



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture Eightieth session

Summary record of the 2123rd meeting*

Held at the Palais Wilson, Geneva, on Wednesday, 17 July 2024, at 10 a.m.

Chair: Mr. Heller

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* No summary records were issued for the 2122nd meeting.

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Fifth periodic report of Türkiye (CAT/C/TUR/5; CAT/C/TUR/QPR/5)

1. *In accordance with rule 73 of the Committee's rules of procedure, Mr. Iscan withdrew during the consideration of the report.*
2. *At the invitation of the Chair, the delegation of Türkiye joined the meeting.*
3. **A representative of Türkiye**, introducing her country's fifth periodic report (CAT/C/TUR/5), said that the Government of Türkiye remained steadfast in its commitment to strengthening the protection and promotion of human rights, as clearly demonstrated by the reforms that it had implemented since the early 2000s. A cornerstone of those reforms was the zero-tolerance policy towards torture adopted in 2003. In line with that policy, the Government had enacted comprehensive legislation and implemented robust measures to prevent, investigate, prosecute and punish all acts of torture and ill-treatment. Türkiye was one of the few countries around the world that had abolished the statute of limitations for the offence of torture. In order to build on that achievement, a bill aimed at removing the statute of limitations for disciplinary proceedings was currently being drafted.
4. During the reporting period, the Government had continued to implement human rights reforms. The Judicial Reform Strategy had been published on 30 May 2019 and, since then, eight other judicial reform packages had been adopted. The Human Rights Action Plan for 2021–2023, which had been implemented until April 2023, had set out objectives and measures for combating all forms of torture. A new human rights action plan for the period 2024–2028 was currently being developed.
5. Under the judicial reforms and the Human Rights Action Plan, a number of measures had been taken to protect and promote human rights, including making the fact that the victim of the offences of torture, deliberate killing, intentional injury or the use of threats was a woman an aggravating circumstance that increased the lower limit of the sentence. Furthermore, the act of repeated stalking had been defined as a separate criminal offence; women victims of violence were now eligible for free legal aid and the assistance of a lawyer appointed by the Bar Association; women sentenced to less than 10 years in prison who had a child under 18 years of age with a disability or a severe illness could have their sentences deferred for up to one year; persons subject to detention or non-custodial preventive measures were entitled to file an appeal against the decision to impose such measures with a higher court; decisions relating to initial or continued detention, or the dismissal of a request for release, were considered valid only if it could be demonstrated that alternatives to detention would be insufficient; an upper time limit had been established for alternative preventive measures; legal amendments had been adopted to ensure that issues pertaining to a person's private life that were not deemed relevant to a case must not be invoked in judicial proceedings; inmates who followed other religions were allowed to receive visits and make video calls on their religious holidays; the minimum sentence for the offence of migrant smuggling had been increased from 3 years to 5 years; strip searches had been replaced with searches that did not undermine the dignity of prisoners, called "detailed searches"; and prolonged proceedings and insufficiently reasoned decisions in appeals processes could be reported to the Council of Judges and Prosecutors.
6. In order to ensure the effective implementation of the reforms undertaken, special focus had been placed on training the relevant staff of the public institutions. In that connection, courses on aspects of fundamental human rights were included in the pre-service and in-service training given to all public officials. Furthermore, criminal judges and prosecutors continued to be given training on detention and alternative preventive measures.
7. During the reporting period, almost 200,000 personnel of the National Police and the gendarmerie had received training in human rights, including the prohibition of torture and ill-treatment. Law enforcement officers and neighbourhood security guards were regularly trained in the use of force and firearms and actions that could constitute misconduct. In order to ensure that forensic examinations and reporting procedures were in compliance with the

Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) and other international standards, forensic experts from each province had attended training-of-trainer courses organized by the Ministry of Health. Since 2023, almost 13,000 physicians had received training in the Istanbul Protocol.

