Management (PMM). The responsibilities of the PMM are set out in the Law on Foreigners and International Protection (LFIP) No. 6458<sup>8</sup> and the 2016 Regulation on Combating Human Trafficking and the Protection of Victims.

84. “Strategy Document on Migration”, adopted in June 2022, aims at developing the capacity of all relevant institutions in Türkiye and depicting a framework for a general migration strategy. (Recommendations 45.291, 292).

85. The entry, stay and exit of foreigners in Türkiye are regulated by the LFIP. This Law also outlines the scope of protection provided to foreigners and the procedures and principles of its implementation. Interpretation and legal assistance services are provided upon the request of the applicant at stages of application, registration and interview. The applicants and persons under protection can access consultancy services provided by international organizations and NGOs. (Recommendations 45.136, 137, 301).

86. Persons under protection enjoy their fundamental rights, including access to social services such as education and health. Vulnerable people, especially unaccompanied minors, have priority in benefiting from healthcare services, psycho-social support and rehabilitation. (Recommendations 45.201, 293, 295, 296, 299).

87. The principle of *non-refoulement* is enshrined as a fundamental provision in the LFIP. Türkiye strictly complies with this principle and does not return any asylum seeker to a territory where he/she would face torture, inhuman or degrading treatment or punishment, or where his/her life or freedom would be threatened.

88. As of 9 January 2025, over 792,000 Syrians under temporary protection have returned to Syria. Returns are carried out in line with the principle of voluntary, safe and dignified

returns in accordance with international law. No foreigner under temporary or international protection is forcibly returned or pressured to return to his/her country of origin. (Recommendation 45.300).

89. Combating human trafficking continues to be a priority. Efforts for combating human trafficking are aimed at bringing down organized crime networks, identifying individuals who are in victim or witness status, providing them protection, psychological support and rehabilitation, and ensuring victims' safe and voluntary return to their countries. Turkish authorities mainstream human trafficking into the regular training curricula of relevant professionals and launch nation-wide awareness-raising campaigns regarding human trafficking for different forms of exploitation, in line with SDGs.

90. HRAP of 2021 encompasses comprehensive measures in combating human trafficking, such as reviewing the criminal provisions and penalties related to human trafficking in accordance with the CoE Convention on Action against Trafficking in Human Beings and GRETA's recommendations, offering training to judges, prosecutors and law enforcement officers dealing with offences related to human trafficking, furthering measures necessary for the protection of victims of human trafficking and witnesses thereto, preparing leaflets on the rights of victims and translating them into several languages, and increasing the effectiveness of inspections into unregistered employment in order to prevent human trafficking. (Recommendations 45.182, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198).

91. With the amendment of the CPC, the existence of a strong suspicion that a person has committed a human trafficking constitutes a reasonable ground for his/her pre-trial detention. The minimum sentence for such crime has been increased from 3 years to 5 years through a legal amendment introduced to the TCC in 2023.

92. In December 2020, the role of National Rapporteur on human trafficking under the CoE Convention on Action against Trafficking in Human Beings was assigned to the HREIT.

93. Drafting process regarding the 3<sup>rd</sup> National Action Plan on Combating Human Trafficking is ongoing. A series of workshops and meetings for the preparation of the action plan were conducted with expert groups of relevant institutions and representatives of Bar Associations, international organizations and NGOs. (Recommendations 45.189, 190, 191).

94. Article 7 of the Presidential Decree No. 63 on the "Support for Victims of Crime" published on 10 June 2020 defines victims of human trafficking as one of the vulnerable groups to be provided with specific protection measures. All human trafficking victims receive a support program, taking into account the special needs of vulnerable groups such as children and women. Services provided include accommodation, health care, psycho-social support, social services and social relief, legal aid, translation, guidance on educational services as well as vocational education and access to the labour market. Work permit is granted to the beneficiaries of the support program according to the Law on International Labour Force. Upon the consent of the victim, voluntary return to his/her home country or a safe third country is ensured through the Voluntary and Safe Return Program. (Recommendations 45.187, 188, 189, 190, 191, 194, 201).

95. Türkiye cooperates with numerous national and international institutions to tackle irregular migration. International Organization for Migration, UN High Commissioner for Refugees, International Centre for Migration Policy Development and several NGOs are the main organizations with which Türkiye cooperates.

