

The state of the rule of law in Europe

Reports from National
Human Rights Institutions

Türkiye

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Human Rights and Equality Institution of Türkiye

Impact of 2022 ENNHRI rule of law reporting

Impact on the Institution's work

Following the ENNHRI 2022 Report on the State of the Rule of Law in Europe (ENNHRI 2022 Rule of Law Report), the Human Rights and Equality Institution of Türkiye (hereinafter: HREIT, the Institution) has been accredited with "B" status by GANHRI as of 10th October 2022. As a result of that, the recognition of HREIT has increased awareness among state authorities of NHRI's mandate and functions. NHRIs, state-mandated bodies with a broad human rights mandate, play a key role as pillars for the respect of human rights, democracy, and rule of law. The extent to which a state has in place an NHRI, in line with the Paris Principles, is regarded by international and regional bodies as indicative of the state's respect for the rule of law and, more broadly, for checks and balances.

Undoubtedly, as its being the first accreditation of the Institution, this is an extremely significant development in terms of HREIT history. Nevertheless, considering the SCA recommendations¹ on this issue, there is still a need to make amendments in the Founding Law of HREIT to ensure full compliance with the Paris Principles.

The 2022 ENNHRI Rule of Law report was publicly shared on the institutional website and Twitter channel to raise awareness on the rule of law. This Report served as an important framework to learn about past peer institutions' experiences and benefitting from them - to learn about various examples of finding different practical solutions to similar problems. This also helps with formulating better recommendations and enhancing impacts on the ground. To maximize the impact of NHRIs' engagement, this report provides peers with a more comprehensive and informed assessment of the challenges facing human rights, democracy, and the rule of law in each country.

It stressed the important and interlinked relationship between the implementation of the Rule of Law and the protection of the human rights of citizens. It is an important benchmark to evaluate the Institution's mandate, within the scope of the Rule of Law in Türkiye, with the mandates of other peers. The sections on effectiveness and independence provided the Institution with an insight into the similar challenges that other European NHRIs face in their work related to the implementation of the Rule of Law.

Follow-up initiatives by the Institution

In the year following the report, HREIT organized many events to promote the rule of law.

Awareness-raising activities

In accordance with Article 9 of the Founding Law of HREIT (Law No:6701) (specifically(9/b)) on developing public awareness through information and education by using mass media on human rights and anti-discrimination; (9/b) on developing public awareness through information and education by using mass media on human rights and anti-discrimination, HREIT ensures that its work addressing all human rights violations are made publicly available on newspapers, Twitter² and YouTube³ channels.

In 2022, 8,500 posters and 217,500 brochures on human rights were printed and distributed in cooperation with the Provincial and Sub-Provincial Human Rights Board.

The titles of the posters include the Right to Fair Trial, Right to Work, Environment, Children's Rights, Freedom of Thought and Opinion, Right to Education, Freedom of Expression and Information, Right to Enter Public Services, Equality Before the Law, Immunity of Person, Protection of Personal Data, Right to Property, Private and the Right to Respect for Family Life, the Right to Life, the Right of the Elderly, Freedom of Residence and Travel, and Prohibition of Forced Labour.

Seven different books were published and distributed in 2022 on the following topics:

- Workshop on Vaccination Practices Against COVID-19 from a Human Rights Perspective⁴
- Children's Rights Symposium Proceedings in cooperation with UNICEF⁵
- Workshop Book on the Rights of Persons with Disabilities in the Coronavirus Outbreak⁶
- Proceedings of the International Symposium on Human Rights in Times of Pandemic⁷
- Women's Rights Symposium Proceedings⁸ , based on Women's Rights Symposium⁹ organised in 2022
- Human Rights Activity Book for Children¹⁰
- Türkiye Anti-Human Trafficking Summit Book, based on the Türkiye Anti-Human Trafficking Summit¹¹ organised in 2022

Within the scope of the "Call for Input" module of the UN High Commissioner for Human Rights, 3 international reports on the rights of the elderly, women and girls' access to the right to education, and human security have been contributed.

Additionally, seven factsheets have been prepared and published in English:

- Artificial Intelligence and Human Rights¹²
- Work in Prison¹³
- Hate Speech¹⁴
- Rights of the Older Persons¹⁵
- Climate Change and Human Rights¹⁶
- Victimization¹⁷
- Child Friendly Justice System¹⁸

In addition to the two symposiums previously mentioned, HREIT also organised the "Panel on Access of Hospitalized Children to the Right to Education"¹⁹, the "Barrier-Free Life Fair & Awareness Summit and Disabled Rights Panel"²⁰, the "International Symposium on the Right to Food and Climate Change in the context of Human Rights"²¹ and "the Role of the Legislature in the Protection of Human Rights Symposium".²²

The international summit on "The Strengthening Roles of National Human Rights Institutions in the Protection and Promotion of Human Rights" was held on 29-30 June 2022.

Representatives of the public institutions, civil society organisations (CSOs) and representatives of international peer organisations are invited to all events of the HREIT to reach a large number of people.

Lastly, two competitions with the theme of human rights were held:

- Article Contest - Human Rights Themed²³
- Painting Contest - Human Rights Themed²⁴ (For high school students)

On 22 December 2022, HREIT Awareness Raising and Training Meeting was held within the scope of the "Project on Business and Human Rights: Promoting Responsible Conduct in Türkiye" carried out by the United Nations Development Program (UNDP) with the support of the Government of Japan²⁵. Within the scope of the Project, which is being implemented in 17 countries including Türkiye, awareness-raising and capacity development activities regarding the human rights responsibility of companies are carried out for the public sector, private sector and civil society within the framework of the UN Guiding Principles on Business and Human Rights.

Lastly, Contributions were made to 10 National Action Plans and the country report was prepared to be submitted to international authorities.

Cooperation with school and universities

In 2022, 13 cooperation protocols were signed with different universities, CSOs, international organisations and professional organisations in the nature of public institutions.

Paragraph (9/ç) of the Law provides a legal basis for the Institution's engagement in joint activities with universities in order to protect human rights, eliminate discrimination and improve the understanding of equality in society. In this regard, meetings with the Deans of the Law Faculties were held in 4 regions of the country²⁶ (Ankara, İstanbul,

İzmir, Gaziantep). The primary objective of these gatherings was to acquaint the deans with HREIT while also providing a platform for them to share their expectations and insights with academic community in Türkiye.

Under paragraph (9/d) of the Law, the Institution should contribute to the establishment of human rights and equality-related departments of universities under the coordination of the Council of Higher Education and to determine the curriculum on human rights and equality education. In this regard, 10 trainings were organized and 2,102 people from CSOs²⁷ (e.g.: Rights of Child with Disabilities Network), university students²⁸ and public officers participated to these human rights training. Several institutions are required to receive human rights training from HREIT in their recruitment processes: Information Technologies and Communications Authority, Directorate of Communications, Police Academy, Ministry of Education, Ministry of Interior, National Security Council. This involvement in recruitment processes shows the importance of HREIT in the public sector.

Several reports, press releases, and informative factsheets were published on the protection of rights of citizens, especially those belonging to more vulnerable groups. HREIT's decisions often contained specific recommendations to change the attitude toward entrenched discrimination in both the private and public sectors in accordance with the Law.

As a good practice, according to Article 3 of the Founding Law of HREIT, individuals and legal entities created under private law who are obliged respect of non-discrimination principle shall take necessary measures to detect discrimination, eliminate it and ensure equality in respect of matters falling under their mandate. According to Article 25, an administrative fine ranging from 5.958,00 Turkish lira to 89.571,00 Turkish lira can be imposed by HREIT in case of a violation of the non-discrimination principle. The amount of the fine is dependent on the gravity of the effects and consequences of such violations and the financial situation of the perpetrator, and aggravating effect of the multiple discrimination. An administrative fine shall be imposed on the relevant public

institutions and agencies, professional organisations with public institution status, natural persons and legal persons established under private law responsible for such violation. Some examples are provided below:

- A 10,000 TL administrative fine was imposed on the Ministry of Culture and Tourism on the basis of “Discrimination by not ensuring accessibility in the exercise of the right to participate in cultural life” for not transferring written works to electronic media.²⁹
- A 3,000 TL administrative fine was imposed on a private hotel on account of “discrimination on the basis of sex” for not allowing single men to stay.