8. In order to improve conditions of detention and address the problem of overcrowding, the physical capacities and standards of prisons, detention centres and immigration removal centres were continuously reviewed. Currently, there were about 400 prisons around the country. In order to increase the physical capacity of the prison estate, 58 new prisons, accommodating almost 50,000 persons, would be built by the end of 2026. The construction of the prisons would be carried out in compliance with the standards set by the United Nations and the Council of Europe.

9. In line with modern principles governing the enforcement of prison sentences, the Government was implementing a project to incorporate the use of smart technologies in prisons. A key component of the project was a communications application that allowed prisoners to submit their complaints and suggestions directly to the Ministry of Justice without having to refer the matter to the prison staff. The project was currently being implemented in 164 prisons and nearly 2,000 messages had been received. All detention and interrogation rooms in gendarmeries and police stations across the country had been equipped with digital video and audio recording systems as part of measures to enforce the prohibition of torture and ill-treatment.

10. All allegations of torture or ill-treatment were immediately brought to the attention of the authorities and investigated by the relevant judicial and administrative bodies. In the Turkish legal system, such acts were treated with the utmost priority and were investigated either by a chief public prosecutor or by a public prosecutor designated by him or her. Criminal cases relating to claims of torture against law enforcement officials were regarded as urgent by the national courts and prioritized over other proceedings.

11. The Law Enforcement Monitoring Commission established in 2019 continued to operate as an effective mechanism for dealing with complaints. Prisons were monitored by inspectors attached to the Ministry of Justice and by public prosecutors responsible for prisons. Members of the Human Rights Inquiry Commission of the Turkish Grand National Assembly monitored places of deprivation of liberty and interviewed prisoners.

12. The Ombudsman Institution and the Human Rights and Equality Institution of Türkiye were empowered to investigate complaints of torture and ill-treatment without having to obtain the permission of the authorities. The Human Rights and Equality Institution carried out multiple roles, acting as a national human rights institution, a national preventive mechanism and an institution for combating discrimination and promoting equality. It had been granted category B status by the Global Alliance of National Human Rights Institutions in October 2022.

13. The Ombudsman Institution was also an independent and impartial institution mandated to ensure the lawfulness and fairness of the activities of public services. It investigated all complaints relating to public officials, the functioning, facilities and resources of prisons, and the conduct of prison staff. The Government had extended a standing invitation to the special procedures of the United Nations. During the reporting period, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on violence against women and girls, its causes and consequences had visited Türkiye.

14. Furthermore, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had visited Türkiye between 4 and 15 September 2022. Türkiye also maintained close ties with the European Committee for the Prevention of Torture, which had visited the country eight times since 2016. The Subcommittee and the European Committee were both authorized to carry out periodic and ad hoc visits to places of detention and to conduct private interviews with prisoners.

15. Robust laws and institutions had been established to combat violence against women, towards which the Government implemented a zero-tolerance policy. A road map on combating violence, together with national action plans, had been implemented since 2007. The Fourth National Action Plan on Combating Violence Against Women, covering the period 2021–2025, had been prepared in collaboration with all relevant stakeholders. New technological tools such as electronic bracelets, a mobile application for requesting emergency support and a round-the-clock hotline had strengthened the capacity of the authorities to fight violence against women.

16. **Mr. Tuzmukhamedov** (Country Rapporteur) said that, since two years had elapsed since the submission of the State party's report, some of the information in it might be incomplete or out of date. In that connection, he wondered whether the delegation might provide updates of the information contained in paragraph 51, which referred to decisions of the European Court of Human Rights, paragraph 143, which concerned courses and trained personnel, paragraphs 170–82, which related to the case law of the Constitutional Court, and paragraph 186, which addressed investigations into the killing of two persons, allegedly by law enforcement officers.