96. With the aim of developing coordination on promotion of regular migration and effectively combating irregular migration, Türkiye continues also its close cooperation with countries of origin. (Recommendation 45.189).

97. Türkiye has also put in place a broad array of mechanisms to disrupt or stop the flow of foreign terrorist fighters (FTFs). Taking into account its obligations under UN Security Council Resolutions 2178 (2014) and 2396 (2017), Türkiye has enhanced security measures to stop and intercept FTFs at airports and other border crossing points through Risk Analysis Units established specifically for this purpose as well as through other advanced border security measures. In line with the aforementioned resolutions and UN initiatives on border security and management, Türkiye advocates for international cooperation, especially

through sharing of API-PNR data. Türkiye has been calling source countries to take necessary legal and administrative measures, including if appropriate prosecution of FTFs, to prevent their travel to conflict zones or third countries. Türkiye also calls for the repatriation of FTFs and their dependants from the so-called detention centres and camps in northeast of Syria. Türkiye has co-leading roles in efforts to prevent terrorists' travel in multiple *ad hoc* international fora. (Recommendation 45.89).

## F. Minorities

98. Under the Turkish constitutional system, the term “minorities” encompasses only groups of persons defined and recognized as such under the multilateral or bilateral agreements to which Türkiye is party. In this context, according to the Lausanne Peace Treaty, only Turkish citizens belonging to non-Muslim communities fall within the scope of the term “minority”. The Treaty regulates the rights and obligations of individuals belonging to non-Muslim minorities in Türkiye.<sup>9</sup>

99. All Turkish citizens, whether or not they are recognized as a minority, enjoy the same fundamental rights and freedoms in accordance with the principle of “equality before the law” enshrined in the Constitution. In addition, minorities benefit from various additional liberties such as establishing, managing and overseeing their own schools, places of worship, foundations, hospitals and media organizations, in accordance with their minority status.

100. Türkiye has further strengthened the rights of minorities since the last UPR cycle. Political leadership has been diligent to ensure that the problems of these groups are handled with priority. In this respect, many high-level contacts have been made with representatives from civil society organizations, associations and with the spiritual leaders of religious communities where problems and solution proposals have been heard and discussed directly.

101. HRAP of 2021 has stipulated goals and activities aimed at protecting freedom of religion and conscience, solving the problems of minorities and securing the activities of minority representatives and foundations. Various steps and measures have been taken in the past several years to implement these goals and activities. Accordingly (Recommendations 45.142, 271, 274):

- Regulation on the elections for the minority foundations was prepared in consultation with the relevant communities and published on 18 June 2022.
- Concerning the issues arising from immovable properties of the minority foundations, necessary amendments have been made in the relevant legislation and most of the property issues have been solved in favour of the minorities.
- Students belonging to minorities are able to attend minority schools where they can learn about their culture and language while taking classes that are part of the national curricula. Minority schools, ranging from kindergartens to high schools, currently serve 3,312 students in Türkiye.
- Minority schools continue to receive financial support from the MNE without quota limitations.
- Non-Muslim communities, including those not mentioned in the Lausanne Peace Treaty, publish a total of 17 newspapers and magazines in Türkiye.

## G. Freedom of religion and conscience

102. Türkiye adheres to its historical legacy of multi-faith tolerance and cultural pluralism. Based on this legacy and its secular system, freedom of religious belief, conscience and conviction in Türkiye is firmly guaranteed by the Constitution and relevant legislation in order to ensure that all citizens are able to freely manifest and practice their religion or belief without any impediments. (Recommendations 45.143, 144, 147).

103. In addition to the regulations with regard to citizens belonging to minorities as stipulated in the Lausanne Peace Treaty, legislative and administrative revision has been carried out to strengthen freedom of religion of all citizens and foreigners residing in Türkiye.

104. Places of worship for non-Muslims are administered by the relevant communities' foundations. The property rights on places of worship rest with the real or legal persons that have founded them. There are currently more than 450 places of worship belonging to non-Muslim communities, of which 205 belong to religious groups or denominations not explicitly mentioned in the Lausanne Peace Treaty, such as Protestants, Catholics, Syriacs and Jehovah's Witnesses.

