



COUNTRY OF ORIGIN INFORMATION REPORT

# TURKEY

---

20 OCTOBER 2009

## Contents

---

### Preface

### Latest news

#### EVENTS IN TURKEY FROM 2 AUGUST TO 19 OCTOBER 2009

#### REPORTS ON TURKEY PUBLISHED OR ACCESSED BETWEEN 2 AUGUST AND 19 OCTOBER 2009

#### Paragraphs

### Background information

<b>1. GEOGRAPHY .....</b>	<b>1.01</b>
<b>Population .....</b>	<b>1.07</b>
<b>Map.....</b>	<b>1.08</b>
<b>2. ECONOMY .....</b>	<b>2.01</b>
<b>3. HISTORY .....</b>	<b>3.01</b>
<b>Recent history.....</b>	<b>3.01</b>
<b>4. RECENT DEVELOPMENTS .....</b>	<b>4.01</b>
<b>European Union accession negotiations 2008-09 .....</b>	<b>4.06</b>
<b>Elections.....</b>	<b>4.07</b>
<b>Pace of reforms.....</b>	<b>4.08</b>
<b>Kurdish issue .....</b>	<b>4.10</b>
<b>Terrorism in 2008-2009.....</b>	<b>4.11</b>
<b>5. CONSTITUTION .....</b>	<b>5.01</b>
<b>6. POLITICAL SYSTEM.....</b>	<b>6.01</b>
<b>Turkish Grand National Assembly (TGNA).....</b>	<b>6.01</b>
<b>National Security Council (MGK) or (NSC) .....</b>	<b>6.04</b>
<b>Local government.....</b>	<b>6.07</b>

### Human Rights

<b>7. INTRODUCTION .....</b>	<b>7.01</b>
<b>8. SECURITY FORCES .....</b>	<b>8.01</b>
<b>Police .....</b>	<b>8.02</b>
National Police.....	8.02
Jandarma / Gendarmerie .....	8.04
<b>Arbitrary arrest and detention .....</b>	<b>8.08</b>
Torture.....	8.14
Extra-judicial killings.....	8.20
<b>Turkish Armed Forces.....</b>	<b>8.23</b>
Arrest and detention.....	8.26
Extra-judicial killings.....	8.27
Discrimination in Armed forces .....	8.29
<b>Other government forces .....</b>	<b>8.32</b>
Village guard .....	8.32
Abuses .....	8.36
<b>AVENUES OF COMPLAINT .....</b>	<b>8.38</b>

<b>9. MILITARY SERVICE .....</b>	<b>9.01</b>
<b>Deferring military service.....</b>	<b>9.05</b>
<b>Evasion of military service and punishment.....</b>	<b>9.08</b>
<b>Conscientious objectors (vicdani retci).....</b>	<b>9.11</b>
<b>Subsequent postings . . . . .</b>	<b>9.16</b>
<b>10. JUDICIARY .....</b>	<b>10.01</b>
<b>Organisation.....</b>	<b>10.01</b>
<b>Civil courts .....</b>	<b>10.04</b>
Civil Courts of the Peace.....	10.04
Civil Courts of First Instance .....	10.05
Commercial Courts .....	10.06
The Court of Cassation .....	10.08
<b>Penal courts .....</b>	<b>10.11</b>
Penal Courts of the Peace .....	10.11
Penal Courts of First Instance .....	10.12
Central Criminal Courts .....	10.13
State Security Courts .....	10.14
<b>Other Courts .....</b>	<b>10.15</b>
Execution Investigation Authority .....	10.15
<b>Other Lower Courts .....</b>	<b>10.16</b>
Intermediate Courts of Appeal .....	10.17
<b>Administrative courts .....</b>	<b>10.18</b>
The Council of State.....	10.18
Subordinate Administrative Courts.....	10.19
Supreme Military Administrative Court.....	10.20
<b>Military courts .....</b>	<b>10.21</b>
Military Criminal Courts (Askeri Ceza Mahkemesi).....	10.21
Military Criminal Court of Cassation (Askeri Yargitay) .....	10.23
<b>The Constitutional Court (Anayasa Mahkemesi) .....</b>	<b>10.24</b>
<b>Independence.....</b>	<b>10.26</b>
<b>Fair trial.....</b>	<b>10.31</b>
<b>Penal code.....</b>	<b>10.39</b>
<b>11. ARREST AND DETENTION – LEGAL RIGHTS .....</b>	<b>11.01</b>
<b>Warrants and court documents.....</b>	<b>11.04</b>
<b>Length of pre-trial detention .....</b>	<b>11.08</b>
<b>Right to legal advice.....</b>	<b>11.10</b>
<b>Mistreatment in detention .....</b>	<b>11.17</b>
<b>Legislative framework to prevent mistreatment in prisons</b>	
<b>and detention.....</b>	<b>11.21</b>
<b>Relevant Provisions in Law .....</b>	<b>11.24</b>
<b>Government and other initiatives to prevent mistreatment</b>	
<b>in prisons and detention .....</b>	<b>11.25</b>
<b>12. PRISON CONDITIONS .....</b>	<b>12.01</b>
<b>E Type prison .....</b>	<b>12.08</b>
<b>F-TYPE PRISONS .....</b>	<b>12.12</b>
<b>Monitoring of prison conditions.....</b>	<b>12.18</b>
<b>13. DEATH PENALTY .....</b>	<b>13.01</b>
<b>14. POLITICAL AFFILIATION .....</b>	<b>14.01</b>
<b>Freedom of political expression.....</b>	<b>14.01</b>
<b>Freedom of association and assembly.....</b>	<b>14.04</b>
<b>15. FREEDOM OF SPEECH AND MEDIA .....</b>	<b>15.01</b>

Journalists.....	15.07
Print Media .....	15.13
The High Board of Radio and Television (RTÜK) .....	15.15
Internet.....	15.19
<b>16. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS .....</b>	<b>16.01</b>
<b>Human Rights Advisory Board (IHDK) / Human Rights</b>	
<b>Presidency and Human Rights boards / councils.....</b>	<b>16.05</b>
<b>Reform monitoring group .....</b>	<b>16.11</b>
<b>Parliamentary Human Rights commission / Parliamentary</b>	
<b>Human Rights investigation committee.....</b>	<b>16.12</b>
<b>Ministry of Interior's Investigation Office .....</b>	<b>16.15</b>
<b>Prison inspection committees / Prison Monitoring Board.....</b>	<b>16.17</b>
<b>The Gendarmes Investigation and Evaluation Centre for</b>	
<b>Human Rights Abuse Issues (JIHIDEM).....</b>	<b>16.19</b>
<b>European Court of Human Rights (ECTHR) .....</b>	<b>16.24</b>
<b>17. CORRUPTION .....</b>	<b>17.01</b>
<b>18. FREEDOM OF RELIGION .....</b>	<b>18.01</b>
<b>Headscarves.....</b>	<b>18.06</b>
<b>Alevis .....</b>	<b>18.08</b>
Beliefs and practices of Alevis .....	18.11
Difficulties and problems for Alevis .....	18.15
<b>Non Muslim minorities .....</b>	<b>18.18</b>
<b>Christians .....</b>	<b>18.24</b>
<b>Jews .....</b>	<b>18.27</b>
<b>19. ETHNIC GROUPS.....</b>	<b>19.01</b>
<b>Kurds .....</b>	<b>19.07</b>
Kurdish language .....	19.11
Teaching in Kurdish .....	19.14
<b>Kurdish opposition groups .....</b>	<b>19.17</b>
Hadep.....	19.17
Hadep membership cards .....	19.19
Relatives of Hadep .....	19.21
Dehap / Democratic Society Party (DTP).....	19.23
PKK / Kadek / Kongra-Gel and the conflict in the south east.....	19.28
Relatives of PKK.....	19.34
Newroz / Nevruz celebrations .....	19.36
<b>Arabs.....</b>	<b>19.39</b>
<b>Caucasians.....</b>	<b>19.42</b>
<b>Armenians .....</b>	<b>19.46</b>
<b>Greeks.....</b>	<b>19.50</b>
<b>Roma.....</b>	<b>19.53</b>
<b>20. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS .....</b>	<b>20.01</b>
<b>Legal rights .....</b>	<b>20.01</b>
<b>State and societal attitudes and treatment.....</b>	<b>20.05</b>
<b>Societal ill-treatment or discrimination .....</b>	<b>20.09</b>
<b>Organisations promoting equal rights for LGBT persons .....</b>	<b>20.14</b>
<b>Transgender persons .....</b>	<b>20.16</b>
Transvestites .....	20.16
Transsexuals.....	20.20
<b>21. DISABILITY.....</b>	<b>21.01</b>
<b>22. WOMEN .....</b>	<b>22.01</b>

<b>Overview</b> .....	<b>22.01</b>
<b>Legal rights</b> .....	<b>22.04</b>
<b>Political rights</b> .....	<b>22.09</b>
<b>Social and economic rights</b> .....	<b>22.13</b>
Employment .....	22.15
Marriage .....	22.18
<b>Violence against women</b> .....	<b>22.22</b>
Forced marriages .....	22.26
Domestic violence .....	22.29
Honour killings.....	22.34
Female suicides .....	22.41
Virginity testing.....	22.44
Treatment of women in detention.....	22.46
Government assistance .....	22.54
Provision of shelter.....	22.60
Women's NGOs .....	22.65
<b>23. CHILDREN</b> .....	<b>23.01</b>
<b>Overview</b> .....	<b>23.01</b>
Basic legal information .....	23.01
<b>Legal rights</b> .....	<b>23.00</b>
Domestic legislation .....	23.00
Judicial and penal rights.....	23.00
<b>Violence against children</b> .....	<b>23.09</b>
Customary marriages .....	23.19
Child abuse .....	23.26
Child labour .....	23.30
Unregistered children .....	23.38
<b>Childcare and Protection</b> .....	<b>23.44</b>
<b>Education</b> .....	<b>23.56</b>
<b>Religious education</b> .....	<b>23.65</b>
<b>Health and Welfare</b> .....	<b>23.70</b>
<b>24. TRAFFICKING</b> .....	<b>24.00</b>
<b>Policy</b> .....	<b>24.01</b>
<b>Prosecution</b> .....	<b>24.09</b>
<b>Support and assistance</b> .....	<b>24.13</b>
<b>Training activities</b> .....	<b>24.17</b>
<b>25. MEDICAL ISSUES</b> .....	<b>25.01</b>
<b>Overview of availability of medical treatment and drugs</b> .....	<b>25.01</b>
<b>Pharmacies</b> .....	<b>25.05</b>
<b>Hospitals</b> .....	<b>25.06</b>
<b>HIV/AIDS – anti-retroviral treatment</b> .....	<b>25.08</b>
<b>Cancer treatment</b> .....	<b>25.12</b>
<b>Kidney dialysis</b> .....	<b>25.16</b>
<b>Tuberculosis (TB)</b> .....	<b>25.17</b>
<b>Deaf and hearing impaired</b> .....	<b>25.20</b>
<b>Mental health</b> .....	<b>25.22</b>
<b>26. FREEDOM OF MOVEMENT</b> .....	<b>26.01</b>
<b>Nüfus card / identity card</b> .....	<b>26.03</b>
<b>Address Registration System (AKS)</b> .....	<b>26.27</b>
<b>27. INTERNALLY DISPLACED PEOPLE (IDPs)</b> .....	<b>27.01</b>
<b>Compensation</b> .....	<b>27.06</b>

<b>28. FOREIGN REFUGEES.....</b>	<b>28.01</b>
<b>29. CITIZENSHIP AND NATIONALITY .....</b>	<b>29.01</b>
<b>30. FORGED AND FRAUDULENTLY OBTAINED OFFICIAL DOCUMENTS .....</b>	<b>30.00</b>
<b>31. EXIT / ENTRY PROCEDURES .....</b>	<b>30.01</b>
<b>Treatment of returned failed asylum seekers .....</b>	<b>30.11</b>
<b>Checking of documents .....</b>	<b>30.16</b>
<b>The General Information Gathering System (GBTS) .....</b>	<b>30.18</b>
<b>32. EMPLOYMENT RIGHTS .....</b>	<b>31.01</b>
<b>Labour Act of Turkey.....</b>	<b>31.01</b>
<b>Major Trade Union confederations.....</b>	<b>31.13</b>
<b>Main employers' associations.....</b>	<b>31.22</b>

## Annexes

- Annex A – Chronology of major events**
- Annex B – Political groups**
- Annex C – Prominent people**
- Annex D – Administration of justice**
- Annex E – List of abbreviations**
- Annex F – References to source material**

## Preface

---

- i This Country of Origin Information Report (COI Report) has been produced by COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 1 August 2009. The 'Latest News' section contains further brief information on events and reports accessed from 2 August to 19 October 2009. The report was issued on 20 October 2009.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

#### **Country of Origin Information Service**

UK Border Agency  
Apollo House  
36 Wellesley Road  
Croydon CR9 3RR  
United Kingdom

**Email:** [cois@homeoffice.gsi.gov.uk](mailto:cois@homeoffice.gsi.gov.uk)

**Website:** [http://www.homeoffice.gov.uk/rds/country\\_reports.html](http://www.homeoffice.gov.uk/rds/country_reports.html)

**Email:** [cois@homeoffice.gsi.gov.uk](mailto:cois@homeoffice.gsi.gov.uk)

**Website:** [http://www.homeoffice.gov.uk/rds/country\\_reports.html](http://www.homeoffice.gov.uk/rds/country_reports.html)

#### **INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION**

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>



- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>
- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

**Independent Advisory Group on Country Information contact details:**

Office of the Chief Inspector of the UK Border Agency  
4<sup>th</sup> floor, 8-10 Great George Street,  
London, SW1P 3AE

**Email:** [chiefinspectorukba@homeoffice.gsi.gov.uk](mailto:chiefinspectorukba@homeoffice.gsi.gov.uk)

**Website:** <http://www.ociukba.homeoffice.gov.uk/>

## Latest news

---

### EVENTS IN TURKEY FROM 2 AUGUST TO --- 19 OCTOBER 2009

The news articles below have been organised thematically and then chronologically.

