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## **I. GENERAL FACTUAL AND STATISTICAL INFORMATION**

### **A. Demographic, economic, social and cultural characteristics**

1. Turkey is located at the Eurasian crossroads between the Balkans, Mediterranean, Black Sea and Caspian Sea regions. The mainland Anatolia has therefore been the epicentre of political, economic and cultural attraction and consecutively the spanning ground of many civilizations throughout history.
2. Following the demise of the Ottoman Empire which reigned for more than 600 years, the Lausanne Peace Treaty, signed on 24 July 1923, marked both the end of the National War of Liberation against occupying powers and the international recognition of the new state. The Republic of Turkey was proclaimed on 29 October 1923. Modernization initiatives through which Turkey increasingly asserted its Western identity started immediately after.
3. Today, with its population of dominantly Muslim faith, Turkey is a secular state that has a functioning market economy and a pluralistic democracy.
4. The official language in Turkey is Turkish. A number of different languages and dialects are also spoken in Turkey at local level.
5. Turkey's foreign policy is based on the fundamental dictum "peace at home, peace in the world". The country joined the League of Nations in 1932 and became a founding member of the United Nations (UN) in 1945. In 1949 Turkey adopted the Universal Declaration of Human Rights and took part among the founding members of the Council of Europe. Turkey joined the North Atlantic Treaty Organisation (NATO) in 1952. Actively taking part in the activities of the Organisation for Economic Cooperation and Development (OECD) since its inception in 1960, Turkey has also been an active participant of the Organisation for Security and Cooperation in Europe (OSCE) since the time of the Conference on Security and Cooperation in Europe (CSCE).
6. Turkey became an associate member of the European Economic Community in 1963 by signing the Ankara Agreement which envisages full membership in the Community. Turkey concluded a Customs Union agreement with the European Union (EU) in 1996 in accordance with the Ankara Agreement and its candidacy for full EU membership was acknowledged at the Helsinki Summit of 1999. Negotiations for Turkey's accession to the European Union officially started on 3 October 2005.
7. The country's membership in the Black Sea Economic Cooperation Organisation (BSEC), Economic Cooperation Organisation (ECO), Developing Eight Countries (D-8) and the Organisation of the Islamic Conference (OIC), as well as its active participation in several other regional initiatives reflect the multifaceted dimension of Turkey's foreign policy in global politics.

8. Turkey continues to fight a separatist terrorist movement since 1984. Acts of terrorism perpetrated by the PKK terrorist organisation have claimed the lives of more than 35.000 Turkish citizens, among whom were thousands of innocent civilians deliberately targeted by terrorists, and resulted in a large amount of material and economic loss. As a democratic state governed by the rule of law, bearing in mind the concepts of public peace, national solidarity and justice, and respecting human rights, Turkey has achieved considerable success in its fight against terrorism conducted in full conformity with its domestic law and its international obligations.

9. The total area of Turkey is 769.604 square kilometres. Its land borders are 2.573 kilometres and coastlines (including islands) are another 8.333 kilometres. Turkey has two European (Bulgaria and Greece) and six Asian (Armenia, Azerbaijan, Georgia, Iran, Iraq, Syria) neighbours along its land borders.

10. According to mid-year population estimates for 2005, the population of Turkey is 72.065.000, of which 35.716.000 are women and 36.349.000 are men. The percentage of individuals over 65 years of age is 5,90 (1.926.000 men and 2.325.000 women). 28% of the population (10.444.000 men and 10.055.000 women) is under 15 years. 44.747.000 people live in urban areas while 27.318.000 people live in rural parts (areas with a population of 20.000 and less). The population density is 94 people per square kilometre. The annual population growth rate is 1,3% and is expected to fall near zero in 2050 and level out at below 100 million.

11. Among 81 provinces in the country, the three most rapidly growing are İstanbul with a 10-million population, Ankara with 4 million and İzmir with 3.4 million. Within the last three decades Antalya registered the greatest increase in population growth rate with a 41,8‰ increase, followed by Şanlıurfa with 36,6‰ and İstanbul with 33,1‰. Tunceli registered the lowest with a -35,6‰.

12. According to demographic indicators for 2004, life expectancy is 73,6 years for women and 68,8 years for men. The death rate is 71‰. The infant mortality rate per 1.000 live births is 24,6. The average age of marriage has increased to 19,5 years for women and 23,6 years for men.

13. In 2005, the total Turkish labour force stood at 24.565.000 comprising a male-female distribution of approximately 74,1% and 25,9% respectively, with the proportion of women on the rise. The share of the agricultural employment has declined at a constant rate from 46,5% in 1988 to 29,5% in 2005. The share of the industrial sector is stabilized at around 16-19% while the services sector is absorbing an increasingly significant proportion of the total labour supply. Unemployment rate was 10,3% in 2005.

14. Following liberalization of trade in the early 1980s and capital movements in 1989 and owing to the sound economic performance of recent years, Turkey has achieved the status of a functioning market economy. This status has also been confirmed by the EU Commission in its 2005 Progress Report on Turkey's EU accession. Since the end of 1999, acting under an International Monetary Fund (IMF) stand-by agreement, Turkey improved macroeconomic balances significantly, stabilized its economy and achieved extensive structural reforms which paved the way for high and sustainable growth and increased its competitiveness.

15. Gross National Product (GNP) in 2005 was worth \$360.876 billion, which suggests that the Turkish economy became the 16<sup>th</sup> biggest economy among the 30 OECD countries. GNP per capita hit an all-times record of \$5.008 in 2005. Turkey's real Gross Domestic Product (GDP) and GNP increased by 7,4% and 7,6% respectively in 2005. This was the highest growth rate since 1966 and made Turkey one of the fastest growing economies in the world. Turkey's real GDP has increased by a cumulative rate of 23,7% in the last three years.

16. In 2005, annual Consumer Price Index (CPI) and Wholesale Price Index (WPI) inflation rates were 7,72% and 2,66% respectively. Thus, Turkey for the first time faced a single digit inflation rate after a period of 30 years with high inflation.

17. At the end of 2005, the total outstanding external debts (including private sector's debts) amounted to \$170.1 billion, 77,5% of which was long- and medium-term debts. Real interest rates plunged to a level below 7,96% in December of 2005 from levels fluctuating between 20% and 30% in the last decade.

18. According to the results of the last census held in 2000, illiteracy rate for the male population of above the age of 6 was 6,14% whereas that for the female population of the same age group was 19,36%. As to regional distribution, it was observed that South Eastern Anatolia had the highest rate with 39,8% while the most developed region, the Marmara, had the lowest rate with 11,9% in terms of female illiteracy. The "Girls to School" campaign initiated by the Government and civil society to encourage girls' participation in education was rolled out to all 81 provinces in 2005. Within the framework of the campaign, the number of the girls newly enrolled in schools in 2005 increased to 175.452. The enrolment ratios for the female population rose from 88,45% in 1999-2000 to 93% in 2001-2002 at the primary education level; from 48,42% in 1999-2000 to 52,67% in 2001-2002 at the junior high school and equivalent level and from 17,42% in 1999-2000 to 18,17% at 2001-2002 in the university and higher level.

19. During the 2003/04 school year:

- A total of 358.499 children attended 13.692 pre-school facilities where a total of 19.122 teachers taught
- A total of 10.479.538 students were educated by 384.029 teachers in 36.117 primary schools
- A total of 3.593.404 students were educated by 160.049 teachers in 6.512 schools offering secondary education
- A total of 20.411 students were educated in 432 special education institutes or classes (for the handicapped including the visually impaired, hearing impaired, orthopedically handicapped, mentally retarded and those with long-term illnesses) by 3.867 teachers
- A total of 2.879.391 people attending 7.955 institutions of non-formal education including public education centres and apprenticeship training centres, were taught by 51.385 teachers

20. The total number of universities during the 2004-2005 academic year was 79. While 53 of them are public, the remaining 26 are private universities affiliated with foundations. A total of 594 faculties, 179 schools of higher education, 473 vocational schools of higher education and 220 institutes offer services within the scope of 79 universities. The number of students receiving higher education during the 2004-2005 academic year, including those attending the Open University was 2.073.428 and the number of academic staff was 79.555.
21. Improvements were made in the health service indicators between the years 1990-2004. During this period, the amount of beds available for patients increased from 136.638 to 187.788. An increase was seen also in manpower in the health sector. The number of hospitals throughout the country reached 1.217 in 2004. The utilization ratio of the bed capacity is at a level of 64,9%. The public sector continues to provide the majority of health services. 92,2% of the beds available for patients and almost all of the protective health services are provided by the public sector. Private sector investments are also subsidized.
22. In 2003, 86,4% of the population was covered by social insurance schemes. Social assistance expenditures from the national budget totalled \$1.990,6 million at the end of 2004, accounting for 0,70% of GDP. On the other hand, by June 2005, 8,8 million people registered for the Green Card programme which covers the people who have no social security and whose income amounts to less than one third of the net minimum wage.
23. As to audio-visual media, Turkish radio broadcasts began on 6 May 1927 in Istanbul and the first television transmission in Turkey was broadcast on 31 January 1968. As of August 2006 there are 23 national, 16 regional and 214 local television channels. The number of private radio stations operating is as follows: 36 national, 101 regional and 952 local. The public television channels and radio stations (including universities, meteorology and others) are not included in these figures. The number of cable TV stations is 66 while 74 television and 47 radio stations broadcast via satellite.
24. Press was introduced to Turkish society in mid-19th century. At present, approximately 3.450 periodicals are published in Turkey. The total number of news magazines, which was only 20 in 1990, increased to 247 in 2004. Total circulation of magazines, generally published weekly or monthly, is around 2,3 million. According to February 2005 figures, the average daily newspaper sale in Turkey is 4 million. The number of people reading daily newspapers is much higher since the people tend to read newspapers via internet and share newspapers in groups at workplaces, in schools, clubs and other public places.
25. The cultural life in Turkey is enriched by the presence of 1.260 libraries for public, children or manuscript in addition to the National Library located in Ankara and university libraries, as well as with 95 state-run museums, 98 private museums, 45 cultural centres in service and 74 under construction, all affiliated with the Ministry of Culture and Tourism.
26. For further reference on issues covered by this section, a compilation of relevant statistical data is available in Annex-I.

## **B. Constitutional, political and legal structure**

### **Constitutional experience**

27. Constitutional life in Turkey dates back to the Ottoman period in the second half of the 19<sup>th</sup> century. The two imperial decrees declared by the Sultan in 1839 and 1856 respectively recognized basic human rights and paved the way for the promulgation of the first Ottoman Constitution which was adopted in 1876 by laying the foundations of the parliamentary tradition in Turkey.

28. The early 20<sup>th</sup> century witnessed the gradual expansion of parliamentary democracy. The 1921 Constitution which was adopted during the War of Liberation introduced the principle of “national sovereignty” as an expression of the revolutionary transformation in the Turkish society. The 1921 Constitution was followed by the first, second and third constitutions of the Republic of Turkey adopted respectively in 1924, 1961 and 1982. The principle of separation of powers was fully established by the 1961 Constitution.

29. According to Article 2 of the 1982 Constitution which is in effect today, the Republic of Turkey is a democratic, secular and social state governed by the rule of law. “Respect for human rights” is also a basic and inviolable principle of the Republic.

### **Legislative branch**

30. Legislative authority is vested in the **Turkish Grand National Assembly (TGNA)**. The TGNA is unicameral and composed of 550 deputies. Parliamentary elections are held every five years.

31. The electorate comprises all Turkish citizens aged 18 and above. Except for conscripts serving in the Armed Forces, cadets in military schools and those who are imprisoned as well as persons who are restricted from public service, every Turkish citizen has the right to vote. Turkish women were granted the right to vote and to be elected in 1930 with respect to municipal elections and in 1934 with respect to general elections.

32. According to Article 76 of the Constitution, every Turkish citizen over the age of 25 is eligible to be elected member of parliament. The same article stipulates that

*Persons who have not completed their primary education, who have been deprived of legal capacity, who have failed to perform compulsory military service, who are banned from public service, who have been sentenced to a prison term totalling one year or more excluding involuntary offences, or to a heavy imprisonment; those who have been convicted for dishonourable offences such as embezzlement, corruption, bribery, theft, fraud, forgery, breach of trust, fraudulent bankruptcy; and persons convicted of smuggling, conspiracy in official bidding or purchasing, of offences related to the disclosure of state secrets, of involvement in acts of terrorism, or incitement and encouragement of such activities, shall not be elected deputies, even if they have been pardoned.*

33. Elections in Turkey are held at single-stage. According to a proportional representation system, general, equal and secret ballot elections are held throughout the country on the same day under judicial administration and supervision. The related law outlines the requirements for Turkish citizens living abroad to vote. The voter casts his/her vote in full freedom. The counting, recording and detailed presentation of votes are done publicly.

34. According to the official results of the latest elections in November 2002, 32,768,161 out of 41,231,967 voters (participation ratio 79,1%) cast their ballots in the elections. A total of 31,528,783 votes were considered valid. By winning 363 seats in the 550-seat assembly, the Justice and Development Party (AKP) formed Turkey's first single-party government to assume power in over a decade. Only one other party, the Republican People's Party (CHP), passed the nationwide threshold of 10% vote to enter the Parliament. The AKP won 34,29% of the votes, while the CHP won 19,38%, winning 178 seats. In addition, nine independent candidates won seats in the Parliament.

35. Currently 24 female deputies serve in the Parliament. The distribution of seats in the Parliament as of 1 December 2006 is as follows:

- Justice and Development Party (AKP): 354 (343 male, 11 female deputies)
- Republican People's Party (CHP): 154 (143 male, 11 female deputies)
- Motherland Party (ANAP): 21 (19 male, 2 female deputies)
- True Path Party (DYP): 4 (4 male deputies)
- Social Democrat People's Party (SHP): 1 (1 male deputy)
- People's Rise Party (HYP): 1 (1 male deputy)
- Young Party (Genç Parti): 1 (1 male deputy)

There are also 9 (male) independent deputies in the Parliament.

### **Executive branch**

36. The executive branch in Turkey has a dual structure comprising the President and the Council of Ministers. The **President** is the Head of the State. He/she is elected for a seven-year term by the TGNA. Turkish citizens of at least 40 years of age can be elected President by the TGNA's secret ballot process. The President cannot be elected for a second term. No appeal may be made to any legal body, including the Constitutional Court, against decrees and presidential orders signed directly by the President.

37. The **Council of Ministers** consists of the Prime Minister, designated by the President among the members of the TGNA, and various ministers nominated by the Prime Minister and appointed by the President. The Council is accountable to the Parliament in the execution of its duties.



## Judicial branch

38. All legislative, executive and administrative procedures and activities are subject to judicial control. Judicial power is exercised by independent courts and supreme judiciary organs. Judges rule on the basis of Constitutional provisions, laws and jurisprudence. The legislative and executive organs must comply with the rulings of courts and may not change or delay the application of these rulings.

39. Judges and public prosecutors carry out their duties independently and impartially. The principles of independence and impartiality are guaranteed by law. According to Chapter III, Section 1 of the Constitution, no organ, authority, office or individual may give orders or instructions to courts or judges relating to the exercise of judicial power, send them circulars, or make recommendations or suggestions. Similarly, no questions may be asked, debates held, or statements made in the TGNA relating to the exercise of judicial power concerning a case under trial.

40. Court hearings are open to the public. The court may decide to conduct all or part of the hearings in closed sessions in cases which absolutely require such measures for the protection of public moral or public security. Also, court hearings and judgments of the cases involving minors are held in closed sessions. In offences and penalties, principles of legality, proportionality, individual responsibility for the offence and presumption of innocence are applied. Special provisions are provided in the law with respect to the trial of minors. According to the Constitution, it is the duty of the judiciary to conclude trials as quickly as possible and at minimum cost.

41. Ordinary, administrative and military justice is organized separately in the Turkish legal system. The courts of justice consist of general first instance courts (criminal courts of peace, criminal courts of first instance, heavy penal courts, civil courts of peace, civil courts of first instance and commercial courts) and specialized first instance courts (specialized heavy penal courts, juvenile courts, family courts, land registration courts, labour courts, intellectual property courts and consumer courts). The Law on the Establishment of the Regional Courts of Appeals was adopted by the Parliament in September 2004 and promulgated in the Official Gazette in October 2004. The **High Court of Appeals** (also referred to as the Court of Cassation) is the last instance court for reviewing decisions and judgements given by courts of justice. The opinions rendered by the High Court of Appeals are taken as precedents for legal rulings in lower courts throughout the country so that uniform application may be achieved. It is also able to modify its own rulings upon request.