Within the scope of the Article (9/1-f) of the HREIT law, the Institution has an ex- officio investigation mandate for all alleged human rights violations. Examples are below:

- Right to Housing
- Not Hiring Due to Vaccine Refusal
- Right to Education Due to Non-Registration of School Enrolment³⁰
- Providing the opportunity to benefit from a facilitator exclusively to students diagnosed with Autism Spectrum Disorder, as stated in the official letter from the Ministry of National Education regarding "Facilitator Personnel," results in discrimination among students with special needs.³¹
- Mandatory examination conducted regarding the decision made by the Bolu Municipality Council, which applies different tariffs for water and marriage fees to foreigners residing in Bolu. The examination concludes that this decision constitutes discriminatory treatment based on race and ethnic origin, violating the rights to protection and development of one's material and spiritual existence, the right to marry and establish a family, and the right to access clean water.³²
- Exclusion of the Hearing-Impaired Athlete in the National Athlete Quota³³

Examples of Thematic Report addressing different categories of human rights are the following:

- February 28 Coup Report in the Context of Human Rights, ³⁴
- Analysis Report of Provincial and District Human Rights Boards³⁵,
- The Report on Deported Foreigners and the Principle of Non-Refoulement³⁶,
- Analyzing Report on Human Rights of the Older Persons³⁷

International meetings and visits

Meetings with guests including ambassadors, non-governmental organisations and the UN Special Rapporteur on Violence Against Women, Its Causes and Consequences were hosted.

Lastly, study visits were organized to 12 different countries, France, Bulgaria, Saudi Arabia, Uzbekistan, Switzerland, Poland, Azerbaijan, Albania, North Macedonia, Austria, Ireland and Belgium, as well as to OHCHR, GANHRI, ENNHRI, ECtHR, ODIHR and related organisations. Contacts were made with other peer institutions, and knowledge and experience were shared. Five memoranda of understanding were signed with international/peer organisations: Independent Permanent Commission for Human Rights of the Organization of Islamic Cooperation, Ombudsman of Georgia, Commission for Protection against Discrimination in Bulgaria, National Human Rights Centre of Uzbekistan, Ombudsman of North Macedonia.

Implementation of regional actors' and NHRI's recommendations on rule of law (from previous year) and actions undertaken by NHRI to facilitate implementation

NHRI's follow-up actions supporting implementation of regional actors' recommendations

Within the scope of the Türkiye Report 2022 prepared by the European Union (EU) Directorate-General for Neighbourhood and Enlargement Negotiations³⁸, the efforts of HREIT on tackling human rights issues and engaging in constructive dialogue with CSOs

are welcomed. While the issue of not being accredited comes to the fore in previous years, this year the Institution's attempt to obtain accreditation status was reflected in the report. The Report also specifically stated that "the new Chairperson of the HREIT has brought some dynamism to the institution in tackling human rights issues and in engaging in constructive dialogue with the civil society."

HREIT can play a critical role in promoting the implementation of recommendations on the rule of law issued by regional actors and in ensuring that human rights are respected and protected by carrying out actions. As mentioned, HREIT's work addressing human rights violations are made available to the public through newspapers, Twitter and the Youtube channel.

Independence and effectiveness of the NHRI

International accreditation status and SCA recommendations

In October 2022, the Human Rights and Equality Institution of Türkiye (HREIT) received its first-time accreditation with a B-status.³⁹ While the SCA welcomed the proactive steps taken by the institution in applying for accreditation, it outlined a number of concerns that require further attention by the HREIT for better compliance with the UN Paris Principles.

Firstly, the SCA recommended that the Turkish NHRI advocate for necessary changes to its legislation to ensure the institution can count on stronger formal guarantees of independence from the Executive, noting that currently the Turkish President "may exercise powers regarding the administration of the institution through the Minister when deemed necessary". The SCA also suggested that the institution strengthen its efforts to address all human rights violations, conduct follow-up activities and publicize its positions on key human rights issues. The SCA also encouraged the NHRI to establish a process whereby its reports are required to be discussed by the legislature. Further, the SCA advised the institution to advocate for amendments to its enabling legislation to include an explicit mandate to encourage ratification of and accession to

international human rights institutions. In a similar vein, the Sub-Committee recommended that the HREIT engage effectively and independently with the international human rights system and all relevant stakeholders, including civil society organisations.

The SCA also noted that the Board members of the HREIT shall be selected by the President of Türkiye and considered that the selection and appointment process currently enshrined in the law does not provide for broad consultation and participation of civil society. Finally, the SCA encouraged the institution to ensure members of the Board are representative of national society, selected through a clear, transparent and participatory appointment process, and cannot be re-appointed more than once.

Follow-up to SCA Recommendations and relevant developments

The unofficial Turkish translation of the SCA Report has been shared with key national stakeholders, such as the Presidency of Türkiye, Ministry of Interior, Ministry of Foreign Affairs, Ministry of Justice, and others involved in implementing the recommendations. An online meeting with the ENNHRI Accreditation Support Group was held on December 14, 2022, to gain a better understanding of the Recommendations. Based on this meeting, HREIT conducted an internal study to identify legislative changes required to fulfil the SCA recommendations, and the findings were shared with staff members. Various activities have been carried out to raise awareness about the Paris Principles, including the International Summit on the Empowered Roles of NHRIs held. Study visits were organized to some A-level accredited NHRIs and reported in-house examples of good practice on the issues recommended to Türkiye. Additionally, in each platform the necessary changes for implementing the recommendations are continued to be emphasized.

Regulatory framework

The national regulatory framework for HREIT has not changed since January 2022, but it should be strengthened. Effective and independent NHRIs – being a rule of law

indicator themselves – are crucial to ensure proper functioning of national systems of checks and balances. Independence guarantees that will strengthen the HREIT and increase its effectiveness. HREIT was accredited for the first time with B-status in October 2022⁴⁰. The recommendations on independence and effectiveness can be addressed by changing the legislation.

Enabling and safe space

According Article (19/2) of the Law, there is a legal obligation to provide a reasoned and timely response to the information requested by HREIT. Furthermore, public institutions, agencies and other natural and legal persons should facilitate the visits undertaken by the Institution and fulfil their requests immediately.

On the other hand, HREIT notes that the involvement of the NHRI in consultations are not adequate despite the Institution involvement and participation in Parliamentary discussions. An example of a good practice includes the request for consultation issued by the Parliamentary Research Commission, established for the purpose of determining the measures to be taken by investigating the problems experienced by the older persons in various areas of life, to the NHRI on issues involving older persons⁴¹.

HREIT is always eager and open to participate in national and international cooperation and always seizes opportunities to do so. In 2022, 13 cooperation protocols were signed with different universities, CSOs, international organisations and public institutions.

Many projects carried out by the Directorate of Migration Management and the Ministry of Labour were supported by HREIT. The Institution is part of 8 different training modules on EU Fundamental Rights Window within the scope of an IPA project⁴² carried out by the Directorate for EU Affairs. HREIT staff participate in weekly trainings on project writing and EU legislation. Many national stakeholders come together in the aforementioned trainings. After the trainings, meetings were held for strengthening coordination with different national institutions such as Police Forces, Directorate of Migration Management, Gendarmerie, and Ministry of Foreign Affairs

Directorate for EU Affairs, Ministry of Internal Affairs, Human Rights Department of the Ministry of Justice, Ombudsman Institution, Ministry of Family, and Ministry of National Education where joint activity proposals are discussed. In these meetings, the role of HREIT is highlighted and awareness is raised about the importance of implementing the SCA recommendations.

