



PERMANENT MISSION OF THE REPUBLIC OF TÜRKİYE
TO THE UNITED NATIONS OFFICE AT GENEVA

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The Permanent Mission of the Republic of Türkiye to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the Joint Communication from Special Procedures dated 11 February 2026 (AL TUR 3/2026), has the honour to enclose herewith the information note provided by relevant Turkish authorities.

The Permanent Mission of the Republic of Türkiye avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 10 April 2026



Encl: As stated.

Office of the High Commissioner for Human Rights
Palais Wilson
Rue des Pâquis 52
1201 Geneva

**INFORMATION NOTE IN REPLY TO THE COMMUNICATION FROM THE
SPECIAL PROCEDURES**

(Reference: AL TUR 3/2026)

1. With reference to the joint letter dated 12 February 2026 of the Special Procedures, the Government of the Republic of Türkiye (hereinafter “the Government”) would like to submit its responses and observations hereinbelow.
2. According to Article 33 of the Constitution of the Republic of Türkiye (hereinafter “the Constitution”), everyone has the right to form associations, become a member of an association, or withdraw from membership without prior permission. The freedom of association may be restricted only by law on the grounds of national security, public order, prevention of commission of crime, public morals, public health, and protection of the freedoms of other individuals in accordance with Article 33/2 of the Constitution. In line with Article 90 of the Turkish Civil Code (hereinafter “the TCC”) No. 4721, associations shall carry out their activities according to their statutes and in compliance with the objectives set out in their by-laws.
3. In accordance with Article 33 of the Constitution, associations may be dissolved or suspended from activity by judicial decision in cases prescribed by law. The TCC provides that where the objectives of the association become contrary to law or morals, the court may order its dissolution upon the request of the public prosecutor or any other concerned person.
4. Pursuant to Article 30 of the Law on Associations No. 5253, associations shall not carry out activities other than those indicated in their statutes as their objectives and shall not be established for purposes expressly prohibited by the Constitution or law, nor to engage in activities constituting an offence under law.
5. In this framework, the İzmir Governorate conducted an inspection concerning the association mentioned in the communication and determined that the association had engaged in activities inconsistent with its by-laws through posts on its social media accounts, thereby violating Articles 89 and 90 of the TCC, as well as Articles 30 and 32 of Law No. 5253. Consequently, a criminal complaint was filed on 10 December 2024 with the İzmir Chief Public Prosecutor’s Office concerning the association.
6. On 3 February 2025, the aforementioned Prosecutor’s Office filed a lawsuit with the İzmir 3rd Civil Court of First Instance, and requested the dissolution of the association, according to the indictment stating that the association engaged in activities inconsistent with its objectives outlined in its by-laws, and acted in violation of Articles 89 and 90 of the TCC and Articles 30 and 32 of the Associations Law No. 5253.

7. During the proceedings, the association was represented by an attorney. The said court obtained an expert opinion regarding the matters alleged in the complaint. In addition, the association had the opportunity to submit an expert opinion prepared by an academic.
8. On 11 December 2025, the said court rendered its decision ordering the dissolution of the association. In the reasoning of the decision, the court referred to the inspection report dated 22 October 2024 and concluded that the association acted in contrary to its objectives. To date, there is no record indicating that an appeal has been lodged against the court decision.
9. The İzmir Chief Public Prosecutor's Office initiated an investigation on 28 October 2025 under Article 32 of Law No. 5253 against Ahmet Emirhan Şaşmaz, Aras Örgen, Barış Azar, Berhan Ocak, [REDACTED], Kerem Dikmen, [REDACTED], [REDACTED], who are members of the executive and supervisory boards of the association.
10. The İzmir 47th Criminal Court of First Instance accepted the indictment on 10 November 2025, and the first hearing was held on 8 April 2026.
11. The Republic of Türkiye, a founding member of the Council of Europe and the United Nations, is a democratic state governed by the rule of law, which upholds and respects human rights and freedoms. Article 90 of the Constitution clearly stipulates that in case of a conflict between duly ratified international agreements concerning fundamental rights and freedoms and the domestic legislation, the provisions of international agreements shall prevail. At the outset, the Government would like to reiterate that Türkiye is fully committed to protect and promote human rights and fundamental freedoms, and continues to take all necessary measures prescribed by law in order to fully comply with its international obligations.
12. The Government further underlines that freedom of expression and freedom of association are not absolute, and that they may be subject to restrictions prescribed by law for legitimate aims such as public order, prevention of commission of crime, public morals, public health, and protection of the freedoms of other individuals.
13. With regard to the dissolution of the association mentioned and the criminal proceedings initiated against the association's executives and members, the Government wishes to reiterate that judicial proceedings are being conducted by independent and impartial judicial bodies, and that the individuals concerned have the opportunity to exercise all their rights guaranteed by the Code of Civil Procedure No. 6100 and the Code of Criminal Procedure No. 5271 during the trial phase; moreover, they have the right to appeal the decisions resulting from the trial. While Article 14(5) of the ICCPR envisages the provision of a two-stage review process sufficient for parties, the Turkish legal system provides for a three-tiered structure, consisting of first-

instance, appellate, and cassation stages, thereby strengthening access to justice and enhancing legal certainty.

14. Furthermore, the individuals concerned have the right to lodge individual applications before the Constitutional Court, which constitutes an effective domestic legal remedy under the decisions of UN Committees and the European Court of Human Rights.