42. The administrative court system is composed of administrative courts, tax courts and regional administrative courts. The **Council of State** is the last instance court for reviewing decisions and judgements given by administrative courts. It ensures the consistency of rulings among the administrative courts. The Council of State is at the same time the highest consultative body of the state and, in this capacity, expresses its opinions on draft legislation upon the request of the Prime Minister or the Council of Ministers.

43. Military justice is exercised by military courts and military disciplinary courts. These courts have jurisdiction to try military personnel for military offences, for offences committed by them against other military personnel or in military places, or for offences connected with military service and duties. With the approval by the Parliament on 29 June 2006 of the Law on the Amendment of the Law on the Establishment and Functioning of Military Courts, jurisdiction of the military courts in peacetime has been limited only to trial of military personnel, with the exception of jurisdiction to try civilians only for military crimes committed jointly with military personnel. The **High Military Court of Appeals** and the **High Military Administrative Court of Appeals** are the last instances for reviewing decisions and judgements given by military courts.

44. The 1982 Constitution had established **State Security Courts** to deal with offences against the indivisible integrity of the State, against the free democratic order, or against the Republic the characteristics of which are defined in the Constitution, and with offences directly involving the internal and external security of the state. On 7 May 2004 the relevant article of the Constitution was repealed and on 16 June 2004, the Code of Penal Procedure was amended so as to abolish the State Security Courts, and the Act on the Establishment of State Security Courts and Rules of Procedure was revoked. State Security Courts were replaced by heavy penal courts specialized in criminal prosecutions involving predominantly terrorism and narcotics offences.

45. The **Constitutional Court** was established in 1961. It has a *primus inter pares* position among the higher courts. Its basic function is to examine the constitutionality, in both form and substance, of laws, decrees with the power of law and the Rules of Procedure of the Turkish Grand National Assembly. The decisions of the Constitutional Court are final. These decisions cannot be amended in any manner and their application cannot be delayed.

46. The **Court of Accounts** is charged, on behalf of the Turkish Grand National Assembly, with auditing all accounts related to the revenues, expenditures and property of government departments financed by general and subsidiary budgets. No applications for judicial review of its decisions can be filed in administrative courts.

47. The **Court of Jurisdictional Disputes** is the final authority to settle disputes concerning the verdicts of the justice, administrative or military courts. This court is made up of members of the High Court of Appeals, the Council of State, the High Military Court of Appeals, and the High Military Administrative Court of Appeals.

48. The **High Council of Judges and Public Prosecutors** makes administrative decisions concerning the judges and public prosecutors of administrative and judicial courts. It decides on admissions, appointments, transfers, delegation of temporary powers, promotions, allocation of posts, discharge of duties, disciplinary penalties and removal from office. Besides other functions given by law, it makes final decisions on proposals by the Ministry of Justice concerning the abolition of a court or an office of judge or public prosecutor, or changes in the jurisdiction of a court. There can be no appeal to any judicial instance against the decisions of the Council.

## Local administration

49. According to Article 127 of the Constitution, “local administrative bodies are public corporate entities established to meet the common local needs of the inhabitants of provinces, municipal districts and villages, whose decision-making organs are elected by the electorate described in law, and whose principles of structure are also determined by law”.

50. Local administrations in Turkey are divided into three categories: (1) **special provincial administrations**, (2) **municipalities** and (3) **villages**. All local administrative bodies have legal personality and are autonomous on the basis of the principle of decentralisation. Article 127 of the Constitution states that

*The central administration has the power of administrative trusteeship over the local governments in the framework of principles and procedures set forth by law with the objective of ensuring the functioning of local services in conformity with the principle of the integral unity of the administration, securing uniform public service, safeguarding the public interest and meeting local needs, in an appropriate manner.*

51. Members of the decision-making organs of local administrative bodies are chosen by election. Elections for local administrations are held under the direction and supervision of the judiciary according to the principles of free, equal, secret, direct, universal suffrage, and public counting of the votes. Elections are held every five years. However, in case the period envisaged for local elections falls within one year time prior to or after parliamentary general or by-elections, such local elections are held together with the parliamentary elections for administrative reasons. Every Turkish citizen who has completed the age of 25 can be elected mayor, village headman, member of provincial council, municipal council or village executive committee provided that he/she is eligible to be a member of parliament. However, as regards the eligibility to be elected a village headman or a member of village executive committee, graduation from primary school is not required; instead, to be literate is considered sufficient. Every Turkish citizen having the qualifications to be elected can put forward his/her candidacy for office from the list of one of the political parties or as an independent candidate in order to be a mayor or a member of provincial or municipal council. There is no procedure of candidacy for the elections of village administrations. In the elections of provincial and municipal councils, proportional representation with a 10% threshold is applied whilst the elections of mayors, village headmen and village executive committee members are based on the majority system.

52. **Special provincial administrations** are the public legal entities established for the purpose of meeting the needs of the residents of the province with their decision-making bodies constituted by election, and with administrative and financial autonomy. Currently, Turkey has 81 special provincial administrations. Special provincial administrations are assigned with duties in the following fields provided that the duties are local and collective: youth and sport, health, agriculture, industry and trade, environmental organisation plan of the province, public works and settlement, preservation of land, prevention of soil erosion, culture, art, tourism, social services and assistance, lending micro credits to the poor, day care centres and orphanages, land acquisition of primary and secondary schools and services relating to construction, maintenance, restoration and other necessities of school buildings. In addition, they are assigned with duties concerning development and construction of public facilities, infrastructure, drainage, solid

waste management, environment, emergency aid and rescue operations, supporting forest villages, forestation, services relating to creation of parks and gardens outside municipal borders.

53. Special provincial administrations have three major organs: (1) **provincial council**, (2) **provincial executive committee**, and (3) the **governor**.

54. The **provincial council** is the decision-making body of a special provincial administration and consists of members elected for five years by voting residents of the province. The head of the provincial council is elected from among and by the members of the council to carry out the following duties: (1) to adopt the strategic plan as well as investment and work programmes, to review activities of the special provincial administration and specify the criteria for the evaluation of the performance of the special provincial administration personnel, (2) to approve the special provincial administration's budget and final accounts, (3) to elect the members of the provincial executive committee, (4) to approve the regulations issued by the special provincial administration.

55. The **provincial executive committee**, headed by the governor, is the secondary decision-making organ of a special provincial administration. It consists of a total of 10 members, five of which are elected for one year by the provincial council from among its own members and the other five of which are elected by the governor.

56. The **governor** is the head of a special provincial administration and the representative of its legal personality. Being at the top of the hierarchical organisation of the special provincial administration, the governor administers the special provincial administration and safeguards its rights and interests.

57. **Municipalities**, currently the basic units of the local administration system, must be established in every provincial and district centre. Furthermore, a municipality may be established in a residential area with a population of at least 5.000. Currently, there are 3.225 municipalities in Turkey, 10% of which have a population of over 25.000 and 16 of which are metropolitan municipalities.

58. The municipality delivers services in the following fields at local and communal level: urban infrastructure; geographical and urban information systems; environment and environmental health; cleaning and solid waste management; municipal police, fire department, emergency aid, rescue and ambulance services; local traffic management; burial services and cemeteries; forestation, parks and recreation areas; housing; culture and art, tourism and promotion; youth and sports; social services and assistance; marital services; professional training; development of economic and commercial activities. The municipality may establish preschool education institutions and all types of health institutions.

59. Municipalities have three major organs: (1) **municipal council**, (2) **municipal executive committee**, and (3) the **mayor**.

60. The **municipal council** is the decision-making organ of the municipality and consists of members elected to serve for a period of five years. The number of members changes according to the population of the municipality. Among the main functions of the municipal council are approving strategic plans as well as investment and work programmes, reviewing municipal

activities and specifying the criteria for the evaluation of the performance of the municipal personnel, and approving development plans of the municipality. The municipal council convenes once every month.

61. The **municipal executive committee** is both a decision-making and a consultative body of a municipality. It is composed of the mayor, heads of the municipality service units and members elected by the municipal council from among its own members. The term of office of the elected members of the committee is one year.

62. The **mayor** is the head of the municipal administration and the representative of the municipality's legal personality. The mayor is elected to serve for a period of five years. As the highest-ranking municipal officer, the mayor administers the municipal organisation and safeguards the rights and interests of the municipality. The mayor presides over the municipal council and the municipal executive committee.

63. **Villages** are the smallest units of the local administration in Turkey. A village is defined as an administrative unit with fewer than 2.000 inhabitants. Villages have three major organs: (1) **headman**, (2) **executive committee**, and (3) the **village council**.

64. The administrative head of a village is the **headman** who represents the legal personality of the village. The headman, together with the executive committee, assumes its duty after being elected by the village council for a term of five years.

65. The **executive committee** is the organ which carries out village works, makes decisions regarding their implementation, and supervises them. The executive committee is headed by the headman. Some members of the committee assume their duty by election by the village council for a term of five years while others are natural members, such as the head teacher and the religious official (*imam*). Convening once a week, the executive committee is assigned with duties such as deciding on the work programme, supervising the expenditure of the headman, adopting the budget and mediating in cases of dispute between villagers.

66. The village council is composed of the entire local electorate and, thus, constitutes an example of direct democracy. The village council not only elects the headman and the members of the executive committee, but also has the authority to adopt administrative decisions, such as making certain duties originally categorized as "optional" by law "compulsory".

## **II. GENERAL FRAMEWORK FOR THE PROTECTION AND PROMOTION OF HUMAN RIGHTS**

### **A. Acceptance of international human rights norms**

67. Turkey has become party to core international instruments pertaining to fundamental rights and freedoms, including all of the seven principal international human rights treaties of the UN. A table indicating the international conventions within the UN framework relating to issues of human rights signed or ratified by Turkey is in Annex-II.

68. As of January 2007, Turkey is also party to 96 of the 200 Council of Europe conventions. A table listing the Council of Europe conventions in the area of human rights signed or ratified by Turkey is in Annex-III.

69. As a participating State of the OSCE, Turkey is also politically bound by the relevant human dimension commitments included in the OSCE documents.

70. Declarations and reservations made by Turkey to the main UN human rights instruments are permissible under international law and compatible with the object and purpose of the relevant instrument. An indicative list of these declarations and reservations is given below. Explanations are provided in the periodic reports of Turkey to the relevant Committees.

- International Covenant on Economic, Social and Cultural Rights: Three declarations; one reservation to paragraphs 3 and 4 of Article 13
- International Covenant on Civil and Political Rights: Three declarations; one reservation to Article 27
- Optional Protocol to the International Covenant on Civil and Political Rights: Two declarations; one reservation to paragraph 2(a) of Article 5
- International Convention on the Elimination of All Forms of Racial Discrimination: Two declarations; one reservation to Article 22
- Convention on the Elimination of All Forms of Discrimination against Women: One declaration and one reservation to paragraph 1 of Article 29 (earlier reservations to paragraphs 2 and 4 of Article 15 and paragraph 1 of Article 16 were withdrawn)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: One reservation to Article 30
- Convention on the Rights of the Child: Three reservations to Articles 17, 29 and 30
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families: Three declarations on Articles 15, 45 and 46; one reservation to Article 40
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict: One declaration; one reservation to Article 3
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography: One declaration

#### **B. General legal framework within which human rights are protected at the national level**

71. Turkey has developed a sound and effective domestic legal and institutional framework with respect to the protection and promotion of human rights. This framework is regularly reviewed with a view to adapting it to current needs.

72. Every Turkish citizen has the right to launch legal action against the Government and the administration before the relevant judicial courts in case he/she believes that his/her fundamental rights or freedoms have been violated. In cases where an individual claims that the Constitution has been violated in a lawsuit he/she has lodged before the court, the relevant Court can refer the claim to the Constitutional Court which is to decide whether or not the claim is valid.

### **Human rights bodies**

73. Established by Law No. 3686 of 5 December 1990, the **Human Rights Inquiry Commission of the TGNA** functions basically as a parliamentary monitoring mechanism with respect to allegations of human rights violations. A 23-member body where all political party groups and independents are represented according to the ratio of their seats, the Commission examines the extent to which human rights practices in Turkey comply with the requirements of the Constitution, national legislation and international conventions to which Turkey is party.

74. The Commission receives and examines applications from individuals living in Turkey who do not necessarily have to be citizens relating to alleged violations of human rights and conveys its findings to competent government bodies for action. The Commission possesses extensive powers of investigation and, in the performance of its duties, is empowered to request information from Ministries and other government departments, local authorities, universities and other public institutions as well as private establishments, to conduct inquiries on their premises and to invite the representatives of these bodies to appear before it and provide information. The Commission also conducts, when it deems necessary, on-site inspections in detention centres and prisons. While discharging its duties, it functions also in cooperation with relevant non-governmental organisations (NGO).

75. The Commission is also tasked with proposing legislative amendments to ensure the alignment of the national legislation with the international conventions on human rights to which Turkey is party. The Commission submits to the Presidency of the TGNA annual and *ad hoc* reports concerning the issues within its mandate and the discharge of its duties. These reports may be included in the agenda of the General Assembly of the TGNA. The Commission's reports are submitted also to the Prime Ministry and the related ministries.

76. Human rights work within the Government is spearheaded by the **Human Rights High Council**. It is chaired by the Minister responsible for human rights (currently the Deputy Prime Minister and the Minister of Foreign Affairs) and comprises the undersecretaries of the Prime Ministry as well as the Ministries of Foreign Affairs, Justice, Interior, National Education, Labour and Social Security, and Health. The High Council is mainly responsible for preparing and proposing draft legislative and administrative regulations aiming at the better promotion and protection of human rights. It also makes recommendations for the alignment of the legislation in force and of the draft legislative work with universal standards and the international commitments of Turkey with respect to the protection of human rights.

77. The **Human Rights Advisory Council** is a consultative body which consists of high-level government officials, representatives of NGOs and professional associations, and human rights experts. As such, it constitutes a permanent forum which regularly brings the representatives of the Government and of the civil society and which ensures the active participation of NGOs in the decision-making process. The Advisory Council reports to the Human Rights High Council

and functions as a consultative body with regard to national and international issues concerning human rights. The Council drafts recommendations for the consideration of the Government with regard to human rights policy and matters related to implementation.

78. Established in April 2001 as an affiliate of the Prime Ministry, the **Human Rights Presidency** is mainly responsible for coordinating the work of various government agencies in the field of human rights. The Human Rights Presidency monitors the implementation of the legislative provisions related to the protection of human rights with a view to ensuring the alignment of the national legislation with the international human rights conventions to which Turkey is party. Another important task assigned to the Presidency is to receive and examine applications from individuals relating to alleged violations of human rights. The Presidency received 354 applications in 2004 and 547 applications in 2005. The increase in the number of applications is more of an indication of the rising awareness on the part of citizens with respect to the existence of such a remedy. In addition, the Presidency is also responsible for the coordination of the in-service training in the field of human rights of members of relevant official bodies. The Presidency also functions as the secretariat of both the Human Rights High Council and the Human Rights Advisory Council.

79. The Law No. 4643 which created the Human Rights High Council, the Human Rights Advisory Council and the Human Rights Presidency also provides for the establishment of **Human Rights Inquiry Delegations**, composed of representatives of official and non-governmental bodies, which investigate allegations at local level regarding human rights violations and report their findings to relevant authorities.

80. The **Human Rights Boards** which were first created in 2000 and which have now been established in all the 81 provinces and 850 districts throughout the country are entrusted with receiving and investigating complaints and allegations of human rights abuses, and thereafter transmitting their findings to competent authorities for administrative and/or legal action. They also take measures for the prevention of all forms of discrimination and launch programmes for human rights education at the local level. Human Rights Boards are composed of at least 16 members including representatives of academic institutions, bar associations, medical chambers, trade and industry unions, NGOs, media as well as local administrations. An amendment introduced in 2003 restricted the number of government officials represented in each Board to two and ended the representation of the gendarmerie and the police. The Human Rights Boards received 493 applications in 2004 and 830 applications in 2005 submitted on allegations of human rights violations. The increase in the number of applications submitted during the 2004-2005 period is more an indication of the rising awareness on the part of citizens with respect to the existence of such remedies and the growing confidence in the work of these bodies than a presumable rise in the number of human rights violations.