After getting the accreditation status, HREIT has become a more credible institution in the eyes of both state and civil authorities. The number of individual applications has also considerably increased since 2017, the year that HREIT actively started to receive applications⁴³, and the number of violations constituting the highest statistical data in 2022.

For example, in 2022 decisions taken in field of combatting discrimination resulted in the total number of decisions previously made in a 4-year period. Among the discrimination grounds specified in the law, the most applications were made to the Institution with the claim of discrimination on the basis of disability. It is followed by applications alleging discrimination on the basis of sex and marital status.

Effective decision-making of the Turkish NHRI in the area of non-discrimination also supports the increase of public trust in the national human rights institution as well as – at the same time – enhances further its effective functioning.

With regards to actions taken to address the issues raised and/or to improve its functioning in compliance with the Paris Principles and Recommendation 2021/1 of the Committee of Ministers of the Council of Europe on NHRIs, HREIT strives to raise public awareness of the UN Paris Principles and the mandate of an institution that fully complies with them at every opportunity. The International Summit on "The Strengthening Roles of National Human Rights Institutions in the Protection and Promotion of Human Rights" was held on 29-30 June 2022⁴⁴. Two hundred people participated in person, including members of parliament, CSOs, academics, university students and personnel from the relevant ministries. Many of the Institution's foreign

colleagues participated in the event. Both English and Turkish live broadcasts were held simultaneously on HREIT's YouTube Channel.

NHRI's recommendations to national and regional authorities

HREIT recommends to national and regional authorities that:

- National authorities should strengthen the legal framework of the HREIT that guarantees independence and effectiveness by implementing the recommendations of Sub-Committee on Accreditation (SCA) and the Council of Europe Committee of Ministers.
- National authorities should ensure effective consideration and implementation of HREIT's recommendations, including by ensuring reporting by authorities on their implementation of HREIT's recommendations; by developing processes to facilitate effective follow-up of HREIT's recommendations in a timely fashion.
- National authorities should foster awareness about HREIT's role and functions among public authorities, stakeholders, and the general public.

Human rights defenders and civil society space

Laws, measures and practices negatively impacting on civil society space and/or on human rights defenders' activities

Freedom of expression in the Constitution

Freedom of expression is one of the primary conditions of democratic, free and rights-based societies and is widely accepted as a source of personal and social development. Freedom of expression, which is protected by the international human rights acquis, is regulated and guaranteed as a fundamental right in the national legislation under Article 25 of the Constitution of the Republic of Türkiye: "Everyone has the freedom of thought and opinion. No one shall be compelled to reveal his/her thoughts and opinions for any reason or purpose; nor shall anyone be blamed or accused because of his/her thoughts and opinions."⁴⁵

According to the Constitution, thoughts and opinions, as well as styles, forms and means of expression are protected. Under Article 26 of the Constitution, the standards that can be used in the exercise of freedom of expression and dissemination are expressed as "words, writing, pictures or other means", meaning all means of expression are under constitutional protection with the phrase "other means".

Through the function of human rights monitoring and reporting, the HREIT carries out annual reporting on freedom of expression and shares this report⁴⁶ publicly on its website. Within this context, the number of decisions issued by the ECtHR against Türkiye within the scope of freedom of expression guaranteed in Article 10 of the ECHR decreased from 40 in 2018 to 35 in 2019, 31 in 2020 and 31 in 2021, with only 8 in 2022. This decrease in the last five years is considered a positive development.⁴⁷

Positive developments related to the freedom of expression

As an essential development in the context of the protection of freedom of expression in 2021 is the lawsuit filed by the 10th Chamber of the Council of State for the cancellation and suspension of execution of Circular 2021/19 of the General Directorate of Security⁴⁸.

The circular was issued with the intention of prohibiting the recording of police officers' sound and image while they are performing their duties in public areas. Consequently, journalists and citizens would be unable to record the police, for instance.

The Chamber of the Council of State decided to suspension of execution the relevant circular on the grounds that it violated freedom of communication and freedom of expression as guaranteed by the Constitution. The freedom of expression also includes the press, which is a more specific form of expression, which ensures the dissemination of ideas, thoughts, and news through visual and written media.

In order to strengthen the freedom of expression, Article 734 of the Eleventh Development Plan titled "State of Law, Democratization and Good Governance" includes that "The legislation and practice regarding freedom of expression will be

reviewed and regulations will be made to improve the areas of rights and freedoms of individuals."⁴⁹ Furthermore, the 4th aim of the Action Plan on Human Rights was announced as "Protection and Promotion of the Freedoms of Expression, Association and Religion".⁵⁰ To achieve this purpose, objectives have been determined such as "raising the standards regarding freedom of expression and press", "strengthening the right to assembly and association", "providing the freedom of religion and conscience in the broadest sense", "increasing the effectiveness in the fight against hate speech and discrimination."

In addition, the Judicial Reform Strategy Document⁵¹, prepared by the Ministry of Justice, states that states that freedom of expression constitutes an indispensable part of human rights and is a crucial condition and element of democracies. To achieve the goal of raising the standards of all rights and freedoms, activities assigned to several institutions in the Document will be carried out to make the necessary changes to the framework of freedom of speech.

As part of the goal to enhance standards for rights and freedoms, have been analysed, and regulations that will further expand individuals' areas of rights and freedoms have been planned, along with increasing legal guarantees against judicial decisions concerning freedom of expression. The procedures for blocking access to information, as outlined in the Law on Regulation of Publications Made on the Internet⁵² and other laws, will be examined within the framework of freedom of expression, and necessary changes will be made. Under this plan, the amendment introduced by Article 13 of Law No. 7188⁵³ of Law No. 3713 on the Fight Against Terrorism⁵⁴ to include the provision that "expressions of thought made for criticism within the boundaries of informing shall not constitute a crime."

With the amendment introduced by Article 29 of Law No. 7188, even in cases where the decisions are not subject to appeal, such as non-appealable judgments, the Court of Cassation has been granted the possibility of appeal against the decisions rendered by regional criminal courts in terms of offenses such as insult, incitement to commit a

crime, praising a crime or criminal, discouraging people from military service, and many other types of offenses. With Law No. 7188, the Code of Criminal Procedure and Certain Laws Amended on October 17, 2019, it has been ensured that the decisions to block access to the contents are implemented only with regard to the publication, section, or part that constitutes the violation, rather than the entire website. Thus, the negative impact of blocking access to areas outside of the violated section, part, or publication has been eliminated. With Law No. 7253 dated July 29, 2020, Amending the Law on Regulation of Publications Made on the Internet and Combating Crimes Committed through Such Publications, both the titles and content of the articles have been revised to include not only blocking access but also the removal of content.⁵⁵

Restrictions on media freedom

According to official data, the Radio and Television Supreme Council (RTÜK)⁵⁶ imposed 2,177 administrative fines on media service providers, 833 temporary broadcasting stops, 277 program suspensions, 49 broadcasting license cancellations, 2 removals from the catalogue in 2021.⁵⁷

Considering the obligation of the press to act with the awareness of its duties and responsibilities, it should be accepted that in some exceptional cases, it may be inevitable and necessary to impose bans on broadcasting and to impose sanctions on the relevant media organs based on the specific reasons for restriction in Articles 26, 27 and 28 of the Constitution. Furthermore, the rule of law is also required to protect citizens from provocative rhetoric and prevent disinformation in extraordinary situations. However, since restrictions on the press are a severe threat to the free flow of information and meaningful debate among the public, they need to be subject to strict scrutiny within the framework of proportionality, legal stipulation and legitimate aim. In other words, at this point, it is more compatible with the idea of human rights to strike a fair balance between the prevention of disinformation and the right of the public to receive information and to avoid broadcasting bans unless they meet a pressing need in a democratic society.⁵⁸