17. The Committee would also welcome updates of the statistics contained in paragraph 32, relating to complaints of torture and ill-treatment, paragraph 43, concerning convictions and acquittals in criminal cases, and paragraphs 118–20, relating to migrants. It would also welcome further details on the information provided in paragraphs 31, 32, 47–51 and 118–120 of the report. He wondered whether the figure cited in paragraph 50, relating to the number of places of detention in which cameras and surveillance systems had not yet been installed, was a mistake.

18. Although the state of emergency declared in 2016 in response to the attempted coup d'état had officially been lifted in 2018, the Committee was concerned about reports that the ostensibly temporary state of emergency had de facto become permanent. In particular, the Committee would welcome the delegation's comments on the claim that 32 decree laws issued in connection with the state of emergency had now become ordinary laws governing the everyday life of the country.

19. The Committee would be grateful for an explanation of why Decree Law No. 667 provided that a person could be detained without charge for a period longer than the internationally accepted standard of 48 hours. It would also be interesting to know why national law provided that persons suspected of committing "collectively committed crimes" could be held without charge for periods longer than 48 hours. He would like to know what constituted a collectively committed crime. Any references to case law that might shed light on the matter would be appreciated. Information on the legal or practical safeguards against incommunicado detention in place would also be helpful.

20. He wondered whether the decrees promulgated during the state of emergency affected the fundamental rights and freedoms guaranteed by chapters I, II and IV of Section Two of the Constitution and, if so, how that situation could have arisen when article 104 of the Constitution established that fundamental rights, and individual rights and duties, must not be regulated by a presidential decree. Furthermore, it was not clear how article 148 (1) of the Constitution could be invoked to render inadmissible a challenge brought before the Constitutional Court of a decree issued during the state of emergency. Had that provision existed before the declaration of the state of emergency in July 2016 or had it been introduced by an amendment adopted subsequently?

21. He would be interested to learn why the Constitution appeared to prohibit torture but not the other offences covered by the Convention and whether the "penalties or treatment incompatible with human dignity" mentioned in article 17 of the Constitution corresponded to "other cruel, inhuman or degrading treatment or punishment" covered by the Convention. He would welcome an explanation of why the definition of the offence of torture in article 94 of the Criminal Code lacked some of the elements found in the definition in article 1 (1) of the Convention, such as the references to "discrimination of any kind" and to the use of torture to target "a third person".

22. The delegation might also explain why article 94 of the Criminal Code did not prohibit confessions extracted under torture from being presented as evidence in a court. The

Committee noted that article 148 (1) of the Code of Criminal Procedure prohibited the use of torture to extract statements from suspects but it was not clear whether such statements would be inadmissible as evidence. Given that elements of a definition of torture could be found in two separate codes, he wondered whether other such elements might be found in other national laws and, if so, what those laws were. He also wished to know whether the purpose of the provisions relating to torture in the Criminal Code was to protect suspects or accused persons and whether any legal provisions provided for the protection of witnesses in criminal proceedings or convicted persons who were serving a sentence.

23. He wished to know what the main differences were between the crime of torture and the crime of torment, as set out in article 96 of the Penal Code, and how the two offences related to the definition of torture and ill-treatment established under the Convention. It would also be useful to know whether a statute of limitations applied to the crime of torment.

24. Specific examples of occasions when article 94 of the Penal Code and article 1 of the Convention had been applied together by a court would be helpful. He also wished to know how, in practice, the Convention was given precedence over domestic legislation in case of a conflict between them, as foreseen under article 90 of the Constitution. Information about any specific judicial or administrative cases where the Convention had taken precedence over domestic laws would also be welcome. It would be interesting to know whether there had been any judgments in which the Constitutional Court or any other Turkish courts had cited the Convention or the jurisprudence of the Committee in support of their interpretation of the anti-torture provisions contained in the Constitution and Turkish law. He would welcome further information on any specific cases in relation to which the Convention had been invoked, including the facts presented and the decisions reached.