#### Political developments

- 19 October      The head of the police's intelligence section, Ramazan Akyürek, was removed from office for his failure to take actions that may have prevented the murder of journalist Hrant Dink in 2007.  
[Akyürek Deposed from Office - Severe Neglect in Dink Case, 19 October 2009  
http://www.bianet.org/english/human-rights/117701-akyurek-deposed-from-office---severe-neglect-in-dink-case](http://www.bianet.org/english/human-rights/117701-akyurek-deposed-from-office---severe-neglect-in-dink-case)
- 18 October      Around 30 members of the outlawed Kurdistan Workers' Party, or PKK, are expected to surrender to security forces as a goodwill gesture to the government for its efforts to solve the Kurdish issue.  
[PKK members to surrender in gesture toward initiative, 18 October 2009  
http://www.hurriyetdailynews.com/n.php?n=pkk-sends-peace-groups-as-a-gesture-toward-government-2009-10-18](http://www.hurriyetdailynews.com/n.php?n=pkk-sends-peace-groups-as-a-gesture-toward-government-2009-10-18)
- 13 October      The government urged the European Union (EU) to make a fair assessment in its annual report assessing whether Turkey meets EU membership criteria, which is to be published this week. "We expect the report to reflect in an objective and balanced manner all the reforms and important steps we have taken throughout the year," Deputy Prime Minister Cemil Cicek told reporters here after a cabinet meeting.  
[Turkey expects 'objective, balanced' EU progress report, 13 October 2009  
http://www.eubusiness.com/news-eu/enlarge-turkey.xf](http://www.eubusiness.com/news-eu/enlarge-turkey.xf)
- 5 October        Legal amendments are planned to address the issue of conscientious objection, following the judgement of the European Court of Human Rights in the case of Osman Murat Ülke in January 2006. For "those refusing to perform compulsory military service will no longer be forcibly drafted to the military while they are under detention and will be able to be defended by a lawyer while being tried." The article continued "From what is known, it seems the amendments will provide 'relevant applicable rules' regarding the punishment of conscientious objectors, but not the right to conscientious objection."  
[Turkey: Legal amendments for conscientious objection? 5 October 2009  
http://www.wri-irq.org/node/8914](http://www.wri-irq.org/node/8914)
- 30 September    The Justice and Development Party's annual party congress, to be held on 3 October, will signal the starting point of a process of change in which Prime Minister Recep Tayyip Erdoğan will reassert his grip on the party. Erdoğan is expected to undertake a large-scale reshuffle of the party, providing an insight into his plans for the post-2010 period.  
[Premier Erdoğan to reshuffle AK Party at upcoming congress, 30 September 2009  
http://www.todayszaman.com/tz-web/news-188447-premier-erdogan-to-reshuffle-ak-party-at-upcoming-congress.html](http://www.todayszaman.com/tz-web/news-188447-premier-erdogan-to-reshuffle-ak-party-at-upcoming-congress.html)

- 30 September The European Court of Human Rights (ECtHR) ruled against Turkey after hearing cases filed by a group of individuals who were expelled either from military academies or the Turkish Armed Forces. The ECtHR ruled that Turkey had violated Articles 1 and 6 of the European Convention on Human Rights which cover the right to a fair trial. As a result of the ruling, Turkey has to pay 116,000 euros in non-pecuniary damages to the applicants.  
Court: Turkey unfair to those expelled from military, 30 September 2009  
<http://www.todayszaman.com/tz-web/news-188443-court-turkey-unfair-to-those-expelled-from-military.html>
- 23 September The Court of Appeals approved the acquittal of a specialist sergeant who killed a civilian when he fired his gun into the crowd of demonstrators in 2005.  
Soldier's Acquittal: Precedent Case for Impunity after Killing Civilians, 23 September 2009  
<http://www.bianet.org/english/minorities/117183-soldiers-acquittal-precedent-case-for-impunity-after-killing-civilians>
- 11 September A Turkish university will for the first time teach Kurdish, which was banned throughout the country until 1991. Postgraduate studies in Kurdish will begin at Artuklu University, in the southeastern province of Mardin. Expanding Kurdish language rights is part of a government drive to end years of conflict with armed Kurdish rebels.  
Turkey approves Kurdish studies, 11 September 2009  
<http://news.bbc.co.uk/1/hi/world/europe/8250361.stm>
- 27 August After three years the government has finally given the go-ahead to comprehensive judicial reform to raise the country's standards to meet EU membership criteria. Among changes proposed was a complete overhaul of the Supreme Board of Judges and Prosecutors.  
Gov't reveals action plan for comprehensive judicial reform, 27 August 2009  
<http://www.todayszaman.com/tz-web/news-185269-govt-reveals-action-plan-for-comprehensive-judicial-reform.html>
- 21 August The courts have sentenced a police officer to 16 years in prison for killing a man who did not abide by the police officer's command to stop. Police officer Mehmet Ergin has been charged with the highest sentence up until now for shooting and killing 18-year-old Cagdas Gemik, for not obeying the officer's command to stop.  
Police officer charged with 16 years, 21 August 2009  
<http://english.sabah.com.tr/>
- 11 August "The main opposition parties have rejected an offer to meet with the government to discuss its plans to solve the decades-old Kurdish question. Interior Minister Beşir Atalay has announced his intention to come together with the opposition parties this week to tell them about the government's efforts and ask them for their contributions to the process. But his call heeded negative responses from both the Nationalist Movement Party, or MHP, and the Republican People's Party, or CHP."  
Turkish opposition rejects meeting with gov't to discuss Kurdish plan, 11 August 2009  
<http://www.hurriyetdailynews.com/n.php?n=opposition-rejects-meeting-with-gov8217t-to-discuss-kurdish-plan-2009-08-10>

- 7 August "Members of a nationalist campaign to overthrow the Turkish Government planned to attack the NATO headquarters in Turkey and assassinate 12 prominent figures, including the Prime Minister. Fifty-two additional suspects, including a former senior policeman, were charged with involvement in the alleged plot that was to culminate in a military coup."  
 Turkish nationalist plotters 'aimed to attack Nato HQ', 7 August 2009  
<http://www.timesonline.co.uk/tol/news/world/europe/article6741923.ece>

### Humanitarian issues

- 18 October Following the death of an academic support worker, attention is being paid to the secondary trauma experienced by people who work for organizations that help victims of violence. It is increasingly recognized that both victims and their carers are traumatized by violence.  
 Koğacioğlu's suicide raises questions about support in Turkey, 18 October 2009  
<http://www.hurriyetdailynews.com/n.php?n=care-takers-need-care-too-2009-10-16>
- 30 September A total of 645 children have gone missing in Turkey in the first five months of this year, considerably more than last year when 528 children disappeared. According to the Security General Directorate, this year is likely to break records in terms of the number of children who have gone missing, with more disappearing in İstanbul, Mersin, Ankara and Kahramanmaraş than other provinces.  
 645 children missing across Turkey in first five months of 2009, 30 September 2009  
<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=188426>
- 24 September The European Court of Human Rights ruled that Turkey has breached the European Convention on Human Rights by deporting two Iranian refugees. The court ordered Turkey to pay 40,000 Euros compensation to two refugees.  
 ECHR Condemns Turkey For Deportation of Iranian Refugees, 24 September 2009  
<http://www.bianet.org/english/minorities/117209-echr-condemns-turkey-for-deportation-of-iranian-refugees>
- 13 September The government came under fire over ramshackle planning in Istanbul, a day after floods swept away cars and bridges in what the prime minister called the disaster of the century. With the death toll from the flash floods in Istanbul rising to 32, authorities launched a massive rescue and clean-up operation as they braced for a new front of heavy rain to hit large parts of the country.  
 At least 32 dead in Turkey's floods, government under fire, 13 September 2009  
[http://www.channelnewsasia.com/stories/afp\\_world/view/1004649/1.html](http://www.channelnewsasia.com/stories/afp_world/view/1004649/1.html)

### Economy

- 29 September Around 11 million out of Turkey's 70 million people receive social aid. Over two million households relied on social aid from the government while a total of 1.3 million poor people, whose monthly income falls under 87lira, benefit from various programs run by the government.  
 11 million people survive on social aid in Turkey, 29 September 2009  
<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=188213>

15 September    The unemployment rate in Turkey stood at 13 percent in June. The Turkish Board of Statistics announced that the number of unemployed individuals went up to 972,000 in May. Unemployment in urban areas was running at 16 per cent, while in rural areas it was 7 per cent.  
Unemployment rate in Turkey is 13 percent in June, 15 September 2009  
<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=187154>

**Return to contents**  
**Go to list of sources**

## REPORTS ON TURKEY PUBLISHED OR ACCESSED BETWEEN – 2 AUGUST 19 OCTOBER 2009

### **European Commission** [http://ec.europa.eu/enlargement/index\\_en.htm](http://ec.europa.eu/enlargement/index_en.htm)

Turkey 2009 progress reports, published 14 October 2009

[http://ec.europa.eu/enlargement/pdf/key\\_documents/2009/tr\\_rapport\\_2009\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2009/tr_rapport_2009_en.pdf)

Date accessed 14 October 2009

### **Council of Europe** - <http://www.coe.int/defaultEN.asp>

REPORT 1 by Thomas Hammarberg Commissioner for Human Rights of the Council of Europe - Issue reviewed: Human rights of minorities: 28 June to 3 July 2009 published 1 October 2009

<https://wcd.coe.int/ViewDoc.jsp?id=1511197&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>

Date accessed 1 October 2009

REPORT 2 by Thomas Hammarberg Issue reviewed: Human rights of asylum seekers and refugees: 28 June to 3 July 2009 published 1 October 2009

<https://wcd.coe.int/ViewDoc.jsp?id=1511237&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>

(Accessed 1 October 2009)

### **Transparency International**

The 2009 Global Corruption Barometer Report, published 23 September 2009

[http://www.transparency.org/policy\\_research/surveys\\_indices/gcb/2009](http://www.transparency.org/policy_research/surveys_indices/gcb/2009)

(Accessed 1 October 2009)

### **United States Department of State** - <http://www.state.gov>

The Department of Labor's 2008 Findings on the Worst Forms of Child Labor – 10, September 2009 <http://www.dol.gov/ilab/programs/ocft/PDF/2008OCFTreport.pdf>

Date accessed 11 September 2009

### **Reporters Without Borders** -

Government urged to include press freedom in its opening to Kurdish minority, 2 September 2009 <http://www.rsf.org/Government-urged-to-include-press.html>

Date accessed 7 September 2009

### **UN Committee on the Rights of the Child (CRC)**

Written replies by the Government of Turkey to the list of issues

(CRC/C/OPAC/TUR/Q/1) to be taken up in connection with the consideration of the initial report of Turkey under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

(CRC/C/OPAC/TUR/1), 2 September 2009

<http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.OPAC.TUR.Q1>

[-Add1.doc](#) Date accessed 7 September 2009

[Return to contents](#)  
[Go to list of sources](#)

## Background information

### 1. GEOGRAPHY

- 1.01 The Republic of Turkey covers an area of approximately 780,580 square kilometres. Turkey is located between south-eastern Europe and south-western Asia (that portion of Turkey west of the Bosphorus is geographically part of Europe), bordering the Black Sea, between Bulgaria and Georgia, and bordering the Aegean Sea and the Mediterranean Sea, between Greece and Syria. Its border countries are Armenia 268 km, Azerbaijan 9 km, Bulgaria 240 km, Georgia 252 km, Greece 206 km, Iran 499 km, Iraq 352 km, and Syria 822 km. (Central Intelligence Agency (CIA) World Factbook, updated 9 June 2009) [103]
- 1.02 The capital city is Ankara, and there are 81 provinces consisting of Adana, Adiyaman, Afyonkarahisar, Agri, Aksaray, Amasya, Ankara, Antalya, Ardahan, Artvin, Aydin, Balikesir, Bartin, Batman, Bayburt, Bilecik, Bingol, Bitlis, Bolu, Burdur, Bursa, Canakkale, Cankiri, Corum, Denizli, Diyarbakir, Duzce, Edirne, Elazig, Erzincan, Erzurum, Eskisehir, Gaziantep, Giresun, Gumushane, Hakkari, Hatay, Icel (Mersin), Igdir, Isparta, Istanbul, Izmir, Kahramanmaras, Karabuk, Karaman, Kars, Kastamonu, Kayseri, Kilis, Kirikkale, Kirklareli, Kirsehir, Kocaeli, Konya, Kutahya, Malatya, Manisa, Mardin, Mugla, Mus, Nevsehir, Nigde, Ordu, Osmaniye, Rize, Sakarya, Samsun, Sanliurfa, Siirt, Sinop, Sirkak, Sivas, Tekirdag, Tokat, Trabzon, Tunceli, Usak, Van, Yalova, Yozgat, Zonguldak. (CIA World Factbook, updated 9 June 2009) [103]
- 1.03 As noted in the CIA Factbook (updated 9 June 2009), Turkish is the main spoken language. In addition other languages spoken include Kurdish, Dimli (or Zaza), Azeri, Kabardian and there is also a substantial Gagauz-speaking population. [103] . Less widely spoken languages include Abaza, Abkhaz, Adyghe, Albanian, Arabic, Armenian, Ashkaraua, Bulgarian, Crimean Turkish, Dimli, Domari, Gajol, Georgian, Greek, Hértevin, Kazakh, Kirghiz, Kirmanjki, Kumyk, Ladino, Laz, Osetin, Pomak, Romani, Serbian, Tatar, Turkmen, Turoyo, Uyghur and Uzbek. (Ethnologue, accessed ?) [74]
- 1.04 The US State Department (USSD) Report on International Religious Freedom, published on 19 September 2008, reported that:
- “According to the Government, 99 percent of the population is Muslim, the majority of which is Hanafi Sunni. According to the human rights nongovernmental organization (NGO) Mazlum-Der and representatives of various religious minority communities, the actual percentage of Muslims is slightly lower. Following the 1923 Lausanne Treaty, the Government officially recognizes only three minority religious communities. These are Greek Orthodox Christians, Armenian Orthodox Christians, and Jews, although other non-Muslim communities exist. The level of religious observance varied throughout the country, in part due to the influence of secular traditions and official restrictions on religious expression in political and social life.”
- [5e] (Section 1 Religious Demography)



- 1.05 The USSD Religious report 2008 also noted that:

“In addition to the Sunni Muslim majority, academics estimate that there are between 10 million and 20 million Alevi, followers of a belief system that incorporates aspects of both Shi'a and Sunni Islam and draws on the traditions of other religious groups indigenous to Anatolia as well. Some Alevi practice rituals that include men and women worshipping together through oratory, poetry, and dance. The Government considers Alevism a heterodox Muslim sect; some Alevi and Sunnis maintain that Alevi are not Muslims.” [5e] (Section 1 Religious Demography)

- 1.06 The USSD Religious report 2008 further noted that:

“There are several other religious groups, mostly concentrated in Istanbul and other large cities. While exact membership figures are not available, these religious groups include approximately 65,000 Armenian Orthodox Christians, 23,000 Jews, and up to 4,000 Greek Orthodox Christians. The Government interpreted the 1923 Lausanne Treaty as granting special legal minority status exclusively to these three recognized groups, although the treaty text refers broadly to "non-Muslim minorities" without listing specific groups. This recognition does not extend to the religious leadership organs. For example, the Ecumenical (Greek Orthodox) and Armenian Patriarchates continued to seek legal recognition of their status as patriarchates rather than foundations, the absence of which prevents them from having the right to own and transfer property and train religious clergy. Additionally, because the Government requires all places of learning to be under the control of the Ministry of Education, the Greek Orthodox, Armenian Orthodox, and Jews choose not to train their ministry in the country. The Bulgarian Orthodox Church, through a 1945 bilateral agreement, is considered under the ecclesiastical authority of the Greek Orthodox Ecumenical Patriarchate in Istanbul (and Greece), but the Bulgarian Orthodox Church has its own foundation.” [5e] (Section 1 Religious Demography)

See Section 18 – [Freedom of Religion](#)

- 1.07 The estimated population in July 2009 was 76,805,524. (CIA World Factbook, updated 9 June 2009) [103]

[Return to contents](#)  
[Go to list of sources](#)

## MAP

- 1.08 Map of Turkey courtesy of CIA World FactBook:  
<https://www.cia.gov/library/publications/the-world-factbook/geos/tu.html>





See also links to more detailed maps of Turkey:

<http://www.factmonster.com/atlas/country/turkey.html>

[http://www.lib.utexas.edu/maps/middle\\_east\\_and\\_asia/turkey\\_pol83.jpg](http://www.lib.utexas.edu/maps/middle_east_and_asia/turkey_pol83.jpg)

**Return to contents**  
**Go to list of sources**

## 2 ECONOMY

- 2.01 The Economist Intelligence Unit (EIU) Turkey country report, released August 2009, noted that:

“Given the sharp economic slowdown in Turkey and much lower international commodity prices, we expect the year-on-year rate of consumer price inflation to be around 6% in December 2009, slightly above the level of 5.7% in June [2009]... The pass-through effect of the lira’s weakness between September 2008 and March 2009 has been limited and the currency has recently been more stable... The lira has experienced periodic falls during most of the last 12 months. However, it has recently strengthened and in late July was TL1.48: US\$1 (TL2.11:Euro1), but we expect further downward pressure later this year.” [107] (p10)

- 2.02 The EIU August country report also noted that:

“The number of people in work was 20.7m in April, according to the most recent statistics... By comparison with the same month a year earlier, employment in April was down by 530,000, compared with a year-on-year decline of 241,000 in March... Unemployment, meanwhile, is rising not only on account of the decline in employment, but also because of the rapid increase in the number of people of working age”which is running at almost 900,000 per year.” [107] (p15-16)

- 2.03 The *Hurriyet Daily News* dated? reported that per capita income was expected to rise to 10,900 euro (US\$15,550) by end of 2008 and is forecast to rise to 11,500 (US\$16,406) in 2009, according the report. [70a]

- 2.04 The EIU August country report further noted on the outlook for 2009-10 that:

“Following its latest 50-basis-points cut in mid-July to 8.25%, the Central Bank of Turkey may cut interest rates further before the end of 2009, and is likely to keep the rate low during most of 2010. We expect GDP to fall by 5.6% in 2009, before picking up moderately in 2010, but a sharper and more prolonged slump cannot be ruled out. Weaker economic growth and lower international commodity prices will reduce the current-account deficit and ease external financing pressures... Inflation!s previous downward path was reversed in June when it increased to 5.7%, but the lira has strengthened against the dollar.” [107] (Highlights p3)

