



Unione delle Camere Penali Italiane



PRESS STATEMENT

Independent Legal Mission on the Peace Process in Türkiye

Ankara, 27 February 2026 - Today, one year after Kurdistan Workers' Party (PKK) leader Abdullah Öcalan issued a call for “Peace and a Democratic Society”, a 7-member independent international delegation concludes its first mission to observe legal developments in the ongoing peace process in Türkiye in relation to the Kurdish issue.

The Independent Legal Mission on the Peace Process in Türkiye (the Mission) was formed under the auspices of the European Association of Lawyers for Democracy and World Human Rights (ELDH) and Association for Democracy and International Law (MAF-DAD). In addition to lawyers affiliated with these organisations, the Mission was also constituted with the institutional participation of the International Bar Association’s Human Rights Institute (IBAHRI), the Union of Italian Penal Chambers (UCPI) and Esculca.

Objective

The objective of the Mission is to better understand recent developments related to the peace process in Türkiye and contribute to the achievement of a just and lasting peace rooted in the principles established by the UN Declaration on the Right to Peace (A/RES/71/189).

The Mission’s work is grounded in comprehensive multi-stakeholder consultations and full acknowledgment of the sovereignty of the Republic of Türkiye and its democratic institutions. Guided by principles of neutrality, transparency, and constructive dialogue, the Mission seeks to gain an in-depth understanding of the challenges, opportunities, and concerns surrounding the current phase of the process, while facilitating open and respectful exchanges of views with all relevant actors.

Methodology

During the visit, the Mission met with human rights organizations, civil society actors, lawyers, and political representatives, including members of the *National Solidarity, Brotherhood and Democracy Commission (the Commission)* established within the Grand National Assembly of Türkiye.

The Mission intends to continue engaging with additional stakeholders, including those with whom meetings were not possible due to scheduling constraints. The Mission has also formally requested authorization to visit İmralı Prison and hopes that this request may be considered in due course.

A comprehensive report is forthcoming. The following should therefore be understood as preliminary observations arising from the Mission's first visit to Türkiye.

Preliminary Observations

The Mission's visit takes place one year after the public call made by Abdullah Öcalan on 27 February 2025, calling for the cessation of armed conflict and the transition toward democratic political engagement.

Following that call, the Kurdistan Workers' Party (PKK) convened its congress and announced the end of its armed campaign, declaring its decision to dissolve its organizational structure, and undertook symbolic confidence-building steps regarding weapons. Since that time, armed confrontation has ceased, and during our meetings none of the actors consulted expressed significant doubt regarding the seriousness of this declared commitment or its implementation to date.

In response to this new context, the Grand National Assembly established the *National Solidarity, Brotherhood and Democracy Commission*, opening a parliamentary space in which political parties can discuss issues related to peace, democratization, and reconciliation. The creation of this Commission represents an important institutional step, as it situates the discussion of conflict-related issues firmly within democratic and parliamentary structures. The Mission notes that on 18 February, the Commission issued its final joint report, approved by 47 of its 51 members from across the political spectrum.

While the political parties and civil society representatives we met expressed differing views on procedural questions and possible outcomes, there was broad recognition of the importance of this parliamentary initiative. Some stakeholders noted that future stages of the process could benefit from broader participation, a more nuanced understanding of the conflict, greater representation of women, and more detailed and concrete implementation measures.

Some of our interlocutors expressed the opinion that the peace process concerns primarily, if not solely, the Turkish State v PKK conflict. Others underlined that the Turkish-Kurdish issue, in general, should be seen as the root cause. They also declared that the people should be called to express themselves from the beginning through a variety of participatory processes and consultations.

There is broad recognition of the important role of Mr. Öcalan in initiating the current phase of the process, and his relevance continues to be crucial, as his first anniversary message (delivered today) stresses. If dialogue is to advance in a constructive manner, several interlocutors expressed the view that his detention conditions should be considered within a transparent legal framework so as to allow structured, confidential and lawful communication with relevant actors. Such communication may, where appropriate and in accordance with applicable law, involve representatives of the Kurdish political movement, competent Turkish authorities, and possibly other national and international actors.

In this context, the Mission wishes to highlight the binding force of the jurisprudence of the European Court of Human Rights (ECtHR), including the judgment *Öcalan v. Turkey* (No.2), as well as evolving interpretation of international human rights standards concerning long-term detention, human dignity, and the preservation of future reintegration, a concept referred to as “the right to hope“.

Advancing a structured and effective process of disarmament, demobilization, and reintegration with appropriate guarantees will require the prior establishment of a clear legal and technical framework to ensure proper legal and security guarantees. This requires, first of all, direct engagement and negotiation among the parties involved in the armed conflict. International experience demonstrates that carefully designed legal arrangements, combined where appropriate with third party technical expertise and confidence-building mechanisms, can contribute to trust between parties and within society at large. Consistent with the principles of UN Security Council Resolution 1325 (2000), such processes should ensure the meaningful participation of women, address their specific protection needs along with those of children, and reinforce their role in promoting sustainable peace.

