

Mandates of the Special Rapporteur on minority issues; the Working Group on Arbitrary Detention; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Ref.: AL TUR 11/2025
(Please use this reference in your reply)

3 October 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on minority issues; Working Group on Arbitrary Detention; Special Rapporteur in the field of cultural rights; Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 52/5, 51/8, 55/5, , 52/36, and 52/7.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **alleged patterns of continuous harassment and violence against the Kurdish minority in Türkiye, including the alleged harassment, violence, arrest and detention of Kurdish families in Istanbul and in Kisecik.**

According to the information received:

In recent years, hate crimes, violence and hate speech directed against minority groups, such as the Kurdish minority, are reportedly on the rise. Kurdish people in Türkiye reportedly face systematic marginalization and discrimination in various forms, including restrictions on language, education, and political representation, which are deemed to be part of a crackdown on the Kurdish political movement. Cultural expressions such as playing Kurdish music are reportedly repeatedly targeted by police with excessive violence and are reportedly criminalized as acts of terrorism. It is reported that incidents of violence and discrimination against Kurds are not followed up accordingly by authorities, with limited investigation or prosecution, reinforcing a climate of impunity. The two reported cases below illustrate such systematic practices. Similar concerns were expressed by Special Procedures mandate holders in a previous communication in 2021 ([TUR 4/2021](#)), to which your Excellency's Government replied on [31 April 2021](#).

Harassment and violence against a Kurdish family in Istanbul

On 13 July 2025, 10 members of a Kurdish family were reportedly beaten, kicked, slapped and attacked with pepper spray by police officers, on their way back from a picnic in Bayrampasa, Istanbul.

On the ground of allegedly playing "loud music" and displaying "aggressive behaviour," police officers reportedly beat members of the family. The police officers were allegedly wearing plain clothes, had not shown their police

badges, and had fired shots in the air while detaining family members. It is reported that the family members who were beaten during the detention process had their clothes torn and had bruises, fractures, and swelling on their bodies.

Several members of the family were allegedly beaten by police officers. The mother of the victims, Yildiz Kaya, who was temporarily detained before being released on account of her health issues, stated that when her sons were hit in front of her, she threw herself on top of them to protect them, but was attacked with pepper spray by the police. She struggled to breathe due to her asthma and was in turn covered in bruises.

Yildiz Kaya reported that her 14-year-old daughter's jaw was in constant pain after she was attacked by the police officers.

As a result of the alleged beating by police officers, Zeynep Yaman, seven months pregnant, had to undergo an emergency caesarean section as her life was at risk and she had to be placed in intensive care along with the newborn baby. She was reportedly kicked in the stomach several times, even after shouting that she was pregnant. She was then taken into custody despite the blows sustained and reported poor health. She went into labour at the police station and was then transferred to the hospital. It is reported that the doctors affirmed that the placenta detached due to the blows, causing a skull injury in the womb, damaging the baby's brain with a possibility for the newborn baby to have a disability in the future.

People who reportedly intervened in the matter to help the family, were subsequently arrested. Seven people spent the night in custody and were referred to the Istanbul Courthouse in Çağlayan. Ahmet Kaya and Yakup Kaya, whose procedures were completed at the prosecutor's office, were referred to court with a request for their arrest.

Harassment and violence against a Kurdish family in Kisecik

On 10 August 2025, a Kurdish family was reportedly stopped by vehicles at the entrance of the Kisecik neighbourhood of Mersin's Çamlıyayla district and verbally abused by a group shouting "This is the Republic of Turkey. How can you speak Kurdish?". Sixty-six-year-old Sabiha Nazlı and a three-month old baby were reportedly physically assaulted. The baby reportedly lost his pulse after the attack, but was revived by a medical team.

Without prejudging the accuracy of the information received, we wish to express serious concern about the above-mentioned allegations of harassment, violence, including torture and/or ill-treatment alleged to have been suffered by the Kurdish family in Istanbul, including a child, a pregnant woman and her unborn baby, as well as the Kurdish family in Kisecik. We are particularly concerned about allegations of torture and ill-treatment of Zeynep Yaman, at seven months pregnant, whose beating and taking into custody allegedly led to an emergency cesarean section, intensive care for both her and the baby, and a skull injury to the baby with the potential risk of disability, as well as by the reported ill-treatment during detention.

We are, in addition, concerned about the allegations that the excessive use of force and unproportionate intervention of law enforcement during the arbitrary arrest of several members of the family in Istanbul were triggered by the family playing “loud music” and displaying “aggressive behaviour”, and call for the effective investigation concerning the actions of the police officers involved and allegedly responsible for the incident.

We express serious concern that the incidents described above appear to belong to a pattern of continuous discrimination against the Kurdish community, aimed at their marginalization in public spaces and the prevention of the enjoyment of their freedom of expression, and cultural rights.