- 2.05 Transparency International ranked Turkey 58th out of the 180 countries (ranging from the least corrupt, ranked one to the most corrupt, ranked 180) in its Corruption Perception Index (CPI) for 2008. Turkey obtained a score of 4.6 in 2008 and 4.1 in 2007. (CPI Score relates to perceptions of the degree of corruption as seen to exist among public officials and politicians by business people and country analysts. It ranges between 10 (highly clean) and 0 (highly corrupt) [55a]

[Return to contents](#)  
[Go to list of sources](#)

### 3 HISTORY

#### RECENT HISTORY

- 3.01 As noted in the Foreign and Commonwealth Office (FCO) Country Profile on Turkey, updated 27 January 2009

“The Republic of Turkey was founded by Mustafa Kemal Atatürk, a military hero, in 1923. His aim was to transform Turkey into a modern, secular state, which could compare with Western European nations in terms of military and economic strength. Today, Turkey is a member of almost every Western European international organisation. It joined NATO in 1952; the Council of Europe in 1949; and became a full candidate for European Union membership in 1999.” [41]

- 3.02 As stated in the FCO country profile updated 27 January 2009:

The Turkish military regards itself as the main guardian of the principles of Atatürk's legacy, even to the point of intervening directly to restore political stability in 1960, 1971 and most recently in 1980. In September 1980 the Turkish military took power following a breakdown of law and order under a succession of weak and divided coalition governments. General Evren, Chief of the General Staff, became Head of State and President of the National Security Council (NSC)- an advisory body consisting of the President, Prime Minister, other key ministers and senior members of the military. Under martial law, they clamped down on civil liberties in order to maintain stability and developed a timetable for the restoration of an elected government. In 1982 a new Constitution was adopted.” [41]

- 3.03 The FCO country profile further noted that:

“In May 1993 Prime Minister Süleyman Demirel was elected President. Mrs Tansu Çiller, previously Economics Minister, was elected to replace Demirel as Chairman of the True Path Party (DYP) in June 1993 and thus became Turkey's first female Prime Minister. In June 1996 Necmettin Erbakan became Prime Minister when his Refah party formed a coalition with the DYP. The general and local elections in Turkey of April 1999 brought to power a coalition of the DSP, ANAP and Devlet Bahçeli's Nationalist Action Party (MHP), with Bulent Ecevit remaining as Prime Minister.

“However, signs of tension within the coalition continued and Ecevit's failure to resign on health grounds in May 2002 led to the resignations of more than sixty DSP deputies and several Ministers, including the Deputy Prime Minister and the Foreign Minister. These resignations combined with growing pressure from both opposition parties and DSP's coalition partners, led to the Turkish Parliament's decision to hold early elections on 3 November 2002. In the elections, only the socially conservative Justice and Development Party (AKP) and the centre-left Republican People's Party (CHP) crossed the 10% threshold needed to return MPs to parliament.

“Despite the AKP victory their chairman, Recep Tayyip Erdogan, could not take office as Prime Minister because of a conviction for ‘inciting religious hatred’ for remarks made in a speech in 1998, which banned him from standing for election to Parliament. As a result his deputy, Abdullah Gul, became PM instead. However in March 2003, Parliament passed a constitutional amendment that annulled his ban enabling him to be elected to Parliament and take over as Prime Minister, with Gul as Foreign Minister.” [4]

**[Return to contents](#)**  
**[Go to list of sources](#)**

## 4 RECENT DEVELOPMENTS

4.01 The BBC news reported on 20 July 2009 that:

“Fifty-six people, including two retired generals, journalists and academics, have gone on trial in Turkey accused of plotting to overthrow the government. Prosecutors say they were members of a shadowy ultranationalist network - dubbed Ergenekon - which allegedly aimed to provoke a military coup. This is the second court case related to the Ergenekon case. Another 86 suspects went on trial in October.

“The investigation has strained relations between the governing AK Party, which has its roots in political Islam, and the military, which considers itself the guardian of Turkey's secular constitution.” [66d]

4.02 The Eurasianet Civil Society web-site published an article 17 June 2009 reporting that:

“A European Court of Human Rights ruling in early June could turn into a landmark decision that opens the way for the expanded protection of women's rights in Turkey. In the case, the ECHR found that Turkey had failed to adequately prosecute a man who brutalized his wife and her mother for a decade before shooting his mother-in-law dead. "The general and discriminatory judicial passivity in Turkey created a climate that was conducive to domestic violence," the court stated in a press release, ordering Turkey to pay the 37-year old plaintiff, Nahide Opuz, 36,500 euros (\$42,000).

“Women's rights activists in Turkey welcomed the decision, which is the first time the European Court has ever ruled that domestic violence constitutes gender discrimination. The decision is binding on all EU members.” [42b]

See section [Domestic violence](#)

4.03 In *Todayzaman's* an article published 3 June 2009 ‘New Turkish citizenship law (2)’ noted that:

“...failing to fulfill the compulsory military service is no longer a cause for losing Turkish citizenship. But this does not mean that the new law lifts the responsibility for fulfilling the military obligation for dual citizens.

The citizenship law no longer requires that a male Turkish citizen perform his military service to remain a Turkish citizen. Males who refused to perform their military service duties in the past were stripped of their Turkish citizenship. The right to conscientious objection is not legally recognized by authorities in Turkey.” [24h]

See section on [Deferring Military service](#)

4.04 The *Todayzaman's* in another article published 8 June 2009 ‘New Turkish Citizenship Law (3)’ further noted that:

“The new law that has brought significant changes to Turkish citizenship law... The new law provides that the loss of Turkish citizenship will either be by the decision of the respective authority or by the right of choosing citizenship (in other words the free will of a Turkish citizen who wishes to divest themselves of his/her citizenship). Under the new law, the decision about the loss of Turkish citizenship shall be in three forms; those who request to relinquish their Turkish citizenship; revocation of Turkish citizenship; and the cancellation of previously bestowed Turkish citizenship.” [24d]

See full [Turkish Citizenship Law](#) - Law No. 5901 adopted 29 May 2009 via UNHCR and section [Citizenship and nationality](#)

4.05 The FCO Country profile updated 27 January 2009 further noted that

“On 14 March 2008, the Chief Prosecutor of the Appeals Court filed an indictment at the Constitutional Court for closure of the AKP. He accused the AKP of violating secular principles and demanded a five-year ban from involvement in politics for 71 prominent AKP figures, including Prime Minister Erdogan and President Gul... On 30 July the Constitutional Court decided to only impose a fine on the AK Party, thus allowing them to remain in government and thus respecting the democratic choice of the majority of Turks who had voted for them in 2007.” [41] (Politics)

### European Union accession negotiations 2008 – 2009

4.06 Elcano Royal Institute published a working paper “Turkey’s EU Accession Reaches an Impasse” on 3 July 2009 and observed that:

“As Turkey approaches its fourth year of negotiating accession to the EU, it is becoming increasingly clear that the reforms yet to be put in place... Seven of Turkey’s chapters remain blocked by the European Council as of December 2006 because of Ankara’s failure to open its ports and airports to Greek-Cypriots... In Turkey, the pace of reform has stalled. By June 2009 only around one-sixth of a self-developed list of legal reform measures announced in April 2007 had been passed. Global rankings show that the country is seriously underperforming in a wide range of areas.

“The European Commission’s regular annual reports on Turkey’s progress towards accession make it very clear there is a long way to go, particularly in the areas of drawing up a new constitution, civilian oversight of the security forces, the judiciary, human rights, protection of minorities and freedom of expression... In 2008, the AKP narrowly escaped a ban after the Constitutional Court found it guilty of anti-secular activities. This climate of hostility has limited the AKP’s room for manoeuvre...” [6]

See the [Latest news](#) section for the most recent European Commission report.

### Elections

- 4.07 Elcano Royal Institute further stated in their working paper “Turkey’s EU Accession Reaches an Impasse” that:

“The AKP in the municipal elections on 29 March [2009] won, but its share of the vote (39%) was well below the 46% gained in the 2007... The AKP lost 12 cities, including Antalya. There were several elements behind the reduced share of the vote: Turkey’s wobbling economy, which Erdogan had claimed would not be affected by the global recession; disenchantment among AKP’s liberal supporters at the slow pace of reform; the government’s failure to deliver on issues such as easing the headscarf ban that disheartened the AKP’s pious constituents; and the fielding of some harder line candidates that frightened away voters.” [6]

### Pace of Reforms

- 4.08 The Elcano Royal Institute also noted that:

“The AKP has gained a lot of credibility by pushing ahead with the Ergenekon trial... Meanwhile, legal and administrative measures in other areas have led to a worsening of the human rights situation. The revised Anti-Terrorism Law of 2006 treats children between the ages of 15 and 18 as adults. Since its promulgation, more than 800 teenagers face prosecution in adult courts for allegedly supporting the terrorist PKK after throwing stones at the police during anti-government riots in the south-east...” [6]

- 4.09 The Elcano Royal Institute further noted that:

“Police violence has also been on the rise. In one incident, Engin Ceber died last October in hospital after being held and beaten up in prison... In a landmark statement, the Turkish Minister of Justice accepted the responsibility of the state for Ceber’s death and an indictment was drawn up against 60 state officials. More than 50 people have been killed by the police since the change in the anti-terrorism law.

“...cases of torture and other ill-treatment have increased, despite the government’s zero tolerance policy, dissenting views have been met with prosecution and intimidation, discrimination based on sexual orientation and gender identity persisted and implementation of laws aimed at preventing violence against women and girls remained slow.14 Although Article 301 of the penal code, which criminalises ‘denigration of Turkishness’, has been amended, it remains, in the words of Amnesty, an ‘unfair limitation to freedom of expression’.” [6]

### Kurdish issue

- 4.10 Elcano Royal Institute also noted in the working paper “Turkey’s EU Accession Reaches an Impasse” that:



“Hopes for an end to 25 years of fighting between Turkish troops and the separatist Kurdistan Workers Party (PKK) in the south-east of the country have been raised by the PKK’s decision to extend a unilateral ceasefire declared on 14 April until 15 July and dropping its demands for independence in favour of greater autonomy and cultural rights. The PKK could extend the truce to 1 September if it believes the government is making progress on finding a political solution to the conflict that has killed 40,000 people, mainly Kurds. Turkey’s 14 million Kurds are beginning to enjoy more cultural rights... In January, ahead of March’s municipal elections, the TRT state television launched a 24-hour Kurdish channel in the main Kurdish dialect... The Kurdish problem, coupled with family-feud traditions, has left a bitter legacy in the south-east. In May, 47 people at a wedding party, including six children as well as the bride and groom, were killed by ‘village guards’, local Kurds armed by the government to help in the fight against the PKK.” [6]

See also [Kurds](#)

### Terrorism in 2008 – 2009

- 4.11 The US State Department Country report on Terrorism in Turkey 2008, released by the Office of the Coordinator for Counterterrorism on April 30, 2009, noted that:

“Turkish terrorism law defines terrorism as attacks against Turkish citizens and the Turkish state; this definition may hamper Turkey’s ability to interdict, arrest, and prosecute those who plan and facilitate terrorist acts to be committed outside of Turkey... Terrorist groups that operated in Turkey have included Kurdish nationalists, al-Qa’ida (AQ), Marxist-Leninist, and pro-Chechen groups... Most prominent among terrorist groups in Turkey is the Kurdistan Workers’ Party (PKK). Composed primarily of Kurds with a nationalist agenda, the PKK operated from bases in northern Iraq and directed its forces to target mainly Turkish security forces. In 2006, 2007, and 2008, PKK violence claimed hundreds of Turkish lives. The Kurdistan Freedom Falcons (TAK), a group designated under E.O. 13224, is affiliated with the PKK and has claimed responsibility for a series of deadly attacks in Turkish cities in recent years.” [5a]

- 4.12 The USSD 2008 report on Terrorism also stated that “Other prominent terrorist groups in Turkey included the Revolutionary People’s Liberation Party/Front, a militant Marxist-Leninist group with anti-U.S. and anti-NATO views that seeks the violent overthrow of the Turkish state; and Turkish Hizballah (not affiliated with Lebanese Hizballah), an organization of Sunni Kurds with a violent history.” [5a]

- 4.13 The same 2008 USSD report also noted that:

“Investigations into an organization named Ergenekon, allegedly composed of former military officials, bureaucrats, politicians, journalists, and underworld figures, began in 2007, leading to arrests in the summer of 2008. Alleged members of Ergenekon were on trial for a number of crimes including terrorism



charges; the details of the case were murky, however, and Ergenekon's status as a terrorist organization remained under debate at year's end." [5a]

4.14 The USSD Terrorism 2008 report also reported that:

"On February 19, TAK announced it would engage in a renewed campaign of violence in Turkey. On July 27, two bombs exploded in the Istanbul working-class neighborhood Gungoren, killing 17 and injuring more than 150. No group claimed responsibility, but Turkish authorities blamed the PKK. On August 19, both TAK and the PKK claimed responsibility for an August 19 car bomb at a Mersin police checkpoint and for an August 23 car bomb in a residential area of Izmir. The PKK also claimed responsibility for a car bomb in Diyarbakir on January 3, which killed six civilians and wounded 70; it apologized for this attack, claiming that the attackers were PKK members acting independently of orders." [5a]

4.15 The European Commission (EC) 2008 Progress Report published 5 November 2008 noted that: "As regards the fight against terrorism, the Supreme Council on Counter-terrorism remains the leading authority...Turkey has ratified neither the International Convention for the suppression of acts of nuclear terrorism nor the Council of Europe Convention on the prevention of terrorism. Compliance with nine special Financial Action Task Force recommendations on financing of terrorism needs to be pursued, particularly on freezing and confiscation of terrorist assets" [71c] (p74)

See also Section [PKK / KADEK / Kongra-Gel and the Conflict in the South-East](#)

4.16 The International Institute for Strategic Studies (IISS) reported in the Turkey armed conflict database that:

"February to April 2009 saw Turkish authorities mount operations to arrest suspected PKK members, both inside and outside the country. On 18 April, a court charged 51 people with membership of the PKK and accused them of leading the separatist group... In another instance of Turkish security forces clamping down on the Kurdish resistance within the country, a raid against an armed group in Istanbul, which was believed to have links with the PKK, resulted in the deaths of three of its members." [14] (**Military&Security Developments**)

4.17 The *Sabah* newspaper reported on 20 June 2009 that: "In Tunceli, combat which erupted between security forces and PKK members has resulted in the death of one security force and the wounding of three others. When PKK members cut off the Tunceli Ovacik highway in order to capture two citizens, an operation was initiated on the terrorists which resulted in live combat." [87a]

4.18 The International Institute for Strategic Studies (IISS) further reported that:

"In 2008 skirmishes continued in southeastern Turkey throughout the year, with frequent PKK ambushes on government patrols and border outposts provoking counter-attacks, air strikes and security operations by Turkish forces. Roadside bombs and landmines were frequently used. Turkish ground forces occasionally

pursued PKK militants into Iraq, though air strikes remained the preferred method of attack on militant positions across the border. For its part, the PKK acknowledged the attacks, but generally reported few or no casualties.” [14] (Military & Security Developments)

See also [TE-SAT 2008 EU Terrorism situation and Trend report 2008](#)

## 5 CONSTITUTION

English translation of the [Constitution of the Republic of Turkey](#); [36c]

- 5.01 The ‘Turkey Interactive 2008’, prepared by the Turkish News Agency for the Press and Information Office of the Prime Ministry, noted that:

“In the Constitution, the Republic of Turkey is ‘a democratic, secular and social state governed by the rule of law; bearing in mind the concepts of public peace, national solidarity and justice; respecting human rights and loyal to Atatürk’s nationalism.’ (p132) ‘In the Constitution, it is stated that ‘Sovereignty is vested unconditionally in the nation’. People exercise their sovereignty directly through elections and indirectly through authorized bodies of the state. According to the principle of the rule of law, no person or agency can exercise any state authority which does not emanate from the Constitution.” [36a] (p133) (The Constitution)

- 5.02 Turkey Interactive 2008 further noted that “The Constitution of the Republic of Turkey provides a guarantee for every person’s right to lead a dignified life in a civilized and legal system as well as to develop one’s material and spiritual entity, through the exercise of his/her fundamental rights and freedoms set forth by the Constitution in line with the principles of equality and social justice.” [36a] (p133-134) (The Constitution)

- 5.03 The Turkey Interactive 2008 also adds that:

“The Constitution also stipulates that none of the fundamental rights and freedoms embodied in the Constitution can be exercised with the aim of violating the indivisible integrity of the state with its territory and nation, and of destroying the secular and democratic Republic based on human rights. Fundamental rights and freedoms are protected against the state’s illegal intervention too. Everyone is equal before the law. There shall be no discrimination based on language, religion, denomination, race, skin colour, gender, political opinion, philosophical belief or similar reasons between the people.” [36a] (p134) (The Constitution)

- 5.04 Turkey Interactive 2008 further noted that “Constitutional amendment are proposed in writing by at least one-third (184) of the total number of members of the TGNA. Proposals to amend the Constitution are debated twice in the Plenary Session of the TGNA. The adoption of a proposal for an amendment requires a three-fifths (330) majority of the total number of members of the TGNA by a secret ballot.

