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Agenda item 2

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

### **Written statement\* submitted by Mouvement contre le racisme et pour l'amitié entre les peuples, a non- governmental organization on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 May 2025]

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\* Issued as received, in the language of submission only.



## **Türkiye: the Need for Renewed Scrutiny by the Office of the United Nations High Commissioner for Human Rights**

### **Introduction**

The struggle of the Kurdish people in Türkiye for the respect of fundamental freedoms and rights took a new turn last May with Abdullah Öcalan's call to lay down arms and the decision by the Kurdish Workers' Party (PKK) to dissolve.

The dialogue recently opened between the Turkish government and the leader of the Kurdish people in Türkiye is an un hoped-for opportunity to peacefully resolve a decades-long conflict marked by unjustifiable repression by the central government, which has resulted in crimes against humanity, the constant use of torture and systemic violations of the fundamental rights of the Kurdish people.

In February 2017, the Office of the High-Commissioner for Human Rights published a report providing an overview of key human rights concerns in South-East Türkiye between July 2015 and 31 December 2016. In March 2018, OHCHR published a second report updating the 2017 report.

At that time Türkiye did not replay to the request of the Office for a visit of a team in the field. Since then, Türkiye has also failed to respond positively to many requests for visits from the Special Rapporteurs on minority issues, human rights and counter terrorism, extrajudicial-summary-arbitrary executions, torture, cultural rights, housing, internally displaced persons, human rights defenders and the Working Group on arbitrary detention.

In this context, the Office of the High-Commissioner for Human Rights has a determining role to play in monitoring the peace process underway in Türkiye, in particular by ensuring that the fundamental rights and freedoms of the Kurdish people are protected.

### **Detention Conditions**

One of the chronic and major issues regarding human rights in Türkiye is the violations of rights occurring in prisons, including torture and discriminatory practices against political prisoners.

Over time, the Justice and Development Party (AKP) – Nationalist Movement Party (MHP) governments have transformed the judiciary into a political tool leading to excessive overcrowding in places of detention. In its most recent Concluding observations[1] of July 2024, the Committee against torture (CAT) expressed its concern about what appears to be a severe regression in the independence of judges, prosecutors and lawyers in the State party.

Similarly, the Human Rights Committee, in its Concluding observations[2] of October 2024, has expressed its concern about the fact that following the adoption of Law No. 6524 in 2014 and the constitutional amendments of 2017, the control of the executive over the judiciary has dramatically increased. The Human Rights Committee also expressed its concern that following the mass dismissal of judges and prosecutors that followed the attempted coup of 2016, thousands of new judges and prosecutors were recruited in a process reportedly controlled by the executive.

CAT stressed that the rate of incarceration in the State party has significantly increased during the reporting period and that the penitentiary system lacks an adequate number of health-care professionals and that that decisions relating to the transfer of prisoners to hospitals are sometimes made by prison administrators rather than health-care professionals.

Furthermore, CAT has expressed its concern about the fact that administrative and observation boards, which are mandated to approve or deny the conditional release of prisoners, lack institutional independence, being constituted mainly of prison staff, and allegedly operate with a high degree of arbitrariness, prejudicing in particular the prospects for release of human rights defenders, journalists and prisoners convicted on politically motivated charges.

Türkiye's political system has been able to create this situation based on the experiences gained from the implementation of a special regime at İmralı Island Prison since February 1999, specifically in the case of Abdullah Öcalan. İmralı Island Prison has served as a political and legal laboratory for the Turkish authorities and the practices developed there have been implemented in all Turkish prisons since 2016.

## **The Special İmralı Island Regime**

İmralı Island Prison was reorganized for Abdullah Öcalan and, from the outset, has been designed as a space outside the scope of existing Turkish law, where general legal regulations are not applied or special laws are enacted only for İmralı. This has been achieved either by not implementing general legal provisions at İmralı, accepting it as an exception, or by creating legal regulations applicable only there.

Abdullah Öcalan arrived at İmralı Island Prison on 15 February 1999 and spent the first 10 years and 9 months in severe isolation until November 2009. After this date, some other prisoners were brought to the island, but communication with them was kept very limited.

