

**Mandates of the Special Rapporteur on violence against women and girls, its causes and consequences and the Special Rapporteur on extrajudicial, summary or arbitrary executions**

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(Please use this reference in your reply)

4 February 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on violence against women and girls, its causes and consequences and Special Rapporteur on extrajudicial, summary or arbitrary executions, pursuant to Human Rights Council resolutions 59/20 and 53/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the disappearance and death of Ms. Rojin Kabaiş, a 21-year-old university student at Van Yüzüncü Yıl University, and the enactment of legislation allowing for early release and sentence reduction of perpetrators of violence against women and girls.**

According to the information received:

*Case of Ms. Rojin Kabaiş*

On 27 September 2024, Ms. Rojin Kabaiş, a Kurdish student in the Child Development Department at Van Yüzüncü Yıl University, called her mother to say she was going to a supermarket near her dormitory. The following day, around noon, the police contacted her mother informing her that Ms. Kabaiş had not returned to the dormitory.

On 15 October 2024, eighteen days after her disappearance, her body was found approximately 24 kilometers from the dormitory on the shores of Lake Van. She was still wearing her clothes, but her yellow slippers were missing. Her belongings (mobile phone, earphones, a snack, and a water bottle) were found on the shore. An autopsy was carried out by the Forensic Medicine Institution (ATK) the same day, concluding that the cause of death was drowning, with death likely occurring on the day she went missing.

On 6 November 2024, an initial report of the ATK was issued, stating that it was not medically possible to determine whether the drowning resulted from suicide, an accident, or the involvement of another person. The report confirmed the presence of two different male DNA profiles, though it did not specify from which parts of the body these samples had been taken.

On 10 October 2025, following objections from Ms. Kabaiş' family and civil society organizations, an updated ATK report was added to the case file. This revised report specified that the male DNA samples had been taken from Ms. Kabaiş' chest and intravaginal area. Experts noted that these traces could have resulted from environmental contamination, contact during the body's

recovery, or post-mortem handling, but other explanations could not be ruled out without complete comparison samples.

On 14 October 2025, ATK issued two reports examining the DNA findings. After comparing DNA from 134 individuals who had communication with Ms. Kabaiş or contact with her body during transfer, ATK concluded that no contamination from these 134 individuals was found.

In October 2025, Ms. Kabaiş' father made a public statement alleging that the university rector, who is a former parliamentarian of the Justice and Development Party (AKP), was present during the autopsy despite not being a medical professional, suggesting interference. The Van and Diyarbakır Bar Associations filed criminal complaints against ATK for reportedly delaying crucial information and hindering the investigation.

In the same month, the Turkish Grand National Assembly (TBMM) rejected a parliamentary motion raised by the Peoples' Equality and Democracy Party (DEM) to establish a commission to investigate the suspicious death of Ms. Kabaiş. The motion was submitted by MP Öznur Bartın who highlighted significant irregularities in investigation process, including the late disclosure of the fact that DNA samples from two different men had been found on Kabaiş's body, questioning why this critical information was withheld earlier. Opposition MPs, including from the Republican People's Party (CHP), criticised the handling of the case and said the repeated rejection of similar investigative motions reflects a wider failure to address violence against women and ensure accountability. The motion was ultimately unsuccessful due to votes from the ruling Justice and Development Party (AKP) and its coalition partner, the Nationalist Movement Party (MHP), which voted against it.

In November 2025, Turkish authorities sent Ms. Kabaiş' mobile phone to Spain for forensic analysis. The results are expected to shed light on key questions about the case, including her movements, communications, and whether there is evidence of foul play, suicide, or another explanation for her death besides drowning.

Ms. Kabaiş' family has reportedly faced intimidation for their advocacy to seek justice and accountability for her death. Ms. Kabaiş' father received threatening messages on WhatsApp such as "Give up on this case, we have you," with some numbers appearing to originate from overseas. He and family members also received photographs of ammunition and messages that targeted their Kurdish background and pressured them to abandon their pursuit of justice. These messages were reported to the local Şehitlik police station, where officers acknowledged that some messages came from Turkish numbers, but others were from foreign numbers that might involve fake or spoofed accounts.

Ms. Kabaiş' death has occurred in the context of growing concerns on femicides in Türkiye. According to a report released on 7 July 2025 by the We Will Stop Femicide Platform, at least 136 women were murdered by men during the first half of 2025. Most of these killings took place in the victims' homes, and a

significant majority of the perpetrators were family members or intimate partners.

### *Recent legislative changes*

Türkiye has recently enacted legislation that resulted in the early release and sentence reduction of perpetrators of violence against women, despite extensive warnings from women's rights organisations and professional legal bodies.