“The President has the authority to send the law amending the Constitution back to the TGNA for further deliberation, and to submit the law to referendum. The Constitution has been amended 14 times since it was approved in 1982. The majority of the amendments made are of the kind guaranteeing fundamental rights and freedoms and improving the democratic structure.” [36a] (p135-136) (The Constitution)

[Return to contents](#)  
[Go to list of sources](#)

## 6 POLITICAL SYSTEM

### THE TURKISH GRAND NATIONAL ASSEMBLY (TGNA)

6.01 ‘Turkey Interactive 2008’, prepared by the Turkish News Agency for the Office of the Prime Minister of Turkey, noted that:

“According to Article 7 of the Constitution, legislative power is vested in the Turkish Grand National Assembly (TGNA) on behalf of the Turkish Nation and this power cannot be delegated. The TGNA comprises 550 deputies designated in elections held every five years. The Parliament can decide to hold early elections, to postpone the elections for one year in case of war or to renew the elections before its five-year term is completed (early elections). The Parliament carries out its activities through commissions in accordance with the Constitution and the Rules of Procedure which are drawn up by the TGNA itself.” [36a] (p141-142) (Fundamental Bodies of the State)

6.02 The Turkish Grand National Assembly website accessed 6 July 2009 noted that:

“The TGNA is formed with 550 members of parliament who are elected with the general vote of the people. Parliamentary elections are held once every five years, are free, equal, single step, in accordance with the fundamentals of the general vote and are held under the general management and control of the judicial organs. Every Turkish citizen who has entered 18 years of age has the right to vote and participate in a referendum. Every Turkish citizen who has completed 30 years of age can be elected as a member of parliament.” [109] (The Turkish Grand National Assembly and its Working order)

6.03 The Turkish Grand National Assembly website accessed 6 July 2009 further noted that:

“The basic function of the Assembly is to make laws and supervise the executive within an environment of debate and evaluation. All the activities of the Assembly are executed according to the Rules of Procedure that it made itself. Under the destitution (sic) the functions and powers of the Turkish Grand National Assembly, are as follows:

- To enact, change and repeal laws; to supervise the Council of Ministers and Ministers;
- To give the authority to the Council of Ministers to issue governmental decrees having force of law on certain matters;

- To debate and approve the budget draft and the draft law of the final accounts;
- To decide to print currency and to declare war;
- To see fit to be ratified of international agreements, to decide with the three fifth's of the Turkish Grand National Assembly on the proclamation of amnesties and pardons; to decide to be applied death sentences passed by the courts;
- To exercise powers and execute functions envisaged in the other articles of the Constitution. ” [109] (The function and power of the TGNA)

### NATIONAL SECURITY COUNCIL (MGK) OR (NSC)

6.04 The National Security Council (NSC) website, accessed 6 July 2009, noted that:

“The NSC was formed with Law No. 2945 dated 09 November 1983, in accordance with the 1982 Constitution. According to the article No. 118 of the 1982 Constitution and the article No. 3 of the Law No. 2945, the NSC, under the chairmanship of the President, consists of Prime Minister, Chief of General Staff, Minister of Defense, Minister of Interior, Minister of Foreign Affairs, the Commanders of Land, Naval and Air Forces and the General Commander of the Gendarmerie.” [26] (Formation)

6.05 The same website, in article No. 4 of Law No. 2945 (Amendment 07.08.2003-4963/ No. 24), stated that the duties of the National Security Council are as follows:

“The National Security Council shall, within the framework of the definitions on national security and the national security policy of the State as stated in Article 2, take advisory decisions on issues pertaining to the formulation, establishment and implementation of the national security policy of the State, and shall provide its views with a view to ensuring the necessary coordination; it shall submit these advisory decisions and views to the Council of Ministers, and fulfill duties given by laws.” [26] (Duties)

6.06 The NSC website noted that:

“The Council convenes once every two months. If necessary, the Council may convene upon the proposal of the Prime Minister or by direct request of the President of the Re-public. The Council meetings are held under the chairmanship of the President. The Council is chaired by the Prime Minister in the absence of the President. The Council takes its decisions with majority vote. In a case of a tie, the side including the Chairman is assumed to form the majority. Decisions of the National Security Council are taken into the agenda of the Council of Ministers and discussed with priority and the necessary decisions are made.” [26] (The method of study)

### LOCAL GOVERNMENT

6.07 Information obtained from the Foreign and Commonwealth Office (FCO) dated 25 November 2008, regarding local authorities in Turkey stated that:

“Article 127 of the Constitution is the main article relating to local authorities, it states that Local governments have public legal personality and are autonomous organisations which are based on the principle of decentralisation. General decision making organs of local governments are elected, they are provided with revenue resources proportional to their functions and the functions and responsibilities of local governments are regulated by law. Local governments may form unions among each other with the permission of the Council of Ministers. There are three types of local governments in Turkey; Special Provincial Administrations, Municipalities and Villages.” [4v]

6.08 The FCO also reported that local government infrastructure comprised of:

“Special provincial administrations: There are 81 provinces and are public legal entities with administrative and financial autonomy whose decision making organs are elected. They are established by the law on the formation of the provinces and their legal personality terminates with the abolishment of the province.

“Municipalities: They are 3225 municipalities and these are public legal entities with administrative and financial autonomy whose decision making organs are elected and that are established to provide for the common local needs of citizens living within municipal boundaries. Municipalities are established in settlements with population of 5000 and more. It is compulsory to establish municipalities in provincial and district centres regardless of their population.

“Villages: There are 34, 400 villages that are traditional forms of low-density (with a population between 150 and 5000) local government with public legal personality which are located in rural areas and which carry out functions conferred on them by law. Village organs are; village association, council of elderly and the muhtar (headman).” [4v]

6.09 The FCO further stated that:

“Local government elections are held every five years, proportional representation system with 10% threshold is used; whereas the principle of majority is applied in the election for mayors and headmen (muhtars). With the legal regulations adopted and put into force, the distribution of duties and powers between the central administration and the local authorities has been re-defined. The services which were used to be carried out by the central administration have been transferred to local authorities as their delivery by local governments would be more swift, effective and efficient due to their intrinsic characteristics. In other words, by increasing the duties and powers of local authorities, local governments have been strengthened, personnel recruitment in local governments has been simplified and a flexible organizational system has been adopted in local authorities.” [4v]

See full report on – Structure and Operation of Local and Regional Democracy 2008 – Turkey (hard copy available) [4v]

**[Return to contents](#)**  
**[Go to list of sources](#)**

## Human Rights

---

### 7 INTRODUCTION

- 7.01 The US State Department (USSD) Country Report on Human Rights Practices 2008, Turkey, published on 25 February 2009, noted that:

“The government generally respected the human rights of its citizens; however, serious problems remained in some areas. During the year human rights organizations documented a rise in cases of torture, beatings, and abuse by security forces. Security forces committed unlawful killings; the number of arrests and prosecutions in these cases was low compared with the number of incidents, and convictions remained rare. Prison conditions remained poor, with chronic overcrowding and insufficient staff training. Law enforcement officials did not always provide detainees immediate access to attorneys as required by law... Violence against women, including honor killings and rape, remained a widespread problem. Child marriage persisted. Incidents of police corruption contributed to trafficking in persons for labor and sexual exploitation.” [5b] (Introduction)

- 7.02 The Amnesty International (AI) 2009 report covering events from January to December 2008 noted that “Human rights NGOs faced excessive administrative scrutiny of their work. Human rights defenders were threatened by unknown individuals or groups as a result of their work. Orhan Kemal Cengiz received threats because of his legal work on behalf of the families of three men murdered in an attack on a Christian publishing house in Malatya in 2007.” [12c] (Human rights defenders)

- 7.03 The Human Rights Watch 2009 Turkey report, covering events in 2008, published 14 January 2009 noted that

“During banned Newroz (Kurdish new year) celebrations in March, police used excessive force, including indiscriminate beatings, against demonstrators and children; and two people in Van and one in Yüksekova were shot dead. Police beat demonstrators indiscriminately at a May Day protest in Istanbul, and used excessive force to disperse all peaceful assembly in and around the offices of the trade union confederation DİSK.” [9b] (Torture, Ill-Treatment, and Killings by Security Forces)

- 7.04 The HRW report ‘[Closing Ranks against Accountability Barriers to Tackling Police Violence in Turkey – December 2008](#)’ noted that:

“There are signs of continuing problems of police violence, and a reported rise in overall complaints of torture and police violence since the beginning of 2007. At the core of the persistence of these phenomena is the culture of impunity. Historically, law enforcement officials were rarely if ever held to account, and still less often in a manner that reflected the gravity of the violations committed. Today, despite increased legal safeguards, law enforcement officers who flout them can still enjoy effective impunity when they are alleged to have abused or even unlawfully killed victims.” [9c] (Summary)



- 7.05 The Freedom House report 'Freedom in the World 2009', published on 16 July 2009, described Turkey as 'partly free'. Using the following scale of 1 (being the most free) to 7 (being the least free); Freedom House assessed Turkey's political rights as 3 and civil liberties as 3. [62a]

See also Section 17 - [Corruption](#)

- 7.06 The International Federation for Human Rights (FIDH) undertook a mission in Istanbul, Turkey, from 9-11 February 2008 and reported that:

"FIDH and its member organisation the Human Rights Association (İnsan Hakları Derneği, IHD) express their deep preoccupation at the continuous human rights violations in the South-Eastern provinces. The organisations are particularly preoccupied by the bombing of civilian areas, in violation of fundamental principles of international human rights and humanitarian law. The organisations repeat their call to the authorities for a political and pacific settlement of the Kurdish Question, and urge the government to open talks with Kurdish organisations and civil society in this respect." [72a]

- 7.07 The European Commission (EC) Turkey 2008 Progress Report, published on 5 November 2008 noted that:

"There have been no developments on the institutions monitoring and promoting human rights, such as the Human Rights Presidency, which lack independence and resources. The Law on the establishment of the ombudsman is still before the Constitutional Court following the veto by the President of the Republic in November 2006. The Constitutional Court ordered a stay of execution of the Law, but has yet to give its verdict." [71c] (p68)

- 7.08 A *Bianet* article 'Human Rights Watch Leaves the Meeting with the Human Rights Minister Unsatisfied', published 10 December 2008, noted that:

"Kenneth Roth, administrator of the Human Rights Watch (HRW), described his experience with Çiçek, minister of the human rights, during his meeting to introduce his report about the police violence as meeting with a minister assigned to violate the human rights.

"Roth met with three ministers about the report: Cemil Çiçek, State Minister in charge of the issues related to human rights, Beşir Atalay, Minister of Interior, Mehmet Ali Şahin, Minister of Justice. According to Roth, Çiçek denies even the existence of the problem and when reminded of the police violence cases, describes this as an outcome of the psychology of the police officer up against terrorism... Atalay, Interior of Minister, was more constructive, more open to the problem, willing to look for a solution...

"Roth noted that Minister Şahin also agreed that the problem was not with the law about the police violence, but its implementation; however, especially the arrangement regarding using deadly force is open to all kinds of violations."

[102g]

[Return to contents](#)  
[Go to list of sources](#)

## 8 SECURITY FORCES

- 8.01 The website for the Office of the Prime Minister of Turkey in 'Turkey Interactive 2008', accessed 15 May 2009, noted that "The enforcement of law and order and security in the country is under the jurisdiction of the general security organizations, namely the gendarmerie, the police forces and the coast guard command. All these three agencies are attached to the Ministry of the Interior." [36a] (p166) (Internal Security)

### POLICE

#### National Police

- 8.02 'Turkey Interactive 2008', accessed 15 May 2009, also stated that:

"The police force carries out its activities under the Directorate General of Security and includes central and provincial organisations. The area of responsibility of the Turkish police is restricted by the municipal borders. Outside these areas, police functions are carried out by the gendarmerie. Some of the judicial functions of the police include acting in accordance with the orders and directives of the judicial authority, gathering evidence, identifying and capturing perpetrators of offences or crimes, making investigations and interrogations under directives of the Chief Prosecutors and delivering suspects, along with evidence, to the judicial authorities." [36a] (p166) (Internal Security)

- 8.03 Turkey Interactive 2008 further noted that;

"The police force also has political duties such as the protection of the integrity of the state and the preservation of constitutional order. Also, the police force has administrative functions, including preventive, protective and assistance duties. Within this frame-work, utmost importance has been placed on training and education... (p167) The Turkish Police Force, organized across the country in 1,197 stations, 756 district and 81 provincial directorates excluding the headquarters in Ankara, perform its functions by approximately 250,000 personnel, almost 187,000 of them working in security services. Around 10,400 women serve in the police force...the Turkish police also signed a "Cooperation Agreement" with the European Police Force (Europol) of the Council of Europe on May 18th, 2004." [36a] (p168) (Internal Security)

#### Jandarma / Gendarmerie

- 8.04 Turkey Interactive 2008', prepared by the Turkish News Agency for the Office of the Prime Minister of Turkey and accessed 15 May 2009, noted that:

"The Gendarmerie performs its duties in areas outside the municipal borders and in district centres where there is no police force. The Gendarmerie carries out many duties, under the Gendarmerie Organization Duties and Responsibilities Law No. 2803. These duties can be divided into four groups as civil, judicial, military, and other duties... Every province in Turkey has a gendarmerie provincial command administering a number of gendarmerie district commands. There are also numerous smaller units such as site



protection teams, prison protection teams, commando units and special operations teams as well as service and support elements established along with special requirements.” [36a] (p169-170)

- 8.05 Jane's Sentinel Security Assessment for Turkey, posted 21 January 2008, accessed 15 May 2009 noted that

“The Gendarmerie (Jandarma) is a paramilitary force that carries out police functions in rural regions. It is charged with the preservation of public order and internal security, including border security, in an area which covers over 91 per cent of the territory of Turkey. The General Command headquarters is located in Ankara... In 1987 the Gendarmerie set up a Public Order Command based in Diyarbakir to counter the activities of the PKK. Gendarmerie forces played a major role in fighting these guerrillas. It has been estimated that the Gendarmerie has approximately 50,000 reserves in addition to its regular strength of about 150,000.” [81c] (Security and Foreign forces)

- 8.06 Jane's Sentinel Security Assessment for Turkey, posted 21-Jan-2008, accessed 15 May 2009 also noted that:

“The Gendarmerie General Command comes under the Ministry of the Interior in peacetime and under the chief of the Turkish General Staff (TGS) in wartime... The Gendarmerie is staffed by a combination of conscripts performing their military service (around 80 percent of the total) and full-time career officers (around 20 percent of the total)... the commander of the Gendarmerie has traditionally been a serving four-star general on secondment from the Turkish Land Forces. The current Gendarmerie Commander is Isik Kosaner.” [81c] (Security and Foreign forces)

- 8.07 The US State Department (USSD) 2008 report, published on 25 February 2009, noted that “The TNP and Jandarma received specialized training in a number of areas, including human rights and counterterrorism. According to the government, the armed forces emphasized human rights in training for officers and non commissioned officers.” [5b] (section 1d Role of the Police and Security apparatus)

