ECRI REPORT ON TÜRKIYE

(sixth monitoring cycle)



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TABLE OF CONTENTS

FOREWORD **4**

FINDINGS AND RECOMMENDATIONS **7**

I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS **7**
A. EQUALITY BODIES 7
B. INCLUSIVE EDUCATION 8
C. IRREGULARLY PRESENT MIGRANTS 11
D. LGBTI EQUALITY 12

II. HATE SPEECH AND HATE-MOTIVATED VIOLENCE **15**
A. HATE SPEECH 15
B. HATE-MOTIVATED VIOLENCE 21

III. INTEGRATION AND INCLUSION **26**
A. ROMA 26
B. BENEFICIARIES OF INTERNATIONAL PROTECTION 28

IV. COUNTRY-SPECIFIC TOPICS **31**
RELIGIOUS DISCRIMINATION AND INTOLERANCE 31

INTERIM FOLLOW-UP RECOMMENDATIONS **34**

LIST OF RECOMMENDATIONS **35**

BIBLIOGRAPHY **37**

APPENDIX: GOVERNMENT'S VIEWPOINT **41**

FOREWORD

The European Commission against Racism and Intolerance (ECRI), established by the Council of Europe, is an independent human rights monitoring body specialised in questions relating to the fight against racism, discrimination (on grounds of "race", ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance. It is composed of independent and impartial members appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

In the framework of its statutory activities, ECRI conducts country monitoring work, which analyses the situation in each of the member States of the Council of Europe regarding racism and intolerance and draws up suggestions and proposals for dealing with the problems identified.

ECRI's country monitoring deals with all member States on an equal footing. The work takes place in 5-year cycles. The reports of the first round were completed at the end of 1998, those of the second round at the end of 2002, those of the third round at the end of 2007, those of the fourth round in the beginning of 2014, and those of the fifth round at the end of 2019. Work on the sixth round reports started at the end of 2018.

The working methods for the preparation of the reports involve documentary analyses, a visit to the country concerned, and then a confidential dialogue with the national authorities.

ECRI's reports are not the result of inquiries or testimonial evidence. They are analyses based on information gathered from a wide variety of sources. Documentary studies are based on a large number of national and international written sources. The in situ visit provides the opportunity to meet with the parties directly concerned (both governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to provide, if they consider it necessary, comments on the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final ECRI report.

The sixth round country reports focus on three topics common to all member States: (1) Effective equality and access to rights, (2) Hate speech and hate-motivated violence, and (3) Integration and inclusion, as well as a number of topics specific to each one of them.

In the framework of the sixth cycle, priority implementation is requested again for two specific recommendations chosen from those made in the report. A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

The following report was drawn up by ECRI under its own responsibility. Unless otherwise indicated, it covers the situation up to 21 November 2024; as a rule, developments since that date are neither covered in the following analysis nor taken into account in the conclusions and proposals therein.

SUMMARY

Since the adoption of ECRI's fifth report on Türkiye on 30 June 2016, progress has been made and good practices have been developed in a number of fields.

The Human Rights and Equality Institution of Türkiye (HREIT) was established in 2016 by Law No. 6701 and acts as the equality body.

ECRI was informed about initiatives taken by some teachers in Istanbul and Izmir to organise visits for 16–18-year-old pupils, who are in the final stages of their secondary school education, to meet with different religious communities. Apparently, these visits helped to increase religious tolerance and should be encouraged and supported.

An example of a response against online hatred was the crackdown in March 2024 against a group of students at Karabük University that had posted a series of social media messages containing insulting prejudices against African students.

Efforts have been made by the authorities to provide training on hate crimes to law enforcement officials across the country. Türkiye implemented the Training against Hate Crime for Law Enforcement (TAHCLE) programme of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) following a memorandum of understanding signed with ODIHR in 2016.

In order to gain a better understanding of the situation of Roma children in education, the authorities carried out a mapping exercise, involving a secondary study on the concentration of Roma pupils in schools located in some 400 disadvantaged neighbourhoods. Furthermore, so-called local Solidarity Centres (SODAMs), provide services especially for Roma women, such as skills building and literacy courses, but also health information classes including on reproductive health.

In the context of an extraordinarily high number of people seeking international protection in the country, the authorities informed ECRI that some three-quarters of school-aged temporary protection children are now enrolled in schools. ECRI also received very positive reports about a Syrian Support Personnel Programme (SSPP), in which Syrians are employed as mediators to promote school enrolment and attendance.

ECRI observed during a field visit that the local authorities in Istanbul, together with an NGO-run support centre, provide crucial assistance to international protection beneficiaries.

ECRI welcomes these positive developments in Türkiye. However, despite the progress achieved, some issues give rise to concern.

The HREIT cannot initiate nor participate in court proceedings on its own initiative. The mandate of the HREIT does not cover grounds of sexual orientation or gender identity. Furthermore, several legal gaps exist that can potentially undermine the independence of the HREIT. Article 8(1) of Law No. 6701 states that the HREIT is affiliated with the relevant Ministry nominated by the President of the Republic of Türkiye (i.e., the Ministry of Justice), and that the Turkish President may exercise powers regarding the administration of the institution through the Minister.

Religious education classes teaching the country's majority Sunni Islam faith have given rise to concern with regard to impeding inclusive education. Exemption from these classes can be difficult to obtain and families are sometimes afraid of declaring their religion due to a hostile social climate against minority religions. In addition, the general university entrance exams include elements that build on the religious education classes' content.

In its fifth report, ECRI recommended that the authorities adopt and implement an action plan for LGBT persons. However, no steps have been taken. In addition, ECRI was informed by NGOs that no formal mechanism of dialogue exists between the authorities and LGBTI groups to discuss relevant problems.

Hate speech against religious and ethnic minorities, such as Alevi, various non-Muslim groups and Kurds, as well as against refugees and migrants, and LGBTI persons, is widespread in the media. Apparently, hate speech is particularly widespread during election periods.

The country also faces a serious problem with racist and anti-LGBTI violence, including mob attacks against Syrians as well as murders of transgender persons.

The situation of many persons belonging to the Roma community remains very difficult, in particular in the areas of education, employment, housing and health.

Local authorities do not receive financial allocations from the government per number of protection beneficiaries residing in their area.

This not only means a particular financial strain on local budgets, but also a discrepancy in terms of services available to beneficiaries of international protection depending on the municipality. The flow of information from the central to the local level also seems to be a problem: the national authorities reportedly do not always provide timely and relevant data regarding protection beneficiaries that could help when planning local services, for example in the areas of healthcare or education.

Discrimination and intolerance against certain religious minorities remains a problem: Alevis, Protestant Christians and Jehovah's Witnesses are particularly affected.

In this report, ECRI requests that the authorities take action in a number of areas and makes a series of recommendations, including the following.

ECRI recommends that the Turkish authorities bring forward amendments to the Law on the Human Rights and Equality Institution of Türkiye (HREIT) in order to align legislation with ECRI's General Policy Recommendation No. 2 on equality bodies to combat racism and intolerance at national level, in particular by including the grounds of sexual orientation and gender identity into HREIT's mandate, ensuring HREIT's full independence and providing HREIT's with the power to initiate or participate in court proceedings on its own initiative.

ECRI recommends that the authorities ensure that parents can opt out of religious education classes for their children without having to declare their religion; and that the authorities remove elements related to religious education from the general university entrance exams.

ECRI recommends that the authorities establish a working group on preventing and combating intolerance and discrimination against LGBTI persons that should consist of representatives of relevant government institutions and LGBTI organisations in order to develop and implement an action plan for LGBTI persons.

ECRI recommends, as a matter of priority, that the authorities reinforce their responses against hate speech by setting up an inter-institutional working group to develop a comprehensive strategy to tackle effectively racist and anti-LGBTI hate speech, including online. This group should include the relevant authorities, the Human Rights and Equality Institution, the Ombudsman Institution, and relevant civil society organisations, including the broadest possible range of religious groups and LGBTI organisations.*

ECRI recommends that the authorities strengthen their responses against racist and anti-LGBTI violence, including through the national Human Rights Strategy. They should ensure a consistent recording of the relevant hate elements of crimes; strengthen the legal framework in order to ensure that hate elements of crimes are effectively unmasked and taken into consideration in judicial proceedings; and continue, evaluate and expand the hate-crime training activities for law enforcement officials and prosecutors, as well as those offered to judges. Such training activities should also be based on cooperation with vulnerable groups, such as religious and ethnic minorities and LGBTI organisations. The authorities should also set up specialised hate crime liaison units in the police.

ECRI recommends that the authorities set up a system for collecting comprehensive and gender-disaggregated equality data on Roma, in particular in the fields of education, employment, housing and healthcare. The data collection should respect the principles of informed consent, self-identification, confidentiality and exclusive use for the promotion of Roma equality.

ECRI recommends, as a matter of priority, that the authorities significantly strengthen their cooperation with and support for local authorities and their efforts regarding the integration and inclusion of protection beneficiaries.*

ECRI recommends that the authorities adopt a policy approach that considers and promotes religious diversity and tolerance as a cultural asset for Turkish society. To this end, the authorities should set up a working group that includes all religious communities and meets regularly so that representatives of religious minorities can present and discuss the various problems they encounter in order to find workable solutions together with the authorities.

* *The recommendations in this paragraph will be subject to a process of interim follow-up by ECRI no later than two years after the publication of this report.*

FINDINGS AND RECOMMENDATIONS

I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS

A. Equality bodies[1]

1. The Human Rights and Equality Institution of Türkiye (HREIT)[2] was established in 2016 by Law No. 6701 and acts as the equality body.[3] Its mandate includes: (a) receiving and handling complaints on alleged discrimination; (b) carrying out studies on the prevention of discrimination; (c) providing information and sensitising the public on combating discrimination; (d) monitoring and submitting opinions on legislative developments on non-discrimination; (e) providing legal advice to possible victims of discrimination; (f) cooperating with relevant civil society organisations and (g) monitoring the implementation of international human rights conventions to which Türkiye is a party.[4]

2. Contrary to ECRI's revised General Policy Recommendation (GPR) No. 2 on equality bodies to combat racism and intolerance at national level, the mandate of the HREIT does not cover grounds of sexual orientation or gender identity. The HREIT cannot initiate nor participate in court proceedings on its own initiative, but can give opinions to courts only if asked to do so.[5] The institution has 206 staff members and in May 2024 opened its first regional office in Gaziantep in the Southeast Anatolia region, an ethnically diverse city with substantial Kurdish and Syrian minorities[6] that was heavily damaged during the February 2023 earthquake.[7] ECRI notes positively that further regional offices are also planned in Istanbul and Izmir, as well as in Antalya, Diyarbakır, Van and Ordu provinces.[8]

3. Formally, the HREIT has some administrative and financial autonomy as a public entity. Its enabling legislation provides that it shall exercise its duties independently and that "no body, authority, office or individual shall give orders nor instructions nor recommendations or suggestions" to the HREIT Board.[9] It enjoys autonomy in establishing its working procedures and recruiting its own staff. However, there are several gaps that can potentially undermine the independence of the HREIT.[10] Among the legal gaps, Article 8(1) of Law No. 6701 states that the HREIT is

[1] The term "national specialised bodies" was updated to "equality bodies" in the revised version of GPR No. 2 which was published on 27 February 2018.

[2] Also known by its Turkish acronym TIHEK.

[3] It also serves as the National Human Rights Institution (NHRI), the National Preventive Mechanism (NPM) under OPCAT, and the National Rapporteur on Trafficking in Human Beings.

[4] Article 9(1) of the Law No. 6701.

[5] Article 11(d) of the Law No. 6701, and as noted by the European network of legal experts in gender equality and non-discrimination, Country Report: Turkey (2022).

[6] While the authorities reiterated that they use the term "minority groups" only for the groups covered by the Treaty of Lausanne (1923), ECRI recalls that it has generally referred to all groups within Turkish society with a distinct religion, national or ethnic origin, language or colour as "minority groups", regardless of whether they are recognised as minorities protected by the Treaty of Lausanne. In this respect, see also ECRI's fourth (§ 82) and fifth (§ 73) reports on Türkiye.

[7] On 6 February 2023 south-east Türkiye and northern Syria were hit by the most powerful earthquake in the region for over 80 years. This was quickly followed by a further earthquake and hundreds of aftershocks. It was estimated that this natural disaster had left 46 000 people dead and 300 000 homeless, causing an extremely challenging humanitarian situation.

[8] See HREIT Board decision No. 2022/538 of 9 August 2022. – The Ombudsman Institution of Türkiye (OI), while not established as an equality body, is also mandated to receive individual complaints namely about the functioning of public administration, including with respect to non-discrimination (see ECRI 2016: §§ 22ff). The OI still does not have a mandate to carry out investigations on its own initiative or to bring court cases (cf. ECRI 2019: 7). For more details about shortcomings identified by other organisations, see European Commission, 2018, Turkey 2018 Report, SWD(2018) 153 final: 31.

[9] Articles 8 and 10(1) of the Law No. 6701.

[10] See inter alia: Global Alliance of National Human Rights Institutions (GANHRI) Sub-Committee on Accreditation (SCA) Report October 2022; European network of legal experts in gender equality and non-discrimination 2022; European Commission, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), Türkiye Report 2023 (8 November 2023). - In this regard, see also ECRI's 2016 (§ 27) priority recommendation on the matter of independence, which, in its 2019 interim follow-up conclusions, it found not to have been implemented (ECRI 2019: 5).

affiliated with the relevant Ministry nominated by the President of the Republic of Türkiye (i.e., the Ministry of Justice), and that the Turkish President may exercise powers regarding the administration of the institution through the Minister "whenever deemed necessary".[11] Furthermore, following amendments in 2018, the Law stipulates that all 11 members of the HREIT Board are appointed by the Turkish President, including its leadership. The enabling law does not establish pre-determined, objective and publicly available criteria to assess applicants.[12] Furthermore, the HREIT staff and leadership lack any protection or functional immunity.[13]

4. ECRI recommends that the Turkish authorities bring forward amendments to the Law on the Human Rights and Equality Institution of Türkiye (HREIT) in order to align legislation with ECRI's General Policy Recommendation No. 2 on equality bodies to combat racism and intolerance at national level, in particular by including the grounds of sexual orientation and gender identity into HREIT's mandate, ensuring HREIT's full independence and providing HREIT's with the power to initiate or participate in court proceedings on its own initiative.

5. Beyond legislative gaps, there have also been concerns about the HREIT not having established sufficient cooperation with relevant civil society organisations (CSOs) working in the field of discrimination.[14] However, some CSO representatives met by the ECRI delegation during the 2024 visit reported positive changes as from July 2021, such as engagement with CSOs. The HREIT also informed ECRI that it intends to strengthen its work and dialogue with civil society.

6. Despite its broad mandate, most violation decisions rendered by the HREIT generally do not concern cases of high relevance to ECRI.[15] Until recently, this was also reflected in the number of complaints received by the institution. However, according to information conveyed to ECRI by the HREIT, there is now an upward trend in this regard compared to previous years. More precisely, in 2023, out of some 2 000 complaints received, 560 concerned discrimination cases of which 39 related to alleged discrimination against beneficiaries of international protection, another 24 on the ground of "race" and 10 on the ground of ethnicity.

B. Inclusive education

7. The authorities informed ECRI of some activities to promote inclusiveness and multicultural approaches in education, particularly to account for the increase of foreign students in the country over the last decade. For example, since the publication of ECRI's previous report on Türkiye, teachers receiving foreign students, both general teachers and those teaching Turkish as a foreign language, have been provided with training courses during each academic year up to and including 2019-2020. These training courses have been carried out by the Ministry of National Education in co-operation with UNICEF to increase the knowledge and skills of teachers who have foreign students in their classes to help the latter adapt to the education system. According to the authorities, in 2016-2017, the Training

[11] The HREIT reported that this provision has never been invoked in practice and that the formal affiliation with the relevant Ministry does not constitute a hierarchical relation with the Executive. See GANHRI SCA 2022. – Further, the authorities pointed to Article 10(1) of Law No. 6701, which stipulates with regard to the HREIT Board that "No body, authority, office or individual shall give orders nor instructions nor recommendations or suggestions to the board on matters falling under its mandate."

[12] See the assessment and recommendations in GANHRI SCA 2022.

[13] GANHRI SCA 2022.

[14] Ibid. – At the same time, the authorities pointed out that workshops and similar events organised by the HREIT are open to civil society organisations and that many have participated in such events. Furthermore, ECRI was informed that within the scope of the first paragraph of Article 22 of Law No. 6701, the Anti-Discrimination and Consultation Commission was established "with the participation of representatives from non-governmental organisations, academicians who are experts in their fields and representatives of relevant public institutions, in order to discuss problems and propose solutions on issues related to the prohibition of discrimination and to exchange information and opinions on these issues". The commission has convened twice a year since 2021.

[15] European network of legal experts 2022: 98, 101.

of Teachers with Foreign Students in their Classes project provided 86 hours of training to 1 185 guidance counsellors, who in turn provided 40-hour local trainings to 107 327 teachers. A handbook was prepared for teachers with foreign students in their classrooms, and 40 000 copies were distributed to schools with foreign students, as well as to all university libraries, education faculties and public libraries in all 81 provinces.

8. Regarding the curriculum, the authorities informed ECRI inter alia about Life Knowledge courses in primary schools to familiarise pupils with the fact that people from different cultures live together in one country and the need to respect their traditions. In Social Studies courses for primary and secondary schools (grades 4-7), a stated learning outcome is to realise that solutions to problems should be based on rights, responsibilities and freedoms. Law and Justice lessons (grades 6-8) include the importance of treating people fairly, with the associated pedagogical explanation highlighting that differences between people should not cause discrimination or prevent good relations.

9. However, the impact of the above-mentioned and other similar elements of the curriculum is uncertain. Many civil society interlocutors met by the ECRI delegation during the visit question their effectiveness. In this regard, ECRI also notes that the country's new curriculum for primary and secondary education was criticised by representatives of the Education and Science Workers' Union (*Eğitim-Sen*) for being overly influenced by what is referred to as religious or national values without paying attention to freedom of thought or belief.[16] Criticism was also voiced about the Ministry of National Education having consistently increased religious education courses (of the majority Sunni Islam) and collaborated in this regard with the Directorate of Religious Affairs on assigning imams and preachers to schools across the country.[17] This is part of the controversial project entitled "*I am sensitive to my environment, I claim my values"*, which has been criticised for further promoting the dominance of the country's main religion in schools to the detriment of fostering diversity. A high-level representative of the Ministry of National Education, for example, also emphasised publicly that education should be geared towards protecting national identity and protecting pupils from "cultural imperialism" by not making "the error of trying to carry our children beyond the lines of our civilisation".[18]

10. Religious education classes teaching the country's majority Sunni Islam faith have given rise to concern with regard to impeding inclusive education. While children from families belonging to the religious communities covered by the 1923 Treaty of Lausanne (Orthodox Christians, Armenian Apostolic Christians and Jews) are exempt upon proof of membership, the situation is far more complicated for adherents of other faiths.[19] Although the authorities explained to ECRI that children of other faiths can also be exempt upon producing a written certificate from a recognised member of the faith's clergy,[20] representatives of different religious communities highlighted the problems of their clergy either not being recognised,

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[16] Duvar.English (29 April 2024), Turkey's new curriculum centers religious 'values, morals,' criticize education unions. – At the same time, the Turkish authorities informed ECRI that, in their view, the Religious Culture and Moral Education (DKAB) course is structured as a cultural course to safeguard freedom of religion and conscience. They further indicated that its curriculum does not teach any specific religion or interpretation; rather, it focuses on Islam, embraced by the majority of Türkiye's population, and other religions. Throughout the course, students are introduced to major world religions and religious diversity, promoting tolerance and preventing religious biases to support and maintain social peace.

[17] Duvar.English (4 February 2024), Turkey's Education Ministry to introduce new curriculum based on 'national values'. See also: European Parliament resolution of 19 May 2021 on the 2019-2020 Commission Reports on Turkey (2019/2176(INI)): § 58.

[18] Duvar.English (2 February 2024), Turkey's Education Ministry does not want 'pagan symbols' in private schools.

[19] Regarding the situation of members of the Alevi faith in terms of compulsory religious education, see the ECtHR cases of Mansur Yalçın and Others v. Turkey (judgment of 16 September 2014) and Hasan and Eylem Zengin v. Turkey (judgment of 9 October 2007).

[20] Not holding any religious beliefs is not a recognised reason.

or families being afraid of declaring their religion due to a hostile social climate against minority religions in many areas/schools and possible bullying of their children as a result. Furthermore, the general university entrance exams include elements that build on the religious education classes' content, thereby putting at a disadvantage, which could amount to discrimination, those who opted out.

11. ECRI recommends that the authorities i) ensure that parents can opt out of religious education classes for their children without having to declare their religion and ii) remove any elements related to religious education from the general university entrance exams.

12. ECRI was informed by representatives of the Roman Catholic Church in Türkiye about initiatives taken by certain teachers in Istanbul and Izmir to organise visits for 16–18-year-old pupils, who are in the final stages of their secondary school education, to meet with different religious communities. Apparently, these visits were very much appreciated by all involved and helped to increase mutual awareness and religious tolerance. In ECRI's view, such initiatives should be encouraged and supported.

13. ECRI recommends that the authorities encourage and support schools to organise visits for pupils to meet different religious communities in order to foster and promote tolerance.

14. In its previous report, ECRI recommended that the authorities remove from textbooks any racist material or material that encourages stereotypes, intolerance or prejudice, after hearing about school textbooks containing material expressing hatred and hostility towards Armenians and other vulnerable groups.[21] In the context of the preparation of the present report, the authorities indicated to ECRI that occasional changes to textbooks are made upon receipt of complaints from the public about openly discriminatory content.[22] Nevertheless, the ECRI delegation learned from many NGO interlocutors during the visit that the overall problem of a narrow and exclusionary definition of Turkish identity remains. Apparently, at least some of the findings of the 2014 *Promoting Human Rights in Textbooks* project,[23] namely that many educational materials present a national self-image that ignores and/or perpetuates the marginalisation of the country's broad range of traditional ethnic, linguistic and religious minorities,[24] are still applicable. Moreover, the authorities do not seem to include or consult a broad enough range of relevant groups from across society in the process of designing or reviewing textbooks as concerns national identity narratives. In this context, ECRI invites the authorities to take inspiration from its GPR No. 10 on combating racism and discrimination in and through school education.

15. There is no information to indicate that the promotion of equality for and fight against the discrimination of LGBTI persons exists in the Turkish curriculum. On the contrary, in September 2023 an optional course called *The Family in Turkish Society* was introduced to counter homosexuality and "LGBT values".[25]

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[21] ECRI 2016: §§ 87-88. Protests by Roma had also led the Ministry of National Education to remove a book containing racist statements from a compulsory reading list (ibid.: § 87). As regards potentially discriminatory elements and hate rhetoric against religious groups, see European Commission Staff Working Document, Türkiye 2023 Report - SWD(2023) 696 final (8 November 2023): 32.

[22] The Regulation on textbooks and educational materials of the Ministry of National Education, which was updated in 2021, states that textbooks shall support basic human rights and freedoms and provide an approach that rejects all forms of discrimination. Course materials are supposed to be regularly re-examined by the ministry.

[23] Kenan Çayır, Who are we? – Identity, citizenship and rights in Turkey's textbooks (Promoting human rights in textbooks III: Research results; project carried out by the History Foundation and the Centre for Sociology and Education Studies, Istanbul Bilgi University), 2014.

[24] Ibid.: 13, 24, 29 ff.

[25] Balkan Insight, Turkey Introduces 'Family' Course in Schools to 'Fight' Homosexuality (12 September 2023).

16. ECRI regrets to note that there is no dedicated mechanism for the monitoring and reporting of any discrimination, bullying or harassment of children belonging to ethnic, religious or linguistic minorities, or due to their sexual orientation, gender identity or sex characteristics, although the Ombudsman Institution's mandate includes, among its various tasks, the protection of the rights of children.

17. ECRI recommends that the authorities set up a monitoring mechanism across the country in order to collect data about racist and anti-LGBTI discrimination, bullying and harassment in schools, with the aim of gaining a good understanding of the scale of the problem, designing prevention activities and providing adequate support to victims of such incidents.