Freedom of assembly

Freedom of assembly is a unique form of freedom of expression, and this freedom is guaranteed by both national and international acquis. The right to hold meetings and demonstrations ensures the emergence, protection and dissemination of different ideas, which are essential to developing pluralist democracies. When the ECtHR decisions against Türkiye concerning the freedom of assembly and demonstration regulated in Article 11 of the ECHR are analysed, it is seen that 11 violation decisions against Türkiye were made in 2018, 2 in 2019, 11 in 2020 and 3 in 2021 and 6 in 2022.⁵⁹

The right to assembly, where opinions are expressed in physical gatherings, is therefore considered to be intertwined with the freedom of expression. Restrictions to this right may be imposed in cases where it is necessary. In fact, the limits imposed on this right may sometimes be a duty of the state. However, the measures must be taken without touching their essence under the constitutional provisions. They must not be contrary to the word and spirit of the Constitution, the requirements of the democratic social order and the secular Republic, and the principle of proportionality. In this context, it appears that the bans on actions and activities taken by the provincial governorships, and sometimes extended repeatedly, can reach levels that prevent the realisation of the right to a large extent.⁶⁰

Interventions of law enforcement

Another important issue that needs to be addressed is the involvement of law enforcement officers in public meetings, assemblies, and protest marches. Throughout the year, certain events have brought this issue to the forefront. One such event was the "Boğaziçi University Protests"⁶¹ that began as a reaction to the appointment of a new rector at Boğaziçi University on January 1, 2021, and escalated significantly. Public concerns were raised regarding the use of violence during the intervention, particularly the excessive use of tear gas. It is important to consider that, according to the case-law of the European Court of Human Rights (ECtHR), if force is used in violation of the

required standards while intervening in a peaceful gathering or demonstration march, it may infringe upon the right to freedom of assembly and association. Depending on the severity and nature of the force used, it could also constitute a violation of the right to life and the prohibition of torture and ill-treatment.⁶²

Trade unions

In the context of the right to organize unions, some media outlets reported that employees had been dismissed due to their union membership in 2021⁶³. For example, according to a local news outlet reporting on July 7, 2021, 100 workers of the Support Automotive Supply Industry factory in Bursa were dismissed due to their membership to a union. Other local news reported on September 12, 2021 about the dismissal of Kentpar Automotive workers operating in the automotive supply sector in Konya on the grounds of Code-46 after they became members of the union⁶⁴. Similar situations have also come to the fore in terms of public workplaces. For example, the news that many unionized workers working in Istanbul Metropolitan Municipality and its affiliated companies were dismissed – in a process where new workers were recruited by the same companies – was made public.

Under Law No. 6356 on Trade Unions and Collective Labour Agreements, in the third paragraph of Article 25, provides for the right of employees and employers to join a union, which is protected under Article 51 of the Constitution titled "Right to organize unions".

Under Article 51 of the Constitution, titled "Right to establish a union," the membership rights of employees and employers protected within the scope of the Constitution. The third paragraph of Article 25 of the Trade Unions and Collective Labor Agreement Act states that "Workers cannot be dismissed or subjected to any differential treatment due to their membership or non-membership in a union, their participation in the activities of workers' organisations outside working hours or with the consent of the employer, or their engagement in trade union activities." No one shall be forced to become a

member of a union or to withdraw from membership." Despite the restrictions on dismissal within the scope of the Law on the Amendment of Some Laws with the Law on Reducing the Effects of New Coronavirus (Covid-19) Epidemic on Economic and Social Life, the current allegations raise concerns about freedom of association.⁶⁵

Access to and involvement of civil society actors in law and policy making

The HREIT has not found evidences of any serious shortcomings in national laws and practices concerning access to and involvement of civil society actors and human rights defenders in law and policy making.

An example of a good practice includes the request for consultation issued by the Parliamentary Research Commission, established for the purpose of determining the measures to be taken by investigating the problems experienced by the older persons in various areas of life, to the NHRI on issues involving older persons⁶⁶.

However, HREIT has recommended to the national authorities in the Annual Report on the Protection and Promotion of Human Rights 2021⁶⁷:

- Applying the measure providing for a ban on assemblies, actions and public activities, which is decided on a provincial basis, only when necessary and proportionate.
- Ensuring meticulous compliance with international standards and domestic legal regulations in limitations of freedom of assembly.

NHRI's role in promoting and protecting civil society space and human rights defenders

Cooperation Protocols with universities

According to Article 9 of the HREIT Law titled "Duties of the Institution", there are provisions that include "following and assessing international developments in areas of human rights and non-discrimination, cooperating with international organisations working in the field within the framework off relevant legislation", "cooperating with

public institutions and agencies, non-governmental organisations, professional organisations and universities working in the field of protection of human rights and fight against discrimination".⁶⁸

In this context, Cooperation Protocols were signed with universities such as Kırıkkale University on March 2, 2022⁶⁹, Galatasaray University on May 24, 2022⁷⁰, Atılım University on April 4, 2022⁷¹, Başkent University on April 21, 2022 and Gaziantep University on April 25, 2022⁷², Recep Tayyip Erdoğan University on September 15, 2022.⁷³ The Protocols are aimed at sharing knowledge and experiences, organize joint activities on the protection and promotion of human rights and freedoms, as well as on the fight against discrimination and the prevention of ill-treatment. Moreover, the Institution and Recep Tayyip Erdogan University jointly organised the "International Symposium on the Role of the Legislature in the Protection of Human Rights" on 21-22 December 2022 in Rize.⁷⁴ Cooperation protocols were also signed with Ankara University on September 28, 2022, Hacettepe University on December 12, 2022, the Turkish Justice Academy, aiming for the two institutions to carry out joint studies.⁷⁵ Also, two institutional cooperation protocols were signed between our Institution and Ankara No. 2 Bar Association on March 21, 2022, and Istanbul No.2 Bar Association on April 28, 2022.⁷⁶

MoU and Cooperation Protocols with CSOs

A Memorandum of Understanding (MoU) has been signed with the Türkiye Office of the United Nations Children's Fund (UNICEF) on April 4, 2022.⁷⁷ In addition to this, Training on Monitoring and Reporting Violations of Women's Rights and Children's Rights was organized in cooperation with the Institution and UNICEF.⁷⁸ Furthermore, within the scope of the institution's national preventive mechanism, a follow-up visit was held on December 29, 2022 to the UNICEF Türkiye Office and the Sincan Juvenile Closed Penitentiary Institution.⁷⁹ In collaboration with Üsküdar University Human Rights Studies Application and Research Center, a conference series have been held on December 10

to mark on World Human Rights Day. In this context, training courses which is related to anti-discrimination strategy, women's right, immigrant right and human trafficking were given by the HREIT.

Two cooperation protocols were signed for envisaging cooperation between the two institutions between civil society organisations the Artificial Intelligence Policies Association (AIPA) on July 25, 2022⁸⁰ and Turkish White Crescent Association on August 4, 2022.⁸¹ With the protocol, joint projects are aimed to be carried on the rights of the disabled and resolving the rights violations faced by the people with disabilities.

Consultative Commissions

Within the scope of Article 22 of Law, the Consultative Commission, which includes representatives from non-governmental organisations and public institutions, as well as academics working in the field, was formed by the Institution to discuss the problems and solution suggestions on the issues related to the prohibition of discrimination and to exchange information and opinions on these issues. In 2022, the second and the third of the Consultative Commission Meetings on Non-Discrimination on May 13, 2022⁸² and November 2, 2022.⁸³ Representatives of many public institutions and organisations, non-governmental organisations, social and professional organisations, academicians and experts in their fields participated in the meeting as a member of the commission (organisations that have work areas such as human rights, anti-discrimination and equality, mobbing, Roma rights, women's rights, immigrant and refugee rights, were included in the Commission).