Furthermore, a key theme brought to the Mission’s attention is the importance of strengthening public confidence in the rule of law. With regard to the execution of decisions of the ECtHR and the Constitutional Court of Türkiye, the Mission welcomes the recommendations set forth in the Commission’s report and notes that all interlocutors confirmed the importance of ensuring the effective and timely implementation of final judicial decisions within the existing constitutional and legal framework. The emphasis expressed during our dialogue was on the value of prompt and good-faith execution of judicial decisions as a confidence-building contribution to strengthening the rule of law. The Mission notes that an effective consideration of the jurisprudential standards within the framework of Article 46 ECHR and Türkiye’s constitutional and legal framework could make a crucial contribution to strengthening confidence in the process.

Certain judgments of the ECtHR and the Constitutional Court were frequently mentioned as illustrative examples of matters relevant to the dialogue process. These include, among others, *Selahattin Demirtaş v. Turkey* (No. 2), concerning issues related to prolonged pre-trial detention and political pluralism, and *Kavala v. Turkey*, relating to findings of unlawful detention and the requirement of compliance with the Court’s final judgment.

A consensus emerged among the parties the Mission met, with all acknowledging that legal amendments will be needed for the process to consolidate, especially but not exclusively in the sphere of criminal and antiterrorism legislation, as highlighted also by numerous international human rights organisations. All the

same, it should be noted that even administrative acts or decrees can have significant impact on the current scenario, for instance on the issue of municipal trustee appointments. Many parties expressed their concern about the lack of concrete measures in the Commission's Report regarding internationally recognized basic cultural and linguistic rights.

Final Remarks

The Mission encourages all relevant actors to continue engaging constructively and to advance, as appropriate, the legal framework necessary to support a lasting and sustainable peace. This peace dialogue opportunity carries significant potential for stability and the protection of human rights in Türkiye, as well as for the broader region, provided it is pursued with transparency, inclusivity, and genuine and sustained commitment.

The Commission has already published its conclusions, and this Mission's statement should not be interpreted as seeking to predetermine or influence those conclusions. The Mission reiterates that these reflections are offered in an independent and strictly observational capacity and are intended to accompany and support the ongoing process through independent observation and dialogue. These comments are offered in a spirit of constructive engagement.

The Mission looks forward to presenting its final report in due course.

Notes to editors

The Mission conducted its fieldwork between 24 and 27 February 2026.

The Mission included the following Delegates:

- Eleonora Scala (International Bar Association's Human Rights Institute)
- Wendy Lyon (Socialist Lawyers' Association of Ireland, member of ELDH)
- Raquel Crespo Castro (Secretary of Esculca)
- Ezio Menzione (Union of Italian Penal Chambers)
- Clemens Lahner (member of ELDH)
- Urko Aiertza Azurtza (Co-President of ELDH)

The Mission is organised under the auspices of the following organisations:

The **European Association of Lawyers for Democracy and World Human Rights (ELDH)** is an independent, non-profit European association composed of national legal associations and individual lawyers from more than 23 European countries. The organization works to promote human rights,

democracy, and the rule of law, including through monitoring legal developments, assessing human rights situations, and following peace and dialogue processes from a legal perspective.

The **Association for Democracy and International Law, MAF-DAD (Kurdish for Law and Justice)**, was established on 1 September 2006, the International Day of Peace, by German, Kurdish, and Turkish lawyers and human rights activists. It was founded in response to ongoing human rights violations and democratic backsliding in Turkey and Kurdistan, with the aim of strengthening democratic structures and defending fundamental rights. MAF-DAD actively works to ensure accountability for international crimes in Kurdistan, Turkey, and Europe, while also promoting the protection of Human Rights.

The **International Bar Association's Human Rights Institute (IBAHRI)** is an autonomous and financially independent entity within the International Bar Association (IBA), established in 1995 under the honorary presidency of Nelson Mandela. The IBAHRI works with the global legal community to promote and protect human rights worldwide. The IBA, established in 1947, is the world's leading organisation of legal practitioners, bar associations, and law societies and has been accredited with ECOSOC status since 1947. It has a membership of 80,000 individual lawyers and more than 190 Bar Associations and Law Societies, spanning all continents.

The **Union of Italian Penal Chambers**, founded in 1982, is an association of criminal lawyers that includes 129 territorial Criminal Chambers. More than 10,000 criminal lawyers are registered with these Chambers. The Union promotes the knowledge, dissemination, concrete implementation, and protection of the fundamental values of criminal law and of a fair and equitable criminal trial, through the development of studies and the organization of cultural and political initiatives aimed at improving the criminal and criminal procedural system. It also works to ensure the correct application of legal norms and to support reforms of the judicial system that are consistent with the values of judicial independence, autonomy, and impartiality.

Esculca is a human rights and civil liberties observatory in Galiza. It is a non-profit organization founded in 2002 that denounces human rights violations by public authorities. Among the purposes of the association is the promotion of democratic values and the defense of the rights of nations and peoples.