[Return to contents](#)  
[Go to list of sources](#)

### Arbitrary arrest and detention

- 8.08 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The law prohibits arbitrary arrest and detention; however, the government at times did not observe these prohibitions.... (Section 1d Arbitrary Arrest or Detention) Jandarma and police regularly harassed Democratic Society Party (DTP) members through verbal threats, arbitrary detentions at rallies, and detention at checkpoints. Security forces also regularly harassed villagers they believed were sympathetic to DTP. Although security forces released most detainees within a short period, many faced trials, usually for supporting an illegal organization or inciting separatism.” [5b] (section 2d Elections and Political Parties)

See section Ethnic Group – Democratic Society Party (DTP)

- 8.09 A Human Rights Watch report 'Closing Ranks against Accountability Barriers to Tackling Police Violence in Turkey – December 2008' published in December 2008, reported that:

“There are, however, signs of continuing problems of police violence, and a reported rise in overall complaints of torture and police violence since the beginning of 2007. At the core of the persistence of these phenomena is the culture of impunity. Historically, law enforcement officials were rarely if ever held to account, and still less often in a manner that reflected the gravity of the violations committed. Police abuse is regularly reported as taking place both outside formal police custody as well as in custody. Of concern too is the implementation of revised laws pertaining to police powers and the use of force, with a continuing pattern of police shootings, some of them fatal. Investigations of complaints continue to be mired with difficulties, to lack independence, thoroughness, and effectiveness, and to proceed in most cases very slowly.” [9c] (Summary)

- 8.10 The same HRW 2008 December report further reported that:

“Gürol Şimşek, an official for the trade union Tarım Orkam-Sen and his nephew Rahmi Yılmaz (born 1981) described how they were attacked and beaten by a team of five or six plainclothes police officers whom they passed on Tarlabaşı boulevard at around 12:30 p.m on their way back from attending speeches by a delegation including parliamentarians gathered outside the Republican People's party headquarters in Şişli. Neither of the two were detained after this reportedly unprovoked attack.” [9c] (Chapter V Police Violence against Demonstrators)

- 8.11 The HRW 2008 December report also noted that:

“Demonstrators and *Cumhuriyet* journalists reporting on May 1 International Workers' Day were beaten, Ali Deniz Uslu, a reporter on *Cumhuriyet's* Sunday supplement, was beaten with a truncheon. He had his right arm broken as he attempted to shield his face, later had to undergo surgery. Esra Açıkgöz, another *Cumhuriyet* Sunday supplement reporter, told us that she was beaten by several police officers in turn in the street near the newspaper. The journalists lodged formal complaints with the prosecutor's office complaining of 'intentional injury' (Turkish Penal Code article 86/1) and violation of the liberty to work (article 117/1). They had directed their complaints not only against the officers directly responsible but also against senior officers. However, there is currently no criminal investigation into the police for the ill-treatment of either of the two journalists.” [9c] (Chapter V Police Violence against Demonstrators)

- 8.12 A *Bianet* article 'Protection of The Violent Police Officers Continue' published 11 December 2008 noted that: “Although Justice Minister Şahin, Police Chief Cerrah and the police educators say that the police officers should show their identities when asked, the citizens still get beaten up for asking their identities and the authorities still make statements protecting these police officers and file suspicious lawsuits against the victims.” [102c]

- 8.13 The US State Department Country Report on Human Rights Practices 2008, Turkey published on 25 February 2009, noted:

“Human rights activists maintained that those arrested for ordinary crimes were as likely to suffer torture and mistreatment in detention as those arrested for political offences. On September 17, police officer Gazi Ozuak from the Van Security Directorate was arrested on charges of torturing theft suspect Zeki Simsek. Ozuak had detained Simsek for alleged involvement in a theft nine days earlier. Simsek’s claim at his subsequent arraignment that he had been tortured with nails and cigarettes during his interrogation was verified by a medical report by the Van State Hospital.” **[5b] (Section 1c, Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment)**

See [Torture](#) below

[Return to contents](#)  
[Go to list of sources](#)

## Torture

The information below relates to all the security forces, not just the police and the Jandarma.

- 8.14 The US State Department (USSD) report 2008 noted that “The constitution and law prohibit such practices; however, members of the security forces continued to torture, beat, and abuse persons. Human rights organizations and the European Commission reported a rise in cases of torture and abuse during the year.” **[5b] (section 1c Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment)**
- 8.15 The Amnesty International (AI) Annual Report 2009, covering events from January to December 2008, stated that: “Reports of torture and other ill-treatment rose during 2008, especially outside official places of detention but also in police stations and prisons. People accused of ordinary as well as politically motivated offences were vulnerable to ill-treatment. Counter-charges were often brought against individuals who said they had been ill-treated by law enforcement officials.” **[12c] (Torture and other ill-treatment)**

See also [Avenues of Complaint](#)

- 8.16 The US State Department (USSD) report 2008 also noted that:

“Courts investigated many allegations of abuse and torture by security forces during the year; however, they rarely convicted or punished offenders. When courts did convict offenders, punishment generally was minimal and sentences were often suspended. Authorities typically allowed officers accused of abuse to remain on duty and occasionally even promoted them during their trials, which often took years.

“A December Parliamentary Human Rights Investigation Commission report found that between 2003-2008, 2 percent of the 2,140 personnel who were

investigated due to accusations of torture or mistreatment were given disciplinary sentences.

“The Turkish National Police (TNP) reported 14 cases of torture allegations and opened administrative and judicial investigations against 60 personnel. As of October 24, there were no cases of prosecution against alleged torture suspects that had resulted in conviction or firing. Four cases resulted in salary cuts.” [5b] (section 1c Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment)

8.17 The US State Department (USSD) 2008 report further stated that “At year’s end, there was still no investigation into the March 2007 criminal complaint filed by a Diyarbakir woman alleging police tortured her while she was visiting her detained husband at a police station. She alleged that one of the officers held her while the other beat her with a police baton for approximately one hour. The police denied any mistreatment.” [5b] (Section 1c Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment)

8.18 The Amnesty International (AI) 2008 report ‘Turkey: Justice for victim tortured to death in custody’ published 15 January 2009 noted that:

“Twenty-nine-year-old Engin Çeber died on 10 October 2008 after he was allegedly repeatedly kicked and beaten with wooden and metal bars both in police custody and in prison between 28 September and 7 October 2008. His autopsy report stated that his death was due to cerebral bleeding as a result of blunt trauma injuries consistent with those caused by blows to the head... Engin Çeber’s death reflects a culture that tolerates torture in places of detention in Turkey.” [12d]

8.19 Human Rights Watch address by Holly Carter published 24 June 2009 ‘Parliamentary Assembly of the Council of Europe (PACE) debate on the state of human rights in Europe’ noted that:

“Continuing problems of police violence in Turkey, and a reported rise in overall complaints of torture and police violence - including shootings - since the beginning of 2007. These phenomena persist because of a deeply rooted culture of impunity. Historically, law enforcement officials were rarely if ever held to account, and are still rarely held to account in a manner that reflects the gravity of the violations committed. Today, despite increased legal safeguards, law enforcement officers often enjoy effective impunity for serious abuse.

“In a shocking illustrative example, the Court of Cassation, Turkey’s top court of appeal, last week upheld the acquittal of four police officers for the fatal shooting of father and son, Ahmet and Ugur Kaymaz in Mardin, in November 2004. The court entirely overlooked the forensic evidence that showed that 13-year-old Ugur had been shot repeatedly in the back, that there was no possibility that there had been an armed clash, and that all evidence pointed to it being a summary execution.” [9a]

See section on [Avenues of Complaints](#)

[Return to contents](#)  
[Go to list of sources](#)

### Extra-judicial killings

The information below relates to all the security forces, not just the police and the Jandarma.

- 8.20 For the year 2008, the Human Rights Association (HRA/IHD) Summary table for Human Rights Violations recorded the following extra-judicial deaths at the hands of members of the security forces (police, Jandarma and the military):

EXTRA JUDICIAL EXECUTIONS	Deaths	Wounded
Killed and injured by security forces in Stop Warnings, and violation of authority on arm use by officials (sic)	33	45
Killed and injured by Village Guards	2	11
Total	35	56

[73b]

- 8.21 The Human Rights Association (HRA) also provided statistical information spanning the period 1999 to 2008 which as well as recording deaths, highlighted instances of torture and ill treatment and volume of arrest.

#### Human Rights Situation in some Rights Categories between 1999 and 2008

Violations	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Unknown killings	212	145	160	75	50	47	1	20	42	29
Doubtful deaths/deaths in custody because of extra judicial execution/torture paid guard village	205	173	55	40	44	47	89	130	66	65
Death in clashes	875	147	92	30	104	240	496	345	424	432
Torture and ill-treatment	594	594	862	876	1202	1040	825	708	678	1546
People taken into custody	50318	35007	44181	31217	12406	9711	2702	5560	7197	11002
Arrests	2105	1937	2955	1148	1196	774	621	1545	1440	2387

[73a]

- 8.22 The US State Department Country Report on Human Rights Practices 2008, Turkey published on 25 February 2009, noted:

“Security forces committed unlawful killings; there continued to be reports that security forces shot and killed civilians who refused to obey a warning to stop. The Human Rights Association (HRA) reported that nine persons died and 12 were injured specifically for refusing to stop, an increase over the previous year... On August 25, a checkpoint police team in Sivas fired on a car for refusing to obey a warning to stop, killing the driver, Turan Ozdemir...

According to the Human Rights Foundation (HRF)), security forces killed a total of 37 persons for refusing to obey a warning to stop, by haphazard police fire, or other extrajudicial killings.” [5b] (section1a Arbitrary or Unlawful Deprivation of Life)

[Return to contents](#)  
[Go to list of sources](#)

## TURKISH ARMED FORCES (TÜRK SİLAHLI KUVVETLERİ, TSK)

- 8.23 Turkey Interactive 2008, an Almanac, prepared by the Turkish News Agency for the Office of the Prime Minister of Turkey and accessed 15 May 2009, noted that:

“The hierarchy, representation and employment of the Turkish Armed Forces within the Turkish state structure is regulated by the Constitution. According to the Constitution, the office of Commander in Chief is represented in the spiritual entity of the Turkish Grand National Assembly (TGNA)... The Turkish Armed Forces\_(TAF) are composed of the Land Forces Command, the Naval Command and the Air Force Command, all under the Office of the Chief of General Staff.” [36a] (p 260)

- 8.24 Jane's Sentinel Security Assessment for Turkey updated 11-Aug-2009 reported that:

“The Chief of the Turkish General Staff is responsible to the Prime Minister, and is charged with the overall command and control of the TAF. He is responsible for conducting military operations. The commanders of the three services, (land, naval, air), report directly to the Chief of the Turkish General Staff... The General Command of the Gendarmerie and Coast Guard Command, as a part of the internal security forces, are affiliated with the Ministry of Interior Affairs during peacetime; whereas in times of war, they fall under the Land Forces Command and Naval Forces Command respectively.” [81c] (Armed Forces)

- 8.25 As recorded in Europa World online, Turkey: Defence (website accessed on 15 June 2009): “The total strength of the active armed forces assessed at November 2007 was 510,600 (including 359,500 conscripts), comprising an army of 402,000, a navy of 48,600 and an air force of 60,000. There was a gendarmerie numbering 150,000 and a coast guard of 3,250 (including 1,400 conscripts). Reserve forces totalled 378,700 in the armed forces and 50,000 in the gendarmerie.” [1b] (Turkey: Defence)

## Arbitrary arrest and detention

- 8.26 The Amnesty International (AI) 2008 report noted that from

“May onwards a marked escalation in armed clashes between the Turkish armed forces and the Kurdistan Workers’ Party (PKK) led to human rights abuses... In September, Bülent Karataş was shot dead by military police in the Hozat province of Tunceli. According to Rıza Çiçek, who was also seriously injured in the incident, military police forced the pair to remove their clothes before shots were fired. An investigation was being conducted in secret.” [12e]



See Section Police: [Arbitrary arrest and detention](#)

[Return to contents](#)  
[Go to list of sources](#)

### Extra Judicial killings

8.27 The UK Foreign and Commonwealth Office (FCO) Human Rights Annual Report 2008, released 20 March 2009, noted that “Impunity of law enforcement officers and the armed forces remains a key problem and more efforts are needed by the Turkish government to fight impunity, with judicial delays for these cases often complicating matters.” [4u]

8.28 The Human Rights Watch (HRW) World Report 2008, published on 14 January 2009, noted:

“Against a background of escalating armed clashes between the military and the Kurdistan Workers’ Party (PKK), attacks on civilians continued. Attacks included a suspected PKK bombing in Diyarbakır on January 3, killing six (four of them children); bombings on July 27 in Istanbul, killing 17; and on July 9 outside the US consulate in Ankara, killing six. In the latter two cases the identities of the perpetrators remain unclear.” [9b]

See also Section [Police - Extra Judicial killings](#)

[Return to contents](#)  
[Go to list of sources](#)

### Discrimination in the armed forces

8.29 A 29 April 2009 article on *Today'szamen.com* reported “Although Turkey has ratified the major international agreements about anti-discrimination and Turkish law is based on the principle of equality, there remain many shortcomings in the fight against discrimination. In order to ensure an effective fight against all types of discrimination at all levels, the Human Rights Joint Platform (IHOP) has prepared an anti-discrimination bill to submit to Parliament.” [24e]

8.30 The same 2009 *Today'szamen* article further noted that “The draft’s first article states that ‘all discrimination based on sex, race, color, religion, belief, national roots, ethnicity, sexual orientation, philosophical or political view, age, disability and similar reasons is forbidden’... The second part of the draft openly indicates areas in which discrimination is prohibited and in which it is permitted.” [24e]

8.31 The KAOS website on March 2008 also noted that “Turkey’s treatment of LGBT persons with regard to service in the armed forces is discriminatory... Turkey’s official policy regarding homosexuals and transgender persons in the armed forces is based on the notion that homosexuality is a psychosexual disorder... In 1999 the European Court of Human Rights ruled that discharge from the armed forces on the ground of homosexuality was not justified under article 8.2 of the Convention. It is clear that the current policies of the Turkish armed forces are not consistent with these rulings.” [96b]

See section [Military service](#) and section [LGBT](#)

[Return to contents](#)  
[Go to list of sources](#)

## OTHER GOVERNMENT FORCES

### Village guards

- 8.32 The Jamestown Foundation stated in its publication 'Turkey Debates the Village Guard System' dated 11 May 2009 that:

"Turkey first developed the village guard system to quell the separatist Kurdistan Workers' Party (PKK). Local men were recruited as a paramilitary force to both protect themselves and aid the security forces fighting PKK militants in south-eastern Turkey. Village guards' familiarity with the terrain, as well as the local language and dialects were important assets, and this helped to enhance the operational capability of the Turkish security forces. Village guards, numbering around 90,000 at the height of the PKK's campaign, are currently around 58,000-strong. Although the system began as a temporary measure, it has become an integral part of Turkey's security apparatus." [76]

- 8.33 The same Jamestown publication further noted that "The guards, however, have frequently been criticized for their alleged involvement in criminal activities or human rights abuses. According to Interior Ministry records, village guards were the target of over 5,200 criminal investigations and as a result 853 guards were arrested for various crimes... In the last seven years guards have killed 51 people and wounded 83." [76]

- 8.34 The US State Department Country Report on Human Rights Practices 2008, Turkey published on 25 February 2009, noted that:

"The village guards were accused repeatedly of drug trafficking, corruption, theft, rape, and other abuses. Inadequate oversight and compensation contributed to the problem, and in many cases Jandarma allegedly protected village guards from prosecution... Progress was made to overhaul the village guard system with a May 2007 law passed by parliament that limits the total number of village guards under normal circumstances to 40,000; provides that the Council of Ministers may increase this number by up to 50 percent; provides continued employment for current guards; establishes a mandatory retirement age at age 55; provides a partial salary for early retirement; provides for a pension to guards who served more than 15 years; and requires the Ministry of Interior to establish procedures for hiring, firing, training and otherwise regulating the guard system. According to government officials, the law is intended to gradually phase out the system through retirement while providing social support for the 63,000 current village guards." [5b] (section 1 Role of the Police and Security Apparatus)