C. Irregularly present migrants

18. The precise number of migrants irregularly present in Türkiye is unknown due to the fact that many of them avoid contact with the authorities. That said, some figures may give an indication of the scale.[26] For instance, the number of irregularly present migrants apprehended by Turkish law enforcement officials has sharply increased since 2015. While for a decade prior the numbers ranged somewhere around 50 000 per year, they were three times as high during the years 2015-2017, climbed to more than 250 000 in 2018, and reached a peak in 2019 with 454 662.[27] The number fell sharply in 2020 due to the Covid-19 pandemic and related restrictions, but has been on the rise again since.[28]

19. It emerged from the ECRI delegation's meetings with various interlocutors during the visit that there are no specific "firewalls" in place, as recommended by ECRI in its GPR No. 16 on safeguarding irregularly present migrants from discrimination, to ensure access to public services, such as health, education, or the police for crime victims without information about their lack of residence status being conveyed to the immigration officials. The authorities indicated, for example, that emergency healthcare is available to everyone, but that the immigration authorities should be informed about the lack of residence permit of a patient, which can lead to deportation. ECRI reminds the authorities that such a rule can be counterproductive also from a public health perspective.

20. ECRI was informed by the authorities that, within the scope of the Irregular Migration Strategy and Action Plan (2021-2025), studies on the education of irregular migrants are being carried out in line with the Lifelong Learning Education Activities Cooperation Protocol between the Directorate General of Combating Irregular Migration and Deportation Affairs of the Directorate General of Migration Management and the Directorate General of Lifelong Learning of the Ministry of National Education, which was signed in 2022. However, ECRI gained the impression that this concerns only the education of those who are awaiting deportation back to their country of origin and does not cover access to education for all irregularly present migrant children.

21. In the light of the above, ECRI strongly encourages the authorities to take inspiration from its GPR No. 16 on safeguarding irregularly present migrants from discrimination when designing and implementing migration policies in the future.

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[26] In this regard, it should be noted that due to geographical restrictions placed on registered foreigners, including beneficiaries of international protection, temporary protection beneficiaries and residence permit holders (the so-called dilution approach, see section III.A below), numerous provinces and neighbourhoods where the foreign population exceeds 20% of the local population of Turkish citizens, are closed for new registration of foreigners. This leads to a form of "internal irregularly present migrants", namely those who defy these restrictions. However, this category of persons is not the one discussed in this section. For ECRI's full definition of irregularly present migrants, please consult GPR No. 16.

[27] Source: Ministry of Interior, Presidency of Migration Management, available at: https://en.goc.gov.tr/irregular-migration (last accessed 21 November 2024).

[28] IOM, MPM Türkiye - Migrants' Presence Monitoring, Situation Report March 2023 (2023): 2. – Migrants in an irregular situation do not include only those who enter Türkiye irregularly, but also those who enter the country through regular means but overstay their visa or visa-free period and become irregular (e.g., Turkmen, Uzbek, and Moroccan nationals – see IOM 2023: 2).

D. LGBTI equality[29]

22. Since the adoption of ECRI's fifth report on Türkiye in 2016, it seems that very little tangible progress has been made regarding the human rights of LGBTI persons in Türkiye. In many areas, the situation has even deteriorated. According to the 2024 Rainbow Map and Index for Europe published by the LGBTI advocacy group ILGA-Europe, Türkiye ranks 46th out of the 49 countries assessed and has a meagre overall score of 4.75% for all the indicators relating to the protection of the rights and freedoms of LGBTI persons in law and in practice.[30]

23. Prejudice against LGBTI persons is still widespread, including among parts of the political spectrum. Research demonstrates that in general there is broad intolerance towards LGBTI persons in the country.[31] For instance, according to the 2020 Pew Research, only 25% of Turks said homosexuality should be accepted by society, with 57% opposing it. The acceptance was higher among educated people (41%) and younger Turks (34%).[32] As a result, many LGBTI persons tend to hide their sexual orientation and/or gender identity. When they are open about it, many of them reportedly suffer from bullying, harassment and discrimination.

24. The Turkish legislation does not expressly protect LGBTI people from discrimination based on sexual orientation, gender identity or sex characteristics. While the initial text of the draft anti-discrimination law referred to and defined "sexual identity", all such references were removed by the government in 2011.[33] However, in this regard, it should also be noted that in an inadmissibility decision that it delivered in 2017, the Turkish Constitutional Court found sexual orientation to be a prohibited ground of discrimination, stating that "the right to determine one's sexual preference" entails "sexual orientation, sexual acts and attitudes".[34]

25. According to representatives of LGBTI organisations met by the ECRI delegation during the visit, the lack of legal protection against discrimination has significant repercussions for LGBTI persons as they often experience discrimination, for example in the areas of education, employment, health care and housing.[35] This has also been observed by various researchers over the past years.[36] Recent reports point to widespread discrimination against LGBTI people, stemming from discriminatory texts of laws and regulations and/or their discriminatory interpretation and application by the judiciary.[37]

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[29] For terminology, see ECRI's glossary.

[30] ILGA Europe, Rainbow Map 2024.

[31] AFP/France24, Targeted by Erdogan, Turkey's LGBT+ community face 'tsunami of hate' (23 February 2021).

[32] PEW Research Centre, The Global Divide on Homosexuality Persists (25 June 2020).

[33] For more details, see European network of legal experts in gender equality and non-discrimination (2022), Turkey - Country report non-discrimination 2022: 22-23.

[34] Turkish Constitutional Court, Cemal Duğan, Application No. 2014/19308, 15 February 2017, § 39.

[35] On the particular problems of transgender people with regard to housing, see: BiaNet, Trans people in Turkey face housing crisis more intensely amid discrimination, phobia, (9 July 2024).

[36] See for example: Göçmen, İpek /Yılmaz, Volkan, Exploring Perceived Discrimination Among LGBT Individuals in Turkey in Education, Employment, and Health Care: Results of an Online Survey, Journal of Homosexuality, 64(8), 2016: 1052-1068; and Gönenç Gürkaynak/ Ceren Yildiz, A Comparative Analysis of Non-Discrimination Law in Europe and Turkey (1 December 2021).

[37] See, for instance, European network of legal experts in gender equality and non-discrimination (2022), Turkey - Country report non-discrimination 2022: 7. European Commission, Commission Staff Working Document SWD(2020) 355 final, Turkey 2020 Report: 38. – See also European Commission, Commission Staff Working Document SWD(2018) 153 final, Turkey 2018 Report: 39; and ECRI GPR No. 17 on preventing and combating intolerance and discrimination against LGBTI persons (2023): Recommendations §§ 6-7. – In this connection, the authorities informed ECRI that the "National Employment Strategy Draft Document of 2025-2028", prepared by the Ministry of Employment and Social Security, includes a policy proposal entitled "The Employment of Inclusion Groups Requiring Special Policy". However, ECRI has received no information that LGBTI persons are explicitly mentioned in this context.

26. Furthermore, in its fifth report,[38] ECRI recommended that the authorities adopt and implement an action plan for LGBT[39] persons. However, the authorities have not taken any steps towards developing such an action plan yet. In addition, ECRI learned from NGOs that no formal mechanism of dialogue between the authorities and LGBTI groups exists to discuss relevant problems and possible solutions.[40] ECRI considers such a dialogue essential for preventing and combating intolerance towards LGBTI persons and for the development of an action plan for this group. In this regard, the authorities should take due consideration of ECRI's GPR No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.

27. ECRI recommends that the authorities establish a working group on preventing and combating intolerance and discrimination against LGBTI persons that should consist of representatives of relevant government institutions and LGBTI organisations in order to develop and implement an action plan for LGBTI persons with due consideration given to relevant Council of Europe and other international standards.

28. Same-sex couples do not enjoy any sort of legal rights in the country. Türkiye does not recognise same-sex marriages, registered partnerships or any cohabitation benefits for same-sex couples.[41] Public opinion does not seem to be favourable towards the legalisation of same-sex unions in Türkiye: in a survey published in 2020, 77% of the participants indicated that in their view "same-sex relationships are against [their] social norms".[42] In December 2022, a group of several hundred parliamentarians from the governing Turkish Justice and Development Party (AKP) proposed an amendment to the Constitution with the aim of enshrining that a family is the union between a man and a woman. The proposal justification mentions "the protection of [the] institution of family and marriage against all kinds of dangers, threats, and attack[s] and against the impositions of pervert movements".[43] At the time of ECRI's visit to Türkiye, the amendment proposal was still pending before Parliament. In this context, ECRI strongly encourages the authorities to make every effort at legislative and policy levels to ensure that same-sex couples can have effective enjoyment of the right to family life and are provided with legal or other means to address the practical problems related to the social reality in which they live.[44]

29. LGBTI organisations informed ECRI that since its last report on Türkiye in 2016, openness towards LGBTI persons and related issues has declined further and it has been extremely difficult to hold LGBTI pride parades or other related events.[45] Organisers and participants usually faced restrictions, violence or arrests. Routinely, governors banned pride marches at very short notice (i.e. the day before they were to take place) and although in many cases the courts overturned the ban, they did not do so in time and therefore the pride events in question could not take place. In 2024, the Governor of Istanbul region, while not publishing an official ban on pride events, ordered the closure of various Metro stations, roads and public squares in central Istanbul and deployed police forces in anticipation of pride

38 ECRI 2016: § 105.

39 ECRI has only started looking at the situation of intersex persons in its sixth monitoring cycle and therefore did not use the abbreviation LGBTI before, but LGBT.

40 The only exception mentioned by both the authorities and civil society groups were occasional meetings with the Ministry of Health on the topic of gender reassignment.

41 Cf. ECRI GPR No. 17 (2023): Part III, § 31.

42 Women and Families Studies Research Centre (Kadir Has University), Survey: Public Perceptions of Gender Roles and the Status of Women in Turkey (2020).

43 ILGA-Europe & ERA, LGBTI Enlargement Review 2023: 38.

44 See ECRI GPR No. 17 (2023): Recommendations, § 15; Council of Europe, Recommendation CM/Rec(2010)5: § 25; and the ECtHR judgment in the case Fedotova and Others v. Russia (17 January 2023) [GC].

45 Cf. ECRI 2016: § 99.

events organised by LGBTI groups at a more decentralised level.[46] District governors within the Istanbul region also prohibited two pride events, one in Şişli and another one in Kadıköy.[47] In addition, the exhibition "Dön-Dün Bak: A Look Back at the History of the Trans Movement in Turkey," which had opened on 26 June 2024 in central Istanbul and was supposed to remain open for a month, was banned after two weeks by an official notice from the Beyoğlu District Governor's Office.[48] In the province of Eskişehir, the regional governor also prevented a pride event from happening.[49] At least 23 persons were arrested throughout the country for participation in LGBTI pride events in June 2024.[50] In 2023, the police reportedly had attacked pride marches in Istanbul and had detained 93 participants.[51]

30. ECRI recommends that the authorities ensure that freedom of assembly of LGBTI persons is fully respected in Türkiye in line with the case-law of the European Court of Human Rights and ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.

31. During its visit, the ECRI delegation was informed that with regard to teaching about homosexuality in schools, the education authorities reject any suggestion of introducing this topic as they are of the view that mentioning LGBTI issues "may lead youngsters to homosexuality", which the authorities consider to be associated with drug use and suicidal tendencies. ECRI strongly encourages the authorities to review this approach and to adopt measures that promote tolerance towards LGBTI persons, including in schools, and protect them from bullying and discrimination.

32. Concerning legal gender recognition for transgender persons, following the judgment of the European Court of Human Rights (ECtHR) in the case *Y.Y. v. Turkey*,[52] the Constitutional Court delivered a judgment on 20 March 2018 according to which Article 40 of the Turkish Civil Code regulating legal gender recognition for transgender people was amended to suppress the precondition of sterilisation which was previously necessary to obtain a court's permission to undergo gender reassignment [affirming] surgery.[53] Accordingly, the phrase "…and that she/he is permanently sterilised…" set forth in Article 40 § 1 of the Turkish Civil Code was deleted.[54] However, the possibility to obtain full legal gender recognition (including the possibility to change one's first name and to change the gender marker in official documents) remained subject to the condition of having undergone gender reassignment [affirming] surgery, for which a medical board's certification of "transsexual tendencies" is required as the basis for a necessary

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46 Duvar.English, Turkish gov't blockades Istanbul in fear of trans pride march, (23 June 2024).

47 BiaNet, Pride month marked by event bans in Turkey (9 July 2024).

48 BiaNet, Exhibition on trans movement's history in Turkey banned in İstanbul (12 July 2024).

49 KAOS-GL, LGBTI+ activists detained in Eskişehir Pride March released (11 June 2024). According to the authorities, there was no ban on LGBTI protests/events in Eskişehir in 2024. They informed ECRI that, on 9 June 2024, a group of 18 LGBTI persons who wanted to organise a demonstration in the margins of the 4th Pride March in Eskişehir were notified that the area where they wanted to hold the demonstration was not among the meeting and demonstration areas designated by the Governorate of Eskişehir, that the protest they wanted to hold was in violation of the Law No. 2911 on Meetings and Demonstrations, that they should therefore disperse in the direction of the İstasyon Street in compliance with the law, that force would be used if they did not, and that legal action would be taken against them if they resisted.

50 BiaNet (9 July 2024). At the same time, according to information received by ECRI from the authorities, 21 protests/events were organised in seven provinces with the participation of 370 people.

51 Duvar.English (23 June 2024).

52 ECtHR, case no. 14793/08 (judgment) (10 March 2015).

53 Unlike ECRI (see GPR No. 17), Türkiye's Constitutional Court does not use terminology such as "gender-affirming" healthcare, but still refers to "gender reassignment" surgery.

54 Constitutional Court of the Republic of Türkiye, Press Release Concerning the Decisions on the Rules Regarding Gender Reassignment (referring to file nos. E.2015/79 and E.2017/130), (20 March 2018).

court authorisation.[55] While the 2018 Constitutional Court judgment removed permanent sterilisation as a requirement for obtaining a court's permission to undergo gender reassignment [affirming] surgery, it was still expected to be the outcome of such surgery.[56]

33. However, in 2021, the Constitutional Court passed two similar rulings, stating that the rejection of a transgender person's name change, because the person had not undergone any surgery, was a violation of private and family life. The Constitutional Court ruled that gender reassignment [affirming] surgeries regulated under Article 40 of the Turkish Civil Code cannot be directly related to name change cases regulated under Article 27 of the Civil Code, stating that establishing a strict association between a name change and a person's gender could undermine the right to respect for private and family life.[57] Concretely, this important judgment will enable transgender individuals to file a Name Change Lawsuit without having to wait for the completion of their gender affirmation process. Nevertheless, ECRI understands that the overall conditions to be fulfilled by transgender persons in order to obtain legal gender recognition as set down under Article 40 of the Civil Code remain the same.

34. ECRI recommends that the authorities review the conditions for full legal gender recognition in line with the relevant case-law of the European Court of Human Rights and ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.

35. As concerns intersex persons, ECRI was informed by the authorities as well as by civil society organisations that so-called sex-normalising surgery is carried out on intersex children with the consent of the parents. However, ECRI did not receive any information about the availability of guidelines or other relevant information for either parents or medical practitioners to ensure that only interventions that are medically necessary are carried out. In this context, ECRI invites the authorities to take steps aiming at enacting legislation that prohibits medically unnecessary surgery and therapies on intersex children in the light of the relevant recommendations contained in its GPR No. 17.[58]

II. HATE SPEECH AND HATE-MOTIVATED VIOLENCE

A. Hate speech[59]

36. Hate speech against religious and ethnic minorities,[60] such as Alevi, various non-Muslim groups and Kurds, as well as against refugees and migrants, and LGBTI persons, is widespread in the media.[61] Since 2012, the Hrant Dink Foundation (henceforth: HDF) has published regular reports on criminal and non-criminal hate speech appearing in the more than 1 000 national and local print media that it

[55] Ibid.

[56] Ibid.

[57] Constitutional Court of the Republic of Türkiye, case no. 2019/42944 (judgment, 17 June 2021) and case no. 2018/34343 (judgment, 27 January 2021). See also SPoD – NGO (26 April 2021), Anayasa Mahkemesi'nden İsim Değişikliği Reddedilen Trans Başvurucu Hakkında Hak İhlali Kararı! [Constitutional Court Rules Violation of Trans Applicant Whose Name Change Was Rejected!].

[58] See in particular ECRI 2023: Recommendations § 32.

[59] See definitions of hate speech and hate crime in ECRI's glossary.

[60] While the authorities reiterated that they use the term "minority groups" or "religious minorities" only for the groups covered by the Treaty of Lausanne (1923), ECRI recalls that it has generally referred to all groups within Turkish society with a distinct religion, national or ethnic origin, language or colour as "minority groups", regardless of whether they are recognised as minorities protected by the Treaty of Lausanne. In this respect, see also ECRI's fourth (§ 82) and fifth (§ 73) reports on Türkiye.

[61] European network of legal experts in gender equality and non-discrimination, Turkey - Country report non-discrimination 2022 (2022): 11; Balkan Insight, Turkish Hatred of 'Balkan Migrants' Feeds on Ancient Roots (19 February 2024).

monitors on a daily basis.[62] As concerns official figures for criminalised forms of hate speech, in 2021 for example, the Turkish authorities reported to the Office for Democratic Institutions and Human Rights (ODIHR) of the Organisation for Security and Cooperation in Europe (OSCE) that the police had recorded 619 cases of "discrimination and hate speech offences", including incitement to hatred (concerning Articles 122, 135 and 216 of the Turkish Criminal Code). For 2020, the number had been 1 286 cases, and in 2019 it was 324 (no data was reported to ODIHR for 2022).[63]

37. According to information from the HDF, for instance in 2023, Greeks were targeted with negative statements, including threats, amid tensions between Türkiye and Greece, and in news articles covering the confrontations and conflict between Armenia and Azerbaijan over Karabakh, ethnic Armenians were associated with violence and mentioned in terms that targeted their identity, using already existing negative prejudices in Turkish society towards this group and reinforced hostility against them. Beneficiaries of protection (especially Afghans and Syrians) were associated with the terms "invasion" and "occupation" in news articles that presented their visibility in society as problematic. Furthermore, LGBTI persons were portrayed as a threat to society and family values and became the target of hate speech.[64]

38. Hate speech, including threats, against the Alevi religious minority[65] is reportedly a frequent occurrence. In recent years, for example, the Freedom of Belief Initiative/Norwegian Helsinki Committee (henceforth FBI-NHC) pointed to several cases, which often took the form of graffiti in the context of vandalism of Alevi places of worship and/or residential buildings.[66] In one case, five families felt threatened when a garden wall of their apartment building, located in a predominantly Alevi-populated neighbourhood, was vandalised with an inscription calling for the extermination of Alevis and a red marking.[67] For 2021[68] and 2022, FBI-NHC also reported several threats made against Alevis. In at least two cases, threats were made against a cemevi (Alevi place of worship),[69] which according to Alevi representatives met by the ECRI delegation during the visit are not unusual. In one instance in February 2022, an Alevi religious leader was allegedly threatened by a high-ranking district official and police officers who came to a cemevi armed with guns.[70] In May of the same year, an Alevi teacher was reportedly threatened due to her religion by the principal and a school official at the school where she worked. The person concerned was forced to change her

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[62] See for example Hrant Dink Foundation (HDF), Media Watch on Hate Speech – April, May and June (2023a); HDF, Hate Speech in the Press: Our Selections from September (2023b); see also: HDF, Hate Speech and discriminatory discourse in media – 2019 Report (2019); and Human Rights Association (HRA), Special Report on hate crimes and recent racist attacks in Turkey (2020).

[63] See OSCE – ODIHR, website, Hate Crime Report – Turkey (2022, 2021, 2020, 2019): https://hatecrime.osce.org/turkey. (However, these offences fall outside of the OSCE definition of hate crime.)

[64] HDF 2023a and 2023b.

[65] A Muslim religious minority, whose beliefs do not follow traditional Sunni Islam and whose members are often treated as heretics and non-Muslims. Türkiye has seen a number of threats and violent attacks against this community in the past. See for example: Duvar.English (7 December 2019), Alevis: "Turkish history X".

[66] OSCE – ODIHR, website, Hate Crime Report – Turkey (2019, 2020, 2021, 2022) / Incidents Reported by Civil Society / Anti-Muslim hate crime, see: https://hatecrime.osce.org/turkey.

[67] OSCE – ODIHR, website, Hate Crime Report – Turkey (2020) / Incidents Reported by Civil Society / Anti-Muslim hate crime, see: https://hatecrime.osce.org/turkey.

[68] OSCE – ODIHR, website, Hate Crime Report – Turkey (2021) / Incidents Reported by Civil Society / Anti-Muslim hate crime, see: https://hatecrime.osce.org/turkey.

[69] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022) / Incidents Reported by Civil Society / Anti-Muslim hate crime, see: https://hatecrime.osce.org/turkey.

[70] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022) / Incidents Reported by Civil Society / Anti-Muslim hate crime, see: https://hatecrime.osce.org/turkey.

workplace.[71] Also in 2022, cases of marking the doors of apartments or houses of Alevis with red paint have been reported. At least 18 Alevi families were threatened in this way.[72]

39. Jews are often labelled as "aggressors" by attributing resentment of the actions of the Israeli government to their identity.[73] The HDF informed ECRI about a 2.5 times increase in antisemitic hate speech in the country, especially online, following the Hamas terrorist attacks on 7 October 2023 and Israel's subsequent war in Gaza. On 17 October 2023, for example, a politician from the ruling AKP party, representing the Atakum municipality in Samsun province, said at a public hearing that he was praying for the soul of Hitler, adding that the world will find peace when it is cleansed of Jews and that the Holocaust was "unfinished".[74] A few days afterwards, the far-right media outlet Yeni Akit called for Turkish Jews to be denaturalised, falsely claiming that all of them also hold Israeli citizenship.[75] In this regard, ECRI strongly encourages the Turkish authorities to make use of its revised GPR No. 9 on preventing and combating Antisemitism[76] and to ensure in particular that members of the Jewish community in Türkiye are not held collectively responsible for actions of the State of Israel.[77]

40. Protestant Christian communities also experience persistent hate speech, including threats of violence. In 2018, there was a significant increase in hate speech designed to incite the public against Protestants and their churches.[78] FBI-NHC reported that in 2021, members of a Protestant Christian community were harassed and repeatedly threatened with violence on social media. The community's leader was subjected to death threats while walking in the street. Similarly, in 2022, administrators of a Protestant church were reportedly threatened with death due to their religion.[79] Such a trend was again visible in 2023.[80] On 6 March in Adıyaman, for example, a Christian group that was serving meals to earthquake victims was harassed by a group of people wearing Islamic cassocks and the Christian group was identified as a target on social media. On 29 April, a rock and a note saying "take your religion and your race and go" was placed on the windshield of the church pastor's car.[81] Non-traditional Christian groups that actively proselytise (unlike, for example, the Armenian Apostolic or Greek Orthodox Christian communities that are largely based on ethnicity) are, according to information the ECRI delegation received from various interlocutors during the visit, widely considered as a particular threat to Turkish Muslim identity and the term "missionary" is said to often be equated with "enemy" or "terrorist". In this regard, on 17 November in the province of Konya, a local news website published a provocative article called "Church Houses and Missionaries", which included the

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[71] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022) / Incidents Reported by Civil Society / Anti-Muslim hate crime, see: https://hatecrime.osce.org/turkey.

[72] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022) / Incidents Reported by Civil Society / Anti-Muslim hate crime, see: https://hatecrime.osce.org/turkey.

[73] Ibid.

[74] The Times of Israel, 'Jews not allowed': As Erdogan praises Hamas, antisemitism rages in Turkey (30 October 2023).

[75] Ibid.

[76] See also Appendix I – ECRI Opinion on the Working Definition of Antisemitism of the International Holocaust Remembrance Alliance (IHRA).

[77] ECRI, Statement on the rise of Antisemitism in Europe as a result of the current conflict in the Middle East (December 2023).

[78] World Evangelical Alliance/ Baptist World Alliance/Protestan Kiliseler Derneği (PKD, Association of Protestant Churches - Turkey), Turkey: Freedom of Religion or Belief and the Situation of the Protestant Christian Minority (Universal Periodic Review 35th session – Stakeholders Report), (2019): 3; see also PKD, 2019 Human Rights Violations Report (2020).

[79] OSCE – ODIHR, website, Hate Crime Report – Turkey (2021, 2022) / Incidents Reported by Civil Society /Anti-Christian hate crime, see: https://hatecrime.osce.org/turkey.