25. While there were no applications against Türkiye in which the Committee had acted recently, there had been several instances where the Committee had found a prospective violation under article 3 of the Convention should applicants in other countries be removed to Türkiye. He therefore wished to know whether the State party had established a consistent course of action concerning the provision and acceptance of diplomatic assurances in the context of removals and deportations to and from Türkiye. During the reporting period, the Human Rights Committee, concerning the application filed by Mümine Açikkollu on behalf of herself and her deceased husband, who had been a teacher in an institution associated with the Gülen movement, had found that his death in police custody had been prompted by acts of torture and ill-treatment.

26. He would welcome further information on the background of judges in the State party. He would appreciate hearing about the training they received, in particular on the Convention. Since a number of judges had been dismissed in recent years, he would like to know how efficient the State party had been in replacing them to ensure that the judiciary continued to function properly.

27. Aydin Sefa Akay, a Turkish judge who had sat at the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, remained a prisoner in the State party. In April 2024, the European Court of Human Rights had ruled unanimously that Türkiye had violated his right to liberty and security of person and right to respect for private and family life and had ordered that he should be awarded compensation in the form of non-pecuniary damages and payment of his legal costs and expenses. As the case raised the issue of the immunity of judges and the independence of the judiciary in Türkiye, he would be interested to know whether the State party intended to abide by the judgment of the Court.

28. The Committee would welcome further information on the conditions in which convicted persons sentenced to life imprisonment and aggravated life imprisonment served their prison terms. He wished to know how many persons had received life sentences during the reporting period and what they had been convicted for. Information on the number of life sentences that had been handed down for acts related to the attempted coup d'état in 2016 would be of particular interest. He would also welcome statistical information on

commutations of life sentences and the number of life prisoners who had been granted parole during the reporting period.

29. He wished to know whether there were any specific reasons why the State party had not ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights or the International Convention for the Protection of All Persons from Enforced Disappearance. He wondered what accounted for the apparently inconsistent nature of the State party's reservations and interpretative declarations in respect of the treaties it had signed. Some of those reservations and declarations made reference to the Lausanne Peace Treaty. It would be useful to know what status that instrument had within the constitutional system and what relevance it bore for the fulfilment of the State party's international obligations. In particular, he would like to know why the State party had not made any reservation concerning the Convention against Torture by invoking the Lausanne Peace Treaty, as it had done with other international agreements.

30. It would be helpful to know what steps the State party took to ensure compliance with the Convention in the areas bordering the southern and south-eastern parts of the country over which it exerted influence. He would also be interested to know to what extent the principle of the prohibition of torture was upheld in the Turkish Republic of Northern Cyprus.

31. The Committee would welcome further and updated information on any training programmes that had been put in place to ensure that national intelligence officials and gendarmerie and coast guard were fully acquainted with the provisions of the Convention. He wished to know whether they were made aware that violations of the rights protected by the Convention would not be tolerated and that those responsible would be prosecuted. It would also be useful to know whether the State party had taken any steps to assess the effectiveness of such programmes in reducing the number of cases of torture and ill-treatment and, if so, what conclusions had been drawn from those evaluations. He would also welcome further information on the training programmes that had been established for judges, prosecutors, forensic doctors and medical personnel dealing with detained persons, including illegal migrants, on detecting and documenting the physical and psychological effects, both primary and secondary, of torture.

32. It would be useful to receive additional information on redress and compensation measures awarded to any victims of torture or their families. He also wished to know what measures were taken to ensure that persons who been subjected to torture and ill-treatment under the emergency decrees could obtain compensation, and he would appreciate further information regarding the allegations of torture and ill-treatment that could not be reviewed by the Commission for Examination of the State of Emergency Procedures.