- 8.35 The European Commission Turkey 2008 Progress Report, published 5 November 2008, recorded that "No steps have been taken to abolish the



system of village guards... The village guard system still has to be phased out.”  
[71c] (p28)

[Return to contents](#)  
[Go to list of sources](#)

## Abuses

- 8.36 Reuters Alertnet website in an article ‘Turkey’s wedding massacre puts militias in spot light’, published on 6 May 2009, stated that:

“Eight men arrested over a wedding massacre were all members of state-backed ‘Village Guard’ units set up to help the army combat Kurdish separatists in Turkey’s southeast, officials said on Wednesday...Monday’s attack, in which masked men with assault rifles and grenades killed 44 at a wedding in the largely Kurdish south-east, demonstrated for some the danger of arming such informal units in an area known for family blood feuds and vendettas.” [85]

- 8.37 The US State Department (USSD) report 2008, published on 25 February 2009, noted that:

“There was no information at year’s end on the status of the administrative complaint filed in August 2007 with the Siirt governorship after Jandarma and village guards forced a group of villagers to leave their homes after the military declared a ‘special security zone’ in the area. The villagers and their belongings had been forcibly removed, and their access to crops and services in the village was blocked. There were some reports for residents that the situation generally improved during the year.” [5b] (Internally Displaced Persons)

[Return to contents](#)  
[Go to list of sources](#)

## Avenues of Complaint

- 8.38 The European Commission Turkey 2008 Progress Report, published 5 November 2008, recorded that:

“The Ministry of Interior continued its work for the establishment of an independent national mechanism to investigate citizens’ complaints against law enforcement officers. As a next step the establishment of this mechanism requires public consultations on its structure and function... (p14) Minister of Justice expressed a public apology for a recent case of death following torture in detention. However, impunity for human rights violations is a cause for concern. There is a lack of prompt, impartial and independent investigation into allegations of human rights violations by members of security forces. None of the 70 complaints submitted to the prosecutor in relation to the Diyarbakir incidents in March 2006 have been closed so far. Furthermore, judicial proceedings into allegations of torture and ill-treatment are often delayed by the lack of efficient trial procedures or abuse of such procedures.” [71c] (p15)

- 8.39 The Report of the UK Border Agency Fact Finding Mission 11 – 20 February 2008 noted that:

“Ms Douglas-Todd, Resident Twinning Advisor, Independent Police Complaints Commission Project Team said that the main strength of the current complaints system in Turkey was that Turkish citizens could go to various official and non governmental bodies to initiate a complaint about a law enforcement officer, which would then be taken forward to the judicial process, if a criminal matter. The main weakness in the system was poor recording of data with regard to complaints against law enforcers. The IPCC project therefore envisaged setting up a framework to publish such data on an annual basis to allow future trend analysis. It was envisaged that the IPCC project would take four years to complete and be conducted in two phases: firstly, to conduct a consultation and set up the necessary legislative changes; and, secondly, to establish the IPCC itself.” [59] [S18.6]

- 8.40 The US State Department (USSD) 2008 report, published on 25 February 2009, noted that:

“The Ministry of Interior reported that, through October, judicial and administrative cases were initiated against 60 security personnel for excessive use of force and torture. Four personnel received salary cuts, but none were fired or convicted for torture or excessive use of force. Investigations were dropped in 22 judicial cases, and in 29 administrative cases it was determined that there was ‘no need to punish’ or ‘no need to reach a decision.’

“The Ministry of the Interior reported that 93 cases against security personnel for mistreatment and excessive use of force were concluded during the year from previous years. Eighty-four resulted in acquittal and nine personnel were convicted. No personnel were fired.” [5b] (section 1d Role of the Police and Security Apparatus)

- 8.41 In a Bianet article, ‘How Turkey deals with police violence’, published 13 April 2009, it was noted that:

“Developments in two cases regarding police violence show that it is still difficult to pursue perpetrators. In the death of Nigerian refugee Okey, the trial is dragging on. At the latest hearing in the case at the Beyoğlu Heavy Penal Court, the trial was postponed to 9 July 2009, because Okey’s identity has still not been confirmed. In the death of Ete, the police officer has received a reduced sentence. The Bakırköy 10th Heavy Penal Court had initially sentenced police officer Ali Mutlu to 12 years imprisonment for allowing injuries that led to death, but reduced it to 5 years for good behaviour and for unfair provocation by the deceased man. Considering the time that Mutlu previously spent in detention, this means that the police officer will leave prison in two years time.” [102d]

- 8.42 The Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) Information note on the fact-finding visit to Turkey by the Chair of the Committee (24-26 November 2008) noted that: “With reference to enhancing the criminal liability of members of the security forces, the Committee of Ministers considers that Turkish legislation remains ambiguous regarding the requirement to obtain

administrative authorisation to prosecute members of the security forces in cases involving allegations of serious breaches of the law other than allegations of torture and ill-treatment.” [68b] (paragraph 71 the security forces)

8.43 The Report of the UK Border Agency Fact Finding Mission 11 – 20 February 2008 stated that:

“ Ms Douglas-Todd Resident Twinning Advisor, Independent Police Complaints Commission Project Team explained that although individuals could file complaints with a range of different offices and organisations, all cases would ultimately be progressed through the judicial prosecution service, which was the sole avenue of redress. However Ms Douglas-Todd said that the law enforcement bodies were tough on misconduct and therefore did also dismiss individuals for misconduct and there were records to prove this.” [59] [S18.6]

8.44 A Foreign and Commonwealth Office dated 15 May 2009 observed that the complaints procedures is same for men and women. [4a]

See Women: [Availability of protection](#)

**[Return to contents](#)**  
**[Go to list of sources](#)**

## 9 MILITARY SERVICE

9.01 The Constitution of the Republic of Turkey, accessed 22 June 2009, states: "National Service: Article 72 - National service is the right and duty of every Turk. The manner in which this service shall be performed, or considered as performed, either in the Armed Forces or in public service shall be regulated by law." [36c]

9.02 The War Resisters International website – Turkey review updated 2008 noted that:

"In Turkish law 'national service' is prescribed by the Law on Military Service (Law No. 1111)<sup>2</sup> and the Law for Reserve Officers and Reserve Military Servants (Law No. 1076). Art. 1 of the Law on Military Service specifies that all males who are citizens of the Turkish Republic, must receive armed military training, irrespective of their age. Law No. 1111 was enacted in 1927 and states that 'fatherland service' is compulsory military service, so refusal to perform 'fatherland service' is a crime punishable by the military penal code." [53a]

9.03 The War Resisters International website – Turkey updated 2008 also noted that:

"The length of military service is 15 months. University graduates may perform 6 months' military service, or 12 months if they are trained to become reserve officers. Certain professional groups (doctors, teachers, civil servants) may be permitted to perform special service. However, this special service is a service within the Armed Forces, and with uniform. Usually, those serving in special service are not sent on combat operations. All men between the ages of 19 and 40 are liable for military service. Men who have not fulfilled their military service by the age of 40 and who have not been legally exempt from service, may still be called up after the age of 40.

"Police officers are exempted from military service. Under certain condition, a person whose brother died during his military service might be exempted from military service. Students may postpone their military service up to the age of 29, or up to the age of 35 in the case of postgraduate students. After completion of military service, reservist duties apply up to the age of 40." [53b]

9.04 The War Resisters website – Turkey updated 2008 also noted that: "Different military service regulations apply for Turkish citizens who are living abroad. They can postpone their service up to the age of 38, for a period of three years at a time. Turkish citizens living abroad may also partially buy themselves out of military service by paying a sum of 5,112 Euro. However, in this case they still need to perform one month of military service." [53b]

See information on Enlistment (ilk yoklama), Examination (son yoklama), Induction (Sevk) and Posting on [Turkey Military service 2001](#)

## DEFERRING MILITARY SERVICE

- 9.05 The Netherlands, Ministry of Foreign Affairs, Turkey/Military Service, 1 July 2001, noted that:

“At the time of registration or examination, it is possible to ask for deferment of military service. The request must be backed up by documents from, for example, the employer or the university. Deferment is granted for a period of one year only, whereupon it is possible to extend the period for a further year on production of the requisite documents. In some cases military service may be deferred for persons following a course of study or training until the end of the year in which they reach the age of 29.” [2b]

- 9.06 The Netherlands, Turkey/Military Service, 1 July 2001, also noted that

“Turkish nationals living abroad with a valid residence and work permit may defer their military service until their thirty-eighth year of age at the latest. 60 Application for such deferment of military service must be submitted every two years to a Turkish representation in the country of residence.

“Persons who have obtained a deferment of their enlistment in military service receive a written statement to that effect from the military registration office. This document may be produced if the occasion arises.” [2b] (5.1 Deferment p26)

See [Recent developments](#) paragraph 4.03

- 9.07 The Immigration and Refugee Board of Canada in an information request response dated 24 February 2009 noted that:

“In a 30 January 2009 telephone interview with the Research Directorate, a consular official at the Embassy of the Republic of Turkey in Ottawa provided the following information. The fact that the section in the Turkish passport pertaining to military service is left blank or has a horizontal line in it, does not definitively indicate whether the holder has completed his military service, but rather that the completion of military service has not been confirmed (Turkey 30 Jan. 2009). There is no significance to the horizontal line; some officials choose to draw a line in this section while others prefer to leave it blank (ibid).

“Monitoring of draft evasion and desertion is strict. The registration of conscripts is, in fact, one of the most effective government registrations in Turkey. Draft evaders and deserters may be arrested after routine checks such as traffic control. They are not able to leave Turkey, as the military registration number is included on identity documents. In addition, police and [gendarme] authorities are responsible for finding draft evaders and deserters and may conduct house searches and arrest them.

“The Consular Official provided further details during a 13 February 2009 telephone interview with the Research Directorate. In order to obtain a new passport, Turkish men between the ages of 20 and 38 years must demonstrate compliance with the country's military service law (Turkey 13 Feb. 2009). Men over the mandatory military service age are not required to show proof of military service in order to obtain a Turkish passport (ibid.). However, a man who has completed his military service must submit a "Document of Completion

of Military Service" in order to obtain a passport; a passport officer might indicate that military service has been completed by writing yapmiştir (done) in this section (ibid.). The word yapmamıştır (not done) might appear in the passport of a Turkish student studying abroad who has obtained a deferment of military service (ibid.).

"In newer passports, the bar code is electronically linked to the holder's file, which includes information on his military service (Turkey 13 Feb. 2009). As such, border control officials do not need to look inside a passport to determine whether a holder has completed his military service, as this information is available electronically (ibid.). The Consular Official added that if a person was found to be avoiding military service, he may be detained by border control officials (ibid)." [7a]

[Return to contents](#)  
[Go to list of sources](#)

### EVASION OF MILITARY SERVICE AND PUNISHMENT (ASKER KAÇAKÇILIĞI)

- 9.08 The Netherlands, Ministry of Foreign Affairs, Turkey/Military Service, 1 July 2001, noted that:

"In addition to deferment and exemption, it sometimes happens that conscripts try to evade their military service illegally... There are no exact figures on the number of people who have hitherto in some way evaded military service. An estimate which is often heard is of around 350 000. No hard facts are known about the breakdown of the areas of origin of those who evade military service and the reasons for their evasion. However, there are indications that the main reasons include fear of the harsh regime within the armed forces, fear of becoming involved in armed conflicts and also problems of conscience." [2b]  
**(Evasion of military service (asker kaçakçılığı) p30)**

- 9.09 The Netherlands, Turkey/Military Service, 1 July 2001, noted that:

"Those who attempt fraudulently to evade military service may be punished on the basis of Articles 79 to 81 of the Military Criminal Law Code. These articles cover offences such as self-mutilation, name changes, sending someone else to the medical examination, sending someone else into military service, using another person's identity card, making false statements and other forms of deception with the aim of not having to complete military service." [2b]  
**(Fraudulent evasion of military service p33)**

- 9.10 The War Resisters International website – Turkey review updated 2008 noted that:

"Draft evasion and desertion are punishable under the Law on Military Service and the Turkish Military Penal Code. Turkish law actually makes a distinction between evasion of military registration, evasion of medical examination, evasion of enlistment and desertion. According to Article 63 of the Penal Code, draft evasion is punishable (in peacetime) by imprisonment of:

"- One month for those who report themselves within seven days;

- Three months for those who are arrested within seven days;
- Between three months and one year for those who report themselves within three months;
- Between four months and 18 months for those who are arrested within three months;
- Between four months and two years for those who report themselves after three months;
- Between six months and three years for those who are arrested after three months
- Up to ten years' imprisonment in the case of aggravating circumstances, such as self-inflicted injuries, using false documents (Articles 79-81 of the Penal Code).

“Desertion is punishable under Articles 66-68 of the Penal Code with up to three years' imprisonment. Deserters who have fled abroad may be sentenced to up to five years' imprisonment, and up to ten years in case of aggravating circumstances (Article 67).” [53b] (Section Draft evasion and desertion – penalties)

[Return to contents](#)  
[Go to list of sources](#)

### CONSCIENTIOUS OBJECTORS (VICDANI RETCI)

- 9.11 The Netherlands, Ministry of Foreign Affairs, Turkey/Military Service, 1 July 2001, noted that:

“In certain cases objections of conscience on grounds of principle are the reason for avoidance of registration/examination, enlistment or desertion. Individuals in such cases do not merely evade military service but expressly refuse it.

“Conscripts in Turkey who have such conscientious objection and who therefore refuse to perform military service do not in general wish to be associated with the large group thought to consist of around 350.000 draft evaders in Turkey. A publication put out in Turkey by conscientious objectors stated the following: “A person refusing military service on grounds of conscientious objection (vicdani retçi) is not a draft evader (asker kaçığı)... No details are known of the number of persons refusing military service on conscientious objection grounds who are not members of one of the associations.” [2b] (section 7 p41)

- 9.12 Refusing to Bear Arms: A world-wide survey of conscription and conscientious objection to military service’, (Turkey: 2005), by War Resisters’ International recorded that:

“Turkey does not recognise the right to conscientious objection for conscripts... the Turkish government never considered introducing legislation on conscientious objection... Following the judgement of the European Court of Human Rights in the case of Turkish conscientious objector Osman Murat Ülke in January 2006, the Turkish government declared at the Council of Europe that a law solving the problems would be in preparation...



“Osman Murat Ülke's legal situation has not changed, and he is still considered a deserter and has an outstanding arrest warrant. But the Turkish government did not appeal against the ECHR judgement, and also paid the compensation of 11,000 Euro to Osman Murat Ülke.” [53a] (Conscientious objection)

9.13 The Netherlands, Turkey/Military Service, 1 July 2001, noted that:

“Since refusal of military service on grounds of conscientious objection is not recognised in Turkey as such, the conscientious objector refusing military service is viewed by military criminal law as a straightforward case of draft evasion. The person concerned is accordingly sentenced as described above, in precisely the same way as all other draft evaders, under Article 63 of the Military Criminal Law Code.” [2b] (section 7.3 Criminal prosecution p45)

9.14 In a *Bianet* article published 9 January 2008, it was recorded that “Sanar Yurdatapan, spokesperson for the Initiative against Crimes of Thought, was yesterday (8 January) awarded 2,000 Euros in damages and 1,500 Euros legal costs by the European Court of Human Rights (ECHR). Yurdatapan had been sentenced to two months imprisonment for a statement in support of conscientious objector Osman Murat Ülke.” [102h]

See also Section 8:29 [Discrimination in the armed forces](#)

## SUBSEQUENT POSTINGS

9.15 The Netherlands, Ministry of Foreign Affairs, Turkey/Military Service, 1 July 2001, noted that:

“Approximately one week before completion of basic training conscripts are informed in writing of the unit to which they are to be posted for follow-up training. Once basic training has ended conscripts return home for a few days for ‘draft leave’ (dağıtım izni). Every conscript is then obliged to report to his unit, where he will spend the rest of his military service. This is usually not the same unit as that in which basic training is received.