On 5 December 2025, the Justice Committee of the Turkish Parliament approved the 11th Judicial Reform Package, which entered into force following parliamentary approval on 24 December 2025. While the Government stated that the reform would exclude "heavy offenders," article 27 of the package significantly expanded eligibility for early release for individuals convicted of a wide range of violent crimes, provided the offence was committed before 31 July 2023.

Under article 27 of the new legislation, the "heavy offenders" ineligible for early release include those convicted of intentional killing; killing resulting from the collapse, subsidence or damage of buildings or structures due to earthquakes; and sexual offenses including rape, sexual abuse of children, and sexual intercourse with a minor through force, threat, or deception, or by someone in a position of authority, guardianship, care, or supervision. However, individuals convicted of offences including cruelty, directing a person to suicide, intentional assault, aggravated assault, sexual harassment, and consensual sexual relations with a minor aged 15 or over (if not involving a position of authority or force, threat, or deception) became eligible for early release up to three years before the completion of their sentence.

As a result, reportedly at least tens of thousands of prisoners were released, including thousands of perpetrators of violence against women and children. The law has also been widely criticised for excluding political prisoners, while permitting the release of individuals convicted of gender-based violence, though excluding femicide.

Women's rights organizations have warned authorities that this regulation would encourage perpetrators, deepen impunity, and expose women and children to heightened risks of violence, including femicide. The Union of Turkish Bar Associations' Women's Law Commission further emphasised that the highest risk of lethal violence against women arises from perpetrators who have a history of violence and who have benefited from impunity or early release. It also underlined that early release and sentence-reduction measures undermine the deterrent effect of protective and preventive orders issued under Law No. 6284 on the Protection of the Family and Prevention of Violence against Women, thereby eroding women's trust in the State's duty to provide effective protection. The Commission stressed that violence against women is not limited to homicide, and that all acts of violence resulting in physical or psychological harm must be explicitly excluded from any sentence-mitigation regime.

Without prejudging the accuracy of the aforementioned allegations, we wish to express our serious concern regarding the death of Ms. Kabaiş and the apparent lack of effective investigation, as well as identification of and accountability for the perpetrator(s). We emphasize the obligation of your Excellency's Government to ensure that investigations into women's deaths are prompt, thorough, independent, impartial, and conducted in a gender-sensitive manner, ensuring that all reasonable lines of inquiry are pursued without undermining investigative outcomes. Such investigations should not only lead to the identification and prosecution of those responsible but aim to address any structural or systemic factors that may contribute to normalizing sex and gender-based violence against women, including femicide.

Failure to do so risks reinforcing impunity for such crimes and undermining the effective protection of women's right to life and equality before the law, as guaranteed by the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the European Convention on Human Rights (ECHR) – all of which Türkiye is a party to.

We further express serious concern regarding reports of increasing risks of violence against women and femicide in Türkiye in the context of recent legislative changes that allow for early release or sentence reduction for individuals convicted of certain acts of violence against women. Given that the 11<sup>th</sup> Judicial Reform Package does not allow for the early release for persons convicted of other serious offences, including certain offences of a political nature, and in the absence of further clear details on who may be exactly eligible, there is a risk that this differentiated approach may signal to the wider Turkish society that violence against women and girls is not as serious as other crimes. The Special Rapporteur on violence against women and girls had already noted with concern, including following her visit to Türkiye in 2022, that there appears to be a lack of genuine political will to reduce impunity, combined with gender bias by the judiciary and law enforcement (A/HRC/53/36/Add.1, para. 60). Taken together with the limited capacity to guarantee the full investigation of cases and the insufficient allocation of resources, these factors perpetuate impunity and undermine the prevention of violence against women and girls.

It should also be stressed that the 11<sup>th</sup> Judicial Reform Package appear to go into the opposite direction of recent legal measures intended to reduce impunity for crimes of violence against women and girls and to strengthen punishment. As acknowledged by the Special Rapporteur in her report on her visit to Türkiye in 2022, Türkiye's 4<sup>th</sup> Judicial Reform Package adopted by the Parliament in 2022 and published in the Official Gazette No. 31541 on 14 July 2022 "aimed at increasing penalties for perpetrators of domestic violence" (A/HRC/53/36/Add.1, para. 58). She had already noted at the time that despite the passage of this law, there were already concerning attempts by perpetrators to reduce their sentences (para. 59).