Visits and discussions

On December 1, 2022, representatives of the Netherlands Helsinki Committee (NHC) and the Association for Monitoring Equal Rights (AMER) visited HREIT's Chairman Prof. Dr. Muharrem Kılıç⁸⁴. At the meeting, ideas were exchanged on mutual experience and suggestion sharing with the joint work that can be carried out within the scope of the "Together against Discrimination: Building a Civil Society Coalition to Improve Access to

Justice for Victims of Discrimination" project, which will be implemented under the coordination of NHC and AMER.

Human Rights Consultation meeting

Within the collaboration with the Provincial and Sub-Provincial Human Rights Boards, both important stakeholders of the HREIT, Provincial Human Rights Consultation Meetings were held regularly in the last weeks of each month. So far, 16 provincial consultation meetings and 1 regional consultation meeting have been held. Around 800 to 1,000 non-governmental organisations in each province are invited to these meetings to discuss human rights issues in their region. In this framework, representatives from non-governmental organisations and the public sector are brought together in the province where the meeting is held. Minister of Justice Bekir BOZDAĞ and members of the Zonguldak Provincial Protocol as well as the members of the provincial and provincial and district human rights boards of Bartın, Karabük, Kastamonu, Sakarya, Zonguldak and Bolu attended the first regional consultation meeting in Zonguldak province. The list of meetings is as follows:

- Zonguldak Provincial an Sub-Provincial Human Rights Regional Consultation Meeting⁸⁵ (November 28, 2022).
- Afyonkarahisar Provincial Human Rights Consultation Meetings⁸⁶ (November 30, 2022).
- Çankırı Provincial Human Rights Consultation Meetings (October 31, 2022).⁸⁷
- İzmir Provincial Human Rights Consultation Meetings (October 25, 2022).⁸⁸
- Adana Provincial Human Rights Consultation Meetings (September 29, 2022).⁸⁹
- Erzurum Provincial Human Rights Consultation Meetings (August 24, 2022).⁹⁰
- Tekirdağ Provincial Human Rights Consultation Meetings (July 28, 2022).⁹¹
- Van Provincial Human Rights Consultation Meetings (June 22, 2022).⁹²
- Manisa Provincial Human Rights Consultation Meetings (May 24, 2022).⁹³
- Zonguldak Provincial Human Rights Consultation Meetings (April 20, 2022).⁹⁴
- Siirt Provincial Human Rights Consultation Meetings (March 22, 2022).⁹⁵

- Edirne Provincial Human Rights Consultation Meetings (February 22, 2022).⁹⁶
- Malatya Provincial Human Rights Consultation Meetings (November 26, 2021).⁹⁷
- Trabzon Provincial Human Rights Consultation Meetings (September 8-9, 2021).⁹⁸
- Sakarya Provincial Human Rights Consultation Meetings (February 20, 2020)⁹⁹
- Istanbul Provincial Human Rights Consultation Meetings (2019)¹⁰⁰
- Konya Provincial Human Rights Consultation Meetings (2019)

Along with the meetings, it is ensured that local concerns can be raised by victims and heard by the interlocutors such as the district governor, the governor, the city's police administration, school principals, mayors, local prosecutors and judges etc. In this framework, representatives from CSOs and the public sector are brought together in the province where the meeting is held.

Governorships, provincial and district directorates, metropolitan municipalities if available, municipalities if available, universities, bar associations, professional organisations, public foundations, associations, and unions are targeted to encompass a wide range of people. "Written opinion forms" are distributed to each participant to express their views on the human rights problems in the province. At the end of the meetings, "Concluding Statements", prepared as a summary in line with the meeting notes and the issues mentioned in the written opinion forms are shared with the public. Finally, the issues mentioned in the "Concluding Statement"¹⁰¹ are conveyed to public institutions and organisations according to their relevance, and they are followed up when solving the problems.

Implementation of European Courts' judgments

Assessment of follow-up activities of State authorities

Türkiye is a party to the European Convention on Human Rights (ECHR) established within the Council of Europe. As such, it has accepted the individual application remedy to the European Court of Human Rights (ECtHR) as stipulated under the ECHR. Being a party to

the ECtHR imposes certain responsibilities on Türkiye towards its citizens and individuals within its de facto sovereignty. It is obliged to provide specific guarantees to ensure the protection of their rights.

In 2022, the ECtHR concluded 7,245 cases related to Türkiye. Out of these cases, 73 (1.01%) resulted in findings of violations.¹⁰² The most common violations involved:

- Freedom of Expression (Article 10): 8 cases
- Right to Liberty and Security (Article 5): 27 cases
- Right to a Fair Trial (Article 6): 19 cases
- Right to Property (Additional Protocol 1, Article 1): 20 cases
- Right to Respect for Private and Family Life (Article 8): 4 cases
- Right to Freedom of Assembly and Association (Article 11): 6 cases
- Prohibition of Torture (Article 3): 6 cases
- Effective Investigation Obligation under the Prohibition of Torture (Article 3): 3 cases
- Right to Life (Article 2): 1 case
- Effective Investigation Obligation under the Right to Life (Article 2): 1 case

The remaining 6,172 cases were either dismissed, found not to be a violation, or declared inadmissible for various reasons. Analysing the distribution of violation decisions in 2022, the most frequent violations were related to the "Right to Freedom and Security" with 27 decisions, followed by violations related to the "Right to Property" with 20 decisions, and the "Right to a Fair Trial" ranking third with 19 violation decisions. These findings highlight the need for improvement to ensure the full and effective realization of these rights.¹⁰³

Although Türkiye does not fall under the jurisdiction of the Court of Justice of the European Union, HREIT mostly cites the case-law of the Court of Justice of the European Union in its decisions on anti-discrimination and equality and strives to transpose EU equality standards into its national law. In addition, a Turkish translation of a decision of

the European Union Court of Justice on freedom of belief has been made and an evaluation report has been published¹⁰⁴.

Leading European Courts' judgments awaiting implementation

Pending applications

Accordingly, while the number of relevant pending applications was 11,750 in 2020, 15,250 in 2021 and 20,100 in 2022. Türkiye ranks first in terms of pending applications and third in the number of violation decisions. Considering that 140 violation decisions were made in 2018, 96 in 2019, 85 in 2020 and 76 in 2021, the number of violation decisions in 2022 decreased by approximately 3.94% compared to the previous year. In general, it is seen that the downward trend continues yearly.¹⁰⁵

In terms of population density, the application rate per 10,000 people in 2022 was recorded as 1.48 for Türkiye. Therefore, with this ratio, Türkiye ranks 10th among 47 countries in terms of population density.

Implementation of European Courts' judgments

Regarding leading European Court of Human Rights' judgments awaiting implementation, the awarded compensations are required to be paid within three months from the date the decision becomes final.

With regards to the lack of implementation of European courts' judgments, it appears that the right to a fair trial is the subject to most violation decisions in 2022. With this perspective, some issues need to be improved to ensure the full and effective realisation of the right. A detailed analysis of each sub-fraction of the right to a fair trial would exceed the volume of the report, therefore, it is more important to emphasize that urgent measures should be taken only in matters arising from the high number and rate of violations¹⁰⁶.

Furthermore, the non-implementation of the decisions may be due to the courts of first instance. To avoid these situations, the "Principles of Promotion of Judges and

Prosecutors Regarding the Promotion Criteria of Judges and Prosecutors Board"¹⁰⁷ and decision number 675/2, known as the "Principles for the Evaluation of the Work of Judges and Prosecutors Allocated to the First Class and Those in the First Class", have incorporated new promotion criteria. These criteria include assessing whether candidates have been implicated in violation decisions issued by the European Court of Human Rights (ECtHR) and the Constitutional Court. The nature and severity of the violations caused, as well as the individuals' efforts in safeguarding the rights guaranteed by the ECHR, are also taken into account. These criteria aim to uphold principles of judicial independence and guarantee. Since the promotion examination held in April 2020, compliance with decisions from the Constitutional Court and the ECtHR has been considered in the promotion process for judges and public prosecutors.