81. Established in 2004 as an affiliate body of the Ministry of Interior, the **Bureau for the Inquiry of Allegations of Human Rights Violations** has been tasked with investigating the complaints regarding allegations of human rights violations perpetrated by law enforcement officials.

82. The **Centre for the Inquiry and Evaluation of Human Rights Violations of the Gendarmerie**, shortly known as JIHIDEM, has been assigned with the tasks of investigating allegations of human rights violations by gendarmerie personnel which may arise during the



fulfilment of their duties. In case JIHIDEM concludes that a particular allegation is based on facts, it initiates the process of further judicial or administrative investigation and informs the complainant of the outcome. JIHIDEM may also make public the outcome of its work concerning such allegations.

83. There is also a particular department at the Ministry of Foreign Affairs, namely the **Deputy Directorate General for the Council of Europe and Human Rights**, dealing exclusively with human rights issues. The mandate of this department covers relations with international organisations in the field of human rights as well as human rights issues on bilateral basis. Processing the applications lodged with the European Court of Human Rights also falls within its jurisdiction.

84. A special **Reform Monitoring Group** at the political level has been established to overview the progress in the actual implementation of recent reforms, in particular those which aim at improving the situation of human rights in Turkey. The Group is currently chaired by the Deputy Prime Minister and Minister of Foreign Affairs, and comprised of the Minister of Justice, the Minister of the Interior, and the Minister of State and Chief (EU) Negotiator. Senior officials from the ministries concerned as well as the Secretary-General for EU Affairs, Head of the Human Rights Presidency and Chair of the Human Rights Advisory Council assist the Group. The Group meets frequently with a view to addressing the issues related to the preparation of new reforms and the implementation of recent reforms.

85. In addition to the existing human rights mechanisms, the law on the establishment of the institution of ombudsman in Turkey, prepared by the Ministry of Justice, was adopted by the Parliament. As of January 2007, the said law is under examination by the Constitutional Court, which ruled on the stay of execution.

### **Remedies available to individuals**

86. As stated earlier, every Turkish citizen has the right to sue the Government before the relevant judicial courts in case he/she believes that his/her fundamental rights or freedoms have been violated. In addition to these judicial remedies, individuals can also apply directly to the Human Rights Inquiry Commission of the TGNA, the Human Rights Presidency or the Human Rights Boards.

87. A basic tenet of the Turkish legal system is that the State is directly responsible for excessive deeds or offences committed by public officials. Consequently, requests for compensation for damages incurred from such acts are directed to the State.

88. In this respect, Article 40 of the Constitution states that

*Everyone whose Constitutional rights and freedoms have been violated has the right to request prompt access to the competent authorities. The State is obliged to indicate in its transactions the legal remedies and authorities the persons concerned should apply and their time limits. Damages incurred by any person through unlawful treatment by holders of public office shall be compensated for by the State. The State reserves the right of recourse to the official responsible.*

89. Article 125 of the Constitution, entitled “Recourse to judicial review”, stipulates that recourse to judicial review shall be available against all actions and acts of the administration. This article also states that “The administration shall be liable to compensate for damages resulting from its actions and acts”.

90. Article 129 of the Constitution provides that actions for damages arising from faults committed by civil servants and other public employees in the exercise of their duties shall be brought against the administration.

91. Article 13 of Law No. 657 on Civil Servants stipulates that, in case a loss occurs because of an unlawful act of a public official, the State shall be directly responsible and a case for compensation shall be opened in an administrative court.

92. Article 141 of the Turkish Penal Code No. 5237 which entered into force on 1 June 2005 enumerates the categories of those who may be eligible for receiving compensation from the State. Conditions for eligibility for such compensation are listed in Article 142 of the Code. According to the aforementioned provisions, those who claim that they have been arbitrarily or illegally detained or apprehended are able to apply for compensation from the State.

93. Article 2 of the said Law stipulates that any person who has sustained damage for the reasons set out in Article 1 may lodge a claim for damages with the heavy penal court having jurisdiction in respect of his/her place of residence within three months of the date on which the decision concerning the allegations which form the basis of his/her claim becomes final.

94. Article 74 of the Constitution, entitled “Right of Petition”, states that “Citizens and foreigners resident considering the principle of reciprocity have the right to apply in writing to the competent authorities and to the Turkish Grand National Assembly with regard to the requests and complaints concerning themselves or the public”. The said article also stipulates that the petitioner is to be informed of the result of the application in writing without delay. The system regarding the enjoyment of the right of petition has been regulated by the Law No. 3071 of 1 January 1984, entitled the “Use of the Right of Petition”. According to Article 7 of the said Law, the result of the process initiated upon a request or complaint of a Turkish citizen concerning himself/herself or the public in general shall be made known to him/her in no later than two months.

95. The law regulating the use of the “right to information” was adopted in October 2003 and entered into force in April 2004. Article 4 of the said Law states that

*Everyone has the right to information. Foreigners resident in Turkey and the foreign legal entities operating in Turkey can exercise the right in this law, on the condition that the information that they require is related to them or to the field of their activities; and on the basis of the principle of reciprocity.*

96. Article 5 regulates the obligation of the public institutions to provide information:

*The institutions [public institutions and professional organisations which qualify as public institutions] are required to apply administrative and technical measures to provide every*

*kind of information and document, with the exceptions set out in this law, to provide the information for applicants; and to review and decide on the applications for access to information promptly, effectively and correctly.*

97. The Bylaw on the methods and principles regarding the implementation of the Law on the Right to Information was published in the Official Gazette on 27 April 2004. According to Article 20 of the Bylaw, applications for access to information shall be responded to within 15 business days.

98. The Law on Compensation for Damages Caused by Terrorist Acts and by the Counter-terrorism Measures No. 5233, adopted by the Parliament on 17 July 2004, aims at compensating such damages by way of reaching agreements with natural or legal persons in question. Following the issuance of the Bylaw on the implementation of the said Law in the Official Gazette on 20 October 2004, damage assessment and compensation committees were established. Monitored by the Committee for Monitoring and Coordination, these committees started receiving and processing applications.

99. The *İçyer* decision adopted by the European Court of Human Rights on 12 January 2006 recognized that the said Law constitutes an effective remedy at domestic level for persons seeking compensation from such damages. Since the Court's *İçyer* decision, hundreds of similar individual applications of persons seeking compensation before the European Court of Human Rights have been found inadmissible. The applicants have been directed to apply to the compensation commissions.

### **Constitutional guarantees for the protection of fundamental human rights**

100. Respect for human rights is one of the most important and inviolable tenets of the Republic of Turkey. Almost all of the rights referred to in the international human rights instruments to which Turkey is party have already been guaranteed by the Constitution.

101. In the preamble of the Constitution, it is acknowledged that

*It is the birthright of every Turkish citizen to lead an honourable life and to develop his or her material and spiritual assets under the aegis of national culture, civilization and the rule of law, through the exercise of the fundamental rights and freedoms set forth in this Constitution in conformity with the requirements of equality and social justice.*

102. According to Article 2 of the Constitution regarding the characteristics of the State, the Republic of Turkey is "a democratic, secular and social state governed by the rule of law ... respecting human rights". This is an inviolable tenet of the Constitution.

103. Among the fundamental aims and duties of the State prescribed in Article 5 of the Constitution are

*To ensure the welfare, peace, and happiness of the individual and society; to strive for the removal of political, social and economic obstacles which restrict the fundamental rights and freedoms of the individual in a manner incompatible with the principles of justice and of the social state governed by the rule of law; and to provide the conditions required for the development of the individual's material and spiritual existence.*

104. Fundamental rights and freedoms which are under constitutional guarantee are laid out in detail under Part Two (Articles 12-74) of the Constitution, titled “Fundamental Rights and Duties”. The civil, political, economic and social rights which are guaranteed by the Constitution have been enumerated in separate chapters under Part Two with the titles “Rights and Duties of the Individual”, “Social and Economic Rights and Duties” and “Political Rights and Duties”.

105. According to Article 10 of the Constitution, “all individuals are equal without any discrimination before the law, irrespective of language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such considerations” and “State organs and administrative authorities shall act in compliance with the principle of equality before the law in all their proceedings”. Article 16 of the Constitution stipulates that the fundamental rights and freedoms of foreigners can only be limited by law in accordance with international law. However, political rights and the right to enter into public service are only given to Turkish citizens.

106. Rules related to the limitation of fundamental rights and freedoms in the Constitution are in conformity with universal rules. According to Article 13 of the Constitution,

*Fundamental rights and freedoms may be restricted only by law and in conformity with the reasons mentioned in the relevant articles of the Constitution without infringing upon their essence. These restrictions shall not be in conflict with the letter and spirit of the Constitution and the requirements of the democratic order of the society and the secular Republic and the principle of proportionality.*

107. According to Article 15 of the Constitution regarding the suspension of the exercise of fundamental rights and freedoms,

*In times of war, mobilization, martial law, or state of emergency, the exercise of fundamental rights and freedoms can be partially or entirely suspended, or measures may be taken, to the extent required by the exigencies of the situation, which derogate the guarantees embodied in the Constitution, provided that obligations under international law are not violated.*

108. However, the said Article also stipulates that, even under the circumstances indicated above,

*The individual’s right to life, and the integrity of his or her material and spiritual entity shall be inviolable except where death occurs through lawful act of warfare; no one may be compelled to reveal his or her religion, conscience, thought or opinion, nor be accused on account of them; offences and penalties may not be made retroactive, nor may anyone be held guilty until so proven by a court judgment.*

109. The Constitution also prohibits the abuse of fundamental rights and freedoms. Article 14 states that

*None of the rights and freedoms embodied in the Constitution shall be exercised with the aim of violating the indivisible integrity of the State with its territory and nation, and endangering the existence of the democratic and secular order of the Turkish Republic based upon human rights.*

*No provision of this Constitution shall be interpreted in a manner that enables the State or individuals to destroy the fundamental rights and freedoms embodied in the Constitution or to stage an activity with the aim of restricting them more extensively than stated in the Constitution.*

110. According to Article 90 of the Constitution, the ratification of treaties which result in amendments to Turkish law is subject to adoption by the TGNA by a law approving the ratification and, with respect to domestic law, finalised by a decree issued by the Council of Ministers and the subsequent approval of the President who has the power to “ratify and promulgate international treaties” according to Article 104 of the Constitution.

### **Incorporation of international human rights treaties into the national legal system**

111. According to Article 90 of the Constitution, international agreements duly put into effect bear the force of law. No appeal to the Constitutional Court can be made with regard to these agreements on the grounds that they are unconstitutional. In the case of a conflict between international agreements in the area of fundamental rights and freedoms duly put into effect and the domestic laws due to differences in provisions on the same matter, the provisions of international agreements prevail. As such, the provisions of international human rights treaties ratified by Turkey may be directly invoked before Turkish courts.

### **Other governmental bodies specialised in the protection of human rights**

112. In addition to the above-mentioned governmental agencies authorized to receive and investigate allegations of human rights violations in general, there are also many specialized public agencies or mechanisms to ensure the protection and promotion of human rights.

113. The government agency that is mainly responsible for the improvement of the status of women and for the protection of their rights is an affiliate of the Prime Ministry, namely the **Directorate General on the Status of Women**, first established in 1990 and the name, organisation and duties of which were last revised by Law No. 5251 that entered into force on 6 November 2004. The Directorate General is charged to prevent all forms of discrimination against women, to improve women’s rights, to make women active in all areas of economic, social and cultural life, to combat violence against women, and to carry studies that will be the foundation of basic policies and programmes for women to ensure their equal use of opportunities and possibilities of development. The Directorate General of the Status of Women carries out its activities in cooperation with all public institutions, especially the Ministry of Interior, the Ministry of Justice, the Ministry of National Education, the Ministry of Health, the Ministry of Labour and Social Security and the Ministry of Agriculture and Rural Affairs.

114. Furthermore, **the Advisory Board on the Status of Women** with the inclusion of NGOs was established and started its activities in 2006, which is an important step for the improvement of women’s rights.

115. The establishment of **Women’s Problems Research and Implementation Centres** in 14 universities since 1989 is among the positive developments regarding the establishment of institutional mechanisms for the progress of women.

116. Special measures are taken to prevent violence against women and to protect those who suffer from such violence. In accordance with the Law on Municipalities, adopted by the Parliament on 7 December 2004, metropolitan municipalities and municipalities with a population of more than 50.000 inhabitants shall establish shelters for women and children. The **Directorate General of Social Services and Child Protection Institute**, another affiliate agency of the Prime Ministry, provides services for battered women or those who are at risk of encountering violence, through these shelters which provide sanctuary and therapeutic services for women and their children. The Institute also undertakes training programmes in collaboration with NGOs. Half-day weekly courses on the human rights of women are being offered, which aim to increase the awareness of women of their rights and to enhance their self-confidence and capacity for self-protection.

117. Guidance and counselling services are also being offered by **Provincial Social Services Directorates** in all of the 81 provinces and by certain Municipal Administrations.

118. Both the Directorate General on the Status of Women and the Directorate General of Social Services and Child Protection Institute are mandated to develop national policies and plans for governmental services and programmes to eradicate violence against women and children.

119. The government agency that is mainly responsible for the protection of the rights of children is the aforementioned Directorate General of Social Services and Child Protection Institute. The Institute which addresses the disadvantaged sections of the society delivers adoption, provision of protective families, childcare and orphanage services with respect to the protection of children and of their rights. Services to children in need of protection are given through childcare institutions, orphanages, and child and youth centres managed by the agency. It also delivers family training services tailored for parents through its **Family Counselling and Rehabilitation Centres** and a model called "Service at Home".

120. Following Turkey's ratification of the Convention on the Rights of the Child (CRC) in 1995, the Institute was assigned as the "coordinator agency" for the implementation of the CRC in Turkey. In addition, with a view to facilitating the performance of the coordination task, the **Council for Children's Rights** was established with representatives from the United Nations Children's Fund (UNICEF), the Ministry of Justice, the Municipality of Çankaya (Ankara), the Ankara Bar Association, Hacettepe University's Social Services Academy and Ankara University's Pedagogy Faculty.

121. In addition, **Higher and Lower Boards of Monitoring and Assessment of the Rights of the Child** were established to monitor and evaluate the exercise of the rights of children and started to operate in order to provide planning and ensure coordination between the relevant Government agencies.

122. The Directorate General of Social Services and Child Protection Institute is also the main government agency that is responsible for delivering services to the elderly through retirement houses.

123. Established in 1997, the **Administration for the Disabled**, an affiliate agency of the Prime Ministry, is the governmental agency which coordinates services for persons with

disabilities to ensure their effective delivery. Also the Directorate General of Social Services and Child Protection Institute delivers services to the disabled, including counselling and education services intended for parents, professional training and rehabilitation, and social rehabilitation.

124. The **Directorate General for Family and Social Research**, an affiliate body of the Office of the Prime Minister, was established in 1989 to identify and eliminate social problems in Turkey, to conduct national and international scientific research for the protection of the integrity of the Turkish family and for the improvement of its social well-being, to develop projects and contribute to their implementation, and to formulate a national policy concerning the institution of family. Among the issues on which the Directorate General has conducted research are domestic and social violence, street children, problems of adolescents and family education. The Directorate General brings the projects, which it develops on the outcome of its research in such fields, to the attention of municipal administrations and urges them to implement these projects.

125. The governmental bodies responsible for ensuring health and safety in the workplace are the Ministry of Labour and Social Security, Ministry of Health, Ministry of National Education and the Turkish Statistical Institute. The **Directorate General for Workplace Health and Safety of the Ministry of Labour and Social Security** takes effective measures to ensure health and safety in the workplace, including joint projects with the EU and regional seminars for awareness-raising in these fields. The **National Workplace Health and Safety Council** established in accordance with the International Labour Organisation (ILO) Convention No. 155 held its first session in 2005 with the participation of all relevant stakeholders.

### **Recognition of the jurisdiction of the European Court of Human Rights**

126. Since 18 May 1954, Turkey has been party to the European Convention on Human Rights which has established the most advanced human rights protection mechanism at regional level, namely the European Court of Human Rights.

127. Long before the entry into force in 1998 of Protocol No. 11 of the European Convention on Human Rights which radically altered the Convention's monitoring system by abolishing the European Commission of Human Rights and stipulating that all alleged violations of the rights of persons be referred directly to the new permanent Court, i.e., the European Court of Human Rights, Turkey had already recognized the competence of the European Commission of Human Rights to receive petitions from any person, non-governmental organisation or group of individuals in 1987 and the jurisdiction of the European Court of Human Rights in 1990. As amended by Protocol No. 11, the European Convention on Human Rights now stipulates that the jurisdiction of the Court is no longer at the discretion of the state parties, but obligatory for them.