105. Mor Efrem Syriac Ancient Orthodox Church in Istanbul, the first church built in the history of the Republic of Türkiye, was opened to service on 8 October 2023 with a ceremony attended by President Erdoğan. Besides, numerous places of worship that had been closed to service for many years have been reopened following restoration works. Accordingly:

- The Mar Petyun Chaldean Church in Diyarbakır, whose restoration works began in 2019, was reopened on 14 October 2023 with a ceremony that was attended by high level representatives of the Chaldean Catholic community in Türkiye.
- In October 2022, Mor Efrem Church in Tur Abdin near the city of Mardin was restored and reopened for worship after 90 years with a ceremony that was attended by Syriac Catholic Patriarch Mor Ignatius Youssef III Younan.
- Restoration work on the 500-year-old Surp Sarkis Armenian Church in Diyarbakır began in June 2024.

106. The Presidency of Religious Affairs continues its efforts to engage with various religious communities and strengthen cooperation. In this context, the Presidency organizes meetings with clergy members of different religious communities such as Catholic, Orthodox, Armenian and Assyrian communities. These meetings address topics such as contributing to global peace and enhancing mutual understanding and tolerance.

107. Measures have continued to be taken in favour of different faith groups in the area of education and culture. The MNE reviews course materials to remove connotations that might be perceived as discriminatory by particular faith groups.

108. In November 2022, the Presidency of Alevi-Bektashi Culture and Cemevis was established under the Ministry of Culture and Tourism to (i) identify the needs of cemevis, (ii) ensure the effectiveness and efficiency of cemevi services; (iii) conduct and support social and human sciences researches, studies and activities on Alevism-Bektashism. Legislative amendments have also been made to address issues such as covering the lighting, utility water, construction, repair and maintenance expenses of cemevis and resolving their zoning-related problems.

## H. Freedom of expression and the media

109. Since the last UPR cycle, Türkiye pursued its efforts towards expanding the scope of freedom of expression and media in line with international human rights standards. In line with the JRS of 2019 and the HRAP of 2021, a series of legal amendments have been introduced in order to ensure freedom of expression in all its forms. (Recommendations 45.97, 101, 103, 147, 149, 154, 155, 156, 157, 163, 165, 166, 168, 169, 171, 172, 175, 176, 177, 179, 180, 181).

110. The provision "expression of opinion aimed at criticism which remains within the limits of news reporting shall not constitute an offense" was added to Anti-Terror Law (ATL). Alongside with previous amendments introduced to ATL, it is envisaged that only statements and expressions that legitimize, praise or encourage terrorist organizations' methods of force, violence or intimidation are punishable. Expressions of opinion made for the purpose of criticism within the limits of reporting do not constitute a crime and; offenders who commit certain crimes on behalf of a terrorist organization although they are not members of it are prevented from receiving additional penalty under the general provisions of TCC.

111. The right of appeal was introduced for certain offenses affecting freedom of expression<sup>10</sup> so that such cases can be reviewed again through appeals after the initial appeal stage.

112. Through an amendment introduced to Internet Law, instead of blocking the whole website, decisions to block access to websites are confined to the publication, part or section of an item which is subject to violation.

113. Furthermore, freedom of expression courses are provided regularly within the curriculum of training of intern judges, prosecutors and law enforcement officers to increase their awareness and particularly to ensure the implementation of limitations to freedom of expression in compliance with national legislation and international obligations. (Recommendations 45.154, 165, 182).

114. There is an active and pluralistic media community enjoying international standards of freedom of expression and media in Türkiye. Free access to media for both national and international press members have been provided and, with a view to facilitating their professional works, they have been granted press cards. Press cards are issued in line with the Regulation on Press Card, without any discrimination among press members. Accreditations of international press members residing in Türkiye are being renewed annually and they are also granted annual press cards. (Recommendations 45.149, 163, 165, 171, 175, 176, 179, 180, 181).

## I. Right to peaceful assembly and association

115. Efforts towards further protecting and promoting right to peaceful assembly and association are ongoing in line with international standards. Türkiye spares no effort to create favourable conditions for civil society, including human rights defenders. (Recommendations 45.147, 150, 154, 156, 163, 165, 168, 169, 172, 173, 174, 175, 177, 178, 179, 180, 181).

116. Judges, prosecutors and law enforcement officials continue to be given training on the right to peaceful assembly and association to increase their awareness and particularly to ensure the implementation of limitations to these rights in compliance with national legislation and international obligations. Police officers continue to receive trainings on how to use tear gas rifles and their ammunitions. (Recommendations 45.150, 182).