The obligation in Article 46 of the ECHR should not be overlooked. In this context, it is important to approach this issue sensitively, as hesitations about the implementation of ECHR provisions and ECHR decisions may cause some problems in terms of the full realization of human rights.¹⁰⁸

NHRI's actions to support the implementation of European Courts' judgments

As a standard procedure, ECtHR judgments are always cited in HREIT's annual human rights monitoring reports¹⁰⁹, thematic reports and NPM reports when examining applications on torture and anti-discrimination. As a piece of advice, HREIT always emphasizes the compliance with ECtHR judgments.¹¹⁰

In the framework of cooperation with the Council of Europe Ankara Office, more than 10 certified online courses were given through the CoE Programme on Human Rights Education for Legal Professionals (HELP). These courses are beneficial to many professionals, and sometimes serve as the mandatory requirements for the expert personnel of national human rights institutions. These courses encompass fundamental subjects including ECtHR case law and CPT standards.

NHRIs are key stakeholders in ensuring the effective implementation of the European Convention on Human Rights at the national level. The international summit dated 29-30 June 2022 titled "The Strengthened Roles of National Human Rights Institutions"¹¹¹ in the Protection and Promotion of Human Rights" began with an opening speech by Dr. Saadet Yüksel, ECtHR Judge, emphasizing the importance of human rights institutions. In her speech, Ms. Yüksel stated that, "When we talk about domestic legal mechanisms, we usually think of judicial bodies ranging from the first-instance courts to the Constitutional Court. However, when we look at practices for protecting human rights, semi-judicial institutions like the Human Rights and Equality Institution of Turkey (TİHEK) also play a crucial role."

NHRIs work to promote implementation through a variety of ways, such as providing advice to national governments, collaborating with civil society and the Council of Europe and supporting the implementation and execution of the European Court of Human Rights (ECtHR) judgments. Although HREIT has no initiative under Rule 9, ENNHRI third party intervention documents were translated into Turkish and shared on HREIT's website in order to raise awareness about what NHRIs can do in the ECtHR judgment¹¹².

NHRI's recommendations to national and regional authorities

The lower courts should dedicate sufficient time and resources to thoroughly review and apply decisions from the European Court of Human Rights (ECtHR) and the Constitutional Court (AYM) in their respective cases, prevent to delays or incomplete compliance.

As it is emphasized in HREIT's annual reports on protection and promotion of human rights, HREIT recommends national authorities to¹¹³

- Ensure compliance of laws and practices with international and regional human rights standards through intensifying trainings for the judges, including the ECHR.

- Ensure timely and effective implementation of judgments by the European Court of Human Rights.
- Ensure the implementation of the decisions of the Constitutional Court.

Artificial Intelligence

Impact of AI on human rights, democracy and rule of law

HREIT is aware of the fact that the issue of preventing discrimination arising from the use of AI has become a major research topic and widely discussed in society and amongst practitioners.

According to the Founding Law¹¹⁴, it is prohibited to discriminate against persons based on fifteen grounds which are sex, race, colour, language, religion, belief, sect, philosophical or political opinion, ethnical origin, wealth, birth, marital status, health status, disability, and age. Because of that, it is possible for any natural or legal person to apply to the Institution with the claim of discrimination arising from AI.

However, since this subject is relatively new, no complaint on discrimination on the grounds of the use of AI has been made to the Institution so far. Alongside this, HREIT also organizes awareness-raising campaigns to highlight the fact that possible consequences of AI may also constitute a ground for application.

NHRI's actions to address challenges regarding the use of artificial intelligence

The Institution has undertaken various actions with regards to challenges arising from the use of AI. Taking into account the existing and possible future impact of data protection and AI on human rights, the Institution gives importance to address this through several actions.

Raising public awareness

Raising public awareness on human rights and non-discrimination is one of the duties of HREIT. In this context, international and national summits and symposiums were held. One of these symposiums was held on 30.03.2022 in Gaziantep with the title of "Impacts

of the Use of Artificial Intelligence on the Principle of Non-Discrimination”¹¹⁵. The symposium aimed to raise awareness of human rights violations that the use of artificial intelligence may cause within the scope of the prohibition of discrimination and understand the role of equality bodies in combating these violations.

To further raise awareness on this issue, HREIT prepared a Factsheet¹¹⁶ titled “Artificial Intelligence and Human Rights” including ENNHRI’s contribution to CAI and published it on the official website and Twitter account.

A chapter titled “Digitalization and Human Rights” is included in the 2021 Protection and Promotion of Human Rights Report of the Institution¹¹⁷. Artificial intelligence and human rights are discussed under this section, and information is given about national policy documents regarding artificial intelligence.

Lastly, composed of the updated news from 30 different international and national human rights institutions, the “Periodical International Human Rights Monitoring Bulletin”¹¹⁸ is published monthly on the Institution’s website to follow the activities of peer institutions.

Cooperation and collaboration

According to the HREIT Law, cooperating with international organisations is also one of the duties of HREIT. In this regard, a cooperation protocol was signed with Artificial Intelligence Policy Association (AIPA)¹¹⁹. HREIT is open to conduct joint projects with AIPA on human rights and AI.

In accordance with the HREIT Law, consultative commissions were set up to discuss problems and potential solutions pertaining to issues on non-discrimination and to exchange information and opinions on these matters. Other CSOs and CSOs also have the opportunity to be involved in these consultative commissions. In a consultative commission taking place on 03.11.2022, the topic of “Digitalization and Non-Discrimination” was on the agenda.

Aside from these initiatives, the Artificial Intelligence Working Group has been established within the Institution.

Lastly, HREIT Chairman Prof. Dr. Muharrem Kılıç attended the Regional Workshop on Data Protection and The Impact of Technologies and AI on Human Rights which was organized by UNDP¹²⁰. He made a speech about “Regulatory Frameworks Governing the Use of Digital Technologies and AI” on 27.10.2022. Chairman Prof. Dr. Muharrem Kılıç has four different international articles published on this subject.¹²¹

Consultations on the regional conventions being drafted on artificial intelligence

The Institution’s staff has been involved in a dedicated ENNHRI group on Artificial Intelligence. The Institution is very pleased to cooperate with ENNHRI and is very open to participate and contribute to future studies on artificial intelligence.

ENNHRI has stated that NHRIs should be equipped with sufficient resources, powers and expertise to prevent and assess fundamental rights violations and effectively support those whose fundamental rights are affected by AI. The Institution aims to achieve this and is prepared for it with all its resources, power and expertise.

NHRI’s recommendations to national and regional authorities

The chapter on “Digitalization and Human Rights” of HREIT’s 2021 Protection and Promotion of Human Rights Report was presented to the Presidency of the Republic of Türkiye and the Grand National Assembly of Türkiye along with the recommendations contained in it. The following points are highlighted under the “Digitalization and Human Rights” title of this report:

Need to protect children from risk, including the exposition digital to content that may harm their development. Therefore, there is a prominent need for the special protection of children from peer bullying and cyberbullying in digital environments. Since digitalization takes place on a global scale, all states and digital content provider companies need to take and implement common principles and decisions.

1. "Making legal arrangements in order to prevent the use of children as objects on digital platforms and to ensure their privacy rights"

The use of children as objects on media platforms has emerged as a problem area that has become widespread recently. As stated in a report published by UNICEF, 'Every child should be able to benefit from the opportunities offered by the digital world and be protected from the online risks that await them.' In this context, it is important to implement the necessary legal regulations due to the lack of local legislation in order to protect children in digital media."