128. In Turkey, decisions by national courts are rendered in the light of the case law of the European Court of Human Rights where relevant.

129. As of 1 January 2007, the number of applications against Turkey pending before the European Court of Human Rights is approximately 9000, which comprises 10% of the total pending cases before the Court. In 2006, 2.280 new applications were lodged against Turkey, and 3.166 applications were declared inadmissible or struck off by the Court. Concerning the number of new applications, Turkey is the 7<sup>th</sup> among the Council of Europe member states. According to the statistical data published by the Court, the ratio of the number of applications

lodged against Turkey to the population is 0.34 per ten thousand for the year 2005, which is less than 30 other Council of Europe member states. With regard to Turkey, as of January 2007, the Court communicates applications lodged in the year 2004 while still issuing judgments on the applications lodged in 2001. Therefore, the Court has not started to issue judgments on the applications lodged in the period that witnessed the positive momentum achieved thanks to the comprehensive reform process in Turkey which has also taken into account the case law of the European Court of Human Rights. In this sense, it is evident that the successful outcome of the said reform process in Turkey has not yet been fully tested before the Court.

130. Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention was ratified by Turkey as of 2 October 2006 as part of the 9th Reform Package announced by the Government on 12 April 2006.

### **C. General framework within which human rights are promoted at the national level**

131. The major governmental agencies that are responsible, *inter alia*, with the promotion of human rights at the national level are the **Human Rights High Council**, the **Human Rights Advisory Council** and the **Human Rights Presidency**. In addition, there are also other governmental agencies that have been entrusted, *inter alia*, with the promotion of the rights of vulnerable groups, such as women, children, the elderly and people with disabilities. Among these bodies are the **Directorate General on the Status of Women**, the **Administration for the Disabled** and the **Directorate General of Social Services and Child Protection Institute**. (Detailed information on the composition and functions of the bodies referred to in this paragraph are provided under Section D.)

#### **Promotion of human rights awareness through education and training**

132. Human rights awareness in Turkey is obtained mainly through education. To coordinate efforts and activities in the field of human rights education, the **National Committee for the UN Decade for Human Rights Education** was established in 1998 to function as an advisory body during the UN Decade for Human Rights Education. The Committee prepared a national program for the period of 1998-2007 by taking into consideration the relevant guidelines and principles set forth in the UN Action Plan on Human Rights Education. The national program was adopted in July 1999 and forwarded by the Prime Ministry to all relevant authorities for implementation. The program launched a nation-wide public campaign to raise human rights awareness and introduced intensified human rights training for civil servants, particularly for those employed in the field of law enforcement and for members of the judiciary.

133. In line also with the World Programme for Human Rights Education, the National Committee, whose name has been changed to the National Committee for Human Rights Education in November 2006 following the completion of the UN Decade for Human Rights Education, is tasked with monitoring the implementation of the national program and cooperating with governmental and non-governmental organisations and the media. The National Committee has identified the following target groups in the context of the national program:



- Teachers who give courses on human rights in schools
- Law enforcement officers
- Members of the judiciary
- Members of the mass media
- Members of NGOs which carry out activities related to human rights
- Social workers and personnel at community centers who provide education in human rights for families living in economically and socially underprivileged sections of cities

134. In line with the national program, all government institutions directly related to human rights issues have intensified their in-service human rights training programs. In this respect, training courses covering human rights have become mandatory for candidate judges and public prosecutors during their two-year probationary period at the Training Center for Judges and Public Prosecutors. The Ministry of Justice has included human rights in the in-service training provided for judges and public prosecutors who enter the profession after they successfully complete their probationary period. Judges and public prosecutors have been receiving human rights courses in cooperation with the Council of Europe and other international organisations. Also, bilateral programs have been initiated with a number of countries for the training of judges and prosecutors in the field of human rights.

135. In addition to the inclusion of human rights courses in the training curricula, the Ministry of Justice, in cooperation with the UN, the Council of Europe, the European Union, universities and NGOs, also organizes periodic in-service seminars for members of the judiciary at various levels where participants are informed about Turkey's obligations under the relevant UN conventions, OSCE documents and Council of Europe conventions (particularly the European Convention on Human Rights and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment), the effects of these instruments in the Turkish domestic law and the rulings of the European Court of Human Rights with respect to Turkey. In the course of these seminars, judges and prosecutors are informed in particular about how the provisions of these instruments can be raised by defendants and included *ipso facto* in court decisions as they have become part of the Turkish domestic legislation. The number of judges and prosecutors who have attended the said seminars on human rights is 8242.

136. The intensification of the training of members of law enforcement agencies is considered to be a particularly useful means for promoting the implementation of human rights. In this framework, courses on human rights have become compulsory in the curricula of the Police Academy and Police Colleges since 1991. Law No. 4652 on the Higher Education of Police, which was prepared in line with the recommendations of the National Committee, was adopted by Parliament on 25 April 2001 and came into effect on 9 May 2001. With this law, the 26 police schools all over Turkey, which formerly trained police officers for nine months, have been transformed into two-year vocational schools with an expanded emphasis on human rights education.

137. In this process, a number of periodic seminars, conferences and workshops have been held as part of the human rights training work being carried out for the staff of the Ministry of Interior at various levels. These seminars cover topics such as human rights provisions in Turkish domestic law; the duties and responsibilities of senior administrators and law enforcement officers with regard to human rights under the international conventions to which Turkey is party as well as under domestic legislation; Turkey's human rights obligations under the UN and Council of Europe conventions and OSCE documents; mandates, working methods and procedures of the UN Committee against Torture and the European Committee for the Prevention of Torture, and rulings of the European Court of Human Rights.

138. The aforementioned seminars are mainly intended for senior administrators (province and district governors) and senior police and gendarmerie officers who are jointly responsible for security and law and order in provinces and districts, and are in practice tasked to coordinate the operation of these services. Within the framework of the "Project for the Human Rights Education of the Ministry of Interior and Its Affiliated Institutions", which was prepared in collaboration with the National Committee, the Ministry of Interior is planning to systematically provide professional training directly related to human rights to the heads and lower-ranking personnel of the provincial security directorates' law and order, mobile squads, security, traffic and trafficking/organized crime departments and to continue until all personnel have received training on human rights awareness.

139. In 2004, the Human Rights Presidency of the Office of the Prime Minister organised 8 roundtable meetings for Human Rights Boards and another 7 for NGOs within the framework of the project titled "Awareness-Raising on Human Rights and Democratic Principles" conducted in cooperation with the EU Commission and the Council of Europe.

140. From June 2005 to February 2006, the Human Rights Presidency and the EU implemented a human rights education project. 632 members of Human Rights Boards were given courses on fundamental human rights issues and communication with victims of human rights violations.

141. Human rights education is also being provided to prison superintendents, as well as physicians, psychologists, social workers and teachers employed in penal institutions. Prison guards and security officers of penal institutions also receive candidate training for a period of one year covering professional subjects and human rights in accordance with the provisions of the Regulation on Training for Candidate Civil Servants Attached to the Ministry of Justice before their permanent appointment. Furthermore, the human rights education of prison staff is being supplemented through the distribution to all penitentiary institutions of books, handbooks and other relevant documentation prepared by experts and academicians.

142. As for human rights training designed for school teachers, in 2001-2003, 180 primary and secondary school teachers underwent two-week human rights training courses to become human rights educators. During the 2004-2005 academic year, within the framework of the Council of Europe's "European Year of Citizenship through Education" project, 162 teachers were given two-week in-service training courses on education for citizenship, democracy and human rights. Similar seminars and courses continue to be conducted for school teachers.

143. According to Article 2 of the Basic Law on National Education No. 1739, one of the goals of the Turkish national education system is to educate all citizens as individuals respectful of human rights. Many measures have been taken to promote respect for human rights and fundamental freedoms through education and training. Among these measures are the following:

- An elective course titled “Democracy and Human Rights” was added to the secondary school curricula.
- Several universities have launched master’s and PhD programmes on human rights, including courses on this subject in undergraduate programmes.
- The Human Rights Presidency will launch a project titled “Raising Awareness of the Rights of the Detainees in Turkey” which will be financed partly by the US Government which will grant USD 50.000 for the project pursuant to an agreement between the Turkish and US Governments.
- The Ministry of Justice and the National Committee on the UN Decade for Human Rights Education have organised for prison inmates and staff several competitions in the fields of painting, caricature drawing, and poem and essay writing on human rights on several occasions such as the 50th anniversary of the Universal Declaration of Human Rights in 1998.
- Regarding the improvement of school textbooks through a human rights perspective, the Regulation on Textbooks of the Ministry of National Education was amended in March 2004 to include the principle that textbooks may not contain any element that violates human rights norms or any discriminatory element.
- Upon the request of the National Committee for the UN Decade for Human Rights Education, the History Foundation of Turkey launched in May 2002 the “Project for Promoting Human Rights in Primary and Secondary School Textbooks” aiming to screen all primary and secondary school textbooks to single out elements which were not in conformity with human rights norms, and to formulate recommendations to the Ministry of National Education for their improvement ensuring awareness of and respect for human rights norms in all school textbooks as well as among teachers, textbook writers, parents, and educators in general.
- Within the framework of the “Project for Democracy Education and School Parliaments” implemented jointly by the the Ministry of National Education and the TGNA, numerous events on democracy education were organised and “student parliaments” were established on the basis of elections conducted on propaganda campaigns in all schools affiliated with the Ministry during the 2004-2005 academic year. The project was in effect also during the 2005-2006 academic year.
- The Ministry of National Education has also participated in the “Human Rights Education Pilot Project for Children in the OSCE Area” introduced by the Slovenian Chairmanship of the OSCE in 2005.

### **Public dissemination of information on human rights**

144. Once the ratification of an international treaty is approved by the Parliament, the original text, together with its official translation into Turkish, is published in the Official Gazette and the treaty becomes directly applicable in Turkey. Official translation is made only into Turkish. There are no official compilations of international human rights documents published and disseminated by governmental departments, but private publications including the original texts and the Turkish translation of such documents are publicly available. The governmental departments disseminate the texts of and information on international human rights instruments through internal communications and circulars for official use. On the other hand, in 2001, the Human Rights Inquiry Commission of the TGNA compiled and published as a book the major human rights documents of the UN, the Council of Europe and the OSCE, and distributed the books to the members of the TGNA, universities, libraries, national NGOs and many other institutions.

145. Public dissemination of information on human rights issues is mainly accomplished through the internet. The original texts of the main UN and Council of Europe treaties ([http://www.mfa.gov.tr/MFA\\_tr/DisPolitika/AnaKonular/TurkiyedeInsanHaklari](http://www.mfa.gov.tr/MFA_tr/DisPolitika/AnaKonular/TurkiyedeInsanHaklari)) as well as Turkish translations of certain thematic international human rights instruments (<http://www.kssgm.gov.tr/uluslararasi.html> on women's issues) and the case law of the European Court of Human Rights (<http://www.inhak-bb.adalet.gov.tr/aihm/aihm.htm>) are easily accessible through the websites of various governmental departments and civil society organisations. These websites include detailed information on national human rights legislation and domestic complaint mechanisms as well.

### **Promotion of human rights awareness through the mass media**

146. There are two main aspects of the role of the mass information media with respect to publicizing human rights. One is broadcasting and journalism regarding human rights while the other is broadcasting and journalism respecting human rights.

147. As for broadcasting and journalism respecting human rights, Article 4 of the Law on the Establishment of Radio and Television Enterprises and Their Broadcasts stipulates that radio and TV broadcasts must respect fundamental rights and freedoms. The Radio and Television Supreme Council (RTÜK) monitors all radio and TV broadcasts to ensure their conformity with the provisions of the said Law, and imposes sanctions in the form of warnings, pecuniary fines or suspension of broadcasts on media institutions the broadcasts of which violate these provisions. National media institutions have also been criticized by the civil society for failing to comply with the principle of journalism respectful of human rights.

148. Founded on 7 June 1920 during the National War of Liberation as an affiliate of the TGNA and the Council of Ministers, the **Directorate General of Press and Information** (DGPI) is one of the first national institutions of modern Turkey. It is currently an affiliate of the Office of the Prime Minister. The duties of the DGPI include:

- Contributing to the promotion policy of the state and to the strategies implemented by the government in this respect

- Providing accurate and timely information to the public and relevant state authorities
- Ensuring that government activities and services are effectively conveyed to the national and international public
- Maintaining and organising relations with the domestic and foreign media and taking effective measures to facilitate their working conditions and activities
- In cooperation with the Council of Europe organizing seminars for local media institutions to improve journalism standards and ethics, to strengthen the local media and to raise to raise awareness in human rights-related issues

149. The DGPI has provincial offices in Adana, Antalya, Diyarbakır, Erzurum, İstanbul, İzmir, Trabzon, as well as 23 offices abroad.

150. Fourteen specialized media colleges in Ankara, İstanbul, İzmir and Eskişehir provide theoretical training as well practical experience for candidate journalists. Workshops and seminars organised by various institutions and organisations provide continuous training for media professionals. In this context, the Directorate General of Press and Information has initiated a series of local media workshops in a bid to strengthen the local media capacity to provide human rights sensitive coverage, taking into account professional journalism principles and media ethics. Between 1998-2004, 10 such workshops were organized in the provinces of Diyarbakır, Trabzon, Bursa, Denizli, Erzincan, Edirne, Düzce, Mardin, Tunceli and Kayseri with the involvement of local and national media representatives, academicians, politicians, local administrators and civil society representatives. Similar initiatives were undertaken also by civil society organisations. One such example is a series of local and national media seminars which was organised in ten provinces by the Journalists' Federation of Turkey and the Directorate General on the Status of Women under the scope of the United Nations Population Fund's (UNFPA) 3<sup>rd</sup> Country Programme for Turkey. The focus of these seminars was gender issues.

151. According to Article 4 of the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts dated 20 April 1994, radio, television and data broadcasts shall be conducted within a spirit of public service, in compliance with the supremacy of the law, the general principles of the Constitution, fundamental rights and freedoms, national security and general moral values.

152. This article specifies the broadcasting standards in radio, television and data broadcasts, including the following:

- Broadcasts shall not instigate the community to violence, terror, ethnic discrimination or incite hate and hostility by way of discrimination within the community on grounds of social class, race, language, religion, sect and territory, or give rise to feelings of hatred within the community.
- Broadcasts shall not, in any manner, humiliate or insult people for their language, race, colour, sex, political opinion, philosophical belief, religion, sect, or any such considerations.

- All items of programme services shall respect human dignity and fundamental human rights.

153. According to Article 33 of the said Law, instead of suspended programmes, programmes on education, culture, traffic, women and children's rights, physical and moral development of adolescents, struggle against drugs and harmful habits, good use of the Turkish language and environment shall be broadcasted. **The Radio and Television Supreme Council**, an autonomous and impartial public legal person established to regulate radio and television broadcasting services, signed protocols with the Ministry of National Education and the Ministry of Environment and Forestry for cooperation in the preparation of such programmes.

154. The **Press Council**, an independent self-regulation platform which was created by journalists in 1986, aims at achieving a "freer and more respectable" press (media) by establishing the "freedom of communication" in its broadest sense while performing full responsibility. The Council investigates any general claim that televisions, radios, print media or internet press has been rendered instrumental for private interests and is in contravention of common ethics. It also monitors, assesses and encounters all threats against the right to know the truth and the freedom of communication.

155. As a civil society initiative, a countrywide **Independent Communications Network** for monitoring and covering media freedom and independent journalism was launched by IPS Communications Foundation in November 2003. Sponsored mainly by the European Union under the "European Initiative for Democracy and Human Rights programme" as a 36-month project, the network is based on the experience of a similar project implemented during the period covering 2000-2003. The goals of the project can be summarized as follows:

- Raising public awareness of the social and cultural value of information
- Promoting and covering the implementation of recent reforms in Turkey for broader freedom of expression and monitoring violations of the freedom of expression
- Supporting and reinforcing the local media to enhance pluralism and participation in public affairs
- Promoting the quality and coverage of human rights as well as women's and children's rights issues
- Enhancing journalistic standards and professional ethics

156. Under the scope of the UNFPA's 3<sup>rd</sup> Country Programme, radio programmes on gender equality, reproductive health and family planning were started in January 2004 by the Turkish Radio Television (TRT) in cooperation with the UNFPA. The programmes are broadcast in 5 regional radio stations for 5 minutes each week and in 1 provincial radio station for an hour each month.