[80] PKD - Association of Protestant Churches, 2023 Human Rights Violation Report (2024): 4.

[81] Ibid.: 4.

church's full address attempting to make it a target.[82] As regards related aspects of religious intolerance, reference is made to section IV of the present report.

41. Antisemitic and anti-Christian rhetoric and threats even merged in dangerous ways. On 25 November 2023 in Tepebaşı, Eskişehir, two people attempted to force their way into the local Protestant church. They allegedly threatened the pastor saying, "Are you Jewish? Are you Israeli? If you call the police we will set you alight." On 17 December 2023, in the province of Kayseri, a banner was erected in the town centre saying "Do not make friends with Jews and Christians."[83]

42. Hate speech is said to be particularly widespread during election periods. Before the last presidential elections in Türkiye, held in May 2023, the two main political parties used discriminatory rhetoric which very often targeted Syrians residing in the country.[84] Anti- refugee[85] language dominated the political discourse during the presidential campaign and streets were filled with posters such as "Syrians out".[86] Politicians and political parties sought to capitalise on the already existing anti-Syrian sentiments in the country. For instance, on 14 March 2023, the leader of the main opposition party CHP and presidential candidate pledged that he would repatriate every Syrian in Türkiye to Syria within two years if his opposition bloc was victorious in the elections. In April 2023, the Good Party unveiled an election video entitled *Davetsiz Misafir* ("Uninvited Guest"), designed to fuel xenophobic sentiments against refugees. In the run-up to the second round of voting in the presidential elections of 28 May 2023, the CHP leader intensified his rhetoric, vowing to rescue the country from "terror" and to "protect our daughters [against Syrians]".[87]

43. During the pre-election period, online debates on social media presented the following trends: the term "Alevi" (which featured very often after one of the candidates had referred to his Alevi origins in the election campaign), was frequently associated with the term "Armenian" and used as an insult. For migrants of Afghan or Syrian origin, the discourse focused on men, who were portrayed as posing in one way or another a threat to Türkiye.[88]

44. Regarding LGBTI-phobic hate speech, in his victory speech of 29 May 2023, the Turkish President depicted the LGBTI community as a menace to families and to society.[89] The then Minister of Interior had also stated in the run up to the 2023 presidential election: "You know, when they say LGBT+Q, it also includes the marriage of animals and humans."[90] Hate speech by high-level public officials further reflects the government's problematic and often openly hostile stance towards the human rights of LGBTI persons.[91] For instance, the Head of the government's Directorate of Religious Affairs (Diyanet) called LGBTI persons "a

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[82] Ibid.: 5.

[83] Ibid.

[84] Osservatorio Balcani Caucaso Transeuropa, Politics and hate speech in the Turkish media (13 June 2023); HDF, On the Edge of Elections: How was the Discriminatory Discourse in Politicians' Statements Reflected in the Press? (In Turkey's print media, between 3 April-9 May) (2023c).

[85] The language used during the events described in this paragraph usually referred to Syrians, the vast majority of whom are beneficiaries of temporary protection, wrongly as refugees. Syrians cannot obtain refugee status in the country due to Türkiye's application of a geographical limitation to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (see § 77 and footnote 174 below).

[86] Euronews, 'Suriyeliler gidecek' söylemi sığınmacıları nasıl etkiliyor? (How does the 'Syrians will go' discourse affect refugees?) (26 May 2023).

[87] The Ministry of Foreign Affairs of the Netherlands, General Country of Origin Information Report – Türkiye (2023): 81-82.

[88] Osservatorio Balcani Caucaso Transeuropa (13 June 2023); and HDF (2023c).

[89] The Ministry of Foreign Affairs of the Netherlands 2023: 67-68.

[90] Duvar.English, Turkish Interior Minister Soylu targets cream advertisement for 'evoking lesbianism', (2 May 2023).

[91] European network of legal experts in gender equality and non-discrimination 2022: 7.

perversion against creation",[92] repeating on many occasions that "homosexuals are cursed and they bring diseases",[93] and stating that "these perversive acts disrupt the family structure, corrupt the human race, and drag society into disaster".[94] According to a media monitoring report, in 2022, discrimination, hate speech and prejudice against LGBTI people in the print media reached a record level. In 66% of the monitored news and columns in the print media, LGBTI persons were described as either "immoral", "criminal", "pervert" or "enemy".[95] This corresponds to the deterioration in 2022 in the social climate towards LGBTI individuals in Türkiye. The Turkish government's growing negative stance toward the LGBTI community has often been regarded as a contributing factor.[96] For instance, in November 2022, the Interior Minister at that time accused the LGBTI community of "cultural terrorism".[97] In turn, on 16 January 2023, the President described the LGBTI community as a "virus of heresy".[98]

45. In May 2022, LGBTI activists submitted a criminal complaint to the local court in Eskisehir. This was in response to the distribution of anonymous pamphlets in this city in north-western Türkiye, urging people to kill members of the LGBTI community. This was a surprising turn of events, given Eskisehir's reputation as a university town with a generally tolerant stance towards the LGBTI community. The pamphlet stated that "sodomy" was forbidden under sharia law. The text also featured quotes from various Islamic scholars calling for LGBTI individuals to be executed by stoning, for example. The LGBTI activists in Eskisehir blamed the Turkish authorities for fostering an anti-LGBTI atmosphere that emboldened certain individuals to distribute pamphlets of this kind.[99]

Responses

46. Article 10 of the Turkish Constitution covers protection against hate speech. Article 122 of the Turkish Penal Code entitled "Discriminatory Behaviour" and Article 216 of the Turkish Penal Code entitled "Provoking people to be rancorous and hostile" also criminalise certain forms of hate speech. Hate speech grounds are not exhaustive and do not include ethnicity, colour, language, citizenship, sexual orientation and gender identity.[100]

47. An example of a response against online hatred was the crackdown in March 2024 against a group of students at Karabük University that had posted a series of social media messages containing insulting prejudices against African students, claiming sexual encounters with them led to hospital visits over concerns of possible sexually transmitted infections. The Ankara Chief Public Prosecutor's Office issued arrest warrants for ten individuals, nine of whom were taken into custody, for inciting public hatred and hostility (Article 216.1 of the Turkish Penal Code) in conjunction with disseminating misleading information to the public (Article 217.a of the Turkish Penal Code).[101]

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92 Euronews, Diyanet İşleri Başkanı Erbaş'tan LGBTİ açıklaması: Yaradılışa aykırı bir sapkınlık [LGBTI statement from President of Religious Affairs Erbaş: A perversion against creation] (2 July 2019); KAOS-GL, Turkish Religious Affairs targeted LGBTI+'s in Friday khutbah (5 July 2019).

93 BBC News Türkçe, Diyanet İşleri Başkanı Ali Erbaş'ın eşcinsellikle ilgili hutbesi Hollanda'da tartışma yarattı (President of Religious Affairs Ali Erbaş's sermon on homosexuality created controversy in the Netherlands) (1 May 2020).

94 Sözcü, Diyanet de LGBT dedi (Diyanet also said LGBT) (12 May 2023).

95 KAOS GL, 2022 Medya İzleme Raporu (2023): 9.

96 See also: The Ministry of Foreign Affairs of the Netherlands 2023: 67.

97 Duvar.English, In new hate speech, Turkish Interior Minister Soylu deems LGBTI+ 'cultural terrorism', (13 November 2022).

98 Duvar.English, In new hate speech, Erdoğan deems LGBTI+ 'virus of heresy' (17 January 2023).

99 The Ministry of Foreign Affairs of the Netherlands 2023: 71.

100 See also ECRI 2016: §§ 4-5,11, and 100.

101 Bianet (English), Eight detained over online hatred against African students in Karabük (28 March 2024).

48. In its previous report, ECRI already referred to the problem of hate speech, including criminalised forms, in the country. However, many civil society interlocutors met by the ECRI delegation during the visit reiterated that, in addition to the problem persisting or even worsening, the authorities' responses were inadequate. This view is also confirmed by the latest report of the European network of legal experts in gender equality and non-discrimination, which finds for example that the authorities fail utterly in protecting non-Muslims and LGBTI persons against the prevalence of hate speech and hate crimes in the media, political discourse and daily life.[102] Moreover, many interlocutors mentioned that in their view the judiciary is not very efficient in enforcing legislation prohibiting hate speech.[103]

49. In order to address the problem of underreporting of criminal hate speech, ECRI recommended in its fifth report, inter alia, that the law enforcement authorities establish dedicated posts of liaison officers for vulnerable groups that are particularly affected by such forms of hate speech and other hate crimes.[104] However, the authorities informed ECRI that this recommendation has not been implemented. Reference is made to section II.B. of the present report.

50. In its fifth report,[105] ECRI recommended that public officials and political leaders at all levels should stop using hate speech and adopt codes of conduct prohibiting its use. Only some rare instances of counter-speech by high-level officials and politicians have been brought to ECRI's attention: civil society actors mentioned that on some occasions the Turkish President spoke out against hate speech targeting Syrians and Afghans by pointing to their religious affiliation and calling on Turks to maintain a positive and welcoming attitude towards these fellow Muslims.

51. In the light of the preceding paragraphs, believing that hate speech does not pose a problem but consists merely of isolated and exceptional cases, which was the view conveyed to the ECRI delegation in meetings with government officials during the visit, is highly problematic. There seems to be a vicious circle in which lack of trust in the police among vulnerable communities – especially LGBTI persons, migrants and members of some religious minorities, as indicated to the ECRI delegation by many of the interlocutors it met – causes a problem of underreporting of criminalised forms of hate speech, such as threats, which in turn leads the authorities to believe that such hate crimes are not a serious problem in the country. This attitude sustains the prevailing atmosphere in which hate speech and hate crime victims often do not feel sufficiently acknowledged and supported by law enforcement authorities to come forward and report cases.[106] In order to break this cycle and promote a better understanding of and responses to hate speech as a problem for Turkish society, a paradigm shift is urgently needed. A constructive approach should include consultations with the vulnerable groups concerned as well as other relevant bodies, and a comprehensive strategic response, including

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[102] European network of legal experts in gender equality and non-discrimination 2022: 112. – Nonetheless, it should be noted that Bar associations actively supported LGBTI communities. For instance, the bar associations in Izmir and Ankara condemned the speech made in April 2020 by the prominent imam and Head of the Directorate of Religious Affairs (Diyanet), in which he made negative comments about LGBTI individuals. These bar associations were then charged with "openly insulting religious values", under the provisions of Article 216 (§ 3) and Article 53 of the Penal Code. On 24 April 2023, in an initial judgement, the board of the Izmir bar association was acquitted. And then on 17 May 2023, the Ankara bar association's board members were also acquitted. (See: The Ministry of Foreign Affairs of the Netherlands 2023: 68.)

[103] See also European network of legal experts in gender equality and non-discrimination 2022: 11.

[104] ECRI 2016: § 42.

[105] ECRI 2016: § 38.

[106] Cf. ECRI 2016: § 39.

the promotion of abstinence from hate speech among political leaders and senior public officials,[107] and the encouragement of counter speech.[108]

52. ECRI recommends, as a matter of priority, that the authorities reinforce their responses against hate speech by setting up an inter-institutional working group to develop a comprehensive strategy to tackle effectively racist and anti-LGBTI hate speech, including online. This group should include the relevant authorities, the Human Rights and Equality Institution, the Ombudsman Institution, and relevant civil society organisations, including the broadest possible range of religious groups and LGBTI organisations. When developing such a strategy, due consideration should be given to ECRI's General Policy Recommendation No. 15 on combating hate speech and the Council of Europe Committee of Ministers recommendation CM/Rec (2022)16 on combating hate speech.

B. Hate-motivated violence[109]

53. Türkiye regularly reports hate crime data to ODIHR.[110] However, the information is limited as the reported numbers relate only to criminal offences constituting threats / prevention of the exercise of freedom of belief, thought and conviction,[111] and damage to places of worship and cemeteries (Articles 115 and 153 of the Criminal Code respectively).[112] In 2018, the authorities did not report any hate crime cases recorded by the police, but indicated that 1 983 cases were recorded by the prosecution services. There was also a significant difference in the following years, with 79 to 248 cases in 2019; 70 to 213 in 2020; 87 to 210 in 2021; and 175 to 263 in 2022.[113] The discrepancy between the number of offences reported by the police compared to prosecutorial records is due to the fact that most crimes are registered by prosecutors, not by the police.[114]

54. Moreover, ODIHR found that Türkiye's law enforcement agencies have not recorded the bias motivations of hate crimes.[115] This corresponds to the information ECRI received from the authorities, at least at aggregated level,[116] namely that the judicial database only has statistics on the number of cases by articles of the Criminal Code, not by the relevant hate elements. This lacuna results in difficulties in assessing the overall situation regarding the vulnerabilities of specific groups. Therefore, ECRI strongly encourages the authorities to set up a consolidated hate crime database that can provide an overview of hate elements or, alternatively, conduct regular so-called secondary studies into the database to establish such an overview.

55. In 2021, for example, civil society organisations reported 64 hate crime incidents to ODIHR.[117] Out of these reported cases, 27 (42%) concerned violent attacks, including several killings/alleged murders, with a racist or xenophobic motive – in

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[107] As already recommended in ECRI's last report (2016: § 38).

[108] See ECRI's General Policy Recommendation No. 15 on combating hate speech and the Council of Europe Committee of Ministers recommendation CM/REC(2022)16 on combating hate speech.

[109] In the present report, hate crime should be understood as any criminal offence motivated by hate or prejudice on grounds such as "race", colour, language, religion, citizenship, national or ethnic origin, sexual orientation or gender identity, whether real or presumed. For further information about the notion of hate crime, see http://hatecrime.osce.org/what-hate-crime.

[110] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022): https://hatecrime.osce.org/turkey.

[111] Not all of which might necessarily fall within the mandate of ECRI.

[112] OSCE – ODIHR, website, Hate Crime Report – Turkey (2021): https://hatecrime.osce.org/turkey.

[113] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022): https://hatecrime.osce.org/turkey. – The authorities informed ECRI that in 2022, 240 cases of damaging religious property resulted in prosecutions and convictions of the perpetrators.

[114] OSCE – ODIHR, website, Hate Crime Report – Turkey (2021): https://hatecrime.osce.org/turkey.

[115] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022): https://hatecrime.osce.org/turkey.

[116] The authorities informed ECRI that the hate motivation should normally be recorded in the individual case files.

[117] The data does not indicate whether these are additional cases to the ones reported by the authorities or whether there is an overlap of cases.

particular against Syrians and Somalis, as well as Kurds. The reports point, inter alia, to a dramatic spike in deadly attacks against Kurdish persons around July 2021. The non-governmental group Human Rights Association (HRA), for example, reported a case in which seven members of a Kurdish family were shot dead in their home due to their ethnicity. The perpetrators are said to have recorded the incident and then to have set fire to the house. According to the report, the family had already previously been attacked by members of a hate group at home. Furthermore, after the deadly attack, a male relative was allegedly beaten with clubs by a group of police officers.[118] In another incident reported by HRA in the same month, a Kurdish man was shot dead and his family was pelted with stones and subjected to anti-Kurdish insults and threats by some 60 armed perpetrators, including a representative of the local authorities.[119] Seven other victims sustained injuries. Already for the previous year, 2020, ODIHR recorded a case in the category of racist and xenophobic hate crime in which a teenage Kurdish girl was allegedly kidnapped, threatened, and repeatedly raped by a Turkish soldier over the course of 20 days, reportedly leading the victim to commit suicide.[120] The incident occurred in a city with a majority Kurdish population.[121]

56. In July 2024, violent mob attacks against Syrians took place in the country, following accusations against a Syrian man in the central Anatolian city of Kayseri to have sexually assaulted a minor.[122] Subsequently, anti-Syrian riots broke out in several Turkish cities:[123] dozens of Syrian-owned shops were torched or looted by mobs, when rioters brandishing sticks and knives descended on Syrians' homes and businesses.[124] In Istanbul, large gangs of men on motorcycles circled neighbourhoods known to host substantial Syrian populations.[125] In Gaziantep, close to the border with Syria, a Syrian man was stabbed in the leg as he walked home from work.[126] In the southern city of Antalya, a Syrian teenage boy was fatally stabbed by three other minors, who were arrested after the attack.[127] Altogether, more than 1 000 persons were arrested and detained by the police across Türkiye in the wake of these anti-Syrian racist attacks.[128] Earlier, in 2022, at least three Syrians were killed in different xenophobic attacks, and several others severely injured.[129] HRA reported that in January 2021, a number of Syrians were attacked

[118] OSCE – ODIHR, website, Hate Crime Report – Turkey (2021) / Incidents Reported by Civil Society / Racist and xenophobic hate crime, see: https://hatecrime.osce.org/turkey. – As concerns the alleged involvement of police officers, see also ECRI 2016: §§ 92-96; ECRI 2019: 7.

[119] OSCE – ODIHR, website, Hate Crime Report – Turkey (2021) / Incidents Reported by Civil Society / Racist and xenophobic hate crime, see: https://hatecrime.osce.org/turkey.

[120] OSCE – ODIHR, website, Hate Crime Report – Turkey (2020) / Incidents Reported by Civil Society / Racist and xenophobic hate crime, see: https://hatecrime.osce.org/turkey.

[121] In connection with the above examples, it should be pointed out that the problem of hate-motivated violence and deadly attacks committed by groups of perpetrators, sometimes amounting to mob attacks, in its previous report on Türkiye. Many of these attacks targeted Kurdish persons. See ECRI 2016: §§ 47ff.

[122] Bianet.English, More than 1,000 individuals detained across Turkey over anti-refugee violence (5 July 2024).

[123] France24, Turkish police arrest hundreds after anti-Syrian riots in several cities (2 July 2024).

[124] The Times, Violent Turkish mobs attack Syrians who fled Assad's atrocities (3 July 2024).

[125] Ibid.

[126] Ibid.

[127] Bianet.English, 15-year-old Syrian child fatally stabbed in Antalya amid anti-refugee violence (4 July 2024); Duvar.English, Turkish court arrests three for murdering Syrian teen in wave of racist attacks (5 July 2024).

[128] Bianet.English (5 July 2024).

[129] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022) / Incidents Reported by Civil Society / Racist and xenophobic hate crime, see: https://hatecrime.osce.org/turkey.

by a group of about twenty perpetrators. Three victims sustained injuries.[130] This was one of several incidents targeting Syrians in the country at the time.[131]

57. In April 2021, two Somali persons were attacked in a park. Employees of a Somali restaurant were also attacked by a group, who broke the restaurant's windows. These attacks occurred after an anti-immigrant article was published in the local press.[132]

58. As concerns violence motivated by religious hatred, on 28 January 2024 the Catholic church of Santa Maria in Istanbul was attacked by two gunmen who entered the building during Sunday mass and opened fire on the congregation. One person was killed in the attack for which the ISIS terror organisation claimed responsibility.[133] The Minister of Interior condemned the attack, and the country's President personally called the local priest to extend his condolences,[134] which ECRI commends. The same day, law enforcement officials conducted raids on some 30 locations and detained 52 individuals, including, according to official information, the two shooters.[135] ECRI takes note of the swift reaction and encourages the authorities to assist this and other local churches with any required security measures, including police protection, when and for as long as necessary.

59. Antisemitic vandalism of synagogues and Jewish graveyards has also been occasionally reported in the past. FBI-NHC recorded several instances, including the setting on fire of the door of a synagogue in 2021[136] and another arson attack against a synagogue in 2019, for which the perpetrator was prosecuted for a hate crime.[137] In this regard, ECRI also received information from different civil society groups that in some locations the authorities have, on occasion, also provided a visible police presence to protect Jewish community institutions and buildings in the light of growing antisemitic hatred in the country since October 2023. ECRI commends this and encourages the authorities to continue, and if necessary, expand such protection measures as and when required.[138]

60. Hate-motivated violence also affected the Alevi community. In 2020, for example, FBI-NHC reported several cases of vandalism against Alevi places of worship and/or residential buildings. In June 2021, the organisation reported that three members of an Alevi family were subjected to anti-Alevi insults and pelted with rocks by their neighbours. A male victim sustained injuries, including broken teeth, bruises and cuts on his face. In the same month, HRA reported that an Alevi man was insulted and beaten by his neighbours due to his religion. According to HRA, other similar incidents targeting Alevis occurred in the country at the time. In July 2022, according to FBI-NHC, an Alevi woman was stabbed and one other person

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[130] OSCE – ODIHR, website, Hate Crime Report – Turkey (2021) / Incidents Reported by Civil Society / Racist and xenophobic hate crime, see: https://hatecrime.osce.org/turkey.

[131] See ibid. for examples.

[132] Ibid.

[133] BBC News, Istanbul church attack: Gunmen kill one person during Sunday morning mass (28 January 2024); Le Monde, Istanbul Catholic church attacked by armed assailants (28 January 2024);

[134] Balkan Insight, Turkey Detains 47 Alleged ISIS Members After 'Heinous' Church Attack (28 January 2024).

[135] Ibid.

[136] OSCE – ODIHR, website, Hate Crime Report – Turkey (2021) / Incidents Reported by Civil Society / Anti-Semitic hate crime, see: https://hatecrime.osce.org/turkey.

[137] OSCE – ODIHR, website, Hate Crime Report – Turkey (2019) / Incidents Reported by Civil Society / Anti-Semitic hate crime, see: https://hatecrime.osce.org/turkey.

[138] See also ECRI's revised General Policy Recommendation No. 9 on Preventing and Combating Antisemitism (2021): Part III. (Recommendations), section C. (Protection), §§ 35 ff.

was injured on the first day of the Alevi holy month. The incident was one of five coordinated attacks against Alevi associations and houses of worship.[139]

61. Attacks motivated by other religious and/or ethnic hatred include numerous acts of vandalism of Christian churches of different denominations.[140] In May 2020, an Armenian Apostolic church was targeted in an arson attack when a perpetrator attempted to set its gate on fire apparently because of a perceived relation of Armenian people to the spread of the Covid-19 virus.[141] In May 2019, an Armenian woman was threatened and stabbed with a knife by two masked perpetrators in her home. The victim's house had been marked with a cross two months prior. The victim and her family moved out of the country following the attack.[142] Also, FBI-NHC reported that in June 2022, three men were threatened with a gun while leaving an Assyrian church[143] and that in March of that year, a Yazidi man was repeatedly threatened by residents of a neighbouring village due to his ethnicity and religion. The perpetrators later burned down the victim's house.[144]

62. The LGBTI community is particularly prone to hate-motivated violence due to the low levels of acceptance of this group in Turkish society. In 2019, for example, out of the 84 hate crime cases reported by civil society to ODIHR, 57 concerned anti-LGBTI attacks, all of which involved violence against persons.[145] Transgender persons have been particularly often the victims of attacks, and many have reportedly been murdered. In 2021 alone, according to NGO reports to ODIHR, at least six transgender persons were killed: in one case the victim was beheaded in her apartment.[146] Transgender sex workers were particularly vulnerable and targeted.[147] In 2019, three transgender persons are reported to have been murdered.[148] Earlier, in August 2016, 23-year old Hande Kader, a transgender woman and well-known LGBTI rights activist, was kidnapped in Istanbul, raped and killed, with her body burned.[149] In August 2022, a transgender woman was killed in her home in Ankara and in January 2023, a transgender woman was murdered with a hate motive in Izmir.[150] In June 2024, LGBTI groups announced the murder of yet another transgender woman.[151] The above-mentioned cases are only the

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[139] OSCE – ODIHR, website, Hate Crime Report – Turkey (2020) / Incidents Reported by Civil Society / Anti-Muslim hate crime, see: https://hatecrime.osce.org/turkey; OSCE – ODIHR, website, Hate Crime Report – Turkey (2021) / Incidents Reported by Civil Society / Anti-Muslim hate crime, see: https://hatecrime.osce.org/turkey; OSCE – ODIHR, website, Hate Crime Report – Turkey (2022) / Incidents Reported by Civil Society / Anti-Muslim hate crime, see: https://hatecrime.osce.org/turkey.

[140] See for example OSCE – ODIHR, website, hate crime report – Turkey (2019, 2020) / Incidents Reported by Civil Society / Anti-Christian hate crime, see: https://hatecrime.osce.org/turkey.

[141] OSCE – ODIHR, website, hate crime report – Turkey (2020) / Incidents Reported by Civil Society / Anti-Christian hate crime, see: https://hatecrime.osce.org/turkey.

