

Mandates of the Special Rapporteur on the right to privacy; the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity and the Working Group on discrimination against women and girls

Ref.: OL TUR 13/2025
(Please use this reference in your reply)

7 November 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the right to privacy; Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 55/3, 59/5 and 59/14.

In this connection, we would like to follow up on our previously transmitted joint letter ([OL TUR 5/2025](#)) to your Excellency's Government, with regard to information we received concerning a set of legal reforms currently being pursued in Türkiye. These reforms include, *inter alia*, **proposed amendments to article 40 of the Turkish Civil Code, proposed amendments to article 225 of the Turkish Penal Code, and a bill introduced by HÜDA PAR in April 2025.**

As we have received additional information since the transmittal of our letter that similar legal reforms are still being pursued, and yet have not received a formal response from your Excellency's Government to our aforementioned joint letter, we would like to reiterate our questions as indicated in the joint letter.

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 proposed legislations addressed in our joint letter (TUR 05/2025), including Your Excellency's Government's views on the analysis included therein.
2. Please provide details of the process of elaboration, consultation, deliberation, and approval of the legislative package, including human rights impact assessments conducted to ensure that the provisions contained in the proposed legislations comply with Türkiye's obligations under international human rights law, and the process of consultations carried out with civil society organizations, human rights defenders, independent experts, and international bodies, if any.
3. Please provide details of how the domestic legal framework safeguards the rights of all persons so they are not discriminated against based on their sexual orientation or gender identity and to guarantee their legitimate right to privacy.

4. Please explain how the proposed amendment to article 40 of the Civil Code would be compatible with the fundamental principles of equality and non-discrimination, and the protection of all persons of the right to the highest attainable standard of physical and mental health.
5. Please explain how the proposed amendment to article 225 of the Penal Code would be compatible with the fundamental principles of equality and non-discrimination, and the freedom of opinion, expression, assembly and access to information.
6. Please explain how the anti-LGBT bill proposed by HÜDA PAR would be compatible with the fundamental principles of equality and non-discrimination, equality before the law, recognition of legal identity, bodily autonomy, humane and dignified treatment, and the freedom of opinion, expression, assembly and access to information. In particular, taking into account the principle of proportionality, please explain the objective justification for a blanket ban of all representations of same-sex relationships and LGBT identities in television, radio, schools, and digital platforms.
7. In relation to the criminal sanctions imposed under the legislative reforms, please provide an explanation of the objective justification for the introduction and increase in criminal sanctions related to LGBT matters. In particular, please explain the objective criteria used to determine the scale of sanctions, and safeguards envisaged to avoid their disproportionate application.

This communication, as a comment on pending or recently adopted legislation, regulations or policies, and any response received from your Excellency's Government will be made public via the communications reporting [website](#) after 48 hours. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

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

Ana Brian Nougrères
Special Rapporteur on the right to privacy

Graeme Reid
Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity

Claudia Flores
Chair-Rapporteur of the Working Group on discrimination against women and girls