### **Role of civil society in the promotion of human rights**

157. In line with its strong commitment to the cause of human rights and democracy, the Turkish Government attaches utmost importance to civil society and regards human rights defenders in particular as an essential element of a vibrant civil society and spares no effort to create favourable conditions for their effective functioning.

158. In fact, the Special Representative of the UN Secretary General on human rights defenders, following her visit to Turkey from 11 to 20 October 2004, stated that “there is a genuine and active human rights community in Turkey which is implanted throughout the country including NGO branches at the municipal level”. The human rights defenders in Turkey are developing and strengthening the capacity to monitor and document cases and to raise issues within and outside the country, including through creating national networks and temporary platforms to address specific issues. Human rights defenders are being increasingly invited to participate in State consultations or bodies. Many Turkish human rights organisations are members of recognized international human rights NGOs or work in cooperation with them. Such cooperation has allowed them to access international and European human rights bodies, including the UN and the Council of Europe.

159. In the course of the reform process aimed at strengthening democracy, consolidating the rule of law and ensuring respect for fundamental rights and freedoms, Turkey has introduced extensive measures of particular relevance to the implementation of the Declaration on Human Rights Defenders. A new Law on Associations entered into force in November 2004 and a Bylaw on Associations was adopted in March 2005. Current legislation regulating the freedom of association conforms to Article 11 of the European Convention on Human Rights and the case law of the European Court of Human Rights.

160. The Ministry of Interior, through a circular issued on 18 October 2004 on human rights defenders, instructed the provincial and district governorships to act *inter alia* in conformity with the Declaration on Human Rights Defenders and with the relevant EU Guidelines, as well as to provide favourable conditions for human rights defenders. The instructions included the establishment of regular channels of dialogue with civil society organisations and individuals active in the area of human rights. The content of the circular has become part of the curricula of the training courses for law enforcement and administrative officials.

161. Associations acquire legal personality at the time of their submission of the required documents to the Governor’s Office. There is no requirement for a prior permission or inquiry for the establishment of associations. For the dissolution of an association which violates the laws, the relevant Governor’s Office applies to the competent court. The administration has no authority to dissolve an association. Dissolution requires a judicial decision. Under the current legislation, bureaucratic procedures related to the establishment and functioning of associations are minimized.

#### **D. Role of the reporting process in promoting human rights at the national level**

162. Turkey attaches due importance to its reporting obligations under international treaties with a view to submitting timely and comprehensive reports to the relevant treaty bodies. Thematic reports are prepared by the responsible governmental department in cooperation with

other related departments and civil society partners. If the report involves issues falling under the direct mandate of more than one governmental department, the Ministry of Foreign Affairs plays a coordinating role in the reporting process and drafts the report on the basis of contributions from relevant departments. During the preparation of the report a series of consultation meetings are organised with the participation of contact points from relevant departments.

163. Depending on the substance of the report, particularly when it is on a thematic issue, NGOs are also invited to provide input and to participate in the consultations. In some cases, their representatives join the official delegation during the oral submission of the report. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) reporting experience is a good example of civil society engagement in the official reporting process.

164. On a parallel track, NGOs prepare and submit shadow country reports to the relevant treaty bodies. They remain in active interaction with these bodies and provide constructive contribution to the evaluation process.

165. With a view to improving the quality of the reports submitted to the treaty bodies, training seminars on reporting procedures and guidelines are organised for both Government and NGO representatives. For instance, İstanbul Bilgi University in cooperation with the Ministry of Foreign Affairs of Turkey and the Swedish Raoul Wallenberg Institute periodically organizes courses on reporting process within the framework of the UN Twin Covenants.

166. The submission of the written reports and their oral presentation are publicly announced through press statements issued by the relevant governmental departments. The reports are made available mainly through the internet. Media reports and articles reflect reactions to the reports from various circles and public discussions at the relevant committees.

167. Official responses to the observations by the relevant committees are made available in due course. The committees' recommendations are carefully examined by the Government and taken on board to the extent possible. Consecutive country reports reflect the progress achieved and the gaps identified together with explanations on difficulties encountered in implementation.

### **E. Other related human rights information**

168. In the context of the follow-up to international conferences, Turkey submitted its initial Millennium Development Goals (MDG) report in September 2005. In the report, the five-year implementation phase of Turkey's MDG has been analysed by making a cross-reference to all the relevant targets and indicators and through a highly participatory process involving representatives of the public-private institutions and civil society. The report presents the current situation in each of the goals, as well as the developments expected in the forthcoming years. Areas where there are deficiencies have also been explored, together with the expectations for the future. This first MDG report shows that Turkey, overall, is well on the way to meeting and even exceeding the goals by 2015; however particular challenges exist and continued efforts will be necessary.



### III. NON-DISCRIMINATION AND EQUALITY

#### Legal background

169. In Turkey all individuals are equal before the law, enjoy the same rights and have the same obligations without discrimination of any kind. The human rights policy of the state can be best summarized as “human rights for all without discrimination”. Acts of discrimination are prohibited and penalized by law.

170. Common denominator is citizenship. Every citizen can enjoy and exercise fundamental rights and freedoms individually.

171. In line with the fundamental principles of equality and non-discrimination, every Turkish citizen is considered as the indispensable part of the Turkish national identity and culture. Their origins are the sources of richness in Turkish society and can be enjoyed through the exercise of individual liberties.

172. As mentioned above, in paragraph 91, Article 10 of the Constitution of the Republic of Turkey guarantees equality before the law. It reads as follows:

*All individuals are equal without any discrimination before the law, irrespective of language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such considerations.*

*Men and women have equal rights. The State shall have the obligation to ensure that this equality exists in practice.*

*No privilege shall be granted to any individual, family, group or class.*

*State organs and administrative authorities shall act in compliance with the principle of equality before the law in all their proceedings.*

173. The Constitution of 1982, by referring to “or any such considerations”, empowers the judiciary with a wide discretion on its judgment of cases of inequality.

174. The state system is based on the principle of constitutional/territorial nationalism. The concept of citizenship is defined in Article 66 of the Constitution on the ground of legal bond without any reference to ethnic, linguistic or religious origin. According to this article, “everyone bound to the Turkish State through the bond of citizenship is a Turk”. The Constitution does not provide any definition of racial or ethnic connotation for being a “Turk”. On the contrary, Article 66 depicts a purely legal definition and does not provide for a kinship based on “blood”. The term “Turk” is the reflection of the national identity of all citizens in Turkey irrespective of their origins.

175. The idea conveyed in Article 66 of the Constitution fully reflects the main philosophy of the Republic. This philosophy, which was derived from the historical Ottoman experience, makes no discrimination between the citizens of the Republic on the grounds of ethnicity, religion or race. No importance is attached to a citizen’s ethnic background since the definition

of a common identity on the nationhood and conscience on territorial (and not on blood) basis in line with the principle of citizenship has been adopted with the establishment of the Republic.

176. Similarly, fundamental rights and freedoms set forth in the Constitution do not lead to any distinction between Turkish citizens and foreigners. Fundamental rights and freedoms are in principle recognized for everybody regardless of citizenship.

177. The fundamental rights and freedoms are guaranteed in the Constitution with the provisions concerning inviolability of human being, his/her material and moral identity, prohibition of torture, ill treatment and degrading treatment (Article 17), prohibition of forced labour (Article 18), personal liberty and security (Article 19), privacy of individual life (Article 20), inviolability of the domicile (Article 21), freedom of communication (Article 22), freedom of residence and movement (Article 23), freedom of religion and conscience (Article 24), freedom of thought and opinion (Article 25), freedom of expression (Article 26), freedom of science and the arts (Article 27) freedom of association (Article 33), right to hold meetings and demonstration marches (Article 34), property rights (Article 35), freedom to claim rights (Article 36), guarantee of lawful judgment (Article 37), principles relating to offences and penalties (Article 38), right to request prompt access to the competent authorities for everyone whose constitutional rights and freedoms have been violated (Article 40).

178. Basic social rights are also guaranteed in the Constitution without any reference to citizenship. Some of these rights are right and duty of training and education (Article 42), freedom to work and conclude contracts (Article 48), right to rest and leisure (Article 50), right to organise labour unions (Article 51), right to live in a healthy and balanced environment (Article 56) and right to social security (Article 60).

179. Article 16 of the Constitution stipulates that the fundamental rights and freedoms of foreigners may be restricted by law in a manner consistent with international law. These restrictions concern in particular the political rights. Article 67 of the Constitution reserves the right to vote and to be elected only to Turkish citizens. The same also applies for the right to form political parties and to become a member of them (Article 61). Moreover, only citizens have the right to join public services.

180. The principle of equality is enshrined in various other laws regulating specific areas of political, social and economic life. There are specific laws such as the Civil Code (Article 8 - principle of equality in capacity of persons as subject to rights), the Law on Social Services and Child Protection (Article 4 - non-discrimination in eligibility to receive social benefits), the Political Parties Law (Article 82 - prohibition of racism, Article 83 - protection of the principle of equality), the Basic Law on National Education (Article 4 - principle of equality in education, Article 8 - gender equality-affirmative action), the Labour Law (Article 5 - principle of non-discrimination, equal treatment), the Law on Disabled People (Article 4 - non-discrimination against people with disabilities).

181. Article 122 of the Penal Code criminalizes economic discrimination on the basis of language, race, colour, sex, political thought, philosophical belief, religion, denomination and other reasons.

182. Article 216 of the Penal Code covers penal sanctions against inciting the population to breed enmity or hatred or denigration. It reads as follows:

*(1) A person who openly incites groups of the population to breed enmity or hatred towards one another based on social class, race, religion, sect or regional difference in a manner which might constitute a clear and imminent danger to public order shall be sentenced to imprisonment for a term of one to three years.*

*(2) A person who openly denigrates part of the population on grounds of social class, race, religion, sect, gender or regional differences shall be sentenced to imprisonment for a term of six months to one year.*

*(3) A person who openly denigrates the religious values of a part of the population shall be sentenced to imprisonment for a term of six months to one year in case the act is likely to distort public peace.*

183. Similarly, broadcasting standards as determined by Article 4 of the Law on the Establishment of Radio and Television Enterprises and Their Broadcasts include the following provisions:

*(d) Broadcasts shall not, in any manner, humiliate or insult people for their language, race, colour, sex, political opinion, philosophical belief, religion, sect, and any such considerations.*

*(v) Broadcasts shall not encourage the use of violence or incite feelings of racial hatred.*

184. In line with the constitutional principles of equality and non-discrimination, as regards the freedoms to be benefited by the Turkish citizens individually with respect to their origins, the reform process has led to important progress in the following areas.

185. The Law No. 4771 dated 3 August 2002, also known as the “third harmonization package”, amended the “Law on the Establishment of Radio and Television Enterprises and Their Broadcasts” to allow broadcasting in different languages and dialects traditionally used by Turkish citizens. With a view to regulating the implementation of the aforementioned amendment, the RTÜK issued the “Bylaw on Broadcasting in Different Languages and Dialects Traditionally Used by Turkish Citizens in Their Daily Lives by Public and Private Radio and Television Corporations” which took effect following its publication in the Official Gazette No. 25357 dated 25 January 2004.

186. Broadcasts in different languages and dialects used traditionally by Turkish citizens in their daily life first began with a radio programme on the state-run TRT Radio 1 in Bosnian on 7 June 2004, followed by a broadcast on the TRT-3 television channel on the same day. Broadcasts in local languages and dialects include news, music and documentaries in Bosnian, Kirmanchi, Zaza, Circassian and Arabic. Radio-1 and TRT-3 broadcast programmes in Bosnian on Mondays, Arabic on Tuesdays, Kirmanchi on Wednesdays, Circassian on Thursdays and Zaza on Fridays. On 7 March 2006, the RTÜK issued permission for several private radio and TV stations upon their applications to broadcast in Kirmanchi and Zaza. The aforementioned radio and TV stations started their broadcast in these dialects on 23 March 2006.

187. Learning of different languages and dialects used traditionally by Turkish citizens in their daily life was allowed by the amendments to the “Law on Foreign Language Education and Teaching, and the Learning of Different Languages and Dialects by Turkish Citizens” introduced by Laws No. 4771 of 2002 and 4963 of 2003, known as “third” and “seventh harmonisation packages”, respectively. With a view to regulating the implementation of the aforementioned amendments, the Ministry of National Education issued the “Bylaw on Learning of Different Languages and Dialects Traditionally Used by Turkish Citizens in Their Daily Lives” which took effect following its publication in the Official Gazette No. 25307 dated 5 December 2003. Several private language teaching institutions in Kirmanchi and Zaza were subsequently opened and, as of March 2005, the total number of students enrolled in these institutions was 636. However, they have gradually decided to end their activities due to economic reasons and lacking interest from the public. In Turkey, 1,941 private language courses, applying 425 different programs, are regulated by the Ministry of National Education. None of them receives public financial funding.

### **Non-Muslim minorities**

188. The Turkish constitutional system is based on the equality of citizens before the law, whose fundamental rights and freedoms are enjoyed and exercised individually in accordance with the relevant law. Turkish nation is not a juxtaposition of communities or groups. It is composed of citizens who are equal before the law regardless their origin. In this context, “minority rights” in Turkey are regulated in accordance with the Lausanne Peace Treaty of 1923. According to this Treaty, Turkish citizens belonging to non-Muslim minorities fall within the scope of the term “minority”. Turkish legislation which is based on the Treaty of Lausanne contains the term “non-Muslim minority” only.

189. Turkish citizens belonging to non-Muslim minorities enjoy and exercise the same rights and freedoms as the rest of the population. Additionally, they benefit from the exclusive assurances accorded to them by Articles 37-45 of the Lausanne Peace Treaty.

190. The Lausanne Treaty accords non-Muslim minorities in Turkey specific rights to administer their schools and to establish religious and charitable foundations. Alongside their 196 places of worship, Turkish citizens belonging to non-Muslim minorities have 42 primary and secondary schools, 5 hospitals and 138 foundations.

191. Similarly, the Turkish citizens belonging to non-Muslim minorities have long printed newspapers in regions where they are densely populated. Today, minority newspapers and periodicals in their own languages are published mainly in İstanbul.

192. Recent amendments in the legislation have facilitated and strengthened their rights with regard to their foundations in particular.

193. A new governmental body, namely the “Minority Issues Assessment Board”, was founded in January 2004 for addressing the problems of the non-Muslim minorities in Turkey.

### **Awareness raising**

194. Human rights awareness in Turkey is obtained mainly through education. Promotion of tolerance, understanding and friendship among all nations, indigenous peoples and racial, ethnic, religious and linguistic groups, as well as of diversity, gender equality and non-discrimination are among the primary targets of the “Human Rights Education Program of Turkey for the Years 1998-2007”.

195. The law enforcement agencies are being given the necessary training for the prevention of discrimination. The curricula of the Police Academy were prepared with a view to raising the awareness of the police officers vis-à-vis discriminatory acts. In particular during the first year of their formation at the Police Academy, police officers have human rights courses in general and, more specifically, courses on the status of minorities in Turkey.

196. Minority rights are taught at the Law Faculties as well, in departments of international law, public law and administrative law, to provide the future cadres of the Turkish judiciary with a basic education in this field.

197. In recent years, civil society organisations in Turkey have become more active in the European Union harmonisation process. A joint survey conducted by the History Foundation of Turkey and the Turkish Academy of Sciences with the financial support of the EU Commission under a three-year project called “Human Rights in School Books” sets an example to the civil society initiatives to increase public awareness. The History Foundation scanned 190 primary and high school books currently in circulation to identify discriminatory items on the basis of religion, race or gender. The results of the survey were submitted and discussed in a symposium held in İstanbul in April 2004 with the participation of international experts and served as basis for various studies on the issue of human rights sensitive education.

### **Government policies**

198. Regional disparities in terms of income and poverty levels remain an important challenge for Turkey as an impediment to the achievement of equality of opportunities in practice. According to the 2003 survey, while the western part of Turkey has a higher income (39,7%) in terms of its population (28,1%), the East and Southeast Anatolia have a lower income (13,4%) than their share of the population (23,5%) warrants. A similar finding is observed in the distribution of income within regions. While income is unevenly distributed in the western part of Turkey, a more balanced distribution is observed in the eastern part.