33. He would like to know whether up-to-date information was available on the measures taken under the Law on Combating Terrorism of 1991, how anti-terrorism measures had affected human rights safeguards, both in law and in practice, and what steps the Government was taking to ensure that those measures complied with the country's international obligations. He wished to know how many persons had been convicted under that legislation during the reporting period. Further information on the citizenship status, gender and age of the convicted persons would also be helpful, as would an indication as to the nature of the charges brought and any sentences handed down. It would be useful to know whether, in practice, persons tried and convicted under the Law on Combating Terrorism enjoyed access to appropriate legal safeguards and remedies. Lastly, he wondered whether there had been any complaints regarding non-compliance with international standards in relation to charges brought under that law and, if so, whether any administrative or judicial proceedings had been launched to investigate them and what the outcome had been.

34. **Ms. Maeda** (Country Rapporteur) said that she would welcome further information about the application of Decree Law No. 667, under which the public prosecutor could extend a period of pretrial detention to a maximum of 14 days. It would be useful to know what criteria must be met to authorize such an extension and whether the State party had put in place any measures to guarantee that pretrial detention was subject to periodic and independent judicial supervision. She would also be interested to know what measures were taken to ensure the application, in law and in practice, of the ruling of the Constitutional

Court of July 2019 invalidating various regulations enacted during the state of emergency, including specific articles imposing restrictions on detainees' access to legal representation.

35. She wished to know whether any measures had been put in place to enable persons held in police custody to consult a doctor of their choosing. There were reports indicating that medical checks were often carried out in the presence of police officers, violating the confidentiality of patients and impeding adequate documentation of possible torture or ill-treatment. It would be helpful to hear whether detainees and their lawyers were given access to the medical reports produced following those assessments. In general, the Committee would welcome further information on any policies aimed at removing restrictions on detainees' access to doctors. Furthermore, in the light of reports that pretrial detainees were only allowed to be visited by their closest relatives and to use a telephone for 10 minutes every 15 days, she wished to know what measures had been taken to uphold the rights of detainees to contact with their family and respect for private and family life.

36. The Committee would welcome disaggregated data on the number of arrests and initial and pretrial detentions during the reporting period. It would also appreciate further information on the measures taken to ensure that all instances and allegations of torture and ill-treatment were investigated promptly, thoroughly and impartially and that perpetrators were prosecuted and, if convicted, received commensurate sanctions. She would like to know how many complaints, investigations, prosecutions and convictions under articles 94, 95 and 96 of the Penal Code there had been during the reporting period.

37. Since it appeared that civil servants and other public officials could not be prosecuted for crimes such as intentional injury and excessive use force, she wished to know what steps the State party was taking to ensure accountability for all acts that might amount to torture or ill-treatment. Similarly, the Committee had learned that a law of 2016 granting military personnel retroactive immunity in relation to accusations of torture and other forms of ill-treatment was still in force and that investigations of military personnel and other public officials involved in counter-terrorism activities required administrative authorization. She would like to know what steps were being taken to combat the impunity of the armed forces.

38. She was concerned about reports of illegal renditions and enforced disappearances of Turkish citizens affiliated with the Gülen movement by members of the National Intelligence Organization (Millî İstihbarat Teşkilatı, MIT) on the pretext of combating terrorism and the fact that article 6 of Law No. 6532 allowed them to act with impunity. It would be useful to have a detailed account of the immunity granted to intelligence personnel under that law and of any supervision and inspection of alleged secret detention facilities run by the agency to safeguard against the use of torture. The Committee had received reports that journalists were still being subjected to physical violence and that the State party continued to use detention as a means of intimidating them. It would therefore welcome further information on measures taken to ensure independent judicial review of the cases of detained journalists, on measures taken to ensure that media outlets and non-governmental organizations were able to appeal decisions ordering their closure before an independent judicial authority, and on the number of appeals upheld and the outcome of such decisions. She would also like to hear more about the mandate of the Law Enforcement Monitoring Commission. It would be useful to know what steps were taken to ensure its independence, whether it had submitted any reports yet and, if so, whether they had been made available to the public.