[142] OSCE – ODIHR, website, hate crime report – Turkey (2019) / Incidents Reported by Civil Society /Racist and xenophobic hate crime, see: https://hatecrime.osce.org/turkey.

[143] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022) / Incidents Reported by Civil Society /Anti-Christian hate crime, see: https://hatecrime.osce.org/turkey.

[144] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022) / Incidents Reported by Civil Society /Other hate crime based on religion or belief, see: https://hatecrime.osce.org/turkey.

[145] OSCE – ODIHR, website, Hate Crime Report – Turkey (2019) / Incidents Reported by Civil Society, see: https://hatecrime.osce.org/turkey.

[146] OSCE – ODIHR, website, Hate Crime Report – Turkey (2021) / Incidents Reported by Civil Society /Anti-LGBTI hate crime, see: https://hatecrime.osce.org/turkey.

[147] Ibid.

[148] OSCE – ODIHR, website, Hate Crime Report – Turkey (2019) / Incidents Reported by Civil Society /Anti-LGBTI hate crime, see: https://hatecrime.osce.org/turkey.

[149] Voice of America (5 September 2016), Stricter Laws Demanded to Protect Turkish LGBT Community.

[150] ILGA Europe, Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans, And Intersex People - Covering the Period of January to December 2023 (2024): 2.

[151] KAOS-GL (14 June 2024), Trans woman Gece Yanıker was murdered by a man.

most severe and gruesome ones in a much longer list of violent attacks against LGBTI persons, including gay men, that include beatings and severe injuries.[152]

Responses

63. Efforts have been made by the authorities to provide training on hate crimes to law enforcement officials across the country. Türkiye implemented ODIHR's Training against Hate Crime for Law Enforcement (TAHCLE) programme following a memorandum of understanding signed with ODIHR in 2016. In 2022, for example, 113 new hate crime trainers received instruction through training-of-trainers activities (and according to the authorities, a total number of 997 since 2016); 21 719 police and gendarmerie (Jandarma) candidates received hate crime training as part of their pre-service courses and training for the provincial gendarmerie reached 121 478 staff members.[153] In addition, the authorities indicated that the Turkish National Police Academy organised an "Informative Seminar on Hate Crimes" for 256 708 law enforcement officials between 2016 and 2024. In 2022, the Justice Academy of Türkiye provided training on victims' rights to 280 candidate public prosecutors and judges.[154] According to information provided to ECRI by the authorities, in 2023, another 294 such candidates were trained on hate crime issues and 388 in the first five months of 2024. On 5 April 2024, the Justice Academy also provided an online training on "Hate crimes and criminal legislation in this context" to 19 public prosecutors and 33 judges. In the same period of 2023/24 nearly 2 500 prosecutors and judges were trained on general human rights topics.

64. The authorities also work on strengthening their responses as part of the implementation of the national Human Rights Action Plan launched in 2021, which includes objectives dedicated to addressing hate crime, including providing support to victims. In 2022, the Ministry of Justice continued to expand the network of Directorates of Judicial Support and Victim Services established in courthouses. The Ministry has also increased the number of special interviewing premises for vulnerable victims, including hate crimes victims. Further, in October 2021, the HREIT organised a symposium on the topic of "Hate Speech and Hate Crimes".[155]

65. ECRI considers that the above measures are positive. However, civil society representatives met by the ECRI delegation during the visit raised concerns about the lack of effective results so far. Furthermore, ECRI also takes into consideration the observation made by ODIHR that Türkiye would benefit from reviewing the existing legal framework to ensure that bias motivations can be effectively acknowledged, and appropriate penalties imposed on the perpetrators.[156]

66. ECRI recommends that the authorities strengthen their responses against racist and anti-LGBTI hate crimes, including through the national Human Rights Strategy and in close cooperation with the groups concerned, by i) ensuring a consistent recording of the relevant hate elements of crimes; ii) strengthening the legal framework in order to ensure that hate elements of crimes are effectively unmasked and taken into consideration in judicial proceedings; and iii) continuing, evaluating and expanding the hate-crime training activities for law enforcement officials and prosecutors, as well as those offered to judges. Such training activities should also be based on cooperation with vulnerable groups, such as religious and ethnic minorities and LGBTI organisations.

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[152] See OSCE – ODIHR, website, Hate Crime Report – Turkey (for example 2019, 2020, 2021, 2022) / Incidents Reported by Civil Society /Anti-LGBTI hate crime: https://hatecrime.osce.org/turkey.

[153] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022): https://hatecrime.osce.org/turkey.

[154] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022): https://hatecrime.osce.org/turkey.

[155] OSCE – ODIHR, website, Hate Crime Report – Turkey (2021): https://hatecrime.osce.org/turkey.

[156] OSCE – ODIHR, website, Hate Crime Report – Turkey (2022): https://hatecrime.osce.org/turkey.

67. ECRI recommends that the authorities set up specialised hate crime liaison units in the police, staffed with adequately trained officers to serve as contact and outreach focal points for communities vulnerable to hate crime and thereby increasing trust in the police and combating hate crime underreporting.

III. INTEGRATION AND INCLUSION

A. Roma

68. The precise number of Roma in Türkiye is not known, as the authorities do not collect population statistics based on ethnicity. In 2012, the Council of Europe estimated that some 2.75 million Roma lived in the country (3.78% of the country's population),[157] making it the largest single Roma population in any Council of Europe member state. The Roma community experiences social and economic marginalisation, including severe poverty and malnutrition, marking them as one of the most disadvantaged groups.[158] Roma interlocutors met by the ECRI delegation during the visit were generally of the view that, in general, the government is making serious efforts to improve the socio-economic situation of Roma.

69. The Strategy Document on Roma Citizens 2016-2021 consisted of several main policy areas (education, employment, health, housing, social relief and social support services) and, according to the authorities, strengthened Roma NGOs to ensure social participation. However, some of the shortcomings, at least during parts of the implementation period, included the absence of data on the desired results of measures, number of beneficiaries, indicators measuring success of activities, or the amount and sources of funding.[159] In January 2023, Türkiye adopted a new Roma Strategy Document covering 2023-2030, which continues the focus on these areas, and an Action Plan covering 2023-2025. Furthermore, a Monitoring and Assessment Board has been established, comprising members from Roma NGOs. Additionally, efforts have been made to actively involve the Roma community in monitoring activities at the provincial level, as previously recommended by ECRI.[160] In this context, ten municipalities participated in an EU programme to promote participation in local governance using social mediators.[161] However, specific policy measures are needed to address the inter-sectional vulnerabilities of Roma women and girls.[162] Moreover, there is still no *official* data on the situation and living conditions of Roma in Türkiye.[163] Lack of data about Roma at local and national levels makes the design of social policies and monitoring of the implementation of measures very difficult.[164]

70. ECRI recommends that the authorities set up a system for collecting comprehensive and gender-disaggregated equality data on Roma, in particular in the fields of education, employment, housing and healthcare. The data collection should respect the principles of informed consent, self-identification, confidentiality and exclusive use for the promotion of Roma equality.

71. In the area of education, the absence of data poses an obstacle to assessing the full scale of the problem regarding low enrolment rates, high dropout rates and

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[157] Council of Europe (2012), Estimates and official numbers of Roma in Europe – update July 2012.

[158] Social Democracy Foundation, Istanbul Planning Agency, and Zero Discrimination Association (2021), Türkiye'de Roman Toplulukları ve Yoksulluk Araştırması [Research on Romani Communities and Poverty in Turkey]. See also: Duvar.English (13 January 2022), Roma in Turkey suffer from lack of work, hunger, and extreme poverty, study shows.

[159] European Commission (2019), Commission Staff Working Document – Roma inclusion measures reported under the EU Framework for NRIS, SWD(2019) 320 final (part 2/2): 302.

[160] ECRI 2016: § 77.

[161] European Commission (2023), Commission Staff Working Document – Türkiye 2023 Report, SWD(2023) 696 final: 43.

[162] See also Council of Europe Committee of Ministers, Recommendation CM/Rec(2024)1 on equality of Roma and Traveller women and girls.

[163] European Commission (2023): 43.

[164] European Commission (2019): 306.

lower educational attainments among Roma pupils.[165] On a positive note, the authorities informed ECRI that a mapping exercise was carried out, involving a secondary study on the concentration of Roma pupils in schools located in some 400 disadvantaged neighbourhoods, using socio-economic marginalisation as a proxy indicator. Even considering the inherent methodological limitations of such an approach, it might nevertheless deliver useful information about unduly high concentrations of Roma children in certain schools. This is especially relevant given the widespread de facto residential segregation.[166] In ECRI's view, the conduct of such a secondary study could be considered as a **promising practice** that should be extended to other thematic areas.

72. In the employment sector, Roma predominantly engage in precarious, unskilled, and low-income occupations. Many Roma experience permanent or temporary unemployment, and most of their employment involves temporary or daily work. According to a 2021 survey among 600 Roma, their average monthly income stood at TRY 1 426 (approximately € 40) about half the minimum wage of TRY 2 825 during that period.[167] While there are no specific employment programmes tailored for Roma, the authorities informed ECRI that according to the Turkish Employment Agency (İŞKUR) in the year 2023, a total of 7 064 Roma citizens benefitted from the agency's support and training activities (job search skills courses), and from January to November 2024 the number was 15 007. Although there are non-formal/life-long learning activities open regardless of prior schooling, the fact that many Roma might not have the basic education background to qualify for the formal professional training courses needs to be addressed.

73. ECRI recommends that the authorities conduct a study on obstacles for Roma to access vocational training and other formal employment courses in order to design new employment training options for this group.

74. Many Roma live in substandard housing in crowded neighbourhoods and with poor infrastructure[168] (e.g. lack of clean water, sewage systems, electricity, public transport). Some resort to living in makeshift shelters. Roma neighbourhoods are often spatially segregated from non-Roma residential areas, without the authorities imposing such segregation. The February 2023 earthquake increased the difficulties for Roma in those areas in terms of living conditions. Drastic increases in housing prices particularly hit Roma families, who often have limited property ownership. Lack of emergency savings and high dependence on informal jobs made Roma in earthquake-affected regions more vulnerable.[169] In response to the difficult housing situation, 1 071 housing units for Roma, to be built with support from UNICEF, are foreseen in the 2023-25 Action Plan. The authorities acknowledged that more are needed and envisaged in the subsequent years, which ECRI strongly encourages the authorities to follow through.

75. As concerns healthcare, a 2021 study found that the average life expectancy for Roma was an estimated 68.5 years, which is significantly lower than the national average of 78.6 years. This discrepancy may be attributable to factors such as limited access to nutritious food and challenging living conditions endured by the Roma population.[170] Furthermore, the report indicates that 10-15% of Roma communities have no access to health services, while an additional 20-30% having

[165] See: European Commission (2019): 304; European Commission (2023): 44; and Civil Rights Defenders (2022), Roma in Turkey: Discrimination, Exclusion, Deep Poverty and Deprivation: 23.

[166] Civil Rights Defenders (2022): 23.

[167] Social Democracy Foundation et al. (2021); Roma Memory Studies Association (2023): 3.

[168] European Commission (2019): 305; Social Democracy Foundation et al. (2021); European Commission (2023): 44.

[169] European Commission (2023): 44.

[170] Social Democracy Foundation et al. (2021); Duvar.English (13 January 2022).

only partial access.[171] In this context, ECRI takes positive note of the information it received from the Ministry of Health that it is providing specific training to doctors (GPs) practising in Roma neighbourhoods and invites the authorities to take further action to address existing health inequalities.

76. ECRI was also informed by the authorities about so-called local Solidarity Centres (SODAMs), which provide services especially for Roma women, such as skills building and literacy courses, but also health information classes including on reproductive health. The information ECRI received about these centres gives the impression that they constitute a **good practice**.

B. Beneficiaries of international protection

77. In its previous reports, ECRI had already pointed out the extraordinary challenges the country faced as a result of a very large number of persons seeking protection in Türkiye.[172] The International Protection system in Turkish legislation, namely the Law on Foreigners and International Protection (Law No. 6458 of 2013) and Temporary Protection Regulation (Law No. 6883 of 2014), contains four status types: refugee, conditional refugee, subsidiary protection and temporary protection. The Turkish temporary protection regime is specifically intended for a mass influx situation and applies only to Syrians in the country and therefore to the large majority of protection beneficiaries overall. While ECRI mentioned 2.7 million Syrians and around 300 000 Iraqis in 2016, there were around 3.3 million persons seeking international protection in the country as of August 2024, with over 3 million of them Syrians who received temporary protection status.[173] Other large groups of protection seekers originate from Iraq, Afghanistan, Iran and Ukraine. As Türkiye continues to apply its original geographical limitation to the 1951 Convention relating to the Status of Refugees,[174] of the above-mentioned groups only those displaced by Russia's war of aggression against Ukraine can obtain refugee status under the Convention.

78. Since ECRI's previous report, the authorities adopted and implemented Türkiye's "Harmonization Strategy Document" (2018-2023) and the accompanying "National Plan of Action" for the better integration and inclusion of migrants, including protection beneficiaries.[175] The strategy focused on six key areas (strategic priorities): Social cohesion, information, education, health, labour market, and social aid and social services. The authorities informed ECRI that all targets, as per the included indicators, have been met. ECRI notes that the drawing-up of a follow-up strategy is planned and strongly encourages the authorities to adopt and implement such a strategy.

79. As concerns education, of the more than 3 million beneficiaries of temporary protection in Türkiye, many are children. The percentage of Syrian out-of-school

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[171] Social Democracy Foundation et al. (2021).

[172] ECRI 2016: § 60 ff.

[173] Turkish Presidency of Migration Management (PMM), quoted in: IOM (2024) MPM Türkiye - Migrant's Presence Monitoring (Overview of Migrant Situation, Situation Report) August 2024: 1. – In February 2022, the authorities declared that beneficiaries of international protection were no longer permitted to settle in regions where this group already made up 25% or more of the population. This "Dilution Plan" was intended to prevent public services from reaching breaking point in urban areas where many Syrians had settled. From 1 July 2022 on the threshold was 20% and the PMM closed 1 169 districts for registration of protection beneficiaries, which is required for accessing services (health, education, social support). ECRI was informed that after the February 2023 earthquake, which heavily affected the southern region where many Syrians stayed, such restrictive conditions on internal re-settlement were partially eased.

[174] Upon accession to the 1967 Protocol to the 1951 Convention relating to the Status of Refugees, Türkiye made a declaration according to which it continues to apply the Convention only to persons who have become refugees as a result of events occurring in Europe. (See United Nations Treaty Series, Chapter V. on Refugees and Stateless Persons, item 5. Protocol relating to the Status of Refugees)

[175] The definition of migrants used in the Harmonisation Strategy Document includes foreigners, international protection applicants or status holders and Syrians under temporary protection, who have the possibility of legal stay as mentioned in the Law on Foreigners and International Protection (LFIP).

children fell from 69.9% in 2014/15 to 36.7% in 2019/20,[176] which is commendable. The authorities informed ECRI that in 2024, over three-quarters of school-aged temporary protection children are enrolled. ECRI received very positive reports about a Syrian Support Personnel Programme (SSPP), in which Syrians are employed as mediators to promote school enrolment and attendance. However, it also learned that more than 20% of Syrian children do still not seem to be enrolled yet. The obstacles to accessing school education are numerous and include poverty, health reasons, migration/family mobility and cultural gender norms.[177] ECRI strongly encourages the authorities to expand the SSPP to utilise its positive impact in order to further increase the enrolment rate.

80. ECRI also learned that training of trainers for teachers with foreign students has been rolled out with the assistance of UNICEF and has reportedly contributed to a better integration of Syrian and other children into the school system.

81. Free-of-charge Turkish language courses for adult foreigners are provided up to B1-level by Public Education Centres in 81 provinces and are supported or funded by various institutions and NGOs. According to many interlocutors met by the ECRI delegation during the visit, the language barrier is a big obstacle to full inclusion in economic and social life. In this regard, ECRI strongly encourages the authorities to improve the quality of the Turkish language courses and to offer classes also above the B1-level.

82. The authorities also highlighted that more than 6 100 Syrians have received certificates as part of a project for lifelong training activities, including vocational skills, to improve their chances in the labour market. A study by the UN's International Labour Organisation (ILO) estimates that out of 2.16 million Syrians of working age in Türkiye, only 1 million are estimated to participate in the labour market, and most of them informally and in low-skilled and low-paid jobs.[178] Employment rates among Syrian women are estimated to be very low.[179] However, there are no official statistics available concerning the labour market participation of Syrians and other international protection beneficiaries. ECRI strongly encourages the authorities to gather such data, disaggregated by gender, in order to assess the impact of existing activities and to better target specific groups of beneficiaries with vocational training and other support accordingly in the future.

83. A particular problem reported to ECRI affects beneficiaries of temporary protection, who are allowed to work in the country, but need to obtain the actual work permit document separately through an employer, who has to apply for them. Many interlocutors of the ECRI delegation during the visit, including temporary protection beneficiaries themselves, indicated that often employers are reluctant to do so and prefer to hire them without documentation instead. This negatively affects the social security contributions, working conditions and employment rights of the persons concerned. It emerged during ECRI's delegation's meetings with government officials that there is no technical obstacle to issuing the work permit already as part of the temporary protection status directly, but that currently political will is lacking to do so.

84. While ECRI understands concerns about increasing sentiments of competition in the labour market among some segments of the population,[180] this should not lead

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[176] UNICEF (2024), Report on Analysis for Out-Of-School Syrian Children. Türkiye Country Report: xix.
[177] UNICEF 2024: 71ff.

[178] ILO (2022), ILO's support to refugees and host communities in Turkey, (no page numbers), and ILO (2020) Syrian Refugees in Turkish Labor Market: 1; see also Murat Erdoğan, Syrians barometer, 2022: 80 ff.

[179] ILO 2020: 6 and 8. – ECRI was informed by the authorities that the Ministry of National Education offers free courses within the scope of non-formal education activities through public education centres. The number of Syrians under temporary protection, who benefited from public education centres, reached 3 041 568 between 2014 and 2024. Of them, 53.41% were women and 46.59% men. A total of 214 982 Syrians under temporary protection participated in vocational courses between 2014 and 2024.

[180] Erdoğan 2022: 80.

the government to rendering an existing legal right unnecessarily difficult – or in some cases even *de facto* impossible – to access. In this connection, ECRI was informed that the Regulation on Amendments to the Implementation Regulation of the International Labour Law, published in the Official Gazette on 10 October 2024 (No. 32693), introduced certain changes to the regulatory framework to facilitate the work permit processes and to, according to the authorities, encourage formal employment of Syrians under temporary protection. Under this updated regulation, foreigners who are granted temporary protection as per Article 91 of the Foreigners and International Protection Law No. 6458, and who are notified to the Ministry of Labour and Social Security by the Ministry of Interior through the designated system, are now provided with the opportunity to work within the scope and duration specified in the notification, under a work permit exemption.[181] ECRI considers this as an encouraging development and a step forward. However, ECRI has insufficient details at its disposal about the application of this measure in practice and whether it does also apply to other beneficiaries of international protection.

85. ECRI recommends that the authorities redouble their efforts to facilitate the integration of temporary protection beneficiaries, as well as other beneficiaries of international protection, into the labour market by issuing the work permit automatically together with the temporary protection status, thereby also protecting the beneficiaries from labour market exploitation.

86. Given their difficult socio-economic situation, more than 1 million protection beneficiaries, mainly Syrians, are receiving a monthly (EU-funded) cash allowance if they fulfil certain criteria. Beneficiaries met by the ECRI delegation during the visit reported that this is indeed helpful but is insufficient on its own, especially in the light of high inflation rates in Türkiye and soaring rental prices in major cities.

87. Beneficiaries of temporary protection have access to the public health insurance system. However, they can only benefit from public healthcare services in the province where they are registered. Persons benefiting from conditional refugee status or subsidiary protection status are also entitled to public healthcare, but their entitlement lapses automatically after a period of one year. After this, the Provincial Directorate of Migration Management (PDMM) reviews the options with regard to extending health insurance for this category of persons. Reportedly, it has often been extended if the person had serious health problems.[182] However, ECRI invites the authorities to ensure that access to such an essential service is prolonged automatically, including by changing the applicable regulations if necessary.

88. Most support and provision of services for protection beneficiaries are the responsibility of the relevant municipalities where the persons are registered and reside. However, many municipalities do not have the financial means to provide adequate support and projects often depend on international donors. During a field visit to Istanbul, the ECRI delegation had the opportunity to witness at an NGO-run support centre the crucial importance and professional character of the assistance provided. In this regard, ECRI regrets to note that the municipal authorities do not receive financial allocations from the government per number of protection beneficiaries residing in their area: municipalities receive a fixed amount from the national budget per citizen, but not per inhabitant. This not only means a particular financial strain on local budgets, but also a discrepancy in terms of services available depending on the relative wealth of a municipality. Furthermore, ECRI was informed by local authority representatives in Istanbul that not only was funding insufficient, but also the flow of information from the central to the local

[181] According to the authorities, a work permit exemption information form will be issued to beneficiaries of temporary protection who are notified to the Ministry of Labour and Social Security by the Ministry of Interior. This form will enable these individuals to work in Türkiye, provided they comply with their obligations under the relevant legislation.

[182] The Ministry of Foreign Affairs of the Netherlands (2023), General Country of Origin Information Report on Türkiye, August 2023: 85-86.

level: the national authorities do not always provide timely and relevant data regarding protection beneficiaries nor the most recent trends, such as gender or age breakdown that could help plan certain services, for example in the areas of healthcare or education.

89. ECRI recommends, as a matter of priority, that the authorities significantly strengthen their cooperation with and support for local authorities and their efforts regarding the integration and inclusion of protection beneficiaries.

IV. COUNTRY-SPECIFIC TOPICS

Religious discrimination and intolerance

90. In its fourth and fifth monitoring cycle reports, ECRI had already criticised the Turkish authorities' discriminatory treatment of certain religious minority groups.[183] ECRI recommended that the authorities strictly respect their duty of neutrality and impartiality in regulating matters of religion, abolish discriminatory regulations and practices in this regard and expedite the implementation of related ECtHR judgments.[184]

91. One problem already mentioned in ECRI's last report was the discriminatory treatment of the Alevi religious minority.[185] ECRI recalls that, in a judgment of 2 December 2014, for example, the ECtHR had found a violation of the European Convention on Human Rights in the case of *Cumhuriyetçi Eğitim Ve Kültür Merkezi Vakfi v. Turkey*: denying the Alevi community exemption from electricity bills for their places of worship (cemevis or cem houses) – a privilege granted to other religious communities' premises – amounted to discriminatory treatment.[186] The underlying reason for this discrimination is in itself problematic, namely the authorities' refusal to recognise the distinct religious nature of the Alevi faith.[187] In this context, in October 2022, the authorities set up a government directorate in charge of relations with the Alevi community that is situated within the Ministry of Culture and Tourism. The new directorate for Alevi affairs also has an advisory committee, with all of its eight members to be appointed by the President of the Republic. The Alevi community itself was not consulted or involved by the authorities in the setting up of this directorate or the advisory committee and appears to be reluctant to accept it, because in its view it perpetuates the refusal to acknowledge Alevis as a religious community.[188] ECRI received initial information that the new department was providing financial support to cover the electricity bills of some eight cemevis, which have been accredited by the new directorate,[189] but has since received information from the authorities that this number has increased to 853 cemevis following the receipt and processing of their requests. Other cemevis can also benefit if they receive the necessary approval from the new department.[190] In addition, the authorities informed ECRI that support for maintenance, repairs and furnishings can also be provided and that requests

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183 ECRI 2016: § 89 ff; ECRI 2011: § 82 ff.

184 ECRI 2016: § 91.

185 There are no precise figures about the number of Alevis in Türkiye but some estimates range between 15% and 25% of the population, making Alevis the second largest religious group in the country after majority Sunni Islam. - See for example Minority Rights Group, website: Türkiye/Alevis in Türkiye; and Duvar.English (21 April 2024), Turkey's Culture Ministry to cover lighting expenses of cemevis.

186 ECtHR, Cumhuriyetçi Eğitim Ve Kültür Merkezi Vakfi v. Turkey (application no. 32093/10), in particular: § 52.

187 Ibid.: §§ 44-50.

188 ADO Alevi Philosophy Centre, Implementation of ECtHR Judgements Monitoring Report (6 July 2023): 5.

189 According to the Ministry of Interior's General Directorate of Provincial Administration there were more than 1 500 cemevis as of 20 December 2018.