199. The government has intensified its efforts aimed at *decreasing regional disparities* and increasing the living standards and prosperity of the people living in the southeast. In this regard, the government is providing certain incentives to businesses that invest in the region and conducting several social projects. Within the framework of the “Rural Infrastructure Support Project” (KÖYDES), social expenditures in the region have increased and several projects on the education of girls are being implemented. Up till now, 800.000 girls have started school in the region. 58% of 1.5 billion US dollars allocated for social expenditure goes to the Southeast region.

200. In the 7th and 8th Five-Year Development Plans the strategic aim has been to decrease permanently the inequalities in income distribution and to eradicate absolute poverty. Long Term Strategy (2001-2023) and the 8th Five-Year Development Plan considers the policy priorities for “Improvement of the Income Distribution and Combating Poverty” under the title of “Increasing Social Welfare”. Alleviation of poverty by way of improving income distribution is among main targets. In the medium term (2005-2007), under the program titled “Social Inclusion and Combating Poverty”, emphasis is placed on the policies aimed at improving the conditions of the disadvantaged groups that have been excluded from the society, such as workers without social security (especially in agriculture), uneducated people, women, children in need of protection and prone to crime, the elderly and disabled.

### **Monitoring**

201. In addition to the judicial review mechanisms, the Human Rights Presidency at the Office of the Prime Minister, the Human Rights Provincial and Sub-Provincial Boards and the Reform Monitoring Group, as well as the Human Rights Inquiry Commission of the Parliament, which are tasked to monitor the human rights situation in Turkey, receive and investigate applications regarding alleged cases of discrimination. Such complaints of human rights violations are referred to relevant administrative and judicial authorities when sufficient ground is found.

202. Between January and July 2006, of 1.085 applications in total received by the Human Rights Presidency and the Human Rights Provincial and Sub-Provincial Boards, only 91 cases were related to claims of discrimination. No application was received concerning claims of discrimination on the basis of race, colour, language, religion or political opinion. All applications were on claims of fraudulent or preferential treatment in public services.

### **International cooperation**

203. Turkey believes that successful fight against all forms and manifestations of discrimination and intolerance requires combined efforts at national and international levels. In this respect, Turkey has become party to all main international instruments both at global (UN) and regional (Council of Europe and OSCE) fora and duly maintains a close and constructive cooperation within the special mechanisms of these organisations tasked with the fight against intolerance and discrimination.

204. In this context, Turkey is actively involved in the work of the OSCE in the field of promoting tolerance and non-discrimination. As a testimony to its efforts in this regard, a Turkish Ambassador nominated by the Turkish Government was appointed in December 2004 as one of the three Personal Representatives of the OSCE Chairman-in-Office on Combating Intolerance and Discrimination.

205. Within the framework of the Council of Europe, Turkey has always actively taken part in the elaboration of policies and recommendations aimed at the elimination and prevention of contemporary forms of racial discrimination. The Turkish Government actively participated in and contributed to the elaboration process of the Plan of Action and the Declaration against Racism, Xenophobia, Anti-Semitism and Intolerance adopted on 8-9 October 1993 at the Vienna Summit of Heads of States and Governments.

206. Turkey has long been among the co-sponsors of the UN Resolutions and Declarations related to non-discrimination and tolerance, xenophobia, racism and anti-Semitism.

207. The principle of equality and non-discrimination and the related governmental policies have also been reconsidered by the Turkish authorities within the framework of the ongoing efforts to align the Turkish legislation with the *acquis* of the European Union.

208. In this context, the EU Monitoring Centre started in 2006 a project within the framework of the "Multi-beneficiary Programme on Participation of Turkey and Croatia in Certain Community Agencies in 2005". Targets of the project are:

- To develop awareness of the EU's current anti-discrimination policies and measures
- To support the implementation of the Council Directive 2000/43/EC and monitor the impact of transposition measures
- To support key governmental and non-governmental actors in their effort to combat racism, xenophobia and anti-Semitism
- To support the development of co-operation between relevant key governmental and non-governmental actors as well as research organisations at national and EU level with regard to racism, xenophobia and anti-Semitism
- To support a process of rapprochement to European standards and policies during the first phase of negotiations

209. Human Rights Law Research Centre at İstanbul Bilgi University is selected as the national focal point for the implementation of the above-mentioned project in 2006 on the basis of a tendering process. The project is to cover the year of 2006 and the first half of 2007.

210. Given Turkey's general support to the idea of harmony of cultures and civilizations, which is evident by the initiation of the EU-OIC Joint Forum, Turkey has given strong support to the "Alliance of Civilizations" project aiming at facilitating dialogue and harmony by highlighting common values inherent in all cultures, religions and civilisations. Turkish Prime Minister agreed to co-sponsor the initiative along with his Spanish counterpart. The process has led to a 39-page Action Plan introducing concrete proposals in the light of the views expressed in the meetings of "High Level Group" of eminent personalities that was created in 2005. The said Plan was submitted to the UN Secretary General at the Alliance of Civilizations İstanbul Meeting on 13 November 2006 for further action.

### Annex I - POPULATION AND DEVELOPMENT INDICATORS

Indicators		1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
<b>1. Population and Demography</b>																
1.1. Life Expectancy at Birth (Year)	Total	66.0	66.4	66.7	67.1	67.5	67.8	68.2	68.6	69.0	69.4	70.4	70.6	70.7	70.9	71.1
	Male	63.8	64.2	64.5	64.9	65.2	65.6	65.9	66.3	66.7	67.1	68.1	68.2	68.4	68.6	68.8
	Female	68.3	68.7	69.1	69.4	69.8	70.2	70.6	70.9	71.3	71.8	72.8	73.0	73.2	73.4	73.6
1.2. Infant Mortality Rate (‰)	Total	55.4	52.6	50.0	47.6	45.2	43.0	40.9	38.8	36.5	33.9	28.9	27.8	26.7	25.6	24.6
	Male	61.2	58.2	55.4	52.7	50.2	47.7	45.4	43.2	40.6	37.7	32.3	31.0	29.8	28.6	27.5
	Female	49.3	46.8	44.4	42.2	40.0	38.0	36.1	34.3	32.1	29.8	25.4	24.4	23.4	22.4	21.5
1.3. Under Five Mortality Rate (‰)	Total	65.8	62.3	58.9	55.8	52.8	50.0	47.3	44.8	41.8	38.6	32.7	31.3	30.0	28.6	27.4
	Male	72.1	68.3	64.8	61.4	58.2	55.1	52.3	49.6	46.4	42.8	36.4	34.8	33.4	31.9	30.6
	Female	59.2	55.9	52.8	49.9	47.1	44.5	42.1	39.9	37.1	34.2	28.8	27.6	26.4	25.2	24.1
1.4. Total Fertility Rate (Number of Children)		3.07	3.00	2.93	2.87	2.81	2.75	2.69	2.63	2.56	2.48	2.27	2.25	2.24	2.22	2.21
1.5. Population Growth Rate (‰)		19.9	19.5	19.2	18.9	18.5	18.4	18.3	18.0	17.6	16.9	14.1	13.8	13.5	13.2	12.9
1.6. Proportion of Urban Population (%)		51.32	---	---	---	---	---	---	---	---	---	59.25	---	---	---	---
1.7. Crude Birth Rate (‰)		25.2	24.8	24.4	24.1	23.7	23.6	23.4	23.1	22.6	21.9	20.2	19.9	19.6	19.4	19.1
1.8. Crude Death Rate (‰)		7.1	7.0	6.9	6.9	6.8	6.8	6.7	6.6	6.5	6.4	6.2	6.2	6.2	6.2	6.2
1.9. Desired Family Size (Number of Children)		---	---	---	2.4	---	---	---	---	2.5	---	---	---	---	2.5	---
1.10. Urban Population Growth Rate (‰)		43.9	(1985-1990)									32.6	(1990-2000)			



**Annex I (continued)**

Indicators		1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
<b>2. Population and Economy</b>																
2.1. Gross National Product Per Capita (\$)		2682	2621	2708	3004	2184	2759	2928	3079	3255	2879	2965	2123	2598	3383	4172
2.2. Unemployment Rate (%)	Total	8.0	8.2	8.5	9.0	8.6	7.6	6.6	6.8	6.9	7.7	6.5	8.4	10.3	10.5	10.3
	Male	7.8	8.7	8.8	8.8	8.8	7.8	6.9	6.5	6.9	7.7	6.6	8.7	10.7	10.7	10.5
	Female	8.5	7.1	7.7	9.3	8.1	7.3	6.0	7.8	6.8	7.6	6.3	7.5	9.4	10.1	9.7
2.3. Proportion of Population Below \$1 (PPP) per Day		---	---	---	---	2.5	---	---	---	---	---	---	---	0.20	0.01	---
2.4. Labour Force Participation Rate (%)	Total	56.6	57.0	56.0	52.2	54.6	54.1	53.7	52.6	52.8	52.7	49.9	49.8	49.6	48.3	48.7
	Male	79.7	80.3	79.7	78.1	78.5	77.8	77.3	76.8	76.7	75.8	73.7	72.9	71.6	70.4	72.3
	Female	34.2	34.1	32.7	26.8	31.3	30.9	30.6	28.8	29.3	30.0	26.6	27.1	27.9	26.6	25.4
2.5. Gini Coefficient		---	---	---	---	0.49	---	---	---	---	---	---	---	0.44	0.42	---



**Annex I (continued)**

<b>Indicators</b>		<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
3.3.B. Net Primary Education Enrollment Ratio (%)	Total	--	--	--	---	---	--	--	84.74	89.26	93.54	95.28	92.40	90.98	90.21	89.66
	Male	--	---	--	---	---	--	--	90.25	94.48	98.41	99.58	96.20	94.49	93.41	92.58
	Female	--	--	--	---	---	--	--	78.97	83.79	88.45	90.79	88.45	87.34	86.89	86.63
3.4. Gross Secondary Education Enrollment Ratio (%)	Total	38.05	41.21	44.45	47.34	50.90	53.40	52.62	52.79	57.15	58.84	60.97	67.89	80.76	80.97	80.90
	Male	45.95	49.44	53.41	56.69	61.20	63.47	61.64	60.20	64.89	67.10	69.67	76.94	93.36	90.80	89.53
	Female	29.72	32.58	35.06	37.54	40.15	42.90	43.19	44.97	48.99	50.15	51.84	58.38	67.52	70.67	71.88
3.5. Net Secondary Education Enrollment Ratio (%)	Total	26.35	28.21	31.13	34.57	36.74	38.74	38.54	37.87	38.87	40.38	43.95	48.11	50.57	53.37	54.87
	Male	31.82	33.85	37.41	40.00	42.35	44.05	43.10	41.39	42.34	44.05	48.49	53.01	55.72	58.08	59.05
	Female	20.59	22.31	24.56	28.86	30.89	33.21	33.78	34.16	35.22	36.52	39.18	42.97	45.16	48.43	50.51
3.6. Average Number of Years of Schooling Completed (Year)	Total	--	---	--	5.37	---	--	--	---	5.97	--	---	---	---	---	---
	Male	--	---	--	6.48	---	--	--	---	7.01	--	---	---	---	---	---
	Female	--	---	--	4.33	---	--	--	---	4.96	--	---	---	---	---	---

**Annex I (continued)**

Indicators	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	
<b>4. Population, Gender and Development</b>																
4.1.A. Ratio of Girls to Boys in Primary School (%)	93.32	93.41	93.78	94.66	94.85	94.72	93.84	---	---	---	---	---	---	---	---	---
4.1.B. Ratio of Girls to Boys in Primary Education (%)	---	---	---	---	---	---	---	85.63	86.97	88.54	89.64	90.71	91.10	91.86	92.33	
4.2. Ratio of Girls to Boys in Secondary Education (%)	64.68	65.90	65.64	66.22	65.60	67.59	70.07	74.70	75.50	74.74	74.41	75.88	72.32	77.83	80.29	
4.3. Proportion of Women Parliamentarians (%)	---	1.8	---	---	---	2.4	---	---	---	4.2	---	---	4.4	---	---	
4.4. Ratio of Literate Females to Males (In 15-24 Age Group) (%)	91.4	91.9	91.9	94.1	94.4	95.2	95.8	96.2	96.8	96.6	95.3	95.5	96.3	96.3	95.2	
4.5. Proportion of Female-Headed Households (%)	8.7	9.1	9.1	9.4	9.3	9.6	9.7	10.4	10.4	10.7	11.0	11.0	11.9	12.2	11.3	
4.6. Female Share of Paid Employment in Non-Agricultural Activities (%)	15.8	15.5	16.6	16.6	17.0	16.9	16.8	17.7	18.3	18.2	19.2	19.0	20.6	20.6	19.9	

**Annex I (continued)**

Indicators		1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
<b>5. Population and Social Development</b>																
5.1. Proportion of Population with Sustainable Access to an Improved Water Source (%)	Total	--	--	--	--	83.1	--	--	--	--	--	--	--	93.6	90.9	--
5.2. Proportion of Population with Access to Improved Sanitation (%)	Total	--	--	--	--	67.4	--	--	--	--	--	--	--	81.4	86.5	--
5.3. Number of Persons Per Room		--	--	--	--	--	--	--	--	--	--	1.27	--	--	--	--
5.4. Labor Force Participation Rate of Children at 12-14 Age Group (%)		24.2	25.9	22.3	16.0	18.8	17.8	16.9	14.8	13.5	12.2	10.2	7.1	5.0	3.8	--
5.5. Proportion of Education Expenditures in the Public Sector (%)		--	--	--	--	--	--	--	--	11.7	11.2	9.5	8.6	10.2	10.5	--
5.6. Proportion of Health Expenditures in the Public Sector (%)		--	--	--	--	--	--	--	--	7.9	8.0	8.2	8.7	10.8	12.0	--

**Annex I (continued)**

Indicators		1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
<b>6. Population, General Health, Reproductive Health and Nutrition</b>																
6.1. Contraceptive Prevalence Rate (%)		---	---	---	62.6	---	---	---	---	63.9	---	---	---	---	71.0	---
6.2. Proportion of Births Attended by Skilled Health Personnel (%)		---	---	---	75.9	---	---	---	---	80.6	---	---	---	---	83.0	---
6.3. Fertility Rate of Females at 15-19 Age Group (‰)		---	---	---	56	---	---	---	---	60	---	---	---	---	46	---
6.4. Contraceptive Knowledge (%)		---	---	---	99.1	---	---	---	---	98.9	---	---	---	---	99.8	---
6.5. HIV Prevalence Rate Among Pregnant Women Aged 15-24 (‰)		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6.6. Proportion of Children Immunized Against Measles (%)		---	---	---	77.9	---	---	---	---	78.5	---	---	---	---	79.4	---
6.7. Prevalence of Underweight in Children Under 5 Years (%)		---	---	---	9.5	---	---	---	---	8.3	---	---	---	---	3.9	---
6.8. Proportion of Population Below Minimum Daily Nutritional Requirement (%)		---	---	---	---	---	---	---	---	---	---	---	---	1.35	1.29	---

**Annex I (continued)**

Indicators	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
<b>7. Population and Environment</b>															
7.1. Cropland/Arable Land Per Capita (Hectare)	0.50	0.48	0.47	0.46	0.46	0.43	0.43	0.42	0.41	0.40	0.39	0.38	0.38	0.37	---
7.2. Annual Energy Consumption Per Capita (KGOE)	943	947	971	1013	976	1033	1114	1157	1153	1128	1204	1107	1125	1184	---
7.3. Biodiversity: Land Area Protected (%)	2.93	2.96	2.96	3.17	3.37	3.44	3.56	3.61	3.65	3.70	4.72	4.72	4.90	4.96	5.16
7.4. Energy Intensity: Energy Use Per Unit of GDP (%)	6.19	5.03	4.89	3.92	5.21	4.65	5.78	5.32	3.27	4.85	8.05	8.76	7.40	6.96	---
7.5.A. Carbon Dioxide Emissions Per Capita (Metric Tone)	--	--	--	---	---	2.79	3.04	3.20	3.13	3.06	3.38	3.08	3.10	3.26	---