At the end of this report, it has been stated that within the framework of HREIT's mission, improvements in recommendations will contribute positively to Türkiye 's efforts in terms of human rights. "Continuing the efforts to protect children against digital risks" and "Making legal arrangements in order to prevent the use of children as objects on digital platforms and to ensure their privacy rights" were some of these recommendations.

2. "Developing artificial intelligence applications in accordance with human rights".
3. "Give importance and highly recommend the compliance and fulfilment of national policy documents which include goals and activities related AI."

One of these is Human Rights Action Plan¹²², dated 2 March 2021, was prepared in line with the vision "Free Individual, Strong Society; More Democratic Türkiye". HREIT also submitted its contributions to the preparation of this Action Plan. There is a goal numbered 8.1. and titled "Protection of Human Rights in Digital Environment and Against Artificial Intelligence Applications". Under this goal, activities related to AI were determined. These activities are: "d. The legislative framework and ethical principles concerning the field of artificial intelligence will be established in consideration of international principles, and measures will be taken regarding the protection of human rights from this aspect." and "e. Artificial intelligence applications will be used in the

judiciary in conformity with the principles and recommendations of the Council of Europe and without prejudice to the principle of protection of legal guarantees.”

Secondly, the National Artificial Intelligence Strategy 2021-2025¹²³ is an important strategy paper that is the country's first national strategy document in the field of artificial intelligence. Türkiye has taken its place among the countries that have published the artificial intelligence strategy. The Strategy Document has been prepared in line with the “Digital Türkiye” vision and the “National Technology Move” in line with the Eleventh Development Plan and the Presidential Annual Programs.

Other challenges in the areas of rule of law and human rights

The rule of law is a fundamental principle that refers to the idea that everyone, including governments and individuals, is subject to the law and that no one is above the law. It is a principle that ensures that the law is applied equally and fairly and that it is accessible, predictable, and transparent.

The rule of law is based on the principles of legality, which means that laws must be clear, publicly disclosed, and applied evenly and impartially; accountability, which means that individuals and organisations must be held accountable for their actions and decisions; and due process, which means that legal procedures must be fair, impartial, and efficient.

The rule of law is essential for ensuring a just and democratic society, as it protects individual rights, promotes fairness and equality, and establishes a framework for resolving disputes and conflicts. It also creates a predictable and stable environment for businesses and individuals, which is essential for economic growth and development.

In order to establish a fair balance between the prevention of disinformation and the right of the public to receive information, broadcasting bans should be avoided unless they meet an imperative need in a democratic society, as it is recommended in HREIT’s Annual Report on Protecting and Promoting Human Rights.¹²⁴

NHRI's recommendations to national and regional authorities

As emphasised in its 2021 Protection and Promotion of Human Rights Report, the Turkish NHRI recommends:

- Continuing the works for more effective use of the right to a fair trial,
- Avoiding hesitations about complying with the decisions of the Constitutional Court and taking necessary action in this regard,
- Avoiding hesitations about complying with the decisions of the ECtHR and doing the necessary actions in this regard.

¹ [Report and Recommendations of the SCA, October 2022](#)

² [HREIT Twitter Channel](#)

³ [HREIT YouTube Channel](#)

⁴ [Book on the Workshop on Vaccination Practices Against COVID-19 from a Human Rights Perspective](#)

⁵ [Book on the Children's Rights Symposium Proceedings in cooperation with UNICEF](#)

⁶ [Book on the Workshop Book on the Rights of Persons with Disabilities in the Coronavirus Outbreak](#)

⁷ [Book on the Proceedings of the International Symposium on Human Rights in Times of Pandemic](#)

⁸ [Book on the Women's Rights Symposium](#)

⁹ [Women's Rights Symposium](#)

¹⁰ [Human Rights Activity Book for Children](#)

¹¹ [Türkiye Anti-Trafficking Summit](#)

¹² [Factsheet - Artificial Intelligence and Human Rights](#)

¹³ [Factsheet- Work in Prison](#)

¹⁴ [Factsheet - Hate Speech](#)

¹⁵ [Factsheet - Rights of the Older Persons](#)

¹⁶ [Factsheet - Climate Change and Human Rights](#)

¹⁷ [Factsheet – Victimization](#)

¹⁸ [Factsheet - Child Friendly Justice System](#)

¹⁹ [Panel on Access of Hospitalized Children to the Right to Education](#)

²⁰ [Barrier-Free Life Fair & Awareness Summit and Disabled Rights Panel](#)

²¹ [International Symposium on the Right to Food and Climate Change in the Context of Human Rights](#)

²² [The Role of the Legislature in the Protection of Human Rights Symposium](#)

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- ²³ [Article Contest - Human Rights Themed](#)
- ²⁴ [Painting Contest - Human Rights Themed](#)
- ²⁵ ["Project on Business and Human Rights: Promoting Responsible Conduct in Türkiye" carried out by the United Nations Development Program \(UNDP\) with the support of the Government of Japan](#)
- ²⁶ Meetings with the Deans of the Law Faculties: <https://tihek.gov.tr/en/meeting-with-the-deans-of-faculties-of-law/> , <https://tihek.gov.tr/en/second-meeting-with-the-deans-of-faculties-of-law/> , <https://www.tihek.gov.tr/dogu-guneydogu-anadolu-bolgesi-hukuk-fakultesi-dekanlari-ile-toplanti-gerceklestirildi> , <https://tihek.gov.tr/en/meeting-with-the-deans-of-faculties-of-law-in-the-aegean-region/>
- ²⁷ [Education for CSOs](#)
- ²⁸ [Human Rights Education for University Students](#)
- ²⁹ [Administrative fine was imposed on the Ministry of Culture and Tourism](#)
- ³⁰ [2022 Annual report](#)
- ³¹ [Ex Officio Decision on "Facilitator Personnel"](#)
- ³² [Ex Officio Decision on "Bolu Municipality"](#)
- ³³ [Ex Officio Decision on Not Inclusion of the Hearing-Impaired Athlete in the National Athlete Quota](#)
- ³⁴ [February 28 Coup Report](#)
- ³⁵ [Analysis Report of Provincial and District Human Rights Institutions](#)
- ³⁶ [The Report on Deported Foreigners and the Principle of Non-Refoulement](#)
- ³⁷ [Analyzing Report on Human Rights of the Older Persons](#)
- ³⁸ [The Türkiye Report 2022 by the European Union Directorate-General for Neighbourhood and Enlargement Negotiation, P.33](#)
- ³⁹ [SCA Report October 2022](#)
- ⁴⁰ [Report and Recommendations of the Session of the Sub-Committee on Accreditation \(SCA\)](#)
- ⁴¹ <https://www.tihek.gov.tr/tbmm-bunyesindeki-yasli-larin-sorunlarini-arastirma-komisyonu-uyelerine-sunum-gerceklestirildi>
- ⁴² [The Project on Strengthening Fundamental Rights Sector Coordination](#)
- ⁴³ [Decision by the Board of the HREIT statistics only in the first 6 months](#)
- ⁴⁴ [The international summit on "The Strengthening Roles of National Human Rights Institutions in the Protection and Promotion of Human Rights"](#)
- ⁴⁵ [Constitution Of The Republic Of Türkiye & Rules Of Procedure Of The Grand National Assembly Of Türkiye, Article 25 titled "Freedom of thought and opinion", p.31](#)
- ⁴⁶ [The Human Rights and Equality Institution of Türkiye, The Year of 2021 Annual Report on the Protection and Promotion of Human Rights, Ankara, 2022](#)
- ⁴⁷ [Statistical reports of ECHR](#)
- ⁴⁸ [Cancellation and suspension of execution of Circular 2021/19 of the General Directorate of Security](#)
- ⁴⁹ [The Eleventh Development Plan \(2019-2023\)](#)
- ⁵⁰ [Action Plan on Human Rights Free Individual, Strong Society; More Democratic Türkiye](#)
- ⁵¹ [The Judicial Reform Strategy Document](#)
- ⁵² [Unofficial English Version of the Turkish Internet Law](#)