190 As well as possibly the costs for gas, water and essential maintenance (ADO 2023: 5). The Council of Europe's Committee of Ministers closed the examination of the Cumhuriyetçi Eğitim Ve Kültür Merkezi Vakfi case in 2023 (see: https://hudoc.exec.coe.int/eng?i=004-37258). See also Duvar.English (21 April 2024), Turkey's Culture Ministry to cover lighting expenses of cemevis.

from 355 cemevis in this regard have been processed already. However, the cemevis are still not fully recognised as places of worship.[191] In 2016, the ECtHR had found that "the legal regime governing religious denominations […] appears to lack neutral criteria and to be virtually inaccessible to the Alevi faith, as it offers no safeguards apt to ensure that it does not become a source of *de jure* and *de facto* discrimination towards the adherents of other religions or beliefs".[192] While since then the Turkish authorities have put an end to some of the resulting practical problems,[193] they do not seem to have acknowledged the root cause of the problem, namely the non-recognition of the Alevis as a religious community of its own. ECRI invites the authorities to fully acknowledge Alevis as a distinct religious group, thereby promoting religious tolerance and conveying a positive message about religious diversity to the public.

92. The authorities informed ECRI that the religious minority groups covered by the Treaty of Lausanne of 1923 (the Orthodox Church/Ecumenical Patriarchate of Constantinople, the Armenian Apostolic Church and the Jewish community) are treated in accordance with the relevant treaty provisions and guaranteed rights. Representatives of the communities concerned indicated that their situation in this respect is overall satisfactory, but that certain problems remain. ECRI notes, for example, the long-standing discussion about the reopening of the Theological School of Halki (a seminary of the Orthodox Church which was closed in 1971). While the Turkish authorities have recently considered allowing the reopening of the seminary,[194] ECRI considers it problematic that such steps are more the result of foreign policy (i.e. improved Turkish-Greek relations)[195] than of domestic consideration regarding religious diversity and tolerance. More generally, ECRI strongly encourages the authorities to consider the provisions of the Lausanne Treaty as a *minimum* and not as the maximum extent to which these religious groups are protected against discrimination and intolerance.

93. A problem faced by religious minority groups not covered by the Treaty of Lausanne is the lack of a possibility to obtain legal personality as a religious community (they can only register as foundations or associations). This in turn leads to problems and uncertainties, for example regarding legal ownership and property registration of designated places of worship, which should be owned by religious organisations. Representatives of Protestant churches, in particular, also informed the ECRI delegation during the visit that, in their view, they encountered widespread discriminatory refusal of requests for building permissions for their churches by local authorities.[196] Moreover, another problematic practice brought to ECRI's attention concerns protestant pastors or preachers with foreign citizenship

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191 ADO 2023: 5; cf. Law No. 7421 of 16 November 2022.

192 ECtHR, Izzettin Doğan and Others v. Turkey (application no. 62649/10), judgment [GC] 2016: § 182.

193 In this regard, on 11 June 2024, the Council of Europe's Committee of Ministers decided to end its supervision of the execution of the judgment in the case *İzzettin Doğan and Others* following the measures taken by Turkish authorities (see: Council of Europe, Department for the Execution of Judgements of the European Court of Human Rights, (1 July 2024), Türkiye: the Committee of Ministers welcomes practical impact on the Alevi community of the authorities' measures).

194 Daily Sabah (4 June 2024), Türkiye signals reopening of Orthodox seminary amid thaw with Greece; Ekathimerini.com (3 June 2024), Turkey moves towards reopening Halki seminary, report says.

195 The Turkish Education Minister, referring to the foreign-policy dimension of the issue, said: "Personally, I desire the opening of the seminary to reflect Türkiye's democratic maturity and our viewpoint on secularity. At the end of the day, I am not in a position to decide upon it." (See: Daily Sabah, 4 June 2024). The Turkish authorities implied that they expected reciprocal steps from Greece, such as the reopening of a closed mosque in Athens, to open the seminary. The President had earlier also hinted that the seminary may be opened if the Greek authorities improve the conditions of the Muslim minority in Greece's Western Thrace region. (Ibid.)

196 Association of Protestant Churches in Türkiye (TEK), 2023 Protestant Community Rights Violation Report (2024): 3; see also European Commission, Commission Staff Working Document, Türkiye 2023 Report, SWD(2023) 696 final: 33. – Unlike the traditional Christian communities in the country, most Protestant communities do not have historical church buildings at their disposal and therefore depend on constructing new ones. – This problem also affects Jehovah's Witnesses. See for example: ECtHR, Association for Solidarity with Jehovah Witnesses and Others v. Turkey (application No. 36915/10) on a violation of the European Convention on Human Rights on account of the application of planning regulations that made it impossible for two small congregations of Jehovah's Witnesses to obtain a place of worship.

who have been expelled and/or barred from re-entering the country or refused a residence permit based on alleged national security concerns (immigration code G-87 or N-82[197]), without them having been involved in any illegal activities.[198] Legal challenges against these decisions have so far been unsuccessful because the authorities are not obliged to reveal details of the alleged security risk which can therefore not be effectively challenged. Several interlocutors also indicated to the ECRI delegation during the visit that being a "missionary" is generally considered by the authorities as posing a threat to Turkish society, also because most new converts come from the Islamic faith. The practice apparently intensified around 2019.[199] ECRI was informed that since 2021 alone, more than 200 such cases were recorded.

94. Jehovah's Witnesses face the ongoing challenge of obligatory military service for men, which fundamentally contradicts their beliefs, and the absence of an alternative civilian service in line with the established case-law of the ECtHR.[200] It also emerged from the ECRI findings during the visit that a particularly demeaning and discriminatory dimension of this problem is the subsequent harassment of conscientious objectors by the authorities, even years later. An example seen by ECRI includes a letter from the authorities to the employer of a Jehovah's Witness conscientious objector exerting pressure towards achieving the person's dismissal. ECRI notes that more than 10 years after the ECtHR judgment in the case of *Erçep v. Turkey* (2011), in which the Court already strongly criticised the authorities' measures amounting to the "civil death"[201] of a Jehovah's Witness conscientious objector, such practices still exist. ECRI strongly encourages the authorities to cease any such actions immediately and to take preventive and corrective measures in line with the relevant ECtHR judgments.

95. Although the Turkish President receives a number of religious leaders once or twice per year on ceremonial occasions, there is no formal mechanism, such as a working group, where religious minority representatives can meet with the authorities to discuss the various problems they encounter or may encounter, such as the above-mentioned issues, and discuss possible solutions.

96. ECRI recommends that the authorities adopt a policy approach that considers and promotes religious diversity and tolerance as a cultural asset for Turkish society. To this end, the authorities should set up a working group that includes all religious communities and meets regularly so that representatives of religious minorities can present and discuss the various problems they encounter in order to find workable solutions together with the authorities.

[197] G-87 concerns foreigners who present a general security threat. N-82 concerns foreigner who received an entry-ban, which can only be overridden by receiving explicit prior permission for (re-) entering the country.

[198] See, for example, TEK 2024: 2-3; and TEK, 2021 Protestant Community Rights Violation Report (2022): 2-3. – This is also causing particular problems for this community as it does not have the opportunity to train its own religious personnel within the Turkish National Education system and relies to a large extent on foreign pastors for spiritual guidance (TEK 2024: 2-3; TEK 2022: 2).

[199] TEK 2024: 2; TEK 2022: 2.

[200] See in particular: Ülke v. Turkey; Bayatyan v. Armenia [GC]; Erçep v. Turkey; Savda v. Turkey; and Teliatnikov v. Lithuania.

[201] ECtHR, Erçep v. Turkey, 2011: §§ 43, 58 and 80.

INTERIM FOLLOW-UP RECOMMENDATIONS

The two specific recommendations for which ECRI requests priority implementation from the authorities of Türkiye are the following:

- (§ 52) ECRI recommends that the authorities reinforce their responses against hate speech by setting up an inter-institutional working group to develop a comprehensive strategy to tackle effectively racist and anti-LGBTI hate speech, including online. This group should include the relevant authorities, the Human Rights and Equality Institution, the Ombudsman Institution, and relevant civil society organisations, including the broadest possible range of religious groups and LGBTI organisations. When developing such a strategy, due consideration should be given to ECRI's General Policy Recommendation No. 15 on combating hate speech and the Council of Europe Committee of Ministers recommendation CM/Rec(2022)16 on combating hate speech.
- (§ 89) ECRI recommends that the authorities significantly strengthen their cooperation with and support for local authorities and their efforts regarding the integration and inclusion of protection beneficiaries.

A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

LIST OF RECOMMENDATIONS

The position of the recommendations in the text of the report is shown in parentheses.

1. (§ 4) ECRI recommends that the Turkish authorities bring forward amendments to the Law on the Human Rights and Equality Institution of Türkiye (HREIT) in order to align legislation with ECRI's General Policy Recommendation No. 2 on equality bodies to combat racism and intolerance at national level, in particular by including the grounds of sexual orientation and gender identity into HREIT's mandate, ensuring HREIT's full independence and providing HREIT's with the power to initiate or participate in court proceedings on its own initiative.

2. (§ 11) ECRI recommends that the authorities i) ensure that parents can opt out of religious education classes for their children without having to declare their religion and ii) remove any elements related to religious education from the general university entrance exams.

3. (§ 13) ECRI recommends that the authorities encourage and support schools to organise visits for pupils to meet different religious communities in order to foster and promote tolerance.

4. (§ 17) ECRI recommends that the authorities set up a monitoring mechanism across the country in order to collect data about racist and anti-LGBTI discrimination, bullying and harassment in schools, with the aim of gaining a good understanding of the scale of the problem, designing prevention activities and providing adequate support to victims of such incidents.

5. (§ 27) ECRI recommends that the authorities establish a working group on preventing and combating intolerance and discrimination against LGBTI persons that should consist of representatives of relevant government institutions and LGBTI organisations in order to develop and implement an action plan for LGBTI persons with due consideration given to relevant Council of Europe and other international standards.

6. (§ 30) ECRI recommends that the authorities ensure that freedom of assembly of LGBTI persons is fully respected in Türkiye in line with the case-law of the European Court of Human Rights and ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.

7. (§ 34) ECRI recommends that the authorities review the conditions for full legal gender recognition in line with the relevant case-law of the European Court of Human Rights and ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.

8. (§ 52) ECRI recommends, as a matter of priority, that the authorities reinforce their responses against hate speech by setting up an inter-institutional working group to develop a comprehensive strategy to tackle effectively racist and anti-LGBTI hate speech, including online. This group should include the relevant authorities, the Human Rights and Equality Institution, the Ombudsman Institution, and relevant civil society organisations, including the broadest possible range of religious groups and LGBTI organisations. When developing such a strategy, due consideration should be given to ECRI's General Policy Recommendation No. 15 on combating hate speech and the Council of Europe Committee of Ministers recommendation CM/Rec (2022)16 on combating hate speech.

9. (§ 66) ECRI recommends that the authorities strengthen their responses against racist and anti-LGBTI hate crimes, including through the national Human Rights Strategy and in close cooperation with the groups concerned, by i) ensuring a consistent recording of the relevant hate elements of crimes; ii) strengthening the legal framework in order to ensure that hate elements of crimes are effectively unmasked and taken into consideration in judicial proceedings; and iii) continuing,

evaluating and expanding the hate-crime training activities for law enforcement officials and prosecutors, as well as those offered to judges. Such training activities should also be based on cooperation with vulnerable groups, such as religious and ethnic minorities and LGBTI organisations.

10. (§ 67) ECRI recommends that the authorities set up specialised hate crime liaison units in the police, staffed with adequately trained officers to serve as contact and outreach focal points for communities vulnerable to hate crime and thereby increasing trust in the police and combating hate crime underreporting.

11. (§ 70) ECRI recommends that the authorities set up a system for collecting comprehensive and gender-disaggregated equality data on Roma, in particular in the fields of education, employment, housing and healthcare. The data collection should respect the principles of informed consent, self-identification, confidentiality and exclusive use for the promotion of Roma equality.

12. (§ 73) ECRI recommends that the authorities conduct a study on obstacles for Roma to access vocational training and other formal employment courses in order to design new employment training options for this group.

13. (§ 85) ECRI recommends that the authorities redouble their efforts to facilitate the integration of temporary protection beneficiaries, as well as other beneficiaries of international protection, into the labour market by issuing the work permit automatically together with the temporary protection status, thereby also protecting the beneficiaries from labour market exploitation.

14. (§ 89) ECRI recommends, as a matter of priority, that the authorities significantly strengthen their cooperation with and support for local authorities and their efforts regarding the integration and inclusion of protection beneficiaries.

15. (§ 96) ECRI recommends that the authorities adopt a policy approach that considers and promotes religious diversity and tolerance as a cultural asset for Turkish society. To this end, the authorities should set up a working group that includes all religious communities and meets regularly so that representatives of religious minorities can present and discuss the various problems they encounter in order to find workable solutions together with the authorities.

BIBLIOGRAPHY

This bibliography lists the main published sources used during the examination of the situation in Türkiye. It should not be considered as an exhaustive list of all sources of information available to ECRI during the preparation of the report.

European Commission against Racism and Intolerance (ECRI)

1. ECRI (2019), Conclusions on the implementation of the recommendations in respect of Türkiye subject to interim follow-up, CRI(2019)27.
2. ECRI (2016), Fifth report on Türkiye, CRI(2016)37.
3. ECRI (2014), Conclusions on the implementation of the recommendations in respect of Türkiye subject to interim follow-up, CRI(2014)6.
4. ECRI (2011), Fourth report on Türkiye, CRI(2011)5.
5. ECRI (2005), Third report on Türkiye, CRI(2005)5.
6. ECRI (2001a), Second report on Türkiye, CRI(2001)37.
7. ECRI (1999), Report on Türkiye, CRI(99)52.
8. ECRI (1996), General Policy Recommendation No. 1: Combating racism, xenophobia, antisemitism and intolerance, CRI(96)43.
9. ECRI (2018), General Policy Recommendation No. 2 (revised): Equality bodies to combat racism and intolerance at national level, CRI(2018)06.
10. ECRI (1998a), General Policy Recommendation No. 3: Combating racism and intolerance against Roma/Gypsies, CRI(98)29.
11. ECRI (1998b), General Policy Recommendation No. 4: National surveys on the experience and perception of discrimination and racism from the point of view of potential victims, CRI(98)30.
12. ECRI (2022a), General Policy Recommendation No. 5 (revised): Preventing and combating anti-Muslim racism and discrimination, CRI(2022)6.
13. ECRI (2001b), General Policy Recommendation No. 6: Combating the dissemination of racist, xenophobic and antisemitic material via the Internet, CRI(2001)1.
14. ECRI (2003), General Policy Recommendation No. 7: National legislation to combat racism and racial discrimination, CRI(2003)8rev, as amended in 2017.
15. ECRI (2004), General Policy Recommendation No.8: Combating racism while fighting terrorism, CRI(2004)26.
16. ECRI (2021), General Policy Recommendation No. 9 (revised): Preventing and combating antisemitism, CRI(2021)28.
17. ECRI (2007a), General Policy Recommendation No.10: Combating racism and racial discrimination in and through school education, CRI(2007)6.
18. ECRI (2007b), General Policy Recommendation No.11: Combating racism and racial discrimination in policing, CRI(2007)39.
19. ECRI (2009), General Policy Recommendation No. 12: Combating racism and racial discrimination in the field of sport, CRI(2009)5.
20. ECRI (2011), General Policy Recommendation No.13: Combating antigypsyism and discrimination against Roma, CRI(2011)37rev, as amended in 2020.
21. ECRI (2012), General Policy Recommendation No. 14: Combating racism and racial discrimination in employment, 2012, CRI(2012)48.
22. ECRI (2016a), General Policy Recommendation No. 15: Combating Hate Speech, CRI(2016)15.
23. ECRI (2016b), General Policy Recommendation No. 16: Safeguarding irregularly present migrants from discrimination, CRI(2016)16.
24. ECRI (2023a) General Policy Recommendation No. 17: Preventing and combating intolerance and discrimination against LGBTI persons.
25. ECRI (2023b, December), Statement on the rise of Antisemitism in Europe as a result of the current conflict in the Middle East.
26. ECRI (2022b), ECRI Glossary.

Other sources (listed in alphabetical order)

27. ADO Alevi Philosophy Centre (2023, July 6), Implementation of ECtHR Judgements Monitoring Report.
28. AFP/France24 (2021, February 23), Targeted by Erdogan, Turkey's LGBT+ community face 'tsunami of hate'.

29. Balkan Insight (2023, September 12), Turkey Introduces 'Family' Course in Schools to 'Fight' Homosexuality.
30. Balkan Insight (2024, February 19), Turkish Hatred of 'Balkan Migrants' Feeds on Ancient Roots.
31. Balkan Insight (2024, January 28), Turkey Detains 47 Alleged ISIS Members After 'Heinous' Church Attack.
32. BBC News Türkçe (2020, May 1), Diyanet İşleri Başkanı Ali Erbaş'ın eşcinsellikle ilgili hutbesi Hollanda'da tartışma yarattı (*President of Religious Affairs Ali Erbaş's sermon on homosexuality created controversy in the Netherlands*).
33. BBC News (2024, January 28), Istanbul church attack: Gunmen kill one person during Sunday morning mass.
34. Bianet (English) (2024, March 28), Eight detained over online hatred against African students in Karabük.
35. Bianet.English (2024, July 4), 15-year-old Syrian child fatally stabbed in Antalya amid anti-refugee violence.
36. Bianet.English (2024, July 5), More than 1,000 individuals detained across Turkey over anti-refugee violence.
37. BiaNet (2024, July 9), Trans people in Turkey face housing crisis more intensely amid discrimination, phobia.
38. BiaNet (2024, July 9), Pride month marked by event bans in Turkey.
39. BiaNet (2024, July 12), Exhibition on trans movement's history in Turkey banned in İstanbul.
40. Çayır, K. (2014), Who are we? – Identity, citizenship and rights in Turkey's textbooks (Promoting human rights in textbooks III: Research results; project carried out by the History Foundation and the Centre for Sociology and Education Studies, Istanbul Bilgi University).
41. Civil Rights Defenders (2022), Roma in Turkey: Discrimination, Exclusion, Deep Poverty and Deprivation.
42. Council of Europe, Commissioner for Human Rights (2011), Discrimination on grounds of sexual orientation and gender identity in Europe, 2nd edition.
43. Council of Europe, Committee of Ministers (2022), Recommendation CM/Rec(2022)16 on combating hate speech.
44. Council of Europe, Committee of Ministers (2024), Recommendation CM/Rec(2024)1 on equality of Roma and Traveller women and girls.
45. Council of Europe, Department for the Execution of Judgements of the European Court of Human Rights (2024, July 1), Türkiye: the Committee of Ministers welcomes practical impact on the Alevi community of the authorities' measures.
46. Council of Europe, Parliamentary Assembly, Resolution 2048 (2015), Discrimination against transgender people in Europe.
47. Council of Europe, Support Team of the Special Representative of the Council of Europe for Roma Issues (2012), Estimates and official numbers of Roma in Europe – update July 2012.
48. Daily Sabah (2024, June 4), Türkiye signals reopening of Orthodox seminary amid thaw with Greece
49. Duvar.English (2024, July 5), Turkish court arrests three for murdering Syrian teen in wave of racist attacks.
50. Duvar.English (2024, June 23), Turkish gov't blockades Istanbul in fear of trans pride march.
51. Duvar.English (2024, April 21), Turkey's Culture Ministry to cover lighting expenses of cemevis.
52. Duvar.English (2024, April 29), Turkey's new curriculum centers religious 'values, morals,' criticize education unions.
53. Duvar.English (2024, February 4), Turkey's Education Ministry to introduce new curriculum based on 'national values'. See also: European Parliament resolution of 19 May 2021 on the 2019-2020 Commission Reports on Turkey (2019/2176(INI)).
54. Duvar.English (2024, February 2), Turkey's Education Ministry does not want 'pagan symbols' in private schools.
55. Duvar.English (2023, November 25), Turkish Religious Affairs Directory's 2024 budget increases by 151 pct.
56. Duvar.English (2023, May 2), Turkish Interior Minister Soylu targets cream advertisement for 'evoking lesbianism'.
57. Duvar.English (2023, January 17), In new hate speech, Erdoğan deems LGBTI+ 'virus of heresy'.
58. Duvar.English (2022, November 13), In new hate speech, Turkish Interior Minister Soylu deems LGBTI+ 'cultural terrorism'.
59. Duvar.English (2022, January 13), Roma in Turkey suffer from lack of work, hunger, and extreme poverty, study shows.
60. Duvar.English (2019, December 7), Alevis: "Turkish history X".
61. Ekathimerini.com (2024, June 3), Turkey moves towards reopening Halki seminary, report says.
62. Erdoğan, M. (2022), Syrians barometer.

63. European network of legal experts in gender equality and non-discrimination (2022), Country Report non-discrimination Turkey 2022.
64. European Commission (2018), Commission Staff Working Document, Turkey 2018 Report, SWD(2018) 153 final.
65. European Commission (2019), Commission Staff Working Document – Roma inclusion measures reported under the EU Framework for NRIS, SWD(2019) 320 final (part 2/2): 302.
66. European Commission (2020), Commission Staff Working Document, Turkey 2020 Report, SWD(2020) 355 final.
67. European Commission (2023), Commission Staff Working Document, Türkiye 2023 Report, SWD(2023) 696 final.
68. European Commission (2023), European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), Türkiye Report 2023.
69. Euronews (2019, July 2), Diyanet İşleri Başkanı Erbaş'tan LGBTİ açıklaması: Yaradılışa aykırı bir sapkınlık [LGBTI statement from President of Religious Affairs Erbaş: A perversion against creation].
70. Euronews (2023, May 26), 'Suriyeliler gidecek' söylemi sığınmacıları nasıl etkiliyor? (How does the 'Syrians will go' discourse affect refugees?)
71. France24 (2024, July 2), Turkish police arrest hundreds after anti-Syrian riots in several cities.
72. Global Alliance of National Human Rights Institutions (GANHRI) Sub-Committee on Accreditation (SCA) (2022, October), Report.
73. Göçmen, İ. and Yılmaz, V. (2016), Exploring Perceived Discrimination Among LGBT Individuals in Turkey in Education, Employment, and Health Care: Results of an Online Survey, Journal of Homosexuality, 64(8).
74. The Guardian (2023, May 12), 'We're against LGBT': Erdoğan targets gay and trans people ahead of critical Turkish election.
75. Gürkaynak, G. and Yildiz, C. (2021, December 1), A Comparative Analysis of Non-Discrimination Law in Europe and Turkey.
76. Hrant Dink Foundation (HDF) (2023a), Media Watch on Hate Speech – April, May and June.
77. HDF (2023b), Hate Speech in the Press: Our Selections from September.
78. HDF (2023c), On the Edge of Elections: How was the Discriminatory Discourse in Politicians' Statements Reflected in the Press?
79. HDF (2019), Hate Speech and discriminatory discourse in media – 2019 Report.
80. Human Rights Association (HRA) (2020), Special Report on hate crimes and recent racist attacks in Turkey.
81. International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA)-Europe (2024), Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans, And Intersex People - Covering the Period of January to December 2023.
82. ILGA-Europe and LGBTI rights association for the Western Balkans and Türkiye (ERA) (2024), LGBTI Enlargement Review 2023.
83. ILGA-Europe (2024), Rainbow Map 2024.
84. International Labour Organization (ILO) (2022), ILO's support to refugees and host communities in Turkey.
85. ILO (2020), Syrian Refugees in Turkish Labor Market.
86. International Organisation for Migration (IOM) (2020), Turkey Overview of the Situation with Migrants - Migration Presence Monitoring Quarterly Report Q1 2020.
87. IOM (2023), Türkiye - Migrants' Presence Monitoring, Situation Report March 2023.
88. IOM (2024) MPM Türkiye - Migrant's Presence Monitoring (Overview of Migrant Situation, Situation Report) August 2024.
89. KAOS-GL (2024, June 14), Trans woman Gece Yanıker was murdered by a man.
90. KAOS-GL (2024, June 11), LGBTI+ activists detained in Eskişehir Pride March released.
91. KAOS GL (2023), 2022 Medya İzleme Raporu.
92. KAOS-GL (2019, July 5), Turkish Religious Affairs targeted LGBTI+'s in Friday khutbah.
93. Ministry of Foreign Affairs of the Netherlands (2023), General Country of Origin Information Report – Türkiye.
94. Minority Rights Group,Türkiye/Alevis in Türkiye.
95. Le Monde (2024, February 16), An aggressive anti-LGBTQ+ campaign mounts in Turkey.
96. Le Monde (2024, January 28), Istanbul Catholic church attacked by armed assailants.