Should these allegations be confirmed, they would likely constitute violations of articles 7, 9, 19, and 27 of the International Covenant on Civil and Political Rights (ICCPR) and article 15 of the International Covenant on Economic, Social, and Cultural Rights (CESCR), both ratified by Türkiye on 23 September 2003, as well as articles 1 and 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which Türkiye ratified on 2 August 1988. Together, they guarantee the universally recognized rights not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment, not to be deprived arbitrarily of liberty, freedom of opinion and expression, and cultural rights, as well as the prohibition of discrimination on grounds such as ethnic or national origin, religion, and language. The actions described above may therefore be in contravention of the Türkiye’s international human rights obligations.

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 allegations.
2. Please provide information concerning the legal grounds for the alleged arrest, detention and charges brought against the individuals belonging to the Kurdish family in Istanbul and how these are compatible with your Excellency’s Government’s obligations with international human rights norms and standards as stated, inter alia, in the ICCPR and CAT.
3. Please provide information concerning the alleged torture and ill-treatment of Yildiz Kaya, her sons and 14 year-old daughter, as well as Zeynep Yaman, who was seven months pregnant at the time of the alleged assaults.
4. Please provide updated information on the current conditions of the individuals who are still detained following the incident, as well as on

the measures taken to protect their physical and mental integrity, their rights to health and humane conditions of detention, and their right to legal counsel and to communicate with family members. Also provide information about the health condition of the young mother and her baby that were involved in the 13 July 2025 events.

5. Please provide information on whether any investigation has been launched into the above-mentioned events and allegations, and, if applicable, please provide updated information on where the investigation currently stands. Please explain whether there has been any accountability, including disciplinary or prosecutorial action, for any persons potentially responsible for the alleged violations, including superior officers; as well as with regard to victims' right to effective remedies, including compensation. If no investigation has been undertaken, or there was no result from it, please provide information on the reasons why and explain how this is compatible with Türkiye's international human rights obligations, in particular articles 12, 13 and 14 of CAT.
6. Please provide information about any investigation your Excellency's Government might have launched into the reported attacks of 10 August in Kisecik in order to identify the persons responsible and ensure accountability for the injuries and damage.
7. Please provide information on other steps taken by your Excellency's Government, in accordance with international human rights standards and best practices, to combat discrimination, hostility or violence, threats of violence and acts of violence committed against persons belonging to the Kurdish minority in Türkiye. Please specify whether data is being collected concerning incidents of discrimination and violence against the Kurdish minority in Türkiye.
8. Please provide us with other information on rules and guidelines in respect of arrest and lawful use of force, including the use of pepper spray, and training for officers, as per articles 10 and 11 of CAT.

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.

Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit a case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to this allegation letter and the Working Group's regular procedure.

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. Within this context, we respectfully call on your Excellency's Government to promptly release all those who are being arbitrarily deprived of their liberty and to allow access to adequate medical care to all those who are currently detained and who are in need of such assistance.

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

Nicolas Levrat
Special Rapporteur on minority issues

Matthew Gillett
Vice-Chair on communications of the Working Group on Arbitrary Detention

Alexandra Xanthaki
Special Rapporteur in the field of cultural rights

K.P. Ashwini
Special Rapporteur on contemporary forms of racism, racial discrimination,
xenophobia and related intolerance

Alice Jill Edwards
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or
punishment

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to remind your Excellency's Government of its legal obligations under international law applicable to the issues brought forth.

Non-Discrimination and Equality

We would like to draw the attention of your Excellency's Government to the principles of equality and non-discrimination, which are core elements of the international human rights normative framework and enshrined, inter alia, in **articles 2 of the [International Covenant on Civil and Political Rights](#)** (ICCPR, ratified by Türkiye in 2003) and the **[International Covenant on Economic, Social and Cultural Rights](#)** (ICESCR, ratified by Türkiye in 2003). **Under article 26 of the ICCPR** the State party is required to guarantee that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In addition, we would like to draw the attention of your Excellency's Government to **article 27 of the ICCPR**, which states that “[i]n those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.”

In addition, we wish to remind your Excellency's Government about its obligations under the **[International Convention on the Elimination of All Forms of Racial Discrimination \(ICERD\)](#)**, ratified by the Türkiye on 16 September 2002. **Article 2 of the ICERD** provides a comprehensive prohibition of all forms of racial discrimination. **Article 5** outlines State parties' obligations to prohibit and eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law. This includes in relation to the enjoyment of the rights to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution; to freedom of opinion and expression; and to freedom of peaceful assembly and association.

Furthermore, we would like to further remind your Excellency's Government of the provisions of the **[1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities](#)**, in particular its **article 1** which provides that States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity, and that States shall adopt appropriate legislative and other measures to achieve those ends. Also, as per **article 4** of the Declaration, States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.