**Annex II**  
**ECONOMIC INDICATORS OF TURKEY**

	ANNUAL						
	2000	2001	2002	2003	2004	2005 (1)	2006 (1)
<b>GROSS NATIONAL PRODUCT (GNP) (2) (2006 Q2)</b>							
At current prices (TRY Million)	125 596	176 484	275 032	356 681	428 932	486 401	132 861
At current prices (\$ Million)	200 002	145 693	180 892	239 235	299 475	360 876	91 624
At 1987 prices (TRY Million)	119 144	107 783	116 338	123 165	135 308	145 651	37 177
GNP Per capita (TRY)	1 862	2 572	3 950	5 079	6 028	6 749	...
GNP Per capita (\$)	2 965	2 123	2 598	3 383	4 172	5 008	...
Deflator	50.9	57.8	44.4	22.5	9.5	5.3	11.9
Gross domestic product per capita - At current prices and current purchasing power parity (\$)	6 810	6 131	6 519	6 762	7 561	8 141	...
<b>GNP - RATE OF GROWTH BY SECTORS (%) (2006 Q2)</b>							
Agriculture	3.8	-6.0	7.4	-2.4	2.0	5.7	-1.1
Industry	5.6	-7.4	7.9	7.3	9.3	6.8	10.4
Services	6.5	-6.1	6.0	5.1	8.1	7.6	5.9
GNP	6.3	-9.5	7.9	5.9	9.9	7.6	8.5
<b>GDP COMPOSITION BY SECTORS (%) (2006 Q2)</b>							
Agriculture	15.4	12.8	13.0	13.4	12.9	11.9	5.2
Industry	20.0	21.1	19.7	18.5	18.9	19.2	22.7
Services	64.6	66.1	67.3	68.2	68.2	69.0	72.1
<b>PRODUCTION (2006 Q2)</b>							
Value Added in Agriculture at 1987 prices (TRY Million)	15 962	14 994	15 978	15 549	15 863	16 756	2 552
Value Added in Industry at 1987 prices (TRY Million)	33 738	31 194	34 142	36 793	40 234	42 840	12 308
Production index of manufacturing Industry (1997=100) (September 2006)	102.1	92.4	102.5	112.0	123.6	129.6	147.5
Capacity utilization in manufacturing industry (Weighted average) (October 2006)	75.9	70.9	75.4	78.4	81.7	80.4	82.5
Electricity production (Hydraulic GWh) (January-September 2006)	30 879	24 010	33 684	35 330	46 084	39 561	34 012
Electricity production (Thermal GWh) (January-September 2006)	93 934	98 563	95 563	105 101	104 464	122 242	96 281
Geothermal+wind (January-September 2006)	109	152	153	150	151	153	162



**Annex II (continued)**

	ANNUAL						
	2000	2001	2002	2003	2004	2005 (1)	2006 (1)
FIXED INVESTMENTS (TRY Million) (Programme 2006)	27 688	32 409	46 031	55 618	78 782	98 653	113 583
Public	7 983	10 047	15 881	15 810	18 052	24 578	27 174
Private	19 705	22 362	30 150	39 808	60 730	74 076	86 408
NUMBER OF WORKERS ABROAD	1 170 226	1 178 412	1 200 725	1 197 968	1 195 612	1 372 551	...

*Source:* TSI SPO Ministry of Labour and Social Security.

- (1) Provisional.
- (2) The new series in producers' price.

## Annex III

**INTERNATIONAL CONVENTIONS RELATING TO ISSUES  
OF HUMAN RIGHTS SIGNED OR RATIFIED BY TURKEY  
(as of January 2007)**

Name of the Convention	Date of signature	Date of ratification/ accession (a)
<b>A. Main international human rights conventions and protocols</b>		
International Covenant on Economic, Social and Cultural Rights, 1966	15.08.2000	23.09.2003
International Covenant on Civil and Political Rights, 1966	15.08.2000	23.09.2003
International Convention on the Elimination of All Forms of Racial Discrimination, 1965	13.10.1972	16.09.2002
Convention on the Elimination of All Forms of Discrimination against Women, 1979		20.12.1985
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984	25.01.1998	02.08.1998
Convention on the Rights of Child, 1989	14.09.1990	04.04.1995
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990	13.01.1999	27.09.2004
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 2000	08.09.2000	04.05.2004
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000	08.09.2000	19.08.2002
Optional Protocol to the International Covenant on Civil and Political Rights, concerning individual petition, 1966	03.02.2004	24.11.2006
Second Optional Protocol to the International Covenant on Civil and Political Rights, concerning abolition of the death penalty, 1989	06.04.2004	02.03.2006
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, concerning individual complaints and inquiry procedures, 1999	08.09.2000	29.10.2002
Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, concerning regular visits by national and international institutions to places of detention, 2002	14.09.2005	-
<b>B. Other UN human rights and related conventions</b>		
Convention on the Prevention and Punishment of the Crime of Genocide, 1948		31.07.1950 a
Slavery Convention, 1926 as amended, 1955	14.01.1955	
Convention relating the Status of Refugees, 1951	24.08.1951	30.03.1962
Protocol relating to the Status of Refugees, 1967		31.07.1968 a

**Annex III (continued)**

Name of the Convention	Date of signature	Date of ratification/ accession (a)
UN Conventions against Transnational Organized Crime, 2000, and its Protocols against the smuggling of migrants by land, sea and air, and to prevent, suppress and punish trafficking in persons, especially women and children	13.12.2000	25.03.2003
<b>C. Conventions of the International Labour Organization (ILO)</b>		
Weekly Rest (Industry) Convention, 1921 (No. 14)		27.12.1946
Forced or Compulsory Labour Convention, 1930 (No. 29)		30.10.1998
Labour Inspection Convention, 1947 (No. 81)		05.03.1951
Freedom of Association and Protection of the Right to Organise Convention (1948) (No. 87)		12.07.1993
Right to Organize and Collective Bargaining Convention (1949) (No. 98)		23.01.1952
Equal Remuneration Convention (1951) (No. 100)		19.07.1967
Social Security (Minimum Standards) Convention, 1952 (No. 102)		29.01.1975
Abolition of Forced Labour Convention (1957) (No. 105)		29.03.1961
Discrimination (Employment and Occupation) Convention (1958) (No. 111)		19.07.1967
Equality of Treatment (Social Security) Convention, 1962 (No. 118)		25.06.1974
Employment Policy Convention (1964) (No. 122)		13.12.1977
Minimum Age Convention (1973) (No. 138)		30.10.1998
Labour Relations (Public Service) Convention (1981) (No. 151)		12.07.1993
Occupational Safety and Health Convention, 1981 (No. 155)		22.04.2005
Worst Forms of Child Labour Convention (1999) (No. 182)		02.08.2001
<b>D. Conventions of the Hague Conference on Private International Law</b>		
Convention on the law applicable to maintenance obligations towards children, 1956	10.06.1970	28.02.1972
Convention concerning the recognition and enforcement of decisions relating to maintenance obligations towards children, 1958	11.06.1968	27.04.1973
Convention concerning the powers of authorities and the law applicable in respect of the protection of minors, 1961		25.08.1983 a
Convention on the Law Applicable to Maintenance Obligations, 1973	02.10.1973	23.08.1983
Convention on the Recognition and Enforcement of Decisions relating to Maintenance Obligations, 1973	02.10.1973	23.08.1983
Convention on the Civil Aspects of International Child Abduction, 1980	21.01.1998	31.05.2000
Convention on International Access to Justice, 1980	07.07.2004	-

**Annex III (continued)**

Name of the Convention	Date of signature	Date of ratification/ accession (a)
Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, 1993	05.12.2001	27.05.2004
<b>E. Geneva Conventions and other treaties on international humanitarian law</b>		
Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949	12.08.1949	10.02.1954
Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 1949	12.08.1949	10.02.1954
Geneva Convention (III) relative to the Treatment of Prisoners of War, 1949	12.08.1949	10.02.1954
Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949	12.08.1949	10.02.1954
Protocol Additional to the Geneva Conventions of 12 August 1949, relating to the Adoption of an Additional Distinctive Emblem (Protocol III), 2005	07.12.2006	-
Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention (1954) and its First Protocol (1954)		15.12.1965 a
Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, 1972	10.04.1972	25.10.1974
Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993	14.01.1993	12.05.1997
Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (1980), as amended in 2001	26.03.1982	02.03.2005
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 1997		25.09.2003 a

**Annex IV**

**COUNCIL OF EUROPE CONVENTIONS IN THE AREA  
OF HUMAN RIGHTS TO WHICH TURKEY IS PARTY  
(as of January 2007)**

No.	Title of the Convention			Opening of the treaty	Entry into force
001	Statute of the Council of Europe			5/5/1949	3/8/1949
		Ratification or accession: 13/4/1950	Entered into force: 13/4/1950		
002	General Agreement on Privileges and Immunities of the Council of Europe			2/9/1949	10/9/1952
	Signature: 2/9/1949	Ratification or accession: 7/1/1960	Entered into force: 7/1/1960		
005	Convention for the Protection of Human Rights and Fundamental Freedoms			4/11/1950	3/9/1953
	Signature: 4/11/1950	Ratification or accession: 18/5/1954	Entered into force: 18/5/1954		
009	Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms			20/3/1952	18/5/1954
	Signature: 20/3/1952	Ratification or accession: 18/5/1954	Entered into force: 18/5/1954		
010	Protocol to the General Agreement on Privileges and Immunities of the Council of Europe			6/11/1952	11/7/1956
	Signature: 6/11/1952	Ratification or accession: 7/1/1960	Entered into force: 7/1/1960		
012	European Interim Agreement on Social Security Schemes Relating to Old Age, Invalidity and Survivors			11/12/1953	1/7/1954
	Signature: 11/12/1953	Ratification or accession: 14/4/1967	Entered into force: 1/5/1967		
012A	Protocol to the European Interim Agreement on Social Security Schemes Relating to Old Age, Invalidity and Survivors			11/12/1953	1/10/1954
	Signature: 11/12/1953	Ratification or accession: 14/4/1967	Entered into force: 1/5/1967		
013	European Interim Agreement on Social Security other than Schemes for Old Age, Invalidity and Survivors			11/12/1953	1/7/1954
	Signature: 11/12/1953	Ratification or accession: 14/4/1967	Entered into force: 1/5/1967		
013A	Protocol to the European Interim Agreement on Social Security other than Schemes for Old Age, Invalidity and Survivors			11/12/1953	1/10/1954
	Signature: 11/12/1953	Ratification or accession: 14/4/1967	Entered into force: 1/5/1967		
014	European Convention on Social and Medical Assistance			11/12/1953	1/7/1954
	Signature: 11/12/1953	Ratification or accession: 2/12/1976	Entered into force: 1/1/1977		
014A	Protocol to the European Convention on Social and Medical Assistance			11/12/1953	1/7/1954
	Signature: 11/12/1953	Ratification or accession: 2/12/1976	Entered into force: 1/1/1977		
015	European Convention on the Equivalence of Diplomas leading to Admission to Universities			11/12/1953	20/4/1954
	Signature: 11/12/1953	Ratification or accession: 10/10/1957	Entered into force: 10/10/1957		

**Annex IV (continued)**

No.	Title of the Convention			Opening of the treaty	Entry into force
016	European Convention relating to the Formalities required for Patent Applications			11/12/1953	1/6/1955
	Signature: 11/12/1953	Ratification or accession: 22/10/1956	Entered into force: 1/11/1956		
018	European Cultural Convention			19/12/1954	5/5/1955
	Signature: 19/12/1954	Ratification or accession: 10/10/1957	Entered into force: 10/10/1957		
019	European Convention on Establishment			13/12/1955	23/2/1965
	Signature: 13/12/1955	Ratification or accession: 20/3/1990	Entered into force: 20/3/1990		
020	Agreement on the Exchange of War Cripples between Member Countries of the Council of Europe with a view to Medical Treatment			13/12/1955	1/1/1956
	Signature: 13/12/1955	Ratification or accession: 7/10/1959	Entered into force: 1/11/1959		
021	European Convention on the Equivalence of Periods of University Study			15/12/1956	18/9/1957
	Signature: 25/9/1957	Ratification or accession: 18/2/1960	Entered into force: 18/2/1960		
022	Second Protocol to the General Agreement on Privileges and Immunities of the Council of Europe			15/12/1956	15/12/1956
	Signature: 25/9/1957	Ratification or accession: 7/1/1960	Entered into force: 7/1/1960		
024	European Convention on Extradition			13/12/1957	18/4/1960
	Signature: 13/12/1957	Ratification or accession: 7/1/1960	Entered into force: 18/4/1960		
025	European Agreement on Regulations governing the Movement of Persons between Member States of the Council of Europe			13/12/1957	1/1/1958
	Signature: 25/5/1961	Ratification or accession: 25/5/1961	Entered into force: 1/6/1961		
026	European Agreement on the Exchange of Therapeutic Substances of Human Origin			15/12/1958	1/1/1959
	Signature: 15/12/1958	Ratification or accession: 3/6/1966	Entered into force: 1/7/1966		
027	European Agreement concerning Programme Exchanges by means of Television Films			15/12/1958	1/7/1961
	Signature: 15/12/1958	Ratification or accession: 27/2/1964	Entered into force: 28/3/1964		
028	Third Protocol to the General Agreement on Privileges and Immunities of the Council of Europe			6/3/1959	15/3/1963
	Signature: 31/3/1959	Ratification or accession: 16/1/1975	Entered into force: 16/1/1975		
029	European Convention on Compulsory Insurance against Civil Liability in respect of Motor Vehicles			20/4/1959	22/9/1969
	Signature: 26/6/1974	Ratification or accession: 26/4/2000	Entered into force: 25/7/2000		
030	European Convention on Mutual Assistance in Criminal Matters			20/4/1959	12/6/1962
	Signature: 23/10/1959	Ratification or accession: 24/6/1969	Entered into force: 22/9/1969		

**Annex IV (continued)**

No.	Title of the Convention			Opening of the treaty	Entry into force
033	Agreement on the Temporary Importation, free of duty, of Medical, Surgical and Laboratory Equipment for use on free loan in Hospitals and other Medical Institutions for purposes of Diagnosis or Treatment			28/4/1960	29/7/1960
	Signature: 1/6/1962	Ratification or accession: 10/3/1966	Entered into force: 11/6/1966		
035	European Social Charter			18/10/1961	26/2/1965
	Signature: 18/10/1961	Ratification or accession: 24/11/1989	Entered into force: 24/12/1989		
036	Fourth Protocol to the General Agreement on Privileges and Immunities of the Council of Europe			16/12/1961	16/12/1961
	Signature: 1/6/1962	Ratification or accession: 1/6/1962	Entered into force: 1/3/1965		
037	European Agreement on Travel by Young Persons on Collective Passports between the Member Countries of the Council of Europe			16/12/1961	17/1/1962
	Signature: 14/9/1962	Ratification or accession: 14/9/1962	Entered into force: 15/10/1962		
038	European Agreement on Mutual Assistance in the matter of Special Medical Treatments and Climatic Facilities			14/5/1962	15/6/1962
	Signature: 14/5/1962	Ratification or accession: 27/11/1964	Entered into force: 28/12/1964		
039	European Agreement on the Exchanges of Blood-Grouping Reagents			14/5/1962	14/10/1962
	Signature: 14/5/1962	Ratification or accession: 27/11/1964	Entered into force: 28/12/1964		
044	Protocol No. 2 to the Convention for the Protection of Human Rights and Fundamental Freedoms, conferring upon the European Court of Human Rights competence to give advisory opinions			6/5/1963	21/9/1970
	Signature: 6/5/1963	Ratification or accession: 25/3/1968	Entered into force: 21/9/1970		
045	Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention			6/5/1963	21/9/1970
	Signature: 6/5/1963	Ratification or accession: 25/3/1968	Entered into force: 21/9/1970		
048	European Code of Social Security			16/4/1964	17/3/1968
	Signature: 13/5/1964	Ratification or accession: 7/3/1980	Entered into force: 8/3/1981		
050	Convention on the Elaboration of a European Pharmacopoeia			22/7/1964	8/5/1974
		Ratification or accession: 22/11/1993	Entered into force: 23/2/1994		
053	European Agreement for the Prevention of Broadcasts transmitted from Stations outside National Territories			22/1/1965	19/10/1967
	Signature: 13/8/1969	Ratification or accession: 16/1/1975	Entered into force: 17/2/1975		
055	Protocol No. 5 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 22 and 40 of the Convention			20/1/1966	20/12/1971
	Signature: 14/5/1971	Ratification or accession: 20/12/1971	Entered into force: 20/12/1971		
062	European Convention on Information on Foreign Law			7/6/1968	17/12/1969
	Signature: 7/6/1968	Ratification or accession: 19/12/1975	Entered into force: 20/3/1976		