We wish to recall the obligation of your Excellency's Government to exercise due diligence to prevent, investigate, prosecute, and provide remedies for all acts of violence against women, including femicide, which constitutes a grave form of gender-based violence and an unlawful deprivation of life prohibited under international human rights law. The Special Rapporteur noted in 2022 that "at least 3,175 femicides were reported in Türkiye between 2010 and 2020, and more than 300 women were murdered

in 2021, most by their current or former intimate partners or husbands or members of their families... The actual numbers are estimated to be much higher owing to widespread underreporting” (A/HRC/53/36/Add.1, para. 9). She noted that “while there are provisions in law to address femicide, the data collected show a lack of effective enforcement of protective and preventive orders” (para. 83). The Special Rapporteur recommended your Excellency’s Government to “[e]stablish an observatory on violence against women and include in its mandate a femicide prevention watch” (para. 89 (e)) and ensure that reports of femicide and domestic violence are “effectively investigated and that perpetrators are prosecuted and adequately punished” (90 (j)).

The Special Rapporteur on extrajudicial, summary or arbitrary executions in his 2025 report to the Human Rights Council (A/HRC/59/54) noted that under international human rights law, families of victims of unlawful killings must be considered as victims in their own right and that families of victims of unlawful killings have the right to know, among other things, the truth relating to the events leading to their relative’s killing, the progress in investigations, and, if possible, the identity of the perpetrators.

In this regard, the Minnesota Protocol provides specific and clear guidance on the role of families of victims of potentially unlawful killings in investigations, indicating that States should, among other things, ensure that all close relatives are informed of and can participate effectively in the investigation, including by being permitted to suggest investigative steps (Minnesota Protocol para 35). Families should also have meaningful access to justice, including, specifically, legal standing and access to hearings. To the extent possible, family members should be consulted prior to an autopsy and should have a representative present at the post-mortem examination if they wish.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned information.
2. Please explain what steps your Excellency’s Government has undertaken to conduct a prompt, independent, gender-sensitive, and transparent investigation into the death of Ms. Kabaiş, in line with its obligations under the ICCPR, CEDAW, and the ECHR, among others adhering to the international standards prescribed in the Revised United Nations Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (the Minnesota Protocol on the Investigation of a Potentially Unlawful Death (2016)).
3. Please clarify why a confidentiality order has been placed on the investigation file concerning Ms. Kabaiş’ death, which has reportedly prevented the family and their legal representatives from accessing

essential information, such as forensic evidence (e.g. complete DNA analysis results), chain-of-custody records, and expert reports.

4. Please clarify the reasons for the involvement of the university rector in the autopsy process, and what steps were taken to mitigate concerns about interference, conflict of interest, and potential obstruction of an impartial investigation.
5. Please provide measures taken by your Excellency's Government to guarantee the independence, transparency, and accountability of the Forensic Medicine Institution (ATK), in the investigation process on Ms. Kabaiş' case.
6. Please explain steps taken by your Excellency's Government to ensure protection for Ms. Kabaiş' family, their legal representatives, forensic experts, and women's rights advocates involved in the case, against any intimidation, harassment, or retaliation for their advocacy.
7. Please provide what measures your Excellency's Government has taken to mitigate the potential harmful consequences of releasing perpetrators of certain crimes of violence against women and girls or reducing their sentence, including the perception it may give society that such crimes are less serious than others.
8. Please provide information on the measures taken by your Excellency's Government to ensure that all killings of women, including cases that may constitute femicide, are subject to prompt, thorough, independent and impartial investigations, conducted with due diligence and in accordance with international human rights standards. Please explain whether there are safeguards in place to ensure that such cases are not prematurely classified as suicides or otherwise mischaracterized at the initial stages of investigation.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We further encourage your Excellency's Government to introduce a legal definition of femicide in the Penal Code and to criminalise it explicitly, acknowledging its gravity as a severe manifestation of violence and discrimination against women and girls that results in the deprivation of life.

Please accept, Excellency, the assurances of our highest consideration.

Reem Alsalem

Special Rapporteur on violence against women and girls, its causes and consequences

Morris Tidball-Binz

Special Rapporteur on extrajudicial, summary or arbitrary executions

## **Annex**

### **Reference to international human rights law**

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the following international human rights norms and standards.

We first underscore the obligation to investigate and punish gross human rights violations and to provide redress to victims. Article 2 of the International Covenant on Civil and Political Rights (ICCPR), acceded to by Türkiye on 23 September 2003, establishes that States must adopt measures to ensure that persons whose rights or freedoms are violated have an effective remedy. Article 6 (1) of the ICCPR guarantees the right of every individual to life and provides that this right shall be protected by law and that no one shall be arbitrarily deprived of their life. Similarly, article 3 of the Universal Declaration of Human Rights, as well as article 2 of the European Convention on Human Rights, ratified by Türkiye on 18 May 1954, protects the right to life and requires States to undertake appropriate steps to safeguard the lives of all persons within their jurisdiction.