39. She would appreciate an explanation of how the procedures for assigning judges and prosecutors worked in practice. She would like to learn more about how the independence of the Council of Judges and Prosecutors was upheld and about its mandate regarding appointments, transfers and promotions and disciplinary measures such as reprimands and expulsions. She would appreciate a response to concerns that lawyers' associations had been shut down and had their assets confiscated without compensation following the declaration of the state of emergency in June 2016. She wondered what strategies were in place to ensure the independence of the judiciary, in line with the Basic Principles on the Role of Lawyers and Recommendation No. R (2000) 21 of the Committee of Ministers to Member States on the freedom of exercise of the profession of lawyer of the Council of Europe. She would appreciate a response to concerns that four lawyers from the Progressive Lawyers' Association had been arbitrarily detained in February 2024 and denied access to a lawyer for

24 hours. She wished to receive additional information on how articles 58 to 61 of the Code of Lawyers applied in practice.

40. It would be useful to know the occupancy rates of detention facilities and to receive information on the causes of overcrowding and the measures taken to address it. She would be interested to hear about the State party's policy on increasing the use of alternatives to detention in line with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules). She would like to receive up-to-date statistical data on deaths in custody, disaggregated by place of detention, sex, age, ethnicity, nationality and cause of death and to know about any investigations, prosecutions and convictions in relation to such deaths. She would appreciate an explanation of the procedures for informing the families of persons who had died in custody and whether they received compensation.

41. She wished to hear the delegation's views on the issues raised by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) regarding detention conditions at the Imrali high-security prison, particularly prisoners' contact with the outside world. She wished to know the status of the four persons, including Mr Abdullah Öcalan, serving life sentences in Imrali prison. She would appreciate clarification as to whether conditional release was applicable to all persons sentenced to aggravated life imprisonment and to persons whose death sentences for terrorism offences had been commuted to life imprisonment. If it was not applicable, she wondered whether the State party had any plans to withdraw the legal provisions prohibiting it.

42. She would like to hear about the measures taken to prevent adolescents from being subjected to harassment by staff in detention facilities. She wished to know whether persons working with juvenile offenders took regular training courses on children's rights. She wondered what had been done to ensure that juveniles were separated from adult inmates. She would like to hear the delegation's response to reports that a woman had been sexually assaulted by a police officer during her arrest and that a number of women had been arrested while visiting their spouses in prison and either detained with their children or violently separated from them. It would be interesting to hear about efforts to improve detention conditions in all places of deprivation of liberty and to apply the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

43. She wished to receive information about any investigations and prosecutions regarding excessive use of force by the police, including the expanded power to use firearms against demonstrators, pursuant to the legislative amendments to the Domestic Security Package, and on training on the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials in the context of demonstrations.

44. She would like to know whether the State party had a comprehensive approach to addressing the persistence of gender-based violence in the private sphere, including femicide, honour killings, forced suicides and other forms of murder. She wished to receive information about the number of investigations and prosecutions in cases involving violence against women and their outcomes. She would appreciate updated information on measures to prevent domestic and sexual violence. She would welcome an update on measures taken to ensure the effectiveness of such preventive measures following the judgment of the European Court of Human Rights in *Opuz v. Turkey*.

45. She would appreciate up-to-date information on access to free shelters for domestic violence victims, including the number of shelters and victims accommodated. She wondered what measures had been taken to provide redress to victims. She wondered whether training programmes for officials in institutions combating gender-based violence included specific training on the revised Istanbul Protocol. She also wondered what method was used to assess the effectiveness of training programmes in reducing the prevalence of torture and ill-treatment.

46. She would be interested to learn about the reason for the State party's withdrawal from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and whether it would consider renewing its

ratification. Lastly, she would like to hear about the legal recognition and rights of lesbian, gay, bisexual, transgender, queer and intersex persons, including their rights to be free from discrimination and to freedom of assembly, in law and in practice.