117. Since the last UPR cycle, no restrictions other than those specified in law were imposed and more than 99% of the assemblies and demonstrations were held in a peaceful environment without any intervention. Figures regarding demonstrations and intervention rates (due to inconformity with the legislation) are listed in the following table:

YEAR	PROTESTS/ACTIVITIES	PROTESTORS/PARTICIPANTS	INTERVENTION RATE
2019	53.118	32.553.402	0,7%
2020	34.079	5.477.382	0,8%
2021	46.555	10.016.895	0,6%
2022	64.993	21.952.141	0,5%
2023	73.027	31.777.544	0,3%
2024	87.025	34.528.412	0.4%

118. As regards political parties, through a legal amendment introduced to the electoral legislation in 2022, national electoral threshold was lowered from 10% to 7% so that a wider cross-section of the society and more political parties would be represented in the Parliament.



## J. Prohibition of torture and ill-treatment

119. In line with its zero tolerance policy towards torture adopted since 2003, Türkiye has enacted comprehensive legislation and implemented robust measures in order to prevent, investigate, prosecute and punish all acts of torture and ill-treatment.

120. In addition to the abolishment of the statute of limitations regarding the crime of torture in 2013 and the recognition of torture as one of the grounds for dismissal from civil service in 2017, further legislative and administrative measures have been taken in the last five years in line with the HRAP of 2021. Significant developments are summarized below (Recommendations 45.106, 107, 109, 140):

- Through an amendment introduced to the TCC, a case where the victim of the crime of torture is a woman has been adopted as an aggravating circumstance increasing the lower limit of the sentence.
- All detention and interrogation rooms in gendarmerie and police stations across the country were equipped with digital video and audio recording systems.
- To ensure that body searches during prison admissions are conducted in a manner that does not undermine human dignity, additional conditions and regulations have been adopted for detailed searches.
- The upper limit was raised for prison terms which can be commuted to home confinement in respect of the elderly, women and children.
- Special regulations were introduced for female prisoners with children as well as prisoners over 70 years old.
- Provisions have been introduced allowing a suspension of enforcement in cases where the prisoner's spouse or children suffer from chronic illness or disability.
- For juvenile prisoners, all visits by their visitors were made "open visits" and family visits were introduced.
- Women prisoners with a dependent child under the age of 18 with disability or severe illness, and sentenced to less than 10 years in prison, have been allowed to have their sentences deferred for up to one year under certain conditions.
- Prisoners and detainees following different religions have been provided with additional opportunities for open and video visits during their religious holidays.
- Judges, prosecutors, law enforcement officers and penitentiary institutions' staff continue to be given training on the rights of convicts and detainees as well as the prohibition of torture and ill-treatment. Efforts on standardization and enhancement of in-service trainings are ongoing, and international and regional cooperation activities are closely followed.
- In order to ensure that forensic examination and reporting procedures comply with the Istanbul Protocol and international standards, forensic experts from all provinces are provided with training-of-trainers by the Ministry of Health.
- In order to address the problem of overcrowding and to improve conditions, the physical capacities and standards of penitentiary institutions, detention centres and removal centres are continuously reviewed. Currently, there are 405 penitentiary institutions across the country. To increase physical capacity, new penitentiary institutions are planned to be constructed by the end of 2026, in line with the standards set by the UN and the CoE.
- Through "Smart Technologies Integration into Penal Institutions" project, known as "ACEP", convicts and detainees have been enabled to directly communicate their complaints and suggestions to the Ministry of Justice via voice, video or text messages from systems installed in their rooms without needing any staff. Currently, the project extends to 164 penitentiary institutions.

121. All allegations of torture and ill-treatment are immediately brought to the attention of the relevant authorities and duly investigated by judicial and administrative bodies. Such acts are treated by the prosecutors with the utmost priority. Criminal cases initiated with claims of torture against law enforcement officials are regarded as urgent by the courts and given precedence over other proceedings. (Recommendations 45.105, 106, 107, 109, 130, 135, 286).

122. On the other hand, the Law Enforcement Monitoring Commission, established in 2019, continues its mandate as an effective and swift complaint mechanism. (Recommendations 45.106, 107).

123. As for administrative supervision, penitentiary institutions are monitored by prosecutors in charge of prisons, inspectors from the Ministry of Justice, controllers, civil monitoring boards as well as provincial and district human rights boards composed of NGO representatives. (Recommendations 45.38, 60, 140).