“Every conscript's unit for subsequent posting is determined by computer by the Directorate for the Recruitment of Conscripts in the Ministry of Defence. The following paragraphs describe some of the information stored in the computer system in order to determine subsequent postings.” [2b] (section 4.3 Subsequent postings p19)

9.16 The Netherlands, Turkey/Military Service, 1 July 2001, noted that:

“Another factor taken into account by the computer when determining subsequent postings is the Turkish authorities' age-old basic rule that conscripts are posted to units outside the region (in some cases just outside the province) in which they are recorded in the population register.

“There are two reasons for this rule. Firstly, it reduces the risk of conscripts going absent without leave and returning home. Secondly, since the foundation

of the Republic the idea has reigned that this is a way for conscripts to become familiar with other parts of their country, which is regarded as useful for nation-building.” [2b] (section 4.3 Subsequent postings p19)

[Return to contents](#)  
[Go to list of sources](#)

## 10 JUDICIARY

10.01 As noted by the Turkish Embassy website, accessed 24 August 2009 that:

“Judicial power is exercised by independent courts functioning on behalf of the Turkish nation. No organ, office, authority or individual may attempt to intimidate, instruct or order, make suggestions or recommendations to or send notices to any judge concerning how they should exercise their powers in the courts. The legislative and executive organs and the administration must comply with the rulings of the courts, and they may not change or delay the application of these rulings.” [18a] (Judiciary Branch)

See also [Annex D](#), Administration of justice and Interpol – [Turkey Judicial system](#) [34a]

### Organisation

10.02 The US State Department Country Report on Human Rights Practices 2008, Turkey published on 25 February 2009, noted:

“The judicial system is composed of general law courts; specialized heavy penal courts; military courts; the Constitutional Court, the country's highest court; and three other high courts. The High Court of Appeals hears appeals for criminal cases, the Council of State hears appeals of administrative cases or cases between government entities, and the audit court audits state institutions. Most cases were prosecuted in the general law courts, which include civil, administrative, and criminal courts. The Ministry of Justice reported that none of the regional appeals courts established by 2004 legislation to relieve the high court's caseload were operational at year's end and that the project was postponed due to delays in building new court houses and assigning judges and prosecutors. In November the European Commission noted this as a matter of concern.

“The Constitutional Court examines the constitutionality of laws, decrees, and parliamentary procedural rules, and hears cases involving the prohibition of political parties. If impeached, ministers and prime ministers can be tried in the Constitutional Court. However, the court cannot consider decrees with the force of law issued under a state of emergency, martial law, in time of war, or in other situations as authorized by parliament. Military courts, with their own appeals system, hear cases involving military law for members of the armed forces. Military courts can also hear cases involving crimes committed by both civilians and military personnel.” [5b] (Section 1e Denial of Fair Public Trial)

10.03 The European Commission (EC) 2008 Progress report published 5 November 2008 stated that: “The Ministry of Justice has been working on a draft judicial reform strategy, which it presented in spring 2008. The document is comprehensive and covers issues related to the independence, impartiality, efficiency and effectiveness of the judiciary, enhancement of its professionalism, the management system and measures to enhance

confidence in the judiciary, to facilitate access to justice and to improve the penitentiary system.” [71c] (p9)

10.04 The Turkish Embassy reported that:

“The courts are divided into ‘courts of justice’, administrative courts, military courts and Constitutional court. Except the Constitutional Court, they are further divided into lower and higher courts. The power of the judiciary is exercised by Judicial (Criminal) and Administrative Military Courts. These Courts render their verdicts in the first instance, and the superior courts examine the verdict for the last and final ruling. The superior courts are: the Constitutional Court, The Court of Appeals, the Council of State, the Military Tribunal of Appeals, the Supreme Military Administrative Court, the Court of Jurisdictional Dispute, the Court of Accounts and the Supreme Council of Judges and Public Prosecutors.” [18b] (The court system)

[Return to contents](#)  
[Go to list of sources](#)

## Civil courts

### Civil Courts of the Peace (Sulh Hukuk Hakimliği)

10.05 This is the lowest civil court in Turkey with a single judge. There is at least one in every ilce (district). Its jurisdiction covers all kinds of claims where the amount does not exceed 2,000,000 Turkish Liras for the time being; claims of support, requests or minors for permission to marry or to shorten the waiting period of marriage, eviction cases for rentals by lease and all cases assigned to the court by the Code of Civil Procedure and other laws. There are 846 Civil Courts of the Peace in Turkey. [18b] (The Turkish Embassy – court system)

### Civil Courts of First Instance (Asliye Hukuk Hakimliği)

10.06 This is the essential and basic court in Turkey. Its jurisdiction covers all civil cases other than those assigned to the civil Courts of the Peace. There is one in every il and ilce, and sometimes divided into several branches according to the need and necessity. There are 958 such Courts in Turkey. [18b] (The Turkish Embassy – court system)

### Commercial Courts (Asliye Ticaret Mahkemesi)

10.07 The Commercial Courts are the specialized branches of all Civil Courts of First Instance, having jurisdiction over all kinds of commercial transactions, acts and affairs relating to any trading firm, factory, or commercially operated establishment. [18b] (The Turkish Embassy – court system)

10.08 The Commercial Courts consist of three judges, one presiding judge, and two members. At present, 35 Commercial Courts exist in commercial centers, throughout Turkey. Where there are no Commercial courts, the Civil Courts of First Instance perform the functions of the Commercial Courts. The competence

of the Commercial Courts is clearly described under Article 5 of the Commercial Code. [18b] (The Turkish Embassy –court system)

### **The Court of Cassation (Yargıtay)**

- 10.09 The highest appellate court in Turkey is called the Court of Cassation. It is divided into 30 chambers according to their particular specialized field. There are 20 civil chambers, 10 penal chambers. Each chamber is a five-judge court with a presiding judge and four members. One elected judge by the all judges of the Court of Cassation presides over the entire Court as general President. [18b] (The Turkish Embassy –court system)
- 10.10 All final judgments are appealable, except those less than 400,000 Turkish Liras and, in penal cases, judgments concerning fines up to 2,000,000 Turkish Liras, judgments of acquittal from an offense involving fines not exceeding 10,000,000 Turkish Liras, and judgments which are described in the Criminal Code or other codes as final. [18b] (The Turkish Embassy- Court system)
- 10.11 A letter from the British Embassy in Ankara dated 22 April 2005 noted that the Yargıtay only confirms or cancels court verdicts and does not conduct retrials. [4d]

## **Penal courts**

### **Penal Courts of the Peace (Sulh Ceza Hakimliği)**

- 10.12 This is the lowest penal court with a bench of one judge. There is one in every ilçe, but it is sometimes divided into several branches according to the need and population. There are 840 such Courts in Turkey. They have jurisdiction over penal and municipal misdemeanors and all acts assigned by the Criminal Code, the Code of Criminal Procedure, the Code on the Application of the Criminal Code, and by other laws according to the assignment or to the degree of punishment stated by them. [18b] (The Turkish Embassy – court system)

### **Penal Courts of First Instance (Asliye Ceza Hakimliği)**

- 10.13 Among the penal courts, this Court with a single judge handles the essential local criminal work. Its jurisdiction covers all penal cases excluded from the jurisdiction of the Penal Court of the Peace and the Central Criminal Court. There is one in every il and in every ilçe, sometimes divided into several branches according to the need and population. Therefore, at the moment there are 899 such Courts in Turkey. [18b] (The Turkish Embassy – court system)

### **Central Criminal Courts (Ağır Ceza Mahkemesi) (commonly referred to as ‘Heavy Penal Courts’)**

- 10.14 This court consists of a presiding judge and two members with a public prosecutor. Offenses and crimes involving a penalty of over five years of imprisonment, or capital punishment are under the jurisdiction of this Court of which there is one in every il. But it is sometimes divided into several branches

according to the need and population. There are 172 Central criminal courts throughout Turkey. [18b] (The Turkish Embassy – court system)

### **State Security Courts (Develet Güvenlik Mahkemesi)/Regional Serious Felony Courts (sometimes referred to as ‘Specialised Heavy Penal Courts’)**

10.15 As noted in the European Commission Regular Report on Turkey’s progress Towards Accession 2004, the State Security Courts have been abolished and replaced by Regional Serious Felony Courts (also referred to as Heavy Penal Courts). [71b] According to the previous law, State Security Courts used to handle the criminal offenses described in Article 9 of the said law which were about the security of the state. They consisted of a presiding judge and two members with a public prosecutor. There were 12 such Courts throughout Turkey. [18b] (The Turkish Embassy – court system)

See also [Court of Cassation](#), above

### **Other courts**

#### **Execution Investigation Authority (Icra Tetkik Hakimliği)**

10.16 A court with a single judge which has jurisdiction over disputes arising during the execution of all civil sentences and judicial decrees; over all acts obstruction or rendering difficult the execution of all civil sentences and judicial decrees. There is one such Court in every ilce in Turkey. [18b] (The Turkish Embassy –court system)

#### **Other Lower Courts**

10.17 In addition to the ordinary courts, there are 72 courts in Turkey which handle labor disputes; 443 courts which handle land registrations and surveys and 6 courts which handle traffic disputes. There are also 5 juvenile courts in Turkey. [18b] (The Turkish Embassy –court system)

#### **Intermediate Courts of Appeal**

10.18 As recorded in the European Commission 2005 report: “The Law Establishing the Intermediate Courts of Appeal came into force on 1 June 2005. The establishment of the Courts of Appeal will substantially reduce the case load of the Court of Cassation and enable it to concentrate on its function of providing guidance to lower courts on points of law of general public importance. The Law provides that the Courts are to be established within two years of its entry into force.” [71b] (p16)

### **Administrative courts**

#### **The Council of State (Danıştay)**

10.19 The highest court for controversies arising from governmental or public services and action, and for general administrative disputes, having judicial and administrative function, is the Council of State. It is the final court for cases

under its own jurisdiction and a court of appeal for the decisions given by subordinate administrative courts. The Council of State has 10 judicial chambers. [18b] (The Turkish Embassy – court system)

### **Subordinate Administrative Courts (Idare ve Vergi Mahkemeleri)**

10.20 According to the law, first tier of administrative courts in Turkey are established on regional bases. The courts founded at the regions are, administrative courts (idare Mahkemeleri) and tax courts (vergi mahkemeleri). There are 22 administrative courts and 33 tax courts in Turkey. [18b] (The Turkish Embassy – court system)

### **Supreme Military Administrative Court (Askeri Yüksek Idare Mahkemesi)**

10.21 The jurisdiction of the Supreme Military Administrative Court covers cases arising from administrative acts and actions made by military authorities and also cases arising from administrative acts and actions made by civilian authorities but involving military personnel and relation to military services. The Supreme Military Administrative Court is divided into 2 chambers. [18b] (The Turkish Embassy – court system)

## **Military courts**

### **Military Criminal courts (Askeri Ceza Mahkemesi)**

10.22 The INTERPOL website, last modified 29 August 2009, stated in their Turkey Judicial system section that:

“Military justice is carried out through the Military courts and military disciplinary courts. These courts, unless the contrary is stated in the law, 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. Military High Court of Appeals is the last instance for reviewing decisions and judgments given by military courts.” [34a]

10.23 The International Helsinki Federation (IHF) for Human Rights 2007 Turkey report noted “In a positive development, amendments to the military penal code adopted in June restricted the competence of military courts to try civilians unless they are involved in crimes committed together with military personnel. The amendments also allowed for retrials by military courts in cases where the European Court of Human Rights (ECtHR) finds a breach of the European Convention in relation to a trial before such courts.” [10a]

### **The Military Criminal Court of Cassation (Askeri Yargıtay)**

10.24 As noted by the Turkish Embassy website, accessed 24 August 2009 “According to the law, this court functions as the court of appeal of all decisions and judgments given by Military courts. It is divided into five chambers.” [18] (The Court System)



See also [Supreme Military Administrative Court](#), above

[Return to contents](#)  
[Go to list of sources](#)

### The Constitutional Court (Anayasa Mahkemesi)

10.25 As recorded by the Embassy of the Republic of Turkey website, accessed 24 August 2009 “The Constitutional Court consists of 11 regular members and four alternate members. All judges of the Constitutional Court hold office until they retire at the age of 65 like all other judges in Turkey.” [18] (The Court System)

10.26 The United States Department of State (USSD) 2008 report, published 25 February 2009, stated that:

“The Constitutional Court examines the constitutionality of laws, decrees, and parliamentary procedural rules, and hears cases involving the prohibition of political parties. If impeached, ministers and prime ministers can be tried in the Constitutional Court. However, the court cannot consider decrees with the force of law issued under a state of emergency, martial law, in time of war, or in other situations as authorized by parliament. Military courts, with their own appeals system, hear cases involving military law for members of the armed forces. Military courts can also hear cases involving crimes committed by both civilians and military personnel.” [5b] (Section 1e Denial of Fair Public Trial)

### INDEPENDENCE

10.27 The US State Department (USSD) report 2008, published on 25 February 2009, noted that:

“The law provides for an independent judiciary; however, the judiciary was occasionally subject to outside influence. There were reports of judicial corruption. The law prohibits the government from issuing orders or recommendations concerning the exercise of judicial power; however, the government on occasion launched formal investigations against judges who had spoken critically of the government or state structure.

“There was at least one instance of a government official making a statement that could be interpreted as instructions to the judiciary. In November Justice Minister Mehmet Ali Sahin granted permission for the prosecution of Temel Demirer on charges of violating Article 301. Before the trial, Sahin said, ‘I will not let someone call my state murderer.’ This is not freedom of expression. This is exactly what the crime of insulting the person of the state is’.” [5b] (Section 1e Denial of Fair Public Trial)

10.28 The 2008 USSD report further noted:

“The High Council of Judges and Prosecutors was widely criticized for undermining the independence of the judiciary. The justice minister serves as chairman of the seven-member council, and the undersecretary of the Ministry of Justice also serves on the council. The council's rules stipulate that one of these two officials must preside over meetings. The council selects judges and prosecutors for the higher courts and is responsible for oversight of the lower courts. The council is located in the Ministry of Justice and does not have its own budget. While the constitution provides for job security through tenure, the council controls the careers of judges and prosecutors through appointments, transfers, promotions, and reprimands.” [5b] (Section 1e Denial of Fair Public Trial)

- 10.29 The European Commission 2008 Progress report published 5 November 2008 recorded that

“As regards the independence of the judiciary, the selection procedure laid down in the Law on judges and prosecutors was amended in December 2007. These amendments transferred into law the provisions of the relevant June 2007 regulation of the Ministry of Justice. They include specific selection criteria and a transparent scoring system and are, therefore, considered an improvement. However, criticism has been voiced by bar associations and academics that the new selection criteria are open to subjective interpretation.” [71c] (p66)

- 10.30 The EC 2008 progress report further noted that:

“As a result of the November 2007 examinations, the Justice Academy recruited 387 candidate judges and prosecutors. Another 397 were recruited following the March 2008 examinations. Three more examinations were planned in 2008. However, in response to an appeal by YARSAV in March 2008, the Council of State suspended the recruitment of a number of candidate judges and prosecutors. The Council of State decided that the assessment protocol signed between the Ministry of Justice and the Student Selection and Placement Centre outlining the procedure for the examination does not comply with the legislation in force. The Council of State is due to issue its final decision on the case.” [71c] (p66)

- 10.31 The EC 2008 Progress report also added that “Overall, the work to date on the draft judicial reform strategy has been a positive development... However, concerns remain as regards the independence and impartiality of the judiciary. Reforms in the area of the judiciary are a priority of the Accession Partnership.” [71c] (p10)

[Return to contents](#)  
[Go to list of sources](#)

## FAIR TRIAL

- 10.32 The International Helsinki Federation (IHF) for Human Rights 2007 Turkey report, published 27 March 2007, noted:

“Both the government and the military maintained their influence on the judiciary, and corruption remained widespread in the judiciary. Violations of fair

trial and due process rights continued to be frequently reported. With respect to terrorist suspects, Amnesty International documented a range of violations, including failure to investigate allegations of torture and ill-treatment; the admission of statements made under duress as evidence; denial of equality of arms and the right to an effective defense; and excessively long pre-trial detention and protracted criminal proceedings. A considerable number of people charged with terrorism-related crimes, some of whom had been arrested as far back as in 1993, remained in detention in maximum security prisons pending trial.” [10a]

- 10.33 The US State Department (USSD) report 2008, published on 25 February 2009, noted that:

“There is no jury system; a judge or a panel of judges decides all cases. Trials are public for all cases except those involving minors as defendants. The law requires bar associations to provide free counsel to indigents who request it from the court if the potential sentence is more than five years, and bar associations across the country did so in practice. Defendants have the right to be present at trial and to consult with an attorney in a timely manner. Defendants or their attorneys can question witnesses for the prosecution and present witnesses and evidence on their behalf. Defendants and their attorneys have access to government-held evidence relevant to their cases. Defendants enjoy a presumption of innocence and the right to appeal.” [5b] (Section 1e Trial Procedures)

- 10.34 The USSD 2008 report continued:

“The law provides for the right to a speedy trial; however, at times trials lasted for years. Proceedings against security officials often were delayed because officers did not submit statements promptly or attend trials.