47. **Ms. Racu** said that she would appreciate an explanation of the reasons for the sharp increase in the number of life sentences handed down in recent years. She wished to know how many persons were serving such sentences and whether they were able to file complaints and have private meetings with their lawyers and with monitoring bodies conducting visits to places of deprivation of liberty. It would be useful to have more details about their detention conditions, including whether they were held in single- or multiple-occupancy cells. She wished to know what measures were envisaged to improve those conditions, including with respect to contact with the outside world and the possibility of conditional release. She would be interested in information on the practice of conditional release, in law and in practice, and updated statistics on the number of prisoners granted conditional release, including on the grounds of terminal illness. She wished to understand the competence of prison boards and judges of execution with respect to conditional release. She wished to know how many prisons applied the aggravated life imprisonment regime and what entity was responsible for transferring prisoners between regimes.

48. **Mr. Kessing** said he would like to understand the difference between a “detailed search” and a strip search and whether the former had replaced the latter in all prisons. He wondered whether any action had been taken to implement the CPT recommendation of a high-level political statement on zero tolerance of ill-treatment in police custody.

49. **Mr. Buchwald** said that he wondered whether the State party would consider agreeing to the automatic publication of CPT visit reports.

50. **Mr. Liu** said that, while it was commendable that the State party hosted the largest number of refugees in the world, he wondered what efforts had been to improve the low rates of birth registration among refugee and undocumented migrant children. He wished to know about measures taken to combat the risk of statelessness for child refugees who might lose their nationality owing to terrorism-related charges against their parents. Lastly, he wished to know what measures had been taken to prevent the torture and ill-treatment of juvenile offenders.

51. **Mr. Rouwane** said that he would like to hear the Government’s views on reports of increased racism and xenophobia towards refugees and about any measures that would be taken to address the issue. He wondered whether any steps had been taken to bring the Human Rights and Equality Institution into line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) with a view to accreditation by the Global Alliance of National Human Rights Institutions and whether coordination with the Ombudsman Institution was ensured.

The meeting was suspended at 11.55 a.m. and resumed at 12.20 p.m.

52. **A representative of Türkiye** said that both the Ombudsman Institution and the Human Rights and Equality Institution investigated complaints of torture and ill-treatment without seeking permission from the authorities. The Human Rights and Equality Institution had been granted category B status by the Global Alliance of National Human Rights Institutions in October 2022. In its capacity as national preventive mechanism, the Institution had visited 206 places of deprivation of liberty since 2020. In the same capacity, it had received over 3,000 communications between 2021 and the first half of 2024. The Ombudsman Institution investigated complaints against judicial and administrative law enforcement officers, including those related to detention conditions and ill-treatment. Between 2021 and May 2024, it had received 5,478 communications relating to penitentiary institutions and 384 complaints from inmates. Withdrawal from the Istanbul Convention did not constitute a step back as Türkiye had adopted strong legislation and a zero-tolerance approach to violence against women.

53. **A representative of Türkiye** said that the previous two decades had seen a major overhaul of physical infrastructure in the prison system, with hundreds of institutions closed down and replaced with buildings in line with modern standards. To address the prison overcrowding resulting from unforeseeable events, new institutions would be built,

increasing capacity by almost 50,000 places by the end of 2026. International and regional standards would be taken into account during construction works, including the CPT minimum standard for living space of 6 m² per inmate in single cells and 4 m² in shared cells. The prison population currently stood at around 340,000 inmates. The Law on the Execution of Penalties and Security had been amended to allow many inmates to be released on parole for the last three to five years of their sentence. The scope of the provision allowing for sentences to be served at weekends had been expanded to apply to larger numbers of inmates and to longer sentences.