124. As part of parliamentary supervision, members of the Human Rights Inquiry Commission of the Grand National Assembly monitor places where persons are deprived of their liberty and hold interviews with convicts and detainees as well as persons under custody. (Recommendations 45.38, 60, 140).

125. In addition to these mechanisms, the OI and the HREIT investigate complaints of torture and ill-treatment and monitor all places where persons are deprived of their liberty. (Recommendations 45.38, 60, 140).

126. As NPM under the OPCAT, the HREIT examines applications by persons deprived of their liberty or placed in protection, pays regular visits to the places they are held, with or without prior notice, and prepares reports on these visits. From January 2021 to June 2024, the HREIT received a total of 3093 applications which were examined by its relevant units, leading to various decisions. The HREIT visited almost 270 detention centres since 2020. After each visit, detailed reports including findings, evaluations and recommendations are prepared and forwarded to the relevant institutions to ensure adherence to human rights standards. The HREIT visits also removal centres, psychiatry centres, nursing homes, elderly care and rehabilitation centres, children's homes, child support centres, disability care and rehabilitation centres, and temporary accommodation centres. In order to strengthen the effectiveness of HREIT as NPM, a new "National Preventive Mechanism Expenditure Unit" was established within HREIT with a separate budget from 2023 onwards.

127. In parallel, the OI meticulously examines and investigates all complaints related to all types of judicial and administrative law enforcement officers, as well as the complaints regarding the functioning of penitentiary institutions, the behaviour of their staff, and the facilities and resources of these institutions. Addressing administrative or other complaints such as poor prison conditions and ill-treatment, the OI received a total of 5478 applications related to penitentiary institutions and 384 inmate complaints from 2021 to May 2024. The OI also held meetings respectively with public authorities in charge of penitentiary institutions and NGOs. Following these meetings, the OI visited and investigated penitentiary institutions in Sincan (Ankara), Silivri (Tekirdağ), Aliğa (İzmir), Diyarbakır, Bakırköy (İstanbul), Maltepe (İstanbul), Ümraniye (İstanbul), Çankırı and Elazığ between 2019 and 2022, and held meetings with convicts and detainees.

## **K. Right to education**

128. Turkish national education system stipulates 12 years of compulsory education for all children and aims to enhance students' abilities such as problem-solving, critical thinking and innovation while emphasizing inclusivity, pluralism, equality and impartiality. The recently introduced "Türkiye Century Maarif Education Model" integrates updated policies and strategies into the curricula, reflecting contemporary needs and universal values such as justice, democracy and human rights. (Recommendations 45.211, 212).

129. Inclusion of all children in education, especially girls, children with disabilities and foreign children under protection, continues to be a priority. The 12th National Development

Plan (2024-2028) stipulates goals and policies aiming to strengthen equality of opportunity in access to quality education.

130. Türkiye continues to provide all necessary support to children who have difficulty in pursuing education due to financial or geographic constraints. Free school materials, transportation and meal services are provided to children in economically disadvantaged situations. Programmes such as “Social and Economic Support Service”<sup>11</sup> ensure that children who had dropped out of school due to financial difficulties continue their compulsory education. In rural areas, MNE has expanded “Mobile Teacher’s Class” program whereby a pre-school teacher travels with a driver and auxiliary staff in a vehicle assigned for this purpose to remote areas where there are no kindergartens due to inadequate number of pre-school-aged children and offers pre-school education with flexible times. Recent amendments to school regulations allow for the establishment of pre-schools and primary schools even in sparsely populated areas, ensuring no child is left behind due to geographic constraints, in accordance with SDGs. (Recommendations 45.206, 207, 211, 212).

131. Other programs such as “Conditional Cash Transfer for Education” (CCTE) have also been instrumental in promoting access to education for children in vulnerable situations, including foreign children under protection and girls in rural areas. Conducted in collaboration between the MFSS and Turkish Red Crescent, CCTE includes financial assistance to cover educational expenses, raises awareness on the rights of the child and social aid services, and encourages families to continue their children’s education, reducing absenteeism and early school dropouts. CCTE also has a child protection component consisting of family visits and risk assessment to mitigate child protection risks. (Recommendations 45.207, 211, 212, 213).