The isolation regime implemented at İmralı has been extended to all prisons, banning prisoners from exercising their rights to communication, access to lawyers and families' visits. The life sentence regime that does not allow for conditional release, particularly the penal regulations known as the "Öcalan Laws" of 2005 affecting thousands of prisoners and the inclusion of legal provisions restricting lawyer-client meetings into the Code of Criminal Procedure, are all reflections of the isolation system applied at İmralı.

## **Abdullah Öcalan Case**

For the first twelve years, Öcalan's right to lawyer visits was strictly limited to "one hour, one day a week," and many of these visits were arbitrarily denied on grounds such as boat malfunctions or weather conditions. Since 27 July 2011, only five lawyer visits have taken place between May and August 2019, with the last on 7 August 2019.

On 27 February 2025, Öcalan was visited by a lawyer as part of a delegation. However, the inclusion of his lawyer in these limited visits as part of the political process does not mean the lawyer ban has been lifted. His lawyers continue to apply for visits every week but receive no response.

In its above mentioned Concluding observations, CAT expressed concern about the de facto indefinite ban on contact between prisoners and their lawyers at İmralı, as well as about the aggravated life sentence regime with no possibility of release.

The Committee expressed its deep concern that Abdullah Öcalan, Hamili Yıldırım, Ömer Hayri Konar, and Veysi Aktaş have been held in solitary confinement for 44 months (since 25 March 2021) and that some prisoners have not seen their lawyers for over nine years.

This regime of absolute incommunicado continued until a family visit took place on 23 October 2024, when Öcalan met with his nephew and DEM Party MP Ömer Öcalan.

## **The Right to Hope**

On 18 March 2014, the European Court of Human Rights (ECtHR), in its Öcalan judgment[3], found that sentencing Mr. Öcalan to aggravated life imprisonment without the possibility of conditional release violated the "right to hope" under the European Convention on Human Rights.

The ECtHR ruled that a life sentence without the possibility of parole constitutes torture and that the law should be changed to allow for a review mechanism after a certain period, enabling the possibility of release.

The Committee of Ministers of the Council of Europe, at its September 2024 meeting, again raised the issue and reiterated that life sentences without the possibility of parole constitute torture and that a review mechanism must be established for all.

At the July 2024 CAT meeting the Turkish authorities reported that 1.24% of all prisoners in Türkiye (about 4,348 people) are serving aggravated life sentences without parole.

Despite the passage of nearly 11 years since the Öcalan (2) judgment, in 2024, Mr. Öcalan and thousands of prisoners continue to suffer the severe and destructive consequences of a life sentence regime that does not allow for the right to hope.

### **Öcalan Call for Peace and Democratic Society**

The isolation policy against Abdullah Öcalan is rooted in his influence and respect among the Kurdish population. Through his isolation, the state also expresses its negative stance toward the Kurdish community. Öcalan, however, has sought to use his influence to contribute to a peaceful resolution of the Kurdish issue whenever possible.

On 27 February 2025, he issued “Call for Peace and Democratic Society” via the İmralı Delegation, stating that if legal and political conditions are met, the PKK should dissolve itself and lay down arms[4]. He called upon the government to ensure freedom of expression and to stop denying Kurdish identity. The PKK announced it would comply with this call and declared a ceasefire starting on 1st March 2025.

### **Conclusion and Recommendations**

The isolation imposed on Abdullah Öcalan and his fellow inmates violates international law and is a major obstacle to resolve the Kurdish issue.

While the international community's attention is focused on Türkiye's role in the region and beyond, we cannot turn a blind eye to human rights abuses within the country, particularly against dissident voices and minorities, including the Kurdish people.

In order to ensure that the peace and democratisation process launched by Abdullah Öcalan can become a reality, MRAP calls upon:

- A. the Turkish authorities to implement the rulings of the ECtHR and the recommendations made by CAT and CCPR in 2024;
- B. the Office of the High Commissioner for Human Rights to pay particular attention to developments in Türkiye and to envisage publishing an update of the 2017 report.

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[1] CAT/C/TUR/CO/5

[2] CCPR/C/TUR/CO/2

[3] [https://hudoc.echr.coe.int/eng/#{\"itemid\":\"001-142087\"}](https://hudoc.echr.coe.int/eng/#{\)

[4] <https://www.ohchr.org/en/press-releases/2025/04/un-experts-welcome-kurdish-workers-party-ceasefire-turkiye-and-urge-just-and>