



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

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The Permanent Mission of the Republic of Türkiye to the United Nations Office in 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 19 June 2025 (Ref: AL TUR 6/2025), 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, 8 August 2025



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 6/2025)

1. With reference to the letter dated 19 June 2025 of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the Special Rapporteur on violence against women and girls, its causes and consequences, the Government would like to submit its observations herein below.

2. The Republic of Türkiye (hereinafter, Türkiye) is a democratic State governed by the rule of law and established on the principle of respect for human rights and freedoms. According to Article 90 of the Constitution of Türkiye (hereinafter, the Constitution), in the event of a conflict between international treaties concerning fundamental rights and freedoms and national legislation, priority is duly given to such treaties. Türkiye, aware of its international obligations, fulfils all its responsibilities regarding the protection of fundamental rights and freedoms by taking the measures prescribed by law and required by democratic governance.

3. According to Article 34 of the Constitution, everyone has the right to hold unarmed and peaceful meetings and demonstrations without prior permission. The right to hold meetings and demonstrations might be restricted only by law, on the grounds of national security, public order, crime prevention, protection of public health, public morals or the rights and freedoms of others as per Article 34 § 2 of the Constitution and Article 17 of Law No. 2911 on Meetings and Demonstrations, and as well as Article 21 of the International Covenant on Civil and Political Rights. The formalities, conditions, and procedures to be applied in the exercise of the right to hold meetings and demonstrations in Türkiye are set forth by Law No. 2911.

4. According to Article 10 of Law No. 2911, notification to the competent authorities of the meeting location is mandatory 48 hours prior to the meeting. The obligation to notify the competent authorities is solely intended to ensure the safety of the meeting and the maintenance of the public order.

As the relevant case-law of the European Court of Human Rights points out, “*prior notification serves not only the aim of reconciling the right of assembly with the rights and lawful interests (including the freedom of movement) of others, but also the aim of preventing disorder or crime. In order to balance these conflicting interests, the institution of preliminary administrative procedures appears to be common practice in member States when a public demonstration is to be organised.*” (Kudrevious and Others v. Lithuania, no. 37553/05, § 148, 15 October 2015; Berladir and Others v. Russia, no. 34202/06, § 42, 10 July 2012)

5. According to Article 23 of Law No. 2911, a meeting is considered unlawful if the authorities are not notified beforehand. In an unlawful demonstration, law enforcement officers may use force as a last resort to disperse demonstrators, prevent them from regrouping, apprehend those resisting, and protect other civilians near the demonstration area. Pursuant to Article 24 of Law No. 2911, demonstrators in such meetings are duly notified, at least three times, that their meeting/demonstration is unlawful and that, if they fail to end the meeting/demonstration, proportionate force will be used against them. Demonstrators are then given a reasonable period of time to disperse. If they fail to disperse after that period, law enforcement officers, in accordance with the principles of necessity and proportionality, use physical force. Law enforcement officers primarily use negotiation and effective communication methods.

6. In Türkiye, 94,752 demonstrations were held in 2024 with the participation of 35,690,364 people. Of the 952 demonstrations deemed unlawful by the national authorities under Law No. 2911, only 342 were intervened in by law enforcement officers. Additionally, in 2025 (as of July 4, 2025), 44,481 demonstrations were held across Türkiye with the participation of 15,951,287 people. Of these, 434 were deemed unlawful under Law No. 2911, and only 201 were intervened in.

As indicated by the data above, in the last two years, more than %99 of meetings and demonstrations were freely held in Türkiye in a peaceful environment. Furthermore, the relevant data reveal that the national authorities have not, in any way, imposed a blanket ban on the right of peaceful assembly throughout the country and that individuals freely exercise this right under the obligation to notify in advance.

7. The Presidency of Turkish Police Academy provides training and awareness-raising activities for police officers and their superiors on ‘human rights’, ‘fundamental rights and freedoms’, ‘methods and techniques of intervention by police’, ‘modalities on the use of force’,

'hate crimes' and 'the proportionate use of force', with a view to preventing incidents that could lead to human rights violations during meetings and demonstrations.

8. The Government considers that the right of peaceful assembly is not only a fundamental civil and political right, but also a vital aspect of freedom of expression as well as a key tool for social progress, human dignity and justice. However, this right should not be misused to incite violence or to disrupt public order and safety. Additionally, the right of peaceful assembly is not an absolute right and might be subject to limitations. As mentioned earlier in para. 3, these limitations are implemented in Türkiye only to the extent necessary to protect national security, public order, crime prevention, protection of public health, public morals or the rights and freedoms of others.

9. All allegations of violation committed by law enforcement officers are immediately brought to the attention of the relevant authorities and duly investigated by the administrative and judicial bodies, pursuant to the national legislation.

10. As regards the claims put forward in the joint communication letter regarding the alleged use of rubber bullets, tear gas and other chemical agents by law enforcement officers, the Government emphasises that the General Directorate of Security does not have rubber bullets in its inventory. Law enforcement officers in Türkiye are authorized, if necessary, to use marble-sized ammunition containing tear gas, covered with wax or plastic frames. **OC** (Oleoresin of Capsium) and **CS** (Ortho-chlorobenzylidenemalononitrile) tear gases, which are not prohibited by the Chemical Weapons Convention, may be employed by the law enforcement officers with the aim of protecting the public order. Tear gas and other related equipment are used also in other countries.

11. The subject matter of the present communication is currently dealt with under the ongoing judicial proceedings before independent courts. These proceedings are conducted in line with the legal framework and the international human rights obligations of the Government. Any interference to ongoing judicial proceedings should be avoided pursuant to the principle of the rule of law. Finally, the Government would also like to draw the Special Rapporteurs' and the Working Group's kind attention to the fact that no individual is currently being held in the penal institutions in Türkiye on the grounds of participation in the demonstrations that took place between 19 and 27 March 2025.