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- ⁵³ [Law of Criminal Procedure of Türkiye](#)
- ⁵⁴ [The Unofficial English version - the Law No. 3713 on the Fight Against Terrorism](#)
- ⁵⁵ [The Human Rights and Equality Institution of Türkiye, The Year of 2021 Annual Report on the Protection and Promotion of Human Rights, Ankara, 2022](#)
- ⁵⁶ [Radio and Television Supreme Council Report 2022](#)
- ⁵⁷ [Administrative fines on media service providers by RTUK](#)
- ⁵⁸ [The Human Rights and Equality Institution of Türkiye, The Year of 2021 Annual Report on the Protection and Promotion of Human Rights, Ankara, 2022, p.30-31](#)
- ⁵⁹ [ECtHR Türkiye Statistics](#)
- ⁶⁰ [The Human Rights and Equality Institution of Türkiye, The Year of 2021 Annual Report on the Protection and Promotion of Human Rights, Ankara, 2022, p.33](#)
- ⁶¹ [Bogazici University Protests](#)
- ⁶² [The Human Rights and Equality Institution of Türkiye, The Year of 2021 Annual Report on the Protection and Promotion of Human Rights, Ankara, 2022, p.34](#)
- ⁶³ [Trade Union](#)
- ⁶⁴ [NHRI Annual Report 2021](#)
- ⁶⁵ [The Human Rights and Equality Institution of Türkiye, The Year of 2021 Annual Report on the Protection and Promotion of Human Rights, Ankara, 2022, p.35](#)
- ⁶⁶ [Press Release: A presentation was made to the members of the Committee to Investigate the Problems of the Older Persons in the Grand National Assembly of Turkey](#)
- ⁶⁷ [The Year of 2021 Annual Report on the Protection and Promotion of Human Rights](#)
- ⁶⁸ [The Founding Law of HREIT](#)
- ⁶⁹ [Cooperation Protocol with Kırıkkale University](#)
- ⁷⁰ [Cooperation Protocol with Galatasaray University](#)
- ⁷¹ [Cooperation Protocol with Atılım University](#)
- ⁷² [Cooperation Protocol with Gaziantep University](#)
- ⁷³ [Cooperation Protocol with Recep Tayyip Erdoğan University](#)
- ⁷⁴ [International Symposium on the Role of the Legislature in the Protection of Human Rights](#)
- ⁷⁵ [Turkish Justice Academy](#)
- ⁷⁶ [Meeting with the Istanbul No:2 Bar Association](#)
- ⁷⁷ [Memorandum of Understanding with UNICEF](#)
- ⁷⁸ [Education in cooperation with UNICEF](#)
- ⁷⁹ [Joint visit with UNICEF to Sincan Juvenile Closed Prison](#)
- ⁸⁰ [Cooperation Protocol with Artificial Intelligence Policy Association \(AIPA\)](#)
- ⁸¹ [Cooperation Protocol with the Association for the People Visually Impaired](#)
- ⁸² [Consultative Commission Meeting on Non-Discrimination](#)
- ⁸³ [Consultative Commission Meeting on Non-Discrimination](#)

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- ⁸⁴ [Visit of representatives of the Netherlands Helsinki Committee – NHC and the Association for Monitoring Equal Rights \(AMER\)](#)
- ⁸⁵ [Zonguldak Provincial an Sub-Provincial Human Rights Regional Consultation Meeting](#)
- ⁸⁶ [Afyonkarahisar Provincial Human Rights Consultation Meetings](#)
- ⁸⁷ [Çankırı Provincial Human Rights Consultation Meetings](#)
- ⁸⁸ [İzmir Provincial Human Rights Consultation Meetings](#)
- ⁸⁹ [Adana Provincial Human Rights Consultation Meetings](#)
- ⁹⁰ [Erzurum Provincial Human Rights Consultation Meetings](#)
- ⁹¹ [Tekirdağ Provincial Human Rights Consultation Meetings](#)
- ⁹² [Van Provincial Human Rights Consultation Meetings](#)
- ⁹³ [Manisa Provincial Human Rights Consultation Meetings](#)
- ⁹⁴ [Zonguldak Provincial Human Rights Consultation Meetings](#)
- ⁹⁵ [Siirt Provincial Human Rights Consultation Meetings](#)
- ⁹⁶ [Edirne Provincial Human Rights Consultation Meetings](#)
- ⁹⁷ [Malatya Provincial Human Rights Consultation Meetings](#)
- ⁹⁸ [Trabzon Provincial Human Rights Consultation Meetings](#)
- ⁹⁹ [Sakarya Provincial Human Rights Consultation Meetings](#)
- ¹⁰⁰ [Istanbul Provincial Human Rights Consultation Meetings](#)
- ¹⁰¹ [Concluding Statement of the Erzurum Provincial Human Rights Consultation Meeting](#)
- ¹⁰² [HUDOC Database- ECHR Statistics of Türkiye](#)
- ¹⁰³ [See HREIT, Protection and Promotion of Human Rights Report 2021 p. 28.](#)
- ¹⁰⁴ [Evaluation report on the decision by CJEU dated 15.07.2021](#)
- ¹⁰⁵ [See the 2021 official statistics of the Ministry of Justice](#)
- ¹⁰⁶ [See HREIT, Protection and Promotion of Human Rights Report 2021](#)
- ¹⁰⁷ [Principles of Promotion of Judges and Prosecutors Regarding the Promotion Criteria of Judges and Prosecutors Board](#)
- ¹⁰⁸ [HUDOC Database](#)
- ¹⁰⁹ [Link to several human rights monitoring annual reports: <https://www.tih.gov.tr/kategori/pages/Yillik-Raporlar>, <https://www.tih.gov.tr/public/editor/uploads/1660762563.pdf>, <https://www.tih.gov.tr/public/editor/uploads/1660143259.pdf>](#)
- ¹¹⁰ [Access to our Reports on Protection and Promotion](#)
- ¹¹¹ [The International Summit titled The Strengthened Roles of National Human Rights Institutions](#)
- ¹¹² [The Turkish Translation of the Intervention N.53600/20 VEREIN KLIMASENIORINNEN SCHWEIZ And OTHERS/ SWITZERLAND](#)
- ¹¹³ [HREIT's Recommendations on Protection and Promotion of Human Rights Report 2021, p. 83.](#)
- ¹¹⁴ [English version of Founding Law with No. 6701](#)

¹¹⁵ [The program of the HREIT's Symposium on "Impacts of the Use of Artificial Intelligence on the Principle of Non-Discrimination"; First Session of the HREIT's Symposium on "Impacts of the Use of Artificial Intelligence on the Principle of Non-Discrimination"; Second Session of the Symposium](#)

¹¹⁶ [Fact Sheet on AI](#)

¹¹⁷ See HREIT, [Protection and Promotion of Human Rights Report 2021](#) p. 78

¹¹⁸ [As an Example February - Periodical International Human Rights Monitoring Bulletin](#)

¹¹⁹ [Cooperation Protocol with AIPA](#)

¹²⁰ [UNDP - the Regional Workshop on Data Protection and the Impact of Technologies and AI on Human Rights.](#)

¹²¹ 1. "Ethico-Juridical Dimension of Artificial Intelligence Application in the Combat to Covid-19 Pandemics" – Springer.

2. "Ethical-Juridical Inquiry Regarding the Effect of Artificial Intelligence Applications on Legal Profession and Legal Practices" - Atlanta John Marshall Law Journal.

3. "Transhumanistic Representations of the Legal Reason and Onto-robotic Existence Forms" – Justice Journal.

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¹²² [Human Rights Action Plan](#)

¹²³ [National Artificial Intelligence Strategy 2021-2025](#)

¹²⁴ See HREIT, [Protection and Promotion of Human Rights Report 2021](#) p. 83.