97. The New York Times (2023, May 31), After Erdogan's Attacks, Fear Spreads Among L.G.B.T.Q. People in Turkey.
98. Organization for Security and Co-operation in Europe (OSCE)– Office for Democratic Institutions and Human Rights (ODIHR), Hate Crime Report – Turkey (2022, 2021, 2020, 2019): https://hatecrime.osce.org/turkey.
99. OSCE – ODIHR, website, Hate Crime Report – Turkey (2022) / Incidents Reported by Civil Society / Racist and xenophobic hate crime, see: https://hatecrime.osce.org/turkey.
100. OSCE – ODIHR, website, Hate Crime Report – Turkey (2021) / Incidents Reported by Civil Society / Anti-Semitic hate crime, see: https://hatecrime.osce.org/turkey.
101. Osservatorio Balcani Caucaso Transeuropa (2023, June 13), Politics and hate speech in the Turkish media.
102. PEW Research Centre (2020, June 25), The Global Divide on Homosexuality Persists.
103. Protestan Kiliseler Derneği (PKD), *Association of Protestant Churches - Turkey* (2020), 2019 Human Rights Violations Report.
104. Protestan Kiliseler Derneği (PKD), *Association of Protestant Churches – Turkey* (2024), 2023 Human Rights Violation Report.
105. Reuters (2023, October 7), Turkey's Erdogan tells supporters he does not 'recognise' LGBT.
106. Roma Memory Studies Association – Romani Godi / Office of the High Commissioner for Human Rights (2023), Promoting and protecting economic, social and cultural rights within the context of addressing inequalities in the recovery from the COVID-19 pandemic.
107. Social Democracy Foundation, Istanbul Planning Agency, and Zero Discrimination Association (2021), Türkiye'de Roman Toplulukları ve Yoksulluk Araştırması [*Research on Romani Communities and Poverty in Turkey*].
108. Sözcü (2023, May 12), Diyanet de LGBT dedi (*Diyanet also said LGBT*).
109. TEK (2022), 2021 Protestant Community Rights Violation Report.
110. The Times (2024, July 3), Violent Turkish mobs attack Syrians who fled Assad's atrocities (3 July 2024).
111. The Times of Israel (2023 October 30), 'Jews not allowed': As Erdogan praises Hamas, antisemitism rages in Turkey.
112. UNICEF (2024), Report on Analysis for Out-Of-School Syrian Children. Türkiye Country Report.
113. Women and Families Studies Research Centre (Kadir Has University) (2020), Survey: Public Perceptions of Gender Roles and the Status of Women in Turkey.
114. World Evangelical Alliance/ Baptist World Alliance/Protestan Kiliseler Derneği (PKD), *Association of Protestant Churches - Turkey* (2019), Turkey: Freedom of Religion or Belief and the Situation of the Protestant Christian Minority (Universal Periodic Review 35th session – Stakeholders Report).

APPENDIX: GOVERNMENT'S VIEWPOINT

The following appendix does not form part of ECRI's analysis and proposals concerning the situation in Türkiye.

ECRI, in accordance with its country-by-country procedure, engaged into confidential dialogue with the authorities of Türkiye on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version (which, in line with ECRI's standard practice and unless otherwise indicated, could only take into account developments up until 21 November 2024, date of the examination of the first draft).

The authorities also requested that the following viewpoint be reproduced as an appendix to the report.

1. The Government of the Republic of Türkiye reiterates its appreciation and support for the work that the European Commission against Racism and Intolerance (ECRI) has been undertaking.

Today, the international community witnesses unprecedented violence and conflicts with serious and possibly long-lasting global repercussions. In parallel to these developments, racism, xenophobia, anti-Islam hatred and antisemitism have increased to alarming levels, coupled with divisive political rhetoric, violent attacks, discrimination and intolerance. This trend carries with it the potential to threaten peace and harmony within any society and to risk global harmony, if not properly addressed. Physical and other forms of attacks against people, places of worship, holy books and other religious symbols, and cemeteries have become a cause of great concern, as expressed in the calls and statements issued by international organisations, as well as those made by governments and civil society. At such a critical period of time, Türkiye believes that ECRI and the mission it has been mandated with have become all the more relevant and important.

With this understanding, Türkiye will continue its constructive dialogue with ECRI showing due consideration to its work and recommendations.

2. However, not all findings, assessments and recommendations of ECRI in the Report approved at its 96th plenary (hereinafter referred to as "the Report") are in line with how Türkiye evaluates the situation and they do not always concur with Türkiye's longstanding principles and policies. The Report contains also allegations which are not sufficiently supported by objective and concrete facts, as well as comments portraying isolated incidents as violations of non-discrimination through far-fetched accusations. Türkiye thus has the honour to present the following observations and explanations on the Report.

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

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

Since the adoption of ECRI's fifth report on Türkiye in 2016, further progress has been made in combating discrimination and promoting equality. Human Rights Action Plan (HRAP)[1] covering 2021-2023, announced on 2 March 2021 with "*Free Individual, Strong Society; More Democratic Türkiye*" vision, outlined specific measures to improve the effectiveness of the fight against all forms of discrimination and hate speech, such as developing investigative guidelines for hate crimes, conducting public awareness campaigns and improving data collection on discrimination and hate-related offenses. Further information on combating discrimination is provided in the following related sections as titled by ECRI.

FOREWORD

4. In the **foreword section of the Report**, ECRI uses the phrase "*fight against racism, discrimination (on grounds of "race", ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance*". Türkiye believes that hatred against Islam, which is a widely witnessed form of discrimination in Europe, should have been added in this enumeration.

[1] *See HRAP and its implementation reports at https://insanhaklarieylemplani.adalet.gov.tr*

I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS

A. Equality bodies

5. The works carried out by the Human Rights and Equality Institution of Türkiye (HREIT), as the national anti-discrimination and equality institution, and the Ombudsman Institution (OI) make significant contributions to the efforts in combating discrimination and promoting equality.

6. Regarding **paragraph 3 of the Report**, according to Article (8/1) of the Law No. 6701 "*The Human Rights and Equality Institution of Türkiye, affiliated to the Minister and nominated by the President of the Republic of Türkiye, with public legal entity status and administrative and financial autonomy, has been established in order to fulfil the duties and execute the powers conferred on it by this Law and other relevant legislation.*"

The HREIT has been associated with the Ministry of Justice (MoJ) through the Presidential Circular No. 2018/1. The expression "*Associated Institution*" in Türkiye does not imply any hierarchical commitment. According to Article 123 of the Constitution, "*The administration is a whole with its organisation and duties.*" For this reason, all public institutions, including the autonomous ones, have been connected to the central administration in some way. The fact that the HREIT is associated with the MoJ does not mean that the institution is under an obligation to be accountable to the MoJ.

7. As to **paragraph 6 of the Report**, the Law No. 6701 prohibits discrimination 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. Many applications are received by the HREIT on discrimination grounds remaining within the scope of ECRI's work.

B. Inclusive education

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

9. Inclusion of all children in education continues to be a priority. The 12th National Development Plan (2024-2028) stipulates goals and policies aiming to strengthen equality of opportunity in access to quality education.

Türkiye continues to provide all necessary support to children who have difficulty in pursuing education due to financial or geographic constraints. Free school materials, transportation and meal services are provided to children in economically disadvantaged situations. Programmes such as "*Social and Economic Support Service*" ensure that children who had dropped out of school due to financial difficulties continue their compulsory education. In rural areas, the Ministry of National Education (MoNE) has expanded "*Mobile Teacher's Class*" programmes whereby a pre-school teacher travels with a driver and auxiliary staff in a vehicle assigned for this purpose to remote areas where there are no kindergartens due to inadequate number of pre-school-aged children and offers pre-school education with flexible times. Recent amendments to school regulations allow for the establishment of pre-schools and primary schools even in sparsely populated areas, ensuring no child is left behind due to geographic constraints.

Other programmes such as "*Conditional Cash Transfer for Education*" (CCTE) have also been instrumental in promoting access to education for children in vulnerable situations, including foreign children under protection and girls in rural areas. Conducted in collaboration between the Ministry of Family and Social Services (MoFSS) and Turkish Red Crescent (TRC), CCTE includes financial assistance to cover educational expenses, raises awareness on the rights of the child and social aid services, and encourages families to continue their children's education, reducing absenteeism and early school dropouts.

There are also several projects and programmes aimed at promoting the access of foreign children under temporary protection to education and to support their social cohesion, such as the "*Project*

for Supporting Inclusive Education for Kids in the Turkish Education System" (PIKTES) which is being carried out by the MoNE and the European Union. PIKTES started its third phase in January 2023 and will continue until November 2025.

Vocational training programmes such as "*Project on Social and Economic Cohesion through Vocational and Technical Education*" and "*Vocational Education and Training Programme for Employment*" focus on improving social and economic cohesion, employability and qualifications of foreign persons under temporary protection as well as local communities through vocational education.

10. To prevent all forms of discrimination, including hate speech, while promoting awareness of freedom of thought, religion and conscience, textbooks and educational tools are evaluated based on specific criteria such as:

Equality and Inclusivity: Textbooks and tools must be designed inclusively, without infringing on individual rights or freedoms. Content must uphold universal human rights without discrimination based on race, colour, language, religion, political preference, ethnicity or other factors.

Freedom and Justice: Materials must respect freedom of religion, conscience, thought and expression, as well as promote justice, social harmony, and human rights.

Neutrality: Content must avoid derogatory, exclusionary or excessively laudatory language and must not include general statements based on cultural, ethnic or religious characteristics.

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

The primary goal of making religious culture and moral education courses compulsory in formal education institutions is the fostering of tolerance, unity and cohesion among students, ultimately enabling them to contribute to societal harmony, moral renewal, social reform and world peace. As explicitly stated in the Constitution, "*other religious education and instruction shall be subject to the individual's own desire, and in the case of minors, to the request of their legal representatives."* Non-Muslims are exempt from the compulsory religious education.

In the Religious Culture and Moral Education (*DKAB*) curriculum, careful attention is given not only to contemporary world religions, but also to diverse interpretations, ideas and traditions that have emerged within Islamic culture over time. This approach aims to familiarize students with different religious understandings present in Türkiye. Furthermore, each of these religious perspectives is recognized as a valuable component within Islam. The curriculum encourages students to accept these various religious understandings as enriching, fostering empathy and enabling them to live in peace and harmony within the framework of fundamental rights and freedoms without exclusion of anyone.

The MoNE applies "*Toledo guiding principles on teaching about religions and beliefs in public schools*" developed by the Advisory Council of Experts at the Office for Democratic Institutions and Human Rights (ODIHR) of the Organisation for Security and Cooperation in Europe (OSCE), to ensure objectivity and inclusivity for all beliefs and worldviews in DKAB course content. These principles can be summarized as follows:

- Compulsory religion and belief courses in public schools align with freedom of religion and belief if taught objectively.
- Where religious education is provided, more emphasis can be placed on the majority religion.
- There is no issue with compulsory or elective status provided that religion and belief instruction is delivered objectively.
- Learning solely about one's own beliefs is insufficient; the programmes should adhere to academic and professional standards based on truth and impartiality.

In line with these principles, *DKAB* curriculum aims to help students understand religious and moral concepts, recognize the influence of religion on social life, culture and civilization, respect diverse beliefs and interpretations, become aware of various religious behaviours and experiences, and internalize moral values. Moreover, *DKAB* course is structured as a cultural course. Its curriculum does not teach any specific religion or interpretation; rather, it focuses on Islam, embraced by the majority of Türkiye's population, and other religions. The curriculum includes general information about all prevalent religions and belief systems worldwide. Throughout the course, students are introduced to major world religions and religious diversity, promoting tolerance and preventing religious biases to support and maintain social peace. It employs a phenomenological approach in presenting the beliefs, traditions and rituals of religions, excluding any content that is inconsistent with their doctrines or core texts.

DKAB curriculum has undergone restructuring since 2005, expanding to incorporate diverse cultures and religious values in response to current developments and needs. This has led to a "*supra-religious*" approach, not prioritizing any single religion and adopting a "*religion-inclusive*" model that seeks to understand world religions by examining each within its own conceptual and doctrinal framework through an "*empirical*" approach.

DKAB curriculum for grades 4 through 12 was updated under *Maarif Model* and was approved by the Board of Education on 23 May 2024. These revised programmes will be implemented progressively across all grade levels beginning with Grade 1, 5, and 9 in the 2024-2025 academic year. Input from the Presidency of Alevi-Bektashi Culture and Cemevi was taken into account in this update. Furthermore, elective courses were introduced in the 2023-2024 academic year, such as "*Contributors to Our Culture and Civilisation*", "*Morality and Citizenship Education*", "*History of Turkish Thought*" and "*Classical Moral Texts*", all of which include content related directly or indirectly to Alevi-Bektashi topics.

As with previous curricula, the renewed DKAB course programmes are based on the principle that no specific religion or sect is taught and that they follow a "*supra-religious*" approach[2].

The DKAB curriculum is based on two core approaches: "*scientific education*[3]" and "*religious studies*[4]". Principles for implementing the DKAB course curriculum are as follows:

- An empirical approach is adopted for teaching both various religions and interpretations that have emerged in Islamic thought. Religions, beliefs and Islamic interpretations are taught based on their own texts, source and principles.
- In teaching religious practices within Islam (such as ablution, ritual washing and prayer), explanation of different interpretations and practices by sects are provided by the teachers, if necessary.

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[2] "*Within the education system, religious and moral education serves an essential role in the cultivating healthy, independent, inquisitive, wise, courageous, compassionate, patriotic, ethically sensitive, and morally upright individuals. Additionally, religious and moral education, which is enriched by values grounded in social, cultural, moral and legal principles, contributes to societal harmony. Only an objective religious and moral education allows the individual to develop a constructive understanding of the beliefs, cultures and values of the societies in which they live and interact. In this regard, the DKAB curriculum supports the development of societal consciousness that respects individual freedom and autonomy. This approach, which regards the right to education and freedom of belief as fundamental human and legal rights, considers moral action indispensable to the exercise of this right. Compliance with principles of applying nationally and internationally recognized rights and education is priority of the course curriculum.*" - https://tymm.meb.gov.tr/upload/program/2024programdin45678Onayli.pdf

[3] "*The DKAB curriculum emphasizes that, for meaningful learning to occur, information must be presented in a way that takes into account real-life context and the associative world of the student. To this end, the curriculum provides opportunities for students to question, discuss, plan and apply knowledge, and encourages them to construct knowledge mentally and transfer it to new situations. The DKAB curriculum enables an understanding of religion and morality education that considers the individual's beliefs, values and religious life experiences. This type of experiential teaching fosters meaningful learning and contributes to the holistic development of personality.*" - https://tymm.meb.gov.tr/upload/program/2024programdin45678Onayli.pdf

[4] *"The DKAB curriculum was developed based on principles of learning from religion and learning about religion. This approach aims to enable students to objectively understand interpretive diversity within their own religion, as well as other religions, beliefs and worldviews, through descriptive and analytical perspectives. One of the curriculum's goals is to encourage students to reflect on and discuss religious and moral issues, thereby fostering a deeper understanding of their society and the world."* - *https://tymm.meb.gov.tr/upload/program/2024programdin45678Onayli.pdf*

- Approaches, attitudes and behaviours that undermine freedom of religion, conscience and thoughts are avoided. Students are not compelled to express their religious beliefs or thought, nor are they required to perform religious practices referred to in the programme.
- Students are encouraged to act respectfully toward human dignity, thought, rights, moral principles and cultural heritage.

In summary, Turkish education system upholds principles of pluralism and objectivity. DKAB course curriculum is consistent with the said principles and aligns with the general and specific objectives of Turkish National Education as well as with the European Convention on Human Rights and Toledo guiding principles. The duty to remain impartial towards religions, sects and beliefs is fulfilled. The neutral and objective delivery of DKAB course promotes social integration and solidarity for all members of the society. It fosters tolerance and dismantles prejudice among people of different faiths and cultures, and thus, plays a positive role in the building of a democratic society.

In that regard, the allegations made in the Report about the inclusion of some Sunni sects and exclusion of Alevi students from the religious education course do not reflect the reality. The curriculum of religious education has been developed with the "*supra-religious*" approach by aiming to include all students from different religious backgrounds.

12. Regarding **paragraph 9 of the Report**, the project of "*I am sensitive to my environment, I claim my values*" (*ÇEDES* Project) is a corporate, transparent and auditable initiative jointly conducted by the MoNE, the Ministry of Youth and Sports (MoYS), and the Presidency of Religious Affairs (PRA). It is entirely based on voluntary participation and includes students who join the "*values club*" with a parental consent form. The project is not a religious education programme but rather a values education initiative that focuses on experiential learning outside the classroom. There is no requirement for the "*values club*" teacher to be a DKAB teacher; teachers from all branches can lead the "*values club*".

The project's underlying goals stem from the Constitution and the National Education Basic Law. It aligns with the Regulation on Social Activities in Educational Institutions and the Directive on Permits for Social Activities issued by the MoNE. It aims to instil in students values such as justice, family unity, diligence, friendship, sensitivity, honesty, ethics, privacy, compassion, modesty, freedom, patience, healthy living, respect, love, responsibility, thrift, cleanliness, patriotism and benevolence through activities outlined in the educational programme.

Project stakeholders, including staff from the MoYS and the PRA, can support the "*values club*" teacher during activities conducted outside school. The MoNE is the project's executive body, with the "*values club*" teacher serving as the leader in coordination. Religious officials are not permitted to conduct activities within the classroom as part of the project. An educator's guide outlining activities for each month was published for the academic year 2023-2024.

Some activities not included in the project were later on reported as if they were part of the project. These incidents are mentioned in the Report as if they were formally part of the project, whereas this was not the case. Necessary warnings were issued to those responsible regarding these isolated incidents. In the incident mentioned in the Report, the teacher invited a religious official with a doctoral degree to attend a class. The project does not permit such activities. In other words, religious officials are not allowed to participate in classes within the framework of the project. To prevent similar incidents from taking place in the 2024-2025 academic year, project rules and procedures have been revised. A "*Compass Educator's Guide*" which outlines monthly activities related to the value of the month is now being published. Activities are strictly limited to those included in the guide.

13. 2024 Higher Education Institution Examination Guide, provided by the Student Selection and Placement Centre, states that students exempt from the DKAB course during their education have the possibility to answer questions from the philosophy group course instead of questions related to the DKAB course. Therefore, the allegations in **paragraphs 10 and 11 of the Report** suggesting the removal of religious education from the general university entrance exams are irrelevant.

Moreover, the Imam Hatip schools provides more detailed religious courses for their students willing to receive these courses. Therefore, removal of religious education questions from the general university entrance exams would be unfair for students graduating from these schools.

14. As to **paragraphs 16 and 17 of the Report**, according to the data entered into the e-investigation module of the MoNE, sixteen inspections/investigations, which can be considered as discrimination cases experienced in schools, were initiated during the last year, and in this context, the penalty of "*suspension of promotion*" was used against acts of two teachers in accordance with Article 125/D-1 of the Public Servants Law No. 657, prohibiting "*discrimination based on language, religion, race, sex, political opinion, sect or philosophical belief in the performance of duties*".

On the other hand, disciplinary proceedings against students are carried out by school administrations and provincial directorates of national education in accordance with the relevant legislation.

Moreover, as a human rights institution having the competence to examine applications from children under the age of 18 through a web page specially prepared for children[5] without requiring any parent/guardian approval or permission, the OI receives numerous applications regarding cases of discrimination, bullying or harassment of children on different grounds including race, religion, language, sexual orientation or sex characteristics. In such "*applications related to children*", Ombudsman experts and social service specialists working in the OI Child Unit conduct a telephone interview with the child in question. Following the "*Professional Opinion and Assessment Report*" prepared by the social service specialist, a decision proposal report is prepared by Ombudsman experts and the Ombudsperson, and final decision is issued by the Chief Ombudsperson.

Besides, according to the OI's Institutional Strategy on Children's Rights adopted in 2020, the OI's Strategic Priorities are:

- Implementing rights of the child in accordance with the Convention on the Rights of the Child,
- Increasing awareness of rights of the child in Türkiye,
- Making progress in the field of rights of the child in Türkiye,
- Maintaining the capacity of the OI to protect rights of the child,
- Increasing trust in the OI.

C. Irregularly present migrants

15. Türkiye, one of the countries that have been at the centre of migration flows throughout history, is highly affected by the current migration flows resulting from the crises in its region. In recent years, there has been a significant increase in the number of foreigners migrating to Türkiye due to its geographical location and policies. Türkiye currently hosts a large number of Syrians who have been granted with "*temporary protection*" status as well as foreigners who are "*international protection applicants or status holders*" from various countries. At the same time, Türkiye continues its fight against irregular migration both at its borders, within the country as well as in cooperation with countries of source of migration.

Türkiye currently hosts more than 4 million foreigners, including around 3 million migrants under international protection and more than 1 million with residence permit. In addition, around 200,000 irregular migrants (454,000 in 2019) are apprehended every year. Türkiye works devotedly to ensure basic human rights to every individual regardless of whether the person is a migrant or a citizen. At the same time, due consideration should be given to the fact that Türkiye has been hosting foreigners of this magnitude for many years.

16. In October 2021, the Ministry of Interior's (MoI) Directorate General on Migration Management, responsible for coordinating national action on migration, was transformed into Presidency of Migration Management (PMM). The Directorate General for Harmonisation and

[5] https://kdkcocuk.gov.tr/

Communication was established within the PMM to ensure the harmonious coexistence of foreigners within the Turkish society. The responsibilities of the PMM are set out in the Law on Foreigners and International Protection (LFIP) No. 6458[6]. In line with the strategy documents prepared, action plans are being implemented to ensure harmonisation and to combat irregular migration as well as human trafficking.

17. The entry, stay and exit of foreigners in Türkiye are regulated by the LFIP. This Law also outlines the scope of protection provided to foreigners and the procedures and principles of its implementation.

Article 96 of the LFIP titled '*Harmonisation*' states that "*..., in order to facilitate the mutual harmonisation of the foreigner and the applicant or international protection status holders with the society in our country and to provide them with knowledge and skills that will facilitate their independent movement in all areas of social life in our country, in the country of resettlement or in their country of return without mediation of third parties, public institutions and organisations can plan harmonisation activities by taking the suggestions and contributions of local governments, non-governmental organisations, universities and international organisations*."

The use of the concept of '*harmonisation*' instead of '*integration*' in the law is aimed at an understanding that foreigners should be included in the society where they live in from several different perspectives. The harmonisation process aims at mutual active interaction and voluntarism. Harmonisation denotes a multidimensional characteristic. Harmonisation aims to enable foreigners to realise their talents not only in the economic field but all areas of life, including social and cultural fields.

By its very nature, harmonisation is a concept that requires inter-sectoral coordination and the involvement of different institutions and organisations. Accordingly, all stakeholders, particularly public institutions and organisations, play a role in harmonisation. In accordance with its mandate, the PMM carries out various activities to inform foreigners, conduct field research and analyses, and raise awareness of Turkish citizens. In this context, the activities carried out until October 2024 are as follows:

- 2,472,782 people were contacted within the scope of information-based harmonisation activities by the PMM.
- 4,082,916 people were contacted regarding adult education activities of relevant institutions, especially the MoNE.
- 1,254,982 people were contacted regarding social cohesion activities of stakeholder organisations.

Measuring adaptation is a difficult issue due to its nature as it concerns different sectoral areas and as it is directly affected by the socio-economic and political agenda of the country and the region. However, as a result of the implemented policies and activities, the level of social acceptance of foreigners under various statuses by the Turkish society remains stable and foreigners enjoy similar access to fundamental rights and services, particularly education and health, as with Turkish citizens.

The success of the recent practices is also recognised by independent international institutions. In this context, Migrant Integration Policy Index (MIPEX) score of Türkiye increased to 43 in 2019 while it was 22 in 2010 and 24 in 2014. Efforts for developing and improving activities in this field continue.