54. Aggravated life imprisonment was not an isolation regime. It was provided for in law as an exceptional punishment for extremely serious offences and regulated by the Law on the Execution of Penalties and Security and implementing regulations. Persons sentenced to aggravated life imprisonment were placed in single cells. They had the right to at least one hour of outdoor exercise per day. For good behaviour, they could be granted longer exercise periods and limited contact with inmates from the same unit. Persons under such regimes could undertake vocational courses and could make one phone call and receive one visit from close family members every 15 days. However, they could not leave the prison for any reason, except for medical examinations that could not be conducted on site. Currently, 1.24 per cent prisoners were serving sentences of aggravated life imprisonment.

55. Mr. Öcalan had been found guilty of separatism and sentenced to aggravated life imprisonment, which he was serving along with three other inmates in the Imrali high-security prison. Owing to their conduct in prison, the disciplinary board had imposed a three-month suspension of visits. As no appeal had been lodged, the decision had become final in April 2024. In May 2024, the enforcement judge had ordered a six-month suspension of lawyer visits to the prisoners, which had been upheld on appeal to the assize court.

56. All allegations of torture against police and gendarmerie officers and prison guards were thoroughly investigated as part of a zero-tolerance policy. Between 2020 and 2024, thousands of allegations of ill-treatment in penitentiary institutions had been investigated and hundreds of disciplinary measures had been imposed. During the same period, 77 investigations had been launched in the security forces, which had led to three officers being discharged. No allegations had been made against gendarmerie officers.

57. **A representative of Türkiye** said that all holding cells in police and gendarmerie stations, anti-terrorism units and anti-smuggling units had video surveillance systems and kept the recordings for significant periods of time. The Women Emergency Assistance Notification System smartphone application had been downloaded over 6.5 million times and was used 200,000 times per year. Unfortunately, femicides were common, with 166 women murdered in the first half of 2024. To address the issue, more than 1,200 police units specialized in violence against women had been established, with female police officers to provide advice to victims. In the first six months of 2024, almost 30,000 women had requested protective measures from the authorities.

58. From 2020 to the first half of 2024, hundreds of thousands of demonstrations with millions of participants had taken place. The police had intervened in less than 1 per cent of the protests, with over half of such interventions concluding peacefully, thereby demonstrating the effectiveness of the negotiation training provided to police officers. There were currently 116 internal investigations pending regarding the use of force during demonstrations. Over 90 per cent of the staff in the police units dedicated to juvenile justice had been trained on working with children.

59. **A representative of Türkiye** said that gendarmerie officers underwent mandatory training on human rights and theoretical and practical training on the prevention of ill-treatment, focusing on techniques for body searches. In the previous six years, 484,000 gendarmerie officers had completed online or in-person training. Refresher training videos on proportionality, intervention in protest movements and effective negotiation techniques had been produced and viewed hundreds of thousands of times.

60. **A representative of Türkiye** said that the Law on the Protection of the Family and Prevention of Violence against Women and various implementing decrees and circulars had strengthened the legal mechanisms for combating violence against women. A presidential decree on combating such violence had been issued in 2023. National and provincial action

plans on the subject were regularly adopted and implemented and evaluation, cooperation and coordination mechanisms had been established. Pursuant to the presidential decree, a coordination board including representatives of public institutions, the private sector and non-governmental organizations had been established and met once a year. Local coordination and monitoring mechanisms were led by provincial governors.

61. A violence monitoring centre had been established in all 81 provinces. Hundreds of shelters across the country accommodated all women who had been subjected to or faced a risk of violence and provided them with psychosocial, financial and vocational support, childcare assistance and counselling. Provincial offices of the Ministry of Family and Social Services, violence monitoring centres and law enforcement agencies could refer women to the shelters. The shelters took measures to ensure women's privacy and provided individualized support tailored to individual risk levels to minimize the impact of trauma on victims. Efforts were made to rehabilitate perpetrators, including through addiction treatment and anger management training. Agreements had been signed with other ministries to provide regular seminars on combating violence against women to different sectors. For example, over 1.5 million army recruits had completed such training since 2017.

The meeting rose at 1 p.m.