**Annex IV (continued)**

No.	Title of the Convention			Opening of the treaty	Entry into force
063	European Convention on the Abolition of Legalisation of Documents executed by Diplomatic Agents or Consular Officers			7/6/1968	14/8/1970
	Signature: 1/9/1980	Ratification or accession: 22/6/1987	Entered into force: 23/9/1987		
065	European Convention for the Protection of Animals during International Transport			13/12/1968	20/2/1971
	Signature: 18/4/1974	Ratification or accession: 19/12/1975	Entered into force: 20/6/1976		
070	European Convention on the International Validity of Criminal Judgments			28/5/1970	26/7/1974
	Signature: 26/6/1974	Ratification or accession: 27/10/1978	Entered into force: 28/1/1979		
071	European Convention on the Repatriation of Minors			28/5/1970	
	Signature: 26/6/1974	Ratification or accession: 2/12/1976			
073	European Convention on the Transfer of Proceedings in Criminal Matters			15/5/1972	30/3/1978
	Signature: 26/6/1974	Ratification or accession: 27/10/1978	Entered into force: 28/1/1979		
077	Convention on the Establishment of a Scheme of Registration of Wills			16/5/1972	20/3/1976
	Signature: 18/4/1974	Ratification or accession: 19/12/1975	Entered into force: 20/3/1976		
078	European Convention on Social Security			14/12/1972	1/3/1977
	Signature: 14/12/1972	Ratification or accession: 2/12/1976	Entered into force: 1/3/1977		
078A	Supplementary Agreement for the Application of the European Convention on Social Security			14/12/1972	1/3/1977
	Signature: 14/12/1972	Ratification or accession: 2/12/1976	Entered into force: 1/3/1977		
080	Agreement on the Transfer of Corpses			26/10/1973	11/11/1975
	Signature: 26/10/1973	Ratification or accession: 19/12/1975	Entered into force: 20/1/1976		
081	Additional Protocol to the Protocol to the European Agreement on the Protection of Television Broadcasts			14/1/1974	31/12/1974
	Signature: 24/5/1974	Ratification or accession: 19/12/1975	Entered into force: 20/1/1976		
084	European Agreement on the Exchange of Tissue-Typing Reagents			17/9/1974	23/4/1977
	Signature: 13/10/1980	Ratification or accession: 1/12/2004	Entered into force: 2/1/2005		
089	Additional Protocol to the European Agreement on the Exchange of Tissue-Typing Reagents			24/6/1976	23/4/1977
	Signature: 13/10/1980	Ratification or accession: 1/12/2004	Entered into force: 2/1/2005		
090	European Convention on the Suppression of Terrorism			27/1/1977	4/8/1978
	Signature: 27/1/1977	Ratification or accession: 19/5/1981	Entered into force: 20/8/1981		
092	European Agreement on the Transmission of Applications for Legal Aid			27/1/1977	28/2/1977
	Signature: 27/1/1977	Ratification or accession: 22/3/1983	Entered into force: 23/4/1983		



**Annex IV (continued)**

No.	Title of the Convention			Opening of the treaty	Entry into force
093	European Convention on the Legal Status of Migrant Workers			24/11/1977	1/5/1983
	Signature: 24/11/1977	Ratification or accession: 19/5/1981	Entered into force: 1/5/1983		
097	Additional Protocol to the European Convention on Information on Foreign Law			15/3/1978	31/8/1979
	Signature: 1/9/1980	Ratification or accession: 1/12/2004	Entered into force: 2/3/2005		
098	Second Additional Protocol to the European Convention on Extradition			17/3/1978	5/6/1983
	Signature: 16/7/1987	Ratification or accession: 10/7/1992	Entered into force: 8/10/1992		
099	Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters			17/3/1978	12/4/1982
	Signature: 4/2/1986	Ratification or accession: 29/3/1990	Entered into force: 27/6/1990		
103	Additional Protocol to the European Convention for the Protection of Animals during International Transport			10/5/1979	7/11/1989
	Signature: 19/6/1985	Ratification or accession: 19/5/1989	Entered into force: 7/11/1989		
104	Convention on the Conservation of European Wildlife and Natural Habitats			19/9/1979	1/6/1982
	Signature: 19/9/1979	Ratification or accession: 2/5/1984	Entered into force: 1/9/1984		
105	European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children			20/5/1980	1/9/1983
	Signature: 20/10/1997	Ratification or accession: 8/2/2000	Entered into force: 1/6/2000		
106	European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities			21/5/1980	22/12/1981
	Signature: 4/2/1998	Ratification or accession: 11/7/2001	Entered into force: 12/10/2001		
109	Additional Protocol to the European Agreement on the Exchange of Therapeutic Substances of Human Origin			1/1/1983	1/1/1985
		Ratification or accession: 1/1/1985	Entered into force: 1/1/1985		
110	Additional Protocol to the Agreement on the Temporary Importation, free of duty, of Medical, Surgical and Laboratory Equipment for Use on free loan in Hospitals and other Medical Institutions for Purposes of Diagnosis or Treatment			1/1/1983	1/1/1985
		Ratification or accession: 1/1/1985	Entered into force: 1/1/1985		
111	Additional Protocol to the European Agreement on the Exchanges of Blood-Grouping Reagents			1/1/1983	1/1/1985
		Ratification or accession: 1/1/1985	Entered into force: 1/1/1985		
112	Convention on the Transfer of Sentenced Persons			21/3/1983	1/7/1985
	Signature: 19/6/1985	Ratification or accession: 3/9/1987	Entered into force: 1/1/1988		

**Annex IV (continued)**

No.	Title of the Convention			Opening of the treaty	Entry into force
113	Additional Protocol to the Protocol to the European Agreement on the Protection of Television Broadcasts			21/3/1983	1/1/1985
	Signature: 25/10/1984	Ratification or accession: 13/12/1984	Entered into force: 1/1/1985		
114	Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty			28/4/1983	1/3/1985
	Signature: 15/1/2003	Ratification or accession: 12/11/2003	Entered into force: 1/12/2003		
118	Protocol No. 8 to the Convention for the Protection of Human Rights and Fundamental Freedoms			19/3/1985	1/1/1990
	Signature: 4/2/1986	Ratification or accession: 19/9/1989	Entered into force: 1/1/1990		
120	European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches			19/8/1985	1/11/1985
	Signature: 25/9/1986	Ratification or accession: 30/11/1990	Entered into force: 1/1/1991		
121	Convention for the Protection of the Architectural Heritage of Europe			3/10/1985	1/12/1987
	Signature: 3/10/1985	Ratification or accession: 11/10/1989	Entered into force: 1/2/1990		
122	European Charter of Local Self-Government			15/10/1985	1/9/1988
	Signature: 21/11/1988	Ratification or accession: 9/12/1992	Entered into force: 1/4/1993		
125	European Convention for the Protection of Pet Animals			13/11/1987	1/5/1992
	Signature: 18/11/1999	Ratification or accession: 28/11/2003	Entered into force: 1/6/2004		
126	European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment			26/11/1987	1/2/1989
	Signature: 11/1/1988	Ratification or accession: 26/2/1988	Entered into force: 1/2/1989		
131	Third Additional Protocol to the Protocol to the European Agreement on the Protection of Television Broadcasts			20/4/1989	
	Signature: 20/4/1989	Ratification or accession: 24/11/1989			
132	European Convention on Transfrontier Television			5/5/1989	1/5/1993
	Signature: 7/9/1992	Ratification or accession: 21/1/1994	Entered into force: 1/5/1994		
134	Protocol to the Convention on the Elaboration of a European Pharmacopoeia			16/11/1989	1/11/1992
		Ratification or accession: 22/11/1993	Entered into force: 23/2/1994		
135	Anti-Doping Convention			16/11/1989	1/3/1990
	Signature: 16/11/1989	Ratification or accession: 22/11/1993	Entered into force: 1/1/1994		
137	Fifth Protocol to the General Agreement on Privileges and Immunities of the Council of Europe			18/6/1990	1/11/1991
	Signature: 30/9/1991	Ratification or accession: 1/6/1994	Entered into force: 1/10/1994		

**Annex IV (continued)**

No.	Title of the Convention			Opening of the treaty	Entry into force
141	Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime			8/11/1990	1/9/1993
	Signature: 27/9/2001	Ratification or accession: 6/10/2004	Entered into force: 1/2/2005		
143	European Convention on the Protection of the Archaeological Heritage (Revised)			16/1/1992	25/5/1995
	Signature: 16/1/1992	Ratification or accession: 29/11/1999	Entered into force: 30/5/2000		
147	European Convention on Cinematographic Co-Production			2/10/1992	1/4/1994
	Signature: 10/1/1997	Ratification or accession: 9/3/2005	Entered into force: 1/7/2005		
151	Protocol No. 1 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment			4/11/1993	1/3/2002
	Signature: 10/5/1995	Ratification or accession: 17/9/1997	Entered into force: 1/3/2002		
152	Protocol No. 2 to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment			4/11/1993	1/3/2002
	Signature: 10/5/1995	Ratification or accession: 17/9/1997	Entered into force: 1/3/2002		
155	Protocol No. 11 to the Convention for the Protection of Human Rights and Fundamental Freedoms, restructuring the control machinery established thereby			11/5/1994	1/11/1998
	Signature: 11/5/1994	Ratification or accession: 11/7/1997	Entered into force: 1/11/1998		
160	European Convention on the Exercise of Children's Rights			25/1/1996	1/7/2000
	Signature: 9/6/1999	Ratification or accession: 10/6/2002	Entered into force: 1/10/2002		
161	European Agreement relating to persons participating in proceedings of the European Court of Human Rights			5/3/1996	1/1/1999
	Signature: 3/7/2002	Ratification or accession: 6/10/2004	Entered into force: 1/12/2004		
162	Sixth Protocol to the General Agreement on Privileges and Immunities of the Council of Europe			5/3/1996	1/11/1998
	Signature: 15/2/1999	Ratification or accession: 17/9/2003	Entered into force: 18/10/2003		
164	Convention for the protection of Human Rights and dignity of the human being with regard to the application of biology and medicine: Convention on Human Rights and Biomedicine			4/4/1997	1/12/1999
	Signature: 4/4/1997	Ratification or accession: 2/7/2004	Entered into force: 1/11/2004		
165	Convention on the Recognition of Qualifications concerning Higher Education in the European Region			11/4/1997	1/2/1999
	Signature: 1/12/2004	Ratification or accession: 8/1/2007	Entry into force: 1/3/2007		

**Annex IV (continued)**

No.	Title of the Convention			Opening of the treaty	Entry into force
171	Protocol amending the European Convention on Transfrontier Television			1/10/1998	1/3/2002
		Ratification or accession: 1/10/2000	Entered into force: 1/3/2002		
173	Criminal Law Convention on Corruption			27/1/1999	1/7/2002
	Signature: 27/9/2001	Ratification or accession: 29/3/2004	Entered into force: 1/7/2004		
174	Civil Law Convention on Corruption			4/11/1999	1/11/2003
	Signature: 27/9/2001	Ratification or accession: 17/9/2003	Entered into force: 1/1/2004		
176	European Landscape Convention			20/10/2000	1/3/2004
	Signature: 20/10/2000	Ratification or accession: 13/10/2003	Entered into force: 1/3/2004		
179	Additional Protocol to the European Agreement on the Transmission of Applications for Legal Aid			4/10/2001	1/9/2002
	Signature: 4/10/2001	Ratification or accession: 31/3/2005	Entered into force: 1/7/2005		
187	Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances			3/5/2002	1/7/2003
	Signature: 9/1/2004	Ratification or accession: 20/2/2006	Entered into force: 1/6/2006		
190	Protocol amending the European Convention on the Suppression of Terrorism			15/5/2003	
	Signature: 15/7/2003	Ratification or accession: 20/5/2005			
194	Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention			13/5/2004	
	Signature: 6/10/2004	Ratification or accession: 2/10/2006			

**Annex V**

**COUNCIL OF EUROPE CONVENTIONS IN THE AREA OF HUMAN RIGHTS  
WHICH TURKEY HAS SIGNED BUT NOT YET RATIFIED  
(as of January 2007)**

No.	Title of the Convention	Opening of the treaty	Entry into force
023	European Convention for the Peaceful Settlement of Disputes	29/4/1957	30/4/1958
	Signature: 8/5/1958		
032	European Convention on the Academic Recognition of University Qualifications	14/12/1959	27/11/1961
	Signature: 14/12/1959		
041	Convention on the Liability of Hotel-keepers concerning the Property of their Guests	17/12/1962	15/2/1967
	Signature: 17/12/1962		
046	Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto	16/9/1963	2/5/1968
	Signature: 19/10/1992		
048A	Protocol to the European Code of Social Security	16/4/1964	17/3/1968
	Signature: 13/5/1964		
049	Protocol to the European Convention on the Equivalence of Diplomas leading to Admission to Universities	3/6/1964	4/7/1964
	Signature: 27/11/1964		
051	European Convention on the Supervision of Conditionally Sentenced or Conditionally Released Offenders	30/11/1964	22/8/1975
	Signature: 13/9/1965		
052	European Convention on the Punishment of Road Traffic Offences	30/11/1964	18/7/1972
	Signature: 13/9/1965		
059	European Agreement on the Instruction and Education of Nurses	25/10/1967	7/8/1969
	Signature: 11/9/1968		
100	European Convention on the Obtaining Abroad of Information and Evidence in Administrative Matters	15/3/1978	1/1/1983
	Signature: 5/9/1979		
101	European Convention on the Control of the Acquisition and Possession of Firearms by Individuals	28/6/1978	1/7/1982
	Signature: 3/4/1979		
108	Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data	28/1/1981	1/10/1985
	Signature: 28/1/1981		
116	European Convention on the Compensation of Victims of Violent Crimes	24/11/1983	1/2/1988
	Signature: 24/4/1985		
117	Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms	22/11/1984	1/11/1988
	Signature: 14/3/1985		
119	European Convention on Offences relating to Cultural Property	23/6/1985	
	Signature: 26/9/1985		
123	European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes	18/3/1986	1/1/1991
	Signature: 5/9/1986		

**Annex V (continued)**

No.	Title of the Convention	Opening of the treaty	Entry into force
128	Additional Protocol to the European Social Charter	5/5/1988	4/9/1992
	Signature: 5/5/1988		
136	European Convention on Certain International Aspects of Bankruptcy	5/6/1990	
	Signature: 5/6/1990		
138	European Convention on the General Equivalence of Periods of University Study	6/11/1990	1/1/1991
	Signature: 6/11/1990		
139	European Code of Social Security (Revised)	6/11/1990	
	Signature: 6/11/1990		
140	Protocol No. 9 to the Convention for the Protection of Human Rights and Fundamental Freedoms	6/11/1990	1/10/1994
	Signature: 6/11/1990		
142	Protocol amending the European Social Charter	21/10/1991	
	Signature: 6/10/2004		
156	Agreement on illicit traffic by sea, implementing Article 17 of the United Nations Convention against illicit traffic in narcotic drugs and psychotropic substances	31/1/1995	1/5/2000
	Signature: 6/10/2004		
163	European Social Charter (Revised)	3/5/1996	1/7/1999
	Signature: 6/10/2004		
168	Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings	12/1/1998	1/3/2001
	Signature: 12/1/1998		
170	Protocol of Amendment to the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes	22/6/1998	2/12/2005
	Signature: 4/2/2004		
175	European Convention on the Promotion of a Transnational Long-Term Voluntary Service for Young People	11/5/2000	
	Signature: 11/9/2002		
177	Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms	4/11/2000	1/4/2005
	Signature: 18/4/2001		
181	Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, regarding supervisory authorities and transborder data flows	8/11/2001	1/7/2004
	Signature: 8/11/2001		
183	European Convention for the protection of the Audiovisual Heritage	8/11/2001	
	Signature: 4/2/2004		
184	Protocol to the European Convention on the protection of the Audiovisual Heritage, on the protection of Television Productions	8/11/2001	
	Signature: 4/2/2004		
192	Convention on Contact concerning Children	15/5/2003	1/9/2005
	Signature: 15/7/2003		

**Annex V (continued)**

No.	Title of the Convention	Opening of the treaty	Entry into force
193	European Convention for the Protection of Animals during International Transport (Revised)	6/11/2003	14/3/2006
	Signature: 4/2/2004		
195	Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research	25/1/2005	
	Signature: 25/1/2005		
No.	Title of the Convention	Opening of the treaty	Entry into force
196	Council of Europe Convention on the Prevention of Terrorism	16/5/2005	
	Signature: 19/1/2006		

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