18. Türkiye, with all its institutions and organisations, endeavours to meet the essential needs of forced migrants. In this context, health services provided under the coordination of the Ministry of Health (MoH) and in cooperation with relevant national and international institutions and organisations constitute one of the most important aspects of this effort.

While different nationalities and statuses, modes of arrival, lengths of stay, language and cultural differences, and the mobility of the migrant population within the national borders of the host country negatively affect the planning and delivery of health services, the MoH strives to

[6] *See LFIP at https://en.goc.gov.tr/lfip*

overcome these problems and provide the essential health services with the service models it has developed. The health services provided to forced migrants in Türkiye stand out as an example in terms of their scope and model.

19. Regarding **paragraph 19 of the Report**, Türkiye has a significant removal centre capacity of 18,780. Thanks to the effective and functioning repatriation mechanisms, the vast majority of irregular migrants who do not have any obstacle for deportation[7], such as health status, etc., can be sent back to their countries.

All irregular migrants apprehended in Türkiye and hosted in removal centres are provided with health services such as examination and immunization by health personnel assigned by the MoH. A cooperation protocol was signed in 2023 between the MoH and the MoI to ensure the sustainability and institutionalisation of health services in removal centres. Primary health care services for foreigners in the centres, and referral and transfer procedures to hospitals according to the needs are carried out within the scope of this protocol. Doctors and health personnel are assigned by the Governorates to the health units established within the removal centres. Irregular migrants can be referred to the nearest health institution for treatment either with the guidance of the health personnel in charge at the centre or in case of emergency. Medication and treatment expenses of these persons are covered by the PMM.

During the COVID-19 pandemic, in addition to legislative arrangements adopted in order to increase the health services provided, such as the inclusion of the COVID-19 diagnoses and treatments within the scope of "*emergency cases*" and the provision of personal protective equipment, diagnosis tests and medicines for all persons regardless of whether they have any social security coverage or not, trainings were provided to the personnel working in the migrant health centres of the MoH on raising awareness regarding the fight against COVID-19. Interpreter support services were provided to the filiation teams. Brochures on disease prevention and treatment were distributed. A publication on disease prevention and quarantine was posted on the MoH's website in Arabic and English. All medicines, necessary medical equipment and vaccination used in the treatment (outpatient/inpatient) of COVID-19 were provided free of charge.

Health and psychosocial support services were provided indiscriminately following the earthquake disaster in February 2023.

20. Regarding **paragraph 20 of the Report**, psychologists and social workers are employed in the psychosocial support units of the removal centres. In addition to their work within the units, the relevant personnel also carry out activities in various fields such as education, training, handicraft courses, painting, art therapy, cultural, artistic and sports activities for both accompanied children and adults in order to minimize the negative factors that may come with keeping people in a closed environment.

Following the publication of the Regulation on Alternative Methods to Administrative Detention in 2022, such alternative methods were implemented widely. Necessary efforts are underway to ensure that children of foreigners subject to alternative to administrative detention have access to education.

[7] *See Article 55 of the LFIP.*

D. LGBTI equality

21. Türkiye's constitutional system is based on the equality of all individuals without discrimination. This implies that all individuals enjoy the same rights and have the same obligations without discrimination.

Article 10 of the Constitution guarantees equality before the law irrespective of language, race, colour, sex, political opinion, philosophical belief, religion and sect or any such considerations. The phrase "*any such considerations*" ensures that the grounds for the prohibition of discrimination are not limited to those listed. In addition to the Constitution, variety of laws specifically recognize the equality of all persons before the law and prohibit discrimination on all grounds. Furthermore, Article 122 of the Turkish Criminal Code entitled "*hatred and discrimination*" provides a penalty for hate crime. In addition to this legal framework, Türkiye has achieved significant progress with regard to institutionalisation in the field of combating discrimination. Persons claiming to have faced discrimination can lodge an application before the OI and the HREIT, in addition to seeking remedies before the judiciary.

All allegations and reports of any human rights violations based on discrimination, including acts of hate crimes against LGBTI persons, are promptly investigated and the perpetrators of such acts are brought to justice.

22. Although the States are legally obliged to protect the family, the natural and fundamental group unit of society (Article 23 of the International Covenant on Civil and Political Rights and Article 10 of the International Covenant on Economic, Social and Cultural Rights), there is no legal obligation upon States nor longstanding consensus within States, including the Members of the Council of Europe, as the recognition of same-sex relations as "*family life*" or the recognition of same-sex unions or "*collective rights*" of LGBTI persons. It is also a fact that there is no consensus on the definitions included in ECRI's glossary or the indicators used in the index of ILGA to which the Report refers, especially those referring to "*gender identity*".

It should be emphasized that the doctrine of margin of appreciation allows a wide margin of appreciation to States where the cases raise sensitive moral or ethical issues and that the State is required to strike a balance between competing private and public interests or rights, including women's rights and the rights and best interests of the child.

The denial of the binary and biological nature of sex while arguing the gender recognition on the basis of the individual's self-declaration or the existence of various identities beyond two sexes may be used to undermine or disregard the biological attributes and needs specific to the two sexes.

Cases of discrimination and violence exercised against women and girls are increasingly taking place in a number of countries on the basis of their female sex or the needs related to their female sex. Women have been increasingly attacked for articulating the defence of their rights to equality and freedom from discrimination based on their sex. This includes their specific needs that emanate from this characteristic, such as the right to single-sex spaces. As highlighted by the United Nations Special Rapporteur on violence against women and girls, a deliberate conflation of sex and gender leads to erroneous conclusions, mischaracterisation of problems in society, and therefore also to misinformed responses.

23. As regards education, the overarching goal of the Turkish education system is to develop individuals who embrace democratic, secular and social values, exhibit a balanced development of intellectual, moral and emotional characteristics, respect human rights and contribute positively to society. The current system and curriculum cannot be considered as promoting intolerance towards LGBTI persons. On the contrary, they aim to protect the best interests of the child and to promote tolerance and neutrality in order for children to have an environment that is suitable for ensuring their physical, intellectual and moral development.

24. Regarding **paragraphs 24 and 25 of the Report**, any person facing physical and/or psychological harassment may file complaints through an individual petition to the Ministry of Labour and Social Security's (MoLSS) "*Working Life Communication Centre*".

25. Regarding **paragraph 29 of the Report**, freedom of assembly and association is safeguarded by the Constitution. Everyone has the right to hold peaceful demonstrations without any prior permission. In line with the case law of the European Court of Human Rights, restrictions on these rights can be introduced by law. These restrictions are only implemented to the extent necessary to protect national security, public safety, public order, public health or morals or the rights of others.

The formalities, conditions, and procedures to be applied in the exercise of the right to hold meetings and demonstration marches are set forth by law. According to the relevant legislation, 48 hours prior to a meeting, the relevant authorities shall be notified of the place of the planned meeting. The prior notification obligation should not be considered as a permission. Its purpose is to allow the authorities to take appropriate measures to guarantee the smooth conduct of the meeting, prevent potential provocative actions and ensure the security and safety of demonstrators. It serves not only the aim of preventing disorder or crime, but also the aim of reconciling the right of assembly with the rights and lawful interests of others.

Organisers of public gatherings should respect the rules governing that process by complying with the regulations in force. If the notification is not submitted prior to the meeting, the meeting shall be considered unlawful.

According to the Law, the participants of such illegal meetings shall firstly be notified of their meeting's illegal status and, if the meeting is not ended upon such notification, a warning shall be made, stating that proportionate force will be used in case the participants do not disperse after the warning. The principles regarding the law enforcement's authority to use force are stipulated in detail in the relevant Law. According to the Law, if the police encounters resistance while exercising its duty, they are authorised to use force in a proportionate and gradual manner. Depending on the nature and degree of the resistance, the police may use physical and material force in a gradually increasing proportion to render the resisters ineffective. Pursuant to the Code of Criminal Procedure, notifications or complaints concerning crimes allegedly committed by law enforcement officials may be filed before the Chief Public Prosecutor's Office. As soon as the public prosecutor is informed, either through a notification or any other way, of a fact that creates an impression that an offence has been committed he/she shall *ex officio* conduct an investigation and examination.

II. HATE SPEECH AND HATE-MOTIVATED VIOLENCE

26. Quotations in **paragraph 44 of the Report** from the statements by high-level Turkish officials are considered to have been taken out of their context. The Report's wording distorts the content of these statements which were made with the aim of protecting the values, rights, freedoms of the society and the family. The Friday sermon and meetings referred to in the Report did not contain any references to the term LGBTI.

27. The allegation of "*lack of trust in the police*" in the second sentence of **paragraph 51 of the Report** runs the risk of misleading victims of hate crimes not to report their cases and thus cannot be accepted. The Turkish legislation on combating discrimination and hate crimes is in line with international norms. Investigations and inquiries into all reports and complaints of alleged cases of discrimination and hate crimes submitted to law enforcement units are fully carried out by judicial law enforcement units in line with the orders and instructions of the competent public prosecutors' offices. Law enforcement officials do not have the authority to act arbitrarily upon these reports and complaints or to refuse to receive the reports and complaints. Law enforcement officials who act otherwise would face administrative and judicial investigations.

The "*process of investigation and prosecution*" of law enforcement officials in Türkiye complies with the principles of independence, participation, competence, timeliness and civilian oversight. All reports and complaints against law enforcement officials are meticulously investigated.

Sub-article 6/a of Article 8 of the Law No. 7068 on the adoption of the Decree Law on General Disciplinary Provisions of Law Enforcement Officials states that "*Discriminating against any language, race, sex, political opinion, philosophical belief, religion and sect during the performance of duty or discriminating attitude and behaviour among the personnel in such manner*" is defined as an act that stipulates the penalty of "*dismissal from the profession*". In this

respect, law enforcement officials who are found to have been involved in discriminatory behaviour are dismissed from the profession. In addition, the aforementioned act also constitutes a crime in terms of the TCC, and investigations are carried out by competent judicial authorities.

In order to create a database on "*discrimination, hate crimes and misdemeanours*" and to collect statistics credibly, a tab was added to the "*E-Module of the Monitoring, Complaint and Reporting System of Law Enforcement of the Ministry of Interior*" by the MoI's Civil Inspection Board on 10 May 2021 and since then, data on discrimination, hate crimes and misdemeanours have been monitored under a separate section in the Central Registration Module.

28. **Paragraph 63 of the Report** states that 294 judge and prosecutor candidates in 2023, and 388 in the first five months of 2024, received training on "*hate crimes*". However, the mentioned number of judge and prosecutor candidates actually received training on "*victims' rights*." Furthermore, while the same paragraph refers to an online training held on 5 April 2024, it fails to mention the remote training titled "*International Standards and Relevant Legislation on Hate Crimes*," conducted for 63 judges on 10 July 2024. Additionally, the final sentence of the paragraph states that approximately 2,500 judges and prosecutors received general human rights training in the period 2023-2024. However, these trainings were in fact part of pre-service education programmes targeting judge and prosecutor candidates.

Within the framework of the "*Memorandum of Understanding on the Implementation of the Training against Hate Crimes for Law Enforcement Officials*" signed on 22 January 2016 between the Turkish National Police Academy and the OSCE's ODIHR, the trainings delivered to date by the Turkish National Police Academy are presented in Annex-I.

On the other hand, within the scope of Basic Trainings for Law Enforcement Officials, trainings on human rights and hate crimes are provided within the General Directorate of Security:

- During the training at Police Chiefs Training Centres, 2 hours of "*Hate Crimes*" training is provided in the "*Police Superior Officer Practices*" lesson.
- In the second-grade fall semester of Police Vocational Schools (PVSs), "*Human Rights*" training is provided for 2 hours a week during 14 weeks (in total 28 hours); and "*Crime of Torture*" training is provided for 2 hours a week in the "*Criminal Law (Private)*" lesson.
- In the second-grade spring semester of PVSs, "*Hate Crimes*" training is provided for 2 hours a week in the "*Vocational Practices-2*" lesson.
- In the first semester of Police Vocational Training Centres (PVTCs), "*Human Rights*" training is provided for 2 hours a week during 15 weeks (in total 30 hours).
- In the second semester of PVTCs, "*Hate Crimes*" training is provided for 2 hours a week in the "*Applied Policing*" lesson and "*Democratic Policing and Human Rights*" training is given for 2 hours a week in the "*Democratic Policing*" lesson.
- For Neighbourhood Watchmen, "*Democracy and Human Rights*" training is provided for 2 hours a week for during 12 weeks (in total 24 hours); and "*Hate Crimes*" training is provided for 3 hours a week in the "*Applied Training for Neighbourhood Watchmen*" lesson.
- A textbook on "*Human Rights-Oriented Police Training*", published by Police Academy Publications, is used in "*Human Rights*" lessons given at PVSs and PVTCs.
- Conferences are held on "*Human Rights and Hate Crimes*" to increase knowledge in trainings at PVSs and PVTCs.

Within the scope of the trainings provided to law enforcement officials working at the Gendarmerie General Command, 85,091 personnel (Officer, Non-commissioned Officer, Specialist Gendarmerie and Gendarmerie Specialist Sergeant) were trained on hate crimes in 2024.

29. Work carried out by the HREIT and the OI makes significant contributions to the efforts in combating hate acts. The HREIT's administrative and financial autonomy ensures that it operates

independently and enables it to investigate hate cases, impose fines and oversee compliance with legislation in public and private sectors. The OI is able to monitor whether public institutions comply with the principle of non-discrimination in all complaints, even in the absence of an explicitly raised allegation. In doing so, it *ex officio* upholds the principle of non-discrimination and provides recommendations to administrations in cases of hate acts. The HREIT and the OI carry out also trainings and other activities to raise the level of awareness particularly on remedies to be applied against discrimination and hate acts.

30. As of 1 July 2020, Türkiye has become party to the Council of Europe's Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events. The meetings of the "*Committee on Safety and Security at Sports Competitions*" (T-S4), which was established for implementing and monitoring the provisions of the Convention and which holds meetings twice a year, are attended by a Turkish delegation led by the MoYS and consisting of representatives from also the MoI and the Turkish Football Federation. Türkiye was elected as the chair of the "*Advisory Group on Standard Setting and Legal Issues*" at the fourth meeting of the Committee held in October 2023 and continues to serve on the Committee.

III. INTEGRATION AND INCLUSION

A. Roma

31. The Roma Strategy Document (2023-2030) and the Phase I Action Plan (2023-2025), which were prepared under the coordination of the MoFSS and with the contributions of relevant institutions and organisations, entered into force on 21 January 2023.

The Strategy Document and the Action Plan, in line with the achievements of the previous period, are composed of 6 policy areas (education, employment, housing, health, social services-social assistance and general policies) with more comprehensive and measurable targets.

In order for Roma citizens to benefit from the Strategy Document and the Action Plan to the maximum extent, basic principles such as inclusiveness, increasing cooperation and coordination among stakeholders, ensuring more effective and intensive use of public services, and paying attention to equality between women and men in implementation have been determined. Additionally, the measures and practices under the heading of "*localisation*" aim to plan and monitor the activities at the provincial level. This will both contribute to evidence-based reporting and pave the way for planning in line with changing local needs.

The Action Plan consists of 34 actions in line with the current needs and budget limits. These actions mainly envisage the planning of activities that directly target Roma citizens by the public institutions and organisations as well as the facilitation of Roma citizens' access to existing services.

For instance, under the title of "*education*" in the Strategy Document and the Action Plan, goals have been set in line with the strategic objective of increasing the access to educational services for the Roma children, and ensuring that the Roma youth successfully complete compulsory education as the minimum threshold. The provinces are monitored to this end.

As regards to access to health services, the main strategy is to improve the health of Roma citizens, increasing their health literacy and ensuring they benefit from health services more effectively/efficiently. The Action Plan includes activities such as raising awareness of Roma citizens on diseases and risk factors, maternal and infant health, women's and reproductive health, vaccines and infectious diseases, and other public health issues, providing them assistance to adopt healthy lifestyles and ensuring that they utilize health services more efficiently and effectively.

Within the scope of the Strategy Document and the Action Plan, efforts have been undertaken through the Turkish Employment Agency (İŞKUR) to facilitate the participation of Roma citizens in the labour market.

The Action Plan also includes activities such as Roma Day celebrations and cultural events which aim to foster a climate of cohesion and solidarity between Roma and non-Roma citizens.

One of the activities planned under the Action Plan is stated as "*Thematic monitoring and evaluation will be conducted in order to disseminate the examples of best practices in the densely Roma-populated areas.*"

In addition to the Strategy Document and the Action Plan, local action plans have been prepared in order to ensure localisation of the work and policies for Roma citizens. In the densely Roma-populated areas, micro-level activities will be carried out under the scope and coordination of the governorates, and the involvement of Roma citizens will be maximized.

With the "*Roma Action Plan Monitoring Platform*", it is aimed to more effectively monitor and evaluate the Strategy Document, the Action Plan as well as the "*local action plans*". The platform was launched in 2024 and the registration of the institutions and personnel who are tasked to enter data has been completed. Implementation data on the Action Plan until 2025 are being added to the system.

32. The Establishment of a Strong Monitoring, Evaluation and Coordination Mechanism for National Roma Integration Strategy Project (ROMSID), carried out by the MoFSS, aimed to make tangible progress in assessing the services regarding the Roma. The Project was launched on 8 July 2020 and completed on 8 April 2023. The project included three main fields:

- Establishment of a monitoring and evaluation framework for the implementation of the Roma Strategy Paper and related practices
- Enhancing the monitoring and evaluation capacity of the respective personnel of the MoFSS and institutions responsible for the Strategy Document and the Action Plan,
- Strengthening cooperation, coordination and communication between different partner institutions regarding the monitoring and evaluation of the Strategy Document at both central and provincial levels.

33. Moreover, the Roma Coordination Centre has been established within the MoI in order to coordinate activities aimed at improving the efficiency of Roma citizens' access to education, health, employment, housing, social services, assistance as well as similar public services, and at increasing their socio-economic welfare.

An Advisory Board for the Roma Coordination has been established within the MoI in order to determine policy and priority proposals for enhancing the efficiency of Roma people's access to public services, and raising their standard of socio-economic welfare.

A Roma coordinator at the MoI and Roma field coordinators have been appointed to actively participate in efforts to increase the efficiency of Roma citizens' access to public services, to identify their demands and needs, and to propose solutions at the national and local levels. A total of 165 Roma Field Coordinators have been assigned, including the MoI Roma Coordinator, Provincial Roma Field Coordinators in 40 Provinces and District Roma Field Coordinators in 124 Districts of 20 Provinces.

34. The Social Inclusion Education Programme, conducted since 2022 under the MoFSS, aims to eliminate barriers to equal access to resources for persons in disadvantaged situations, including Roma. This programme is applied to strengthen inclusive approaches in public policies. Through the training of public servants and other stakeholders, awareness has been raised, contributing to social inclusion processes.

35. In order to support families and women, Social Solidarity Centres (SODAMs) operate to ensure that women who live in densely Roma-populated areas where socio-economic development is at low level, where disadvantaged groups live in large numbers, and where participation in social life is difficult with persons unable to access to social, cultural, vocational and sportive courses through their own means, become more productive. SODAMs also support children's development. Activities related to raising awareness among Roma women, legal advice, family counselling, prevention of early marriages and protection of children in disadvantaged families are also included in this framework. SODAMs are innovative, resilient and effective tools for supporting their social inclusion and developing sustainable infrastructure for them.

36. The MoYS has established youth offices in schools, universities, dormitories, sports halls and neighbourhoods, within youth centres to organise activities and extend services where young people are located. Activities are carried out to encourage all young people, including Roma youth, to enjoy sports and use their free time in an effective and useful way and to contribute to their social and cultural development by protecting them from harmful habits. In addition, trainings are provided in the fields of football, basketball, volleyball, folk dances and chess in order to prevent social exclusion and facilitate the adaptation of young people with limited opportunities to the society.

37. Technical Assistance for Promoting Social Inclusion in Densely Roma-Populated Areas Project (SIROMA), conducted between 2015 and 2017 in the coordination of the MoFSS, the MoNE and the MoH, aimed to support the integration efforts within the framework of the "*Roma Initiative*". Various activities were carried out in 12 provinces in order to increase institutional capacity, to raise awareness, to facilitate access to quality education, increase access to health services, and to increase social inclusion, especially by facilitating the entry of Roma into labour market under social security in densely Roma-populated areas, and to create a transformative movement towards social welfare by supporting the social inclusion of the Roma.

38. One of the two sections/groups under the project "*Improving the Social Integration and Employability of Disadvantaged Persons*" implemented by the MoLSS between 2016 and 2017 was entirely dedicated to increasing the employment and social integration of Roma citizens. Furthermore, within the scope of the "*Project on Supporting the Employment of Roma*" implemented in 2019, a survey was conducted on the situation and expectations of Roma citizens in the labour market in order to determine employment policies for them and to strengthen national and local capacity.

39. Under the Roma Action Plan, 20,924 people participated in on-the-job training programmes. Within the SODAMs, 794 vocational training courses were opened and 15,514 people participated in these courses.

Within the scope of the Roma Integration Project - Phase III, which is a joint project of the European Union and the Council of Europe, and of which the MoFSS is the main beneficiary, activities are being carried out, under the heading of socio-economic inclusion, on Roma participation in employment and reduction of unregistered employment. In this respect, an "*Employment Roadmap for Roma Living in Türkiye*" has been prepared and shared with the relevant public institutions. The project also organised stakeholder meetings to strengthen the fight against the problems experienced by Roma in the field of employment, reviewed the activities in the field of employment in the current action plan, and consulted on the issues to be considered in the preparation of the new action plan for the upcoming period.

B. Beneficiaries of international protection

40. In Türkiye, persons under international protection enjoy their fundamental rights, including access to social services such as education and health. Vulnerable people, especially unaccompanied minors, have priority in benefiting from healthcare services, psycho-social support and rehabilitation.

41. As to **paragraph 77 of the Report** regarding the information related to Ukrainians and the data on Ukrainian asylum-seekers in Türkiye, 34,440 Ukrainian nationals reside in Türkiye with residence permit as of 17 October 2024.

Under the current visa regime, Ukrainian nationals can travel to and from Türkiye with their identity cards without a visa for the purposes of tourism and business, provided that they do not stay more than 90 days in 180 days. However, after the outbreak of the Russian-Ukrainian war in 2022, various facilities were granted to Ukrainian nationals in terms of their entry into the country, their stay and departure. They have also the opportunity to stay in the country legally if they apply for international protection. In addition, they can benefit from the rights (health, education, access to labour market, subscription, legal assistance, consultancy, etc.) provided by the LFIP free of charge. Those without a place to stay can be accommodated in Temporary Accommodation Centres and benefit from the services provided there such as food, security, cleaning, interpretation, basic health services, psychological assistance, social, cultural and educational

activities etc. In these centres, trainings are also provided in various fields such as social adaptation and life, mother-child communication and rules, structured psychosocial support, privacy, Turkish language, preschool, wood design, awareness on combating human trafficking, etc.

The number of Ukrainian students in public schools is 2,446 whereas the number of those in private institutions is 1,015.

42. The main objectives of the Law No. 6735 on International Labour Force include ensuring access to the labour market for foreigners within the scope of regular migration and attracting qualified labour to Türkiye, as well as adopting policies for access and adaptation to the labour market for foreigners who come to Türkiye under forced migration. In order to determine the procedures and principles related to the implementation of this Law, the "*Regulation on the implementation of the International Labour Force Law*" entered into force on 2 February 2022.

With the aforementioned legislation, access to the labour market for foreigners who have come to Türkiye for various reasons or who want to come to Türkiye to work is legally regulated, and foreigners with different legal statuses are ensured access to the labour market.

Data on work permits are published regularly every year on the website of the MoLSS. According to the latest data, 329,066 work permits or work permit exemptions were issued in 2023[8].

The integration of foreigners into the labour market is also included in the national policy documents. Within the framework of the new National Employment Strategy, which is in force for the period of 2024-2028, improving the employment of women, youth, persons who are non-student or unemployed, persons with disabilities, the elderly and persons who are involved in international migration movements, and combating discrimination in working life will be included, and measures will be taken to assign responsibility for the action plan to be prepared to the institutions and organisations working in the relevant fields.