We are concerned about the lack of protection against discrimination and

violence experienced by the Kurdish minority in Türkiye. We remind your Excellency's Government about the [concluding observations on Türkiye dated 28 November 2024](#) where the **United Nations Human Rights Committee** expressed concerns that Türkiye's legal system does not fully protect against discrimination on all grounds listed in the Covenant, including discrimination against the Kurds. The Committee also raised concerns about reports of discrimination and racially motivated violence against the Kurdish community.

Prohibition against Torture and Other Ill-Treatments

Attached to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment are obligations to criminalize and investigate all acts of torture or other cruel, inhuman or degrading treatment or punishment, to prosecute suspects, to punish those responsible and to provide remedies to victims. In line with the principles enshrined in the [Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment \(CAT\)](#), ratified by Türkiye in 1988, States should establish all acts of torture as offences under domestic law (**article 4**); exercise jurisdiction over said offences (**article 5**); receive complaints and examine them promptly and impartially (**article 13**); and investigate those allegations promptly and impartially (**article 12**). Victims are entitled to a enforceable right to rehabilitation and compensation (**article 14**). **Article 2** of CAT requires State parties to take all necessary measures to prevent acts of torture and other ill-treatment. The Committee against Torture emphasizes that failure to intervene violates due diligence, considering indifference or inaction as a form of encouragement or de facto permission ([general comment No. 2, CAT/C/GC/2, 2008](#)).

Cultural Rights

We would also like to refer your Excellency's Government to the right of everyone to take part in cultural life, as protected under **article 15 of the ICESCR**. State parties to the ICESCR must respect free access by people to their own culture, heritage and other forms of expression, as well as the free exercise of their cultural identity and practices." In [general comment No. 21](#), the Committee on Economic, Social and Cultural Rights underscores that **article 15 of ICESCR** "includes the right of minorities and of persons belonging to minorities to take part in the cultural life of society, and also to conserve, promote and develop their own culture. This right entails the obligation of States parties to recognize, respect and protect minority cultures as an essential component of the identity of the States themselves. Consequently, minorities have the right to their cultural diversity, traditions, customs, religion, ... other manifestations of their cultural identity and membership".

The Special Rapporteur on cultural rights further highlights that "to respect, protect and fulfil cultural rights for all without discrimination, States, and where relevant other actors, including international organizations, cultural institutions, and civil society should: (a) Ensure the right of everyone to participate in cultural life, including the rights to participate on a basis of equality in defining and redefining cultures, and specifically ensure these rights for those facing pervasive or historic discrimination, including indigenous peoples, minorities and women; (f) Recognize and value cultural diversities, including within minority cultures and other groups,

respect their free development within the framework of universal human rights and equality, and avoid abusively restricting their expression ([A/76/178](#)).

Deprivation of Liberty

Article 9 of the ICCPR enshrines the right to liberty and security of person and establishing in particular that no one shall be deprived of his or her liberty except on such grounds and in accordance with such procedure as are established by law as well as the right to legal assistance from the moment of detention. At the time of arrest, every person shall be informed of the reasons for the arrest, and shall be promptly informed of any charges against them (**article 9(2)**). Another guarantee is that the detained person shall be brought promptly before a judge (**article 9(3)**) and is entitled to challenge the legality of such detention before a judicial authority (**article 9(4)**). In its [general comment No. 35](#), the Human Rights Committee has found that arrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including freedom of opinion and expression (**article 19**), freedom of assembly (**article 21**), freedom of association (**article 22**) and freedom of religion or belief (**article 18**). It has further stated that arrest or detention on discriminatory grounds in violation of **article 2(1)**, **article 3** or **article 26** is also in principle arbitrary. Furthermore, **article 14 of the ICCPR** upholds the right to a fair trial and equality of all persons before the courts and tribunals.

In addition, **article 2(3) of the ICCPR** requires states to conduct independent investigations capable of identifying and punishing those responsible, providing redress, and halting ongoing violations. **Article 7 of the ICCPR** prohibits torture and other ill-treatments and mandates states to prompt, impartial, and effective investigations into complaints. Torture and ill treatment, which may seriously affect the physical and mental health of the mistreated individual, could also generate the risk of deprivation of life. In [general comment No. 36](#), the Human Rights Committee stated that torture and ill treatment, which may seriously affect the physical and mental health of the mistreated individual, could also generate the risk of deprivation of life.

Freedom of Opinion and Expression

We would also like to draw the attention of your Excellency's Government to **article 19 of the ICCPR**, which provides for the right to freedom of expression, as well as to the Human Rights Council resolution 12/16, which called on States to recognize the exercise of the right to freedom of opinion and expression as one of the essential foundations of a democratic society.

In its [general comment No. 34](#), the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (para. 11). The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in **article 19(3) ICCPR**. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, proving “in specific and individualized fashion the precise nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat” ([CCPR/C/GC/34](#), para. 35). The Human Rights Committee recalled that the relation between right and restriction and between norm and exception must not be reversed. In this regard, the Human Rights Committee stated that the restrictions must be “the least intrusive instrument among those which might achieve their protective function”. ([CCPR/C/GC/34](#), para. 34).