132. “Education Information Network (EBA)”, adapted to ensure continuity of education through distance learning during the COVID-19 pandemic and supported by expanded infrastructure and financial aid programs, also facilitated access to education for children in rural or disadvantaged areas.

133. Inclusive education has been bolstered by policies aligned with “2030 Barrier-Free Vision Document” and “National Action Plan for Educational Practices through Mainstreaming/Integration” (2022-2026) which include comprehensive measures to ensure students with disabilities fully participate in education alongside their peers.<sup>12</sup> (Recommendations 45.59, 203, 204, 211, 214, 281, 287).

134. Provincial action plans developed in line with “Strategy Document and National Action Plan on Combating Early and Forced Marriage” (2018-2023) have been pivotal in increasing girls’ school attendance rates, especially in rural areas.<sup>13</sup> (Recommendations 45.211, 213).

135. As for efforts to increase women’s access to education, “Strategy Document and Action Plan for the Empowerment of Women” (2024-2028) aims to achieve 100% literacy among women and girls, and to improve participation across all educational levels, including higher education. The Action Plan also addresses cultural and societal barriers to women’s employment and advancement. (Recommendations 45.59, 202, 205, 206, 209, 215, 252).

136. There are several projects and programmes aimed at promoting the access of foreign children under temporary protection to education and to support their social cohesion, such as the “Project for Supporting Inclusive Education for Kids in the Turkish Education System” (PIKTES) which is being carried out by the MNE and the European Union. PIKTES started its third phase in January 2023 and will continue until November 2025. (Recommendations 45.211, 212, 214, 296).

137. Vocational training programmes such as “Project on Social and Economic Cohesion through Vocational and Technical Education” and “Vocational Education and Training Program for Employment” focus on improving social and economic cohesion, employability and qualifications of foreign persons under temporary protection as well as local communities through vocational education. (Recommendations 45.211, 212, 214, 296).

*Notes*

- <sup>1</sup> Following the earthquakes, State of Emergency was declared on 8 February 2023 in the provinces affected by the earthquakes in order to take necessary measures for rescuing those struck by the disaster, repairing the resulting damage and loss, ensuring more effective delivery of public services, and protecting public order, safety and health. Notifications of derogation were duly submitted to the Secretary-General of the Council of Europe in accordance with Article 15 of the European Convention on Human Rights and to the Secretary-General of the United Nations in accordance with Article 4 of the International Covenant on Civil and Political Rights, concerning the rights permitted by these Conventions. State of Emergency was terminated on 9 May 2023. Derogations were duly revoked as of the same date.
- <sup>2</sup> Following the coup attempt of 15 July 2016 by FETO terrorist organization, which atrociously plotted against the legitimate democratic Government and the Constitutional order, in grave violation of the fundamental rights and freedoms, SoE was declared on 21 July 2016 in order to completely eliminate the threats against the existence of the State and the values of democratic society.
- <sup>3</sup> See JRS and its implementation reports at <https://yargireformu.adalet.gov.tr/dosyalar/yrsuygulama20211535.pdf>.
- <sup>4</sup> See HRAP and its implementation reports at <https://insanhaklarieylemplani.adalet.gov.tr>.
- <sup>5</sup> See the Fourth JRS at [TurkiyeYuzyiliYargiReformuStratejisi.pdf](https://turkiyeyuzyiliyargireformustratejisi.pdf).
- <sup>6</sup> See Law No. 6701 founding HREIT at <https://www.tih.gov.tr/public/editor/uploads/1660833133.pdf>.
- <sup>7</sup> <https://www.tih.gov.tr/> ; <https://www.ombudsman.gov.tr/>.
- <sup>8</sup> See LFIP at <https://en.goc.gov.tr/lfip>.
- <sup>9</sup> Lausanne Peace Treaty, Articles 37–45.
- <sup>10</sup> Such as the crime of “insulting”, “insulting the President”, “threatening to create fear and panic among the public”, “inciting to commit crime”, “praising crime and the criminal”, “provoking the public to hatred and to hostility”, “humiliating”, “inciting to disobey the law”, “degrading the symbols of state sovereignty”, “degrading the Turkish nation, the Republic of Türkiye and the institutions and bodies of the state”, “discouraging people from performing military service”.
- <sup>11</sup> See paragraph 67.
- <sup>12</sup> See paragraphs 72 and 76.
- <sup>13</sup> See paragraph 68.
-