Various projects are implemented to increase the access of persons under international protection to employment:

- *"Supporting Transition to Labour Market Project (ISDEP 2)":* The project covering 2022-November 2025 has been planned as the second phase of the "*Employment Support for Syrians under Temporary Protection and Turkish Citizens Project*" (ISDEP 1). Within the scope of the Project, Turkish Red Crescent (TRC) is envisaged to provide basic supportive guidance services, Turkish language programmes, and integration and social skills needed to support the transition of Syrians under temporary protection out of social assistance into the labour market. The project aims to increase the employability of Syrians under temporary protection, foreigners under international protection, applicants for international protection and Turkish citizens, and to support their access to the labour market; to facilitate the transition of beneficiaries of the Emergency Social Safety Net Programme (SUY-ESSN) to the labour market, as well as to improve the institutional capacities of the General Directorate for International Labour Force at the MoLSS, İŞKUR and TRC. The project is implemented in the provinces of Gaziantep, Adana, Istanbul, Şanlıurfa, Bursa, Konya, Kocaeli and İzmir.

- *"Social and Economic Cohesion through Vocational and Technical Education Project (SEUP I and II)":* The project covering December 2020- November 2025 aims to provide quality and accessible vocational and technical education and training to the children of the Syrians under temporary protection and host communities in 15 pilot provinces (İstanbul, Gaziantep, Hatay, Şanlıurfa, Adana, Mersin, Bursa, İzmir, Kilis, Konya, Ankara, Kahramanmaraş, Kayseri, Kocaeli and Mardin).

- *The SEUP-III Project* was signed in October 2024 and started to be implemented in January 2025. It is expected to last for 48 months. Its purpose and content are in line with the previous SEUP-I and SEUP-II projects, and will be expanded with the addition of new schools.

[8] *See detailed information such as age, nationality, sex and sector at* https://www.csgb.gov.tr/uigm/yayin-ve-istatistik/istatistikler/

- *"Facilitating Access to Employment for Syrians and Host Communities through Quality Apprenticeships and Vocational Training in Türkiye (IMEP-I)":* The project covering January 2020 – October 2024 aimed to facilitate access to sustainable livelihoods and employment for Syrians and host communities by supporting skill-development through apprenticeships and vocational training in line with the labour market needs. By the end of June 2024, within the project:

- 39,284 Syrians were reached through family and workplace visits and social cohesion activities.
- 14,665 new Syrian apprentice students were registered in 36 pilot institutions. As part of improving the educational environment of these institutions, minor renovation/maintenance/repair and educational materials were provided.
- 13,904 Syrian students benefited from food and stationery support.
- 3,201 Syrian child workers were directed to formal education or apprenticeship training.
- 7,013 Syrians received certificates in adult vocational training courses organized under IMEP.
- 4,165 Syrians were provided with vocational counselling services and 2,222 Syrians with career guidance services.
- 5,456 Syrians participated in the Turkish speaking support programme.
- Work permits were given to 987 Syrians and 1,455 Syrians were registered with İŞKUR.

- *"Facilitating Access to Employment for Refugees and Host Communities through Quality Apprenticeships and Vocational Training in Türkiye (IMEP-II)":* The project covering March 2024-December 2028 aims to improve sustainable livelihoods and employment opportunities for refugees and host communities in Türkiye by supporting their skill-development through high-quality vocational education, training and apprenticeships in line with the labour market needs. Specific objectives of the programme are to enhance the resilience and economic integration of refugees and host communities through high quality apprenticeships and vocational training, to improve social cohesion among refugees and host communities, and to amplify efforts to eliminate child labour by improving the capacity, potential and inclusiveness of the apprenticeships and vocational training.

In addition, a project entitled "*Harmonisation of the Foreigners into Türkiye's Society, Social and Work Life*" has been programmed. The project aims to increase the employment of Syrians under temporary protection in Türkiye.

43. Syrians under temporary protection in Türkiye are offered health services in accordance with the Directive No. 2875 titled "*Principles on Health Services to be Provided to Those under Temporary Protection*" published on 25 March 2015 by the MoH. Accordingly;

- Syrians who are registered in Türkiye and who have been given a temporary identification number can directly apply to health facilities affiliated with the MoH in the provinces of their (official) residence and benefit free of charge from emergency health services, primary diagnosis-treatment services, preventive health services and therapeutic health services included in the Health Implementation Communiqué, like Turkish citizens.
- Intensive care, burn and cancer patients are referred to university or private hospitals when necessary, and no fee is charged for services rendered in the event of a proper transfer.
- In the case of outpatient treatment, they can obtain prescribed medication free of charge from the nearest pharmacies. Expenses for medicines and medical equipment (orthotics, prostheses, etc.) are financed by the PMM.
- People under temporary protection are vaccinated, like the citizens, in line with the National Vaccination Calendar.

Data on health services provided to persons under temporary protection are presented in Annex-II.

44. Regarding **paragraph 87 of the Report**, holders of or applicants for international protection status without a health insurance or the financial means to pay for one are subject to the provisions of the Social Insurance and General Health Insurance Law for one year starting from the date of their application for international protection. The one-year limitation does not apply to persons with special needs or to those whose insurance coverage may be extended by the MoI. The premiums of individuals benefiting from the general health insurance are covered by the PMM.

45. Violence Prevention and Monitoring Centres (ŞÖNİM), where support and monitoring services are provided for the prevention of violence and the effective implementation of protective and preventive measures within the scope of the Law No. 6284 on the Protection of the Family and the Prevention of Violence against Women, continue their services through 84 centres in 81 provinces. ŞÖNİMs provide support and monitoring services for prevention of violence and effective implementation of protective and preventive measures, as well as necessary guidance and orientation services to victims in fields such as psycho-social, legal, economic and educational support. Syrian women under temporary protection in Türkiye who are exposed to violence or at risk can also benefit from the protection and services provided by the Law No.6284 without discrimination on any ground. Necessary coordination is carried out by the Provincial Directorates of the PMM and the Provincial Directorates of the MoFSS in the provision of services, ensuring that people benefit from appropriate service models, and in case of need, interpreters are provided. From the beginning of 2020 until the end of March 2025, 19,574 Syrian women under temporary protection benefited from ŞÖNİM services.

46. Within the framework of the bilateral cooperation between the Justice Academy of Türkiye and the United Nations High Commissioner for Refugees (UNHCR), regional trainings were delivered under the title "*Access to Justice for Asylum Seekers and Refugees*" for judges and public prosecutors as well as judge and prosecutor candidates serving in the criminal and administrative judiciary. One of the training topics in the criminal law group during the regional sessions was the offence of hate and discrimination. In addition, a round table meeting was organised focusing on the case law of the European Court of Human Rights concerning asylum seekers and refugees. These activities, which addressed the challenges encountered in accessing justice by asylum seekers and refugees who have been forced to leave their countries and are currently residing in Türkiye, and which proposed solutions, aimed to support an effective and efficient justice system. Detailed information about these trainings are presented in Annex-III.

47. The activities carried out by the MoYS for asylum seekers and persons under temporary protection are as follows:

- Programmes are carried out within the scope of social cohesion activities for improving the skills and participation of youth. This work includes all kinds of activities carried out within the youth centres and on site. A total of 697,583 individuals benefitted from the skill and participation activities in 2024.
- *Social Cohesion Camps* are organized every year during the summer and winter periods in order to ensure that young people under temporary protection status integrate with Turkish young people and adapt to social life.
- *Turkish Educational Activities* in which young people who are in the age group of 8-18 and under temporary protection, and who cannot go to school or continue their education despite having a school registration, are given education in Turkish at the elementary level and referred to schools. The number of such young people reached in the first 6 months of 2024 is 3,467.
- Exercises are carried out in mathematics, science, social sciences and language education for disadvantaged youth receiving primary and secondary education in the provinces where the project is implemented, in order to ensure equal opportunities in education and to contribute to the school education of these young people. In this regard, a total of 65,760 textbooks were provided to youth centres in 81 provinces for students preparing for High School Entrance Exam (LGS), Higher Education Institutions Exam (YKS) or Public Personnel Selection Exam (KPSS). 19,942 individuals were reached in 2024 within the scope of these exercises.

- *Protection Programme for People with a History of Trauma* covers work conducted to provide people under temporary protection with a history of trauma with the purpose of reducing the stress they experience and furnishing them with the skills to cope with negative situations that arise after traumas.
- *Focused Group Sessions for Asylum Seekers as well as Turkish Children and Adolescents;* within the scope of skill acquisition and strengthening of mental well-being, 4-week sessions and structured group studies are conducted for asylum seekers as well as Turkish children and adolescents who visit the youth centres. These structured group studies are "*Psychological Resilience*", "*Anger Control*", "*Communication Skills*", "*Exam Anxiety*", "*Ability to Express Emotions*", "*Crisis Management*", "*Conflict Resolution and Mediation Skills*", "*Peer Bullying*" and "*Coping with Stress*". 32,050 individuals were reached in 2024 within the scope of the Child Protection Programme.

Moreover, the Sports for Solidarity Project, carried out in cooperation with the Olympic Refugee Foundation (ORF) affiliated to the International Olympic Committee and the MoYS, was planned for a 2-year term and started to be implemented in 5 cities in 2019. In view of the significant achievements of the project, it was decided to expand its scope and budget in 2022 upon the request of ORF and to continue its implementation for 3 more years. The project aims to strengthen the social integration between foreigners under temporary protection and host communities on the basis of the importance of sports, encourage young people to perform sportive activities, discover talented athletes and organize sports festivals. Furthermore, trainings are provided for young people to enable them to acquire a sports culture and integrate with olympic values. Within the scope of the project, 19,999 young people have been reached since 2019.

IV. COUNTRY-SPECIFIC TOPICS

Religious discrimination and intolerance

48. Turkish Constitution guarantees equality before the law without discrimination on any ground including religion or sect. Freedom of religion and conscience is safeguarded by the Constitution, which also states that no one shall be compelled to worship and that no one shall be allowed to exploit or abuse religion or religious feelings.

49. Under the Turkish constitutional system, the term "*minorities*" encompasses only groups of persons defined and recognized as such under the multilateral or bilateral agreements to which Türkiye is party. In this context, according to the Lausanne Peace Treaty, only Turkish citizens belonging to non-Muslim communities fall within the scope of the term "minority".

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

Türkiye has further strengthened the rights of minorities since the adoption of ECRI's fifth report on Türkiye in 2016. Political leadership has been diligent to ensure that the problems of these communities are handled with priority. In this respect, many high-level contacts have been made with representatives from civil society organizations, associations and with the spiritual leaders of religious communities where problems and solution proposals have been heard and discussed directly.

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

• The term "*mosque*" in the Annex-II of the Law No.3194 has been replaced by "*place of worship*", allowing the opening of new places of worship of different religions.

• Regulation on the elections for the minority foundations was prepared in consultation with the relevant communities and published on 18 June 2022.

• Concerning the issues arising from immovable properties of the minority foundations, necessary amendments have been made in the relevant legislation and most of the property issues have been solved in favour of the minorities.

• Students belonging to minorities are able to attend minority schools where they can learn about their culture and language while taking classes that are part of the national curricula. Minority schools, ranging from kindergartens to high schools, currently serve 3,312 students in Türkiye.

• Minority schools continue to receive financial support from the MNE without quota limitations.

• Non-Muslim communities, including those not mentioned in the Lausanne Peace Treaty, publish a total of 17 newspapers and magazines in Türkiye.

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

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

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

• The Mar Petyun Chaldean Church in Diyarbakır, whose restoration works began in 2019, was reopened on 14 October 2023 with a ceremony that was attended by high-level representatives of the Chaldean Catholic community in Türkiye.

• In October 2022, Mor Efrem Church in Tur Abdin near the city of Mardin was restored and reopened for worship after 90 years with a ceremony that was attended by Syriac Catholic Patriarch Mor Ignatius Youssef III Younan.

• Restoration work on the 500-year-old Surp Sarkis Armenian Church in Diyarbakır began in June 2024.

• On 7 January 2018, 120-year-old Sveti Stefan Bulgarian Church (known as the Iron Church) in Istanbul was re-opened for worship after a 7-year-long renovation process.

In 2024, visitors and tourists from 31 different countries, belonging to various religions or denominations, submitted applications to hold religious ceremonies in locations that are classified as museums or archaeological sites rather than places of worship. Approximately 7,000 individuals were granted permission to conduct such ceremonies in 14 different provinces.

52. The PRA continues its efforts to engage with various religious communities and strengthen cooperation. In this context, the PRA organizes meetings with clergy members of different religious communities such as Catholic, Orthodox, Armenian and Assyrian communities. These meetings address topics such as contributing to global peace and enhancing mutual understanding and tolerance. The PRA undertakes also comprehensive supportive efforts and projects for migrants, asylum seekers and refugees at the level of muftis.

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

54. Regarding **paragraph 91 of the Report**, the definition of Alevism as a separate religious group outside of Islam is wrong as Alevism is a way and an interpretation of belief shaped within Islam.

While monitoring the execution of the relevant judgements of the European Court of Human Rights, the Committee of Ministers of the Council of Europe in its 1501st session held on 11-13 June 2024, stated that it "*welcomed*" the measures taken by Türkiye, and decided to close the

monitoring of all issues within the scope of the Alevi-Bektashi Culture and Cemevi Presidency that was established under the Ministry of Culture and Tourism in November 2022 as a result of the comprehensive study prepared by visiting Anatolian Cemevis and relevant non-governmental organisations, and collecting the demands, expectations and opinions of Alevi-Bektashi citizens. The duties and authorities of the Alevi-Bektashi Culture and Cemevi Presidency are as follows: (i) to identify the needs of cemevis, (ii) to ensure the effectiveness and efficiency of cemevi services; (iii) to conduct and support social and human sciences researches, studies and activities on Alevism-Bektashism. Legislative amendments have also been made to address issues such as covering the lighting, utility water, construction, repair and maintenance expenses of cemevis and resolving their zoning-related problems.

An Advisory Board, chaired by the President of the Alevi-Bektashi Culture and Cemevi Presidency, has been established to evaluate the activities of the Presidency and provide recommendations. The Board consists of eleven members appointed by the President Alevi-Bektashi Culture and Cemevi Presidency for three-year terms, based on their expertise in Alevi-Bektashism.

The Presidency supports the maintenance, repair and furnishing needs of cemevis, having processed 364 such requests to date. It also covers the electricity expenses of cemevis and is currently paying the electricity bills of 901 cemevis, in line with their requests.

In addition, the Alevi-Bektashi Culture and Cemevi Presidency cooperates with universities, Alevi-Bektashi groups and civil society organizations to strengthen the social and cultural ties of Alevism-Bektashism both domestically and internationally. It works to preserve the Alevi-Bektashi faith and culture, and to pass on the knowledge accumulated in this field to future generations.

55. As to **paragraph 92 of the Report**, Halki Seminary was closed as a result of the decision of the Constitutional Court in 1971 which stipulated the closure of all private education institutions at undergraduate level (*yüksekokul*) in Türkiye. Therefore, the decision did not specifically target Halki Seminary. Since the legal basis was not in place anymore and there was no tertiary education institution available for the transfer of the Theological School, the school could not operate. In Türkiye, the relevant legislation requires all higher education institutions to be under the auspices of the Council of Higher Education (YÖK) without exception. It should also be noted that the proposals of the Turkish authorities in the past, such as the opening of Halki Seminary as part of a university in Türkiye, were not welcomed by the Greek Orthodox Patriarchate.

ANNEX – I

NUMBER OF PERSONNEL WHO PARTICIPATED IN "*INFORMATIVE SEMINAR ON HATE CRIMES FOR LAW ENFORCEMENT OFFICIALS*"											
NAME OF TRAINING	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**2024**	**2025**	**TOTAL**
INFORMATIVE SEMINAR ON HATE CRIMES FOR LAW ENFORCEMENT OFFICERS	1,369	-	6,974	35,661	29,834	58,094	42,718	56,792	50,362	55	**281,859**

NUMBER OF PERSONNEL WHO RECEIVED "*TRAINING ON HATE CRIMES FOR LAW ENFORCEMENT OFFICIALS*"											
NAME OF TRAINING	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**2024**	**2025**	**TOTAL**
TRAINING ON HATE CRIMES FOR LAW ENFORCEMENT OFFICERS	55	-	315	300	195	142	113	72	76	**-**	**1,268**

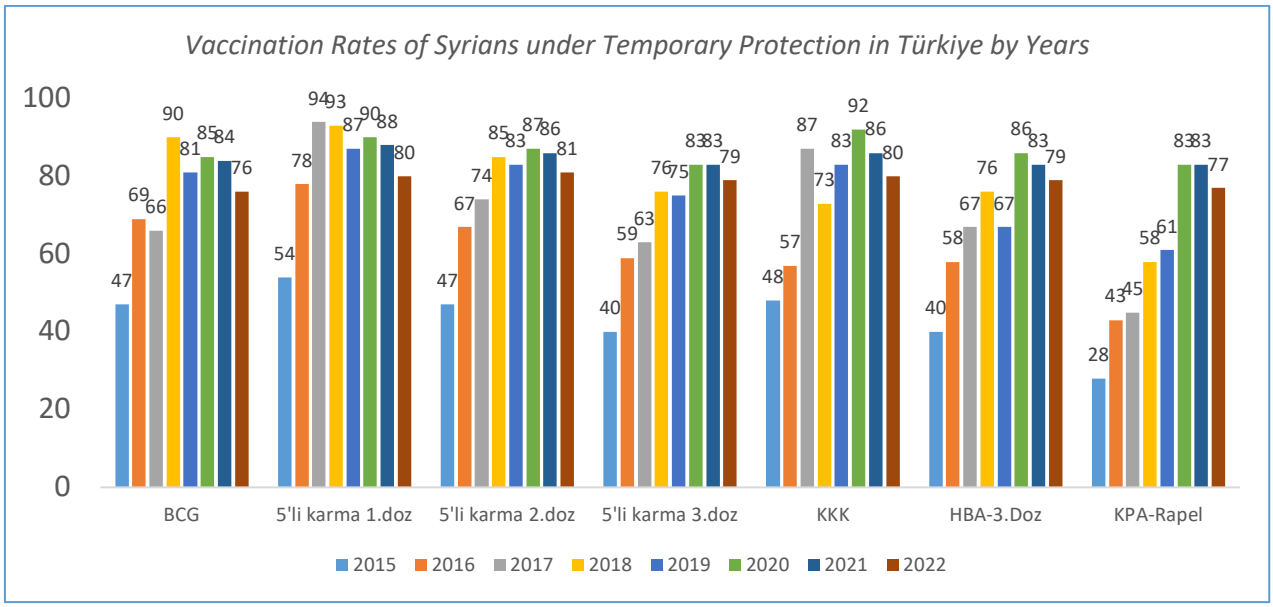
ANNEX – II

Data on health services provided to persons under temporary protection are given in the table below:

HEALTH SERVICES DATA OF 81 PROVINCES	2023	2011 – 2023 TOTAL NUMBER
NUMBER OF POLYCLINICS	19,868,317	135,917,263
NUMBER OF INPATIENTS	356,266	3,870,885
NUMBER OF OPERATIONS	271,519	3,118,291
NUMBER OF BIRTH	100,966	963,568
INTERVENTON NUMBER OF 112	210,856	1,408,009

**Services data presented in the table is as of 31.12.2023*

Vaccination rates between 2016-2022 are given in the table below:



Data on foreigners transported by land, air or sea ambulances are given in the table below:

TOTAL NUMBER OF FOREIGN NATIONALS TRANSPORTED BY LAND-AIR-SEA AMBULANCE			
Year	**Syrian Nationals**	**Other Nationals**	**TOTAL**
2012	**4**	**407**	**411**
2013	68	1,684	1,752
2014	26,843	9,344	36,187
2015	109,363	32,819	142,182
2016	130,441	30,642	161,083
2017	127,797	38,461	166,258
2018	112,184	56,198	168,382
2019	112,514	66,896	179,410
2020	103,602	45,922	149,524
2021	203,237	111,509	314,746
2022	208,472	131,154	339,624
2023	207,623	119,551	327,174
GRAND TOTAL	**1,342,148**	**644,587**	**1,986,733**

ANNEX – III

Within the framework of the bilateral cooperation between the Justice Academy of Türkiye and the United Nations High Commissioner for Refugees (UNHCR);

The trainings delivered within this framework are as follows:

- Training of trainers in İzmir on 12-15 May 2022 with the participation of 38 judges;
- First regional training in Ankara on 23-24 September 2022 with the participation of 51 judges/public prosecutors and judge/prosecutor candidates serving in the Central Anatolia Region;
- Second regional training in İstanbul on 4-5 November 2022 with the participation of 52 judges/public prosecutors and judge/prosecutor candidates serving in the Marmara Region;
- Third regional training in İzmir on 23-24 December 2022 with the participation of 53 judges/public prosecutors and judge /prosecutor candidates serving in the Aegean Region;
- Fourth regional training in Van on 8-9 May 2023 with the participation of 42 judges/public prosecutors and judge/prosecutor candidates serving in the Eastern Anatolia Region;
- Fifth regional training in Trabzon on 2-3 June 2023 with the participation of 49 judges/public prosecutors and judge/prosecutor candidates serving in the Black Sea Region;
- Sixth regional training in Mersin on 28-29 September 2023 with the participation of 51 judges/public prosecutors and judge/prosecutor candidates serving in the Mediterranean Region;
- Seventh regional training in Diyarbakır on 19-20 October 2023 with the participation of 53 judges/public prosecutors and judge/prosecutor candidates serving in the South-eastern Anatolia Region;
- Training of trainers in Istanbul on 17-20 April 2024 with the participation of 49 judges, including 20 judges in the field of administrative law and 29 judges in the field of criminal law;
- First dissemination training in Çanakkale on 23-25 September 2024 with the participation of 32 judges/public prosecutors serving in the Aegean Region;
- Second dissemination training was held in Şanlıurfa on 14-16 October 2024 with the participation of 34 judges/public prosecutors serving in the South-eastern Anatolia Region;
- Third dissemination training in Eskişehir on 4-6 November 2024 with the participation of 32 judges/public prosecutors serving in the Central Anatolia Region;
- Fourth dissemination training in Antalya on 29 November–1 December 2024 with the participation of 42 judges/public prosecutors serving in the Mediterranean Region;
- Fifth dissemination training for the Aegean Region in İzmir on 10–12 January 2025 with the participation of 42 judges and public prosecutors serving in the fields of administrative and criminal law;
- Sixth dissemination training for the Eastern Anatolia Region in Van on 14–16 February 2025 with the participation of 35 judges and public prosecutors serving in the fields of administrative and criminal law;
- Seventh dissemination training for the Black Sea Region in Trabzon on 21–23 February 2025 with the participation of 33 judges and public prosecutors serving in the fields of administrative and criminal law;

The round table meetings organised within this framework are as follows:

- A round table meeting in Ankara on 3-4 November 2023 with the participation of 51 judges/public prosecutors and judge/prosecutor candidates. At the meeting, the difficulties encountered in accessing justice for asylum seekers and refugees who have been forced to leave their countries and live in Türkiye, as well as solution offers and issues regarding legal guarantees as regards deportation and repatriation were discussed in the context of the case law of the European Court of Human Rights.
- A round table meeting in İstanbul on 22–23 November 2024 with the participation of 30 representatives, including presidents and members of the First Instance Administrative Courts, the Council of State, and the Regional Administrative Courts. The meeting aimed to ensure consistency in decisions within the administrative judiciary concerning asylum seekers and refugees under international and temporary protection, and to evaluate possible challenges and solution proposals.
- A round table meeting in İstanbul on 31 January–1 February 2025 with the participation of 30 stakeholders, including family court judges, civil court of peace judges, rapporteurs of the Court of Cassation and the Constitutional Court, presidents and members of Regional Courts of Appeal, representatives of Provincial Directorates of Migration Management, lawyers, and an academic from the Faculty of Law at Ankara University. The meeting focused on discussing the challenges refugees face in the field of private law.

Moreover, a seminar titled "*Procedures at State Borders in Line with the European Convention on Human Rights and International Refugee Law*" was attended at the European Court of Human Rights on 25 October 2024.

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The European Commission against Racism and Intolerance (ECRI) is a unique human rights monitoring body which specialises in questions relating to the fight against racism, discrimination (on grounds of "race", ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance in Europe; it prepares reports and issues recommendations to member States.

European Commission against Racism and Intolerance
ECRI
Commission européenne contre le racisme et l'intolérance

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