Under the ICCPR, States are obliged to take adequate preventive measures in order to protect individuals against reasonably foreseeable threats of being killed or murdered by private actors, including criminals, organized crime or armed groups (Human Rights Committee, general comment 36). Women and girls are often disproportionately affected by such violence and require targeted protection measures to address gender-based violence, sexual violence, and femicide (Human Rights Committee, general comment 36, para. 61).

We recall the duty of States to investigate alleged or suspected violations of article 6 of the ICCPR in a prompt, effective, thorough, independent, impartial and transparent manner, and that all persons identified by the investigation as having participated in crimes of extra-legal or arbitrary killings, should be brought to justice and punished with sentences commensurate with the gravity of the crimes committed (Human Rights Committee, general comment No. 36). Failure to properly, independently and reliably investigate a killing or a disappearance, with a view to holding accountable those responsible, would constitute a grave violation under international human rights law. In this respect, we refer to the United Nations Revised Manual for the Effective Investigation of Extra-Legal, Arbitrary and Summary Executions also known as the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) ("The Minnesota Protocol"), which provides detailed guidelines on the duty to investigate potential unlawful deaths "promptly, effectively and thoroughly, with independence, impartiality and transparency" and ensure effective remedies to the victims.

We further wish to emphasize your Excellency's Government's obligation under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ratified by Türkiye on 20 December 1985, to protect women against gender-based discrimination and against gender-based violence as a manifestation of such discrimination, namely, "violence that is directed against a woman because she is a woman or violence that affects women disproportionately."

Gender-based violence includes “acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.” Particular attention should be paid to the investigation of gender-based violence, including killings targeting women and girls.

We recall the responsibility of States to exercise due diligence to not only prevent, but also implement comprehensive awareness-raising programs and investigate and punish acts of violence against women, whether those acts are perpetrated by the State or by private actors, in accordance with article 4 (c & d) of the United Nations Declaration on the Elimination of Violence Against Women. We would like to remind your Excellency that States may be in violation of international human rights law when they fail to exercise their due diligence to adequately prevent acts of violence against women. As the CEDAW Committee established in its general recommendation No. 19, “under general international law and specific human rights covenants, States may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation”. The Committee also recognizes that any form of violence against women and girls constitutes a type of discrimination and a violation of their fundamental rights with regard to the Convention (CEDAW/C/BFA/CO/4-5).

We further recall that the Declaration on the Elimination of Violence against Women, adopted by the General Assembly resolution 48/104 of 20 December 1993, states that women are entitled to equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other fields. These rights include, inter alia, (a) the right to life; (b) the right to equality; (c) the right to liberty and security; and (d) the right to equal protection under the law (article 3). In article 4(g), the Declaration notes the importance of ensuring that women subjected to violence receive specialized assistance, such as rehabilitation, assistance in childcare, treatment, counselling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation.

In addition, the Special Rapporteur on violence against women, in her thematic report on sex-based violence against women and girls (A/HRC/59/47), noted that “[t]hroughout the world, femicide remains a global emergency, with rates of femicide increasing... [a]n estimated 85,000 women and girls were killed in 2023, 60 per cent (51,000) by intimate partners or family members, equating to one death every 10 minutes.” In view of this crisis, the Special Rapporteur has recommended that States “explicitly criminalize femicide as a form of violence against women and girls and collect data, disaggregated by sex, on the victim and the perpetrator, including through the establishment of femicide observatories;” ensure that “[m]edia and policymakers... report, in an accurate manner, on crimes of femicide, without absolving or excusing the perpetrator;” as well as “examine and criminalize the full spectrum of femicide cases, including those committed against females as a collective and not only on an individual basis, in situations in which State omission, inaction or acquiescence might generate an environment that enables perpetrators and their impunity,” among others.

Furthermore, the Special Rapporteur on violence against women, in a previous thematic report (A/HRC/32/42), has recommended States to establish a “femicide watch” or a “gender-related killing of women watch,” where data on the number of

femicides or gender-related killings of women would be reported and published annually, alongside information regarding the prosecution and punishment of perpetrators. The recommendation also includes a call on States to establish a femicide watch, femicide review panels, or observatories on violence against women at the national and/or regional level. These should be established as interdisciplinary bodies that include legal professionals, ombudspersons, and civil society organizations' members, as well as be connected to existing mechanisms on the prevention of violence against women.<sup>1</sup>

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<sup>1</sup> <https://www.ohchr.org/en/special-procedures/sr-violence-against-women/femicide-watch-initiative>