



UN Human Rights Committee calls on Turkey to Improve its Human Rights Situation

Geneva 17-18 October 2012. The United Nations Human Rights Committee finalised the examination of the initial report of Turkey on the country's implementation of the *International Covenant on Civil and Political Rights (ICCPR)*. The review took place on 17 and 18 October in Geneva and was well attended by civil society and Turkish NGOs who were able to provide valuable contributions through the submission of [reports](#) and oral briefings.

The Human Rights Committee commended the State for some positive developments, particularly with regard to the abolition of the death penalty and the package of judicial reforms, but remained concerned by several issues that require further improvement.

The Human Rights Committee expressed its regret that conscientious objection to military service is still not recognised by the State and that many conscientious objectors have been imprisoned as a result, despite findings of the Committee and the European Court of Human Rights that this is a violation of the right to freedom of thought, conscience and religion.

The wide scope and vague wording of anti-terror laws was also flagged, since they have permitted unfair prosecutions and convictions of journalists, academics and writers who have expressed views contrary to the government but which are protected by the rights to freedom of expression, association and peaceful assembly. More broadly, the severe and continuing restrictions on the right to freedom of expression are an area of grave concern. There is a need for the State Party to amend its law in light of obligations under the Covenant and the Committee's [General Comment 34](#). The use of these laws against children, as well as the possibility of denying terror suspects access to a lawyer for 24 hours, were also highly concerning.

The Committee noted that the State's unwillingness to include sexual orientation and gender identity as prohibited grounds of discrimination in the constitutional reform amounted to non-compliance with the Covenant. The Committee expressed concern with the exemption of gay men from military service based on their "psycho-social" disorder and with the high number of attacks based on sexual orientation and gender identity, in particular the on-going murders of transgender women in Turkey. Additionally, the Committee cited the 2010 case of Pembe Hyatt as an example of arbitrary arrest.

Torture, all forms of ill-treatment and the excessive use of force by law enforcement personnel continue to be a major concern despite some improvements.

The fact that the national human rights institution is not fully in compliance with the Paris Principles was also highlighted as a concern, particularly in light of the proposal to include the new National Preventative Mechanism, required by the *Optional Protocol to the Convention against Torture*, within the national human rights institution.

The State's Declarations and Reservations on ratifying the ICCPR, particularly the declaration that it will implement the ICCPR only with regard to States Parties with whom they have diplomatic relations and that it will only apply the ICCPR in the mainland territory of Turkey, were described as potentially incompatible with the object and purpose of the ICCPR.

The Human Rights Committee will make its recommendations public at the end of its session, on 30 October 2012. The archived webcast of Turkey's review can be seen at www.treatybodywebcast.org.

Background information:

[NGO reports](#) on Turkey

Turkey's initial [State report](#)

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