“The law prohibits the use of evidence in court obtained by torture; however, prosecutors in some instances failed to pursue torture allegations, forcing defendants to initiate a separate legal case to determine whether the evidence should be excluded. Human rights organizations reported that in such instances the primary case frequently was concluded before the secondary case was decided, effectively rendering the secondary case moot, and leading to unjust convictions.” [5b] (Section 1e Trial Procedures)

- 10.35 The Amnesty International report 2008, covering events in 2007, stated that

“Those charged under anti-terrorism legislation continued to face lengthy and unfair trials in the special Heavy Penal Courts which replaced the State Security Courts abolished in 2004. Prosecutors relied on evidence based on statements allegedly extracted under torture. Retrials, following judgements by the European Court of Human Rights that trials were unfair, were not impartial and did not re-examine evidence. Proceedings were excessively prolonged, and provisions limiting pre-trial detention had not yet become law and did not adequately address the need to complete a trial within a reasonable time.” [12e] (Section Fair Trial)

- 10.36 The European Commission 2008 report, published 5 November 2008, noted that:

“With regard to liberty and security and the right to a fair trial, reports indicate that in urban areas most detainees have access to a lawyer immediately after detention. In rural areas, however, in particular in the south-east of the country, there have been cases where defendants have not had access to a lawyer on terms equivalent to those in urban areas. In courts, professional interpretation in languages other than Turkish remains an issue of concern.” [71c] (70-71)

- 10.37 The EC 2008 Progress report also noted that “During the reporting period, the European Court of Human Rights (ECtHR) delivered a total of 266 judgments finding that Turkey had violated the ECHR. The majority of these new applications concerned the right to a fair trial and protection of property rights.” [71c] (p11)

- 10.38 The Amnesty International (AI) report 2008 stated that “In May [2007], an armed attack on judges at the Council of State (the higher administrative court) resulted in the death of a judge, Mustafa Yücel Özbilgin, and the wounding of four other judges. The trial of the gunman and of eight others for the attack and for three bomb attacks on the premises of the newspaper.” [12e] (Section Attacks by armed groups)

- 10.39 The AI 2008 further stated that:

“The Şemdinli bombing trial proceeded after an investigation into the bombing which appeared to have been mired by political interference by members of the government and senior military personnel. The Public Prosecutor’s indictment was made public in March, and implicated the head of the army’s land forces and other senior local military personnel in Hakkari province. The Public Prosecutor requested a separate investigation by the military prosecutor to establish whether the bombing was part of a wider conspiracy. The Ministry of Justice investigated the Public Prosecutor for possible misconduct and in April the Higher Council of Judges and Prosecutors dismissed him from office. An appeal by the Public Prosecutor was unsuccessful.” [12e] (Section Interference in justice system)

See section 11: [Arrest and detention](#), subsection [Legal Rights](#)

[Return to contents](#)  
[Go to list of sources](#)

## PENAL CODE

### Text of Penal Code

- 10.40 The English translation of the Turkish Penal Code was produced as part of a project funded by the British Embassy in Ankara and supported by the Ministry of Justice of the Republic of Turkey and a hard copy is available on request. [4m]

- 10.41 The European Commission Progress report 2008, published 5 November 2008, stated: "A new Law on witness protection was adopted, with adequate provisions to guarantee the confidentiality of their identity and their security. This is expected to improve the chances of convictions in organised crime cases... One important point is that the strategy against organised crime, in line with EU best practice, needs to be followed up by a specific action plan and implemented accordingly." [71c] (p74)

[Return to contents](#)  
[Go to list of sources](#)

## 11 ARREST AND DETENTION – LEGAL RIGHTS

11.01 Article 19 of the Constitution provides as follows:

“Everyone has the right to liberty and security of person.

“No one shall be deprived of his liberty except in the following cases where procedure and conditions are prescribed by law: execution of sentences restricting liberty and the implementation of security measures decided by court order, apprehension or detention of a person in line with a court ruling or an obligation upon him designated by law.

“Individuals against whom there is strong evidence of having committed an offence can be arrested by decision of a judge solely for the purposes of preventing escape, or preventing the destruction or alteration of evidence as well as in similar other circumstances which necessitate detention and are prescribed by law.

“Individuals arrested or detained shall be promptly notified, and in all cases in writing, or orally, when the former is not possible, of the grounds for their arrest or detention and the charges against them.

“The person arrested or detained shall be brought before a judge within at latest 48 hours and within at most four days in the case of offences committed collectively, excluding the time taken to send him to the court nearest to the place of seizure. No one can be deprived of his liberty without the decision of a judge after the expiry of the above specified periods. The arrest or detention of a person shall be notified to next of kin immediately.

“Damages suffered by persons subjected to treatment contrary to the above provisions shall be compensated for according to law, by the State with respect to the general principles of the law on compensation.” [20e]

11.02 The United States Department of State (USSD) 2008 report, published 25 February 2009, noted: “The law prohibits arbitrary arrest and detention; however, the government at times did not observe these prohibitions.” [5b] (Section 1 Arrest and Detention)

11.03 As noted in a letter from the British Embassy in Ankara to the Home Office, dated 28 September 2005:

“A new Code on Criminal Procedure (CCP) came into force on 1 June 2005. As part of the new CCP, ‘judicial controls’ [reporting conditions] were introduced which allow courts to impose a number of restrictions on suspects or defendants in criminal cases. This includes the condition of reporting regularly, within the time limits indicated, to a place specified by the judge.

“As mentioned in this letter Article 109 and article 110 of the CCP set out the detail of ‘judicial controls’:

“A109 – Judicial supervision

- (1) Where there are reasons for arrest as specified in Article 100 and where an investigation is being conducted with regard to an offence necessitating imprisonment, with an upper limit of 3 years or less, a decision may be taken to place the suspect under judicial supervision instead of placing him under arrest.
- (2) Judgements in favour of judicial supervision may also be applied to cases for which the law prohibits arrest.
- (3) Judicial supervision may involve the imposition of one or more of the following obligations upon the suspect:
  - (a) not to go abroad,
  - (b) to appear regularly within the time limits indicated at places specified by the judge,
  - (c) to obey the summons of authorities or persons specified by the judge, and where necessary to comply with supervisory measures regarding the persons occupational activities or the pursuit of his education,
  - (d) not to be permitted to drive any or certain vehicles, and where necessary to leave his driving licence at a government office in return for a receipt,
  - (e) to undergo and accept medical care or treatment or examination, for detoxification purposes, particularly with respect to narcotics, stimulants or volatile substances or alcohol dependency and including hospitalization,
  - (f) to deposit an amount of money as a security, as determined by the judge at the request of the public prosecutor, after taking into account the financial circumstances of the suspect and deciding if it is to be paid in more than one instalment,
  - (g) not to possess or carry weapons, and if necessary to leave any weapons in his possession at a judicial depository, in return for a receipt,
  - (h) to provide real and personal security for monies needed to secure the rights of the injured party, concerning which the judge, at the request of the public prosecutor, shall specify the amount and time limit for payment,
  - (i) to provide assurances that he will pay alimony regularly, in accordance with any court verdict, and that he will fulfil his obligation towards his family.
- “(4) In applying subsection (b) above, the judge or the prosecutor may permanently or temporarily allow the suspect to drive vehicles as part of his occupational activities.
- (5) Any time spent under judicial supervision may not be deducted from a sentence by reason of being considered as a restriction of personal liberty. This provision shall not apply to cases listed under subsection (e) of this Article.

“A110 – Judicial supervision decisions and administration by the authorities

- (1) A suspect may be put under judicial supervision at the request of the public prosecutor, and according to the decision of a Justice of the Peace.
- (2) The judge, at the prosecutors’ request, may impose one or more additional judicial supervision conditions; he may also lift or change all or part of the obligations contained in the conditions, or exempt the suspect from fulfilling some of the conditions.



“When it is deemed necessary, the provisions of Article A109 and of the present Article may be used by other designated or competent judicial authorities, in order to pursue prosecution at any level.” [4i]

## WARRANTS AND COURT DOCUMENTS

- 11.04 The United States Department of State (USSD) 2008 report, published 25 February 2009, noted that:

“Warrants issued by a prosecutor are required for arrests unless the suspect is caught in the commission of a crime. A suspect may be detained for 24 hours, with prosecutorial discretion to extend the period to 48 hours, excluding transportation time, before being arraigned by a judge. There is a functioning bail system. After arraignment, the judge may release the accused upon receipt of an appropriate assurance, such as bail, or order detention if the court determines that the accused is likely to flee the jurisdiction or destroy evidence.” [5b] (Section 1 Arrest and Detention)

- 11.05 The Norwegian Country of Origin Information Centre ‘Report of fact-finding mission to Turkey (7-17 October 2004)’, related that “According to both Mr. Islambay and Mr. Turan claimed that persons on the run could not get access to en [sic] (authentic) warrant. He or she (or the attorney) would get a copy of the document at the earliest after detention.” [16] (p22- 23)

- 11.06 In correspondence from the Foreign and Commonwealth Office dated 12 May 2009 regarding the issue of power of attorney and procedures for Obtaining Court documents, it was stated that:

“The honorary legal advisor Mr Dogan Yagiz commented that on the issue of power of attorney as below is correct in theory but in practice it could be difficult for a UK lawyer to deal with the Turkish authorities directly. Mr Dogan Yagiz suggested that the power of attorney given to the UK lawyer include an option for him to assign this power to someone else, which would mean that he would be able to identify a Turkish lawyer to act in the case if necessary.

“Obtaining Court Documents: It is possible for a Turkish lawyer, once he has been granted power of attorney by his client, to obtain official court documents relating to his client's case. This is a right granted in the Lawyers Law which was passed early in the history of the Republic. The lawyer simply visits or writes to the relevant court or office of the public prosecutor and requests copies of the documents. He has to give his client's name, but, under the Lawyers Law, he is not required to give a reason for his request.

“There is also a computerised central register of previous convictions which is maintained in Ankara. This register does not contain copies of documents but can be used to obtain a print-out of convictions in finalised cases on request. Applications can be made either in person or through a lawyer on behalf of a client.

“A difficulty for us is that, unless an asylum applicant in the United Kingdom already has a duly authorised lawyer acting for him in Turkey, then he must arrange for the transfer of power of attorney according to Turkish law. The letter confirming power of attorney must be certified or notarised by a person recognised as competent to perform this function under Turkish law, and for all practical purposes this will be a consular official at a Turkish diplomatic post for a client outside Turkey. Clearly there are at least presentational problems if we attempt to compel a person claiming to fear persecution from the Turkish authorities to visit a Turkish diplomatic post. Enquiries have established however that it is perfectly acceptable for an applicant to sign over his power of attorney to his representatives under British law, and his representatives can then visit the diplomatic post to conduct the necessary formalities. Most Turkish asylum seekers have a representative, and there therefore appear to be few obstacles to our seeking documentary confirmation of judicial action in cases where this seems to be appropriate.” [4g]

“Officials’ Unique Numbers: Turkish judges, public prosecutors and bankruptcy/bailiff officers working in the civilian system are all given a unique number when they first take up office. This number normally appears beside their name on official court documents, particularly at the end of documents. For example, the number 21749 appears beside the name of prosecutor who prepared the indictment on page 6 of Annex 6. The numbers are assigned from a consecutive sequence which dates back to the start of the Republic. This means that the unique numbers of judges and prosecutors who are currently active can be determined quite accurately. Active numbers are currently in the range of 15,000 to 40,000.

“It should be clear that if a court document indicates that the judge or prosecutor involved has a unique number such as 100 or 499,000 then the document is unquestionably suspect. Judges or prosecutors holding two or three figure numbers are either dead or retired, and six figure numbers are unlikely to be assigned for a considerable time. The court secretary (Katip) also has a personal number. Numbers of court secretaries are assigned by the justice departments of provinces or cities. In Izmir in 2001, numbers ranged from 1250 to 2800. Clerks in different cities can be given the same numbers.

“Date and Day of Issue: The dates on a large number of documents submitted in support of asylum applications indicate that they have been issued at weekends. It is possible for a document, such as an arrest warrant, to be issued at the weekend, but if this happens the issue will have been authorised exceptionally by the duty judge and this fact will normally be noted in the text of the document. Date of issue should be checked against old calendars to establish the day of issue.

“Karar – Judgement: Judgements, in common with indictments, are not issued on pre-printed forms. The case, ESAS, and decision, KARAR, numbers at the top of the document provide quick checks as to validity. Both of these numbers should be made up of the year then the relevant number (e.g. 1990/601 - sometimes the first digit of the year is omitted as in 990/601). The year given in the decision number may be a later year than that in the case number but it can never be earlier. A case cannot be decided before it comes to court. The year

in the decision number should also match the year of the decision as given in the text. For example, the decision number 1990/601 should appear on a decision given in 1990 and the corresponding case number could be 1989/463 but not 1991/463 if the document is genuine.

“Attention should also be paid to the size of these numbers. 1990/130087 would be a highly improbable decision number because it would indicate that the court in question had decided 130,087 cases in 1990 up to that decision. It is also worth noting that each page of the judgement is normally signed at the bottom by the judges and secretary involved in the case. [4g]

[Return to contents](#)  
[Go to list of sources](#)

### LENGTH OF PRE-TRIAL DETENTION

- 11.08 The United States Department of State (USSD) 2008, published 25 February 2009, noted that “Lengthy pretrial detention was a problem. The law provides detainees the right to request speedy arraignment and trial; however, judges have ordered that some suspects be detained indefinitely, at times for years, without trial.” [5b] (Section 1 Arrest and Detention)
- 11.09 The Grand National Assembly’s Commission for Inspection of Human Rights 2009 report further added that persons deprived of their liberty under any circumstances are entitled to apply to the appropriate judicial authority for speedy conclusion of proceedings regarding their situation and for their release if the restriction placed upon them is not lawful. Damage suffered by persons subjected to treatment contrary to the above provisions shall be compensated by the State. [15]

### RIGHT TO LEGAL ADVICE

- 11.10 The USSD 2008 report published 25 February 2009 stated that “The law provides that detainees are entitled to immediate access to an attorney and to meet and confer with an attorney at any time. The law requires the government to provide indigent detainees with a public attorney in criminal cases where the defendant faces a penalty of more than five years in prison.” [5b] (Section 1 Arrest and Detention)
- 11.11 The USSD 2008 report further added that:
- “Private attorneys and human rights monitors reported irregular implementation of these regulations, particularly with respect to attorney access. According to a number of local bar associations, attorney access for detainees remained consistent with the previous year and continued to vary widely across the country. Numerous bar association representatives and human rights organizations reported that in urban areas most detainees consulted with attorneys soon after being detained, while in rural areas, particularly the southeast, there was a higher number of cases where defendants did not have immediate access to an attorney. The HRA observed no change in the

percentage of detainees consulting with attorneys.” [5b] (Section 1 Arrest and Detention)

11.12 The USSD 2008 report also noted that

“Human rights observers noted that, in most cases where a defendant could not afford an attorney, one was provided; however, in terrorism-related cases an attorney was frequently not provided until after the suspect had been detained and interrogated by security forces. Provincial bar associations continued to face difficulties providing such attorneys because the government was behind on compensation payments for such work.” [5b] (Section 1 Arrest and Detention)

11.13 A Human Rights Watch report ‘Closing Ranks against Accountability Barriers to Tackling Police Violence in Turkey’ published in December 2008, noted that:

“The immediate right to legal counsel has been one of the major gains of the reform process in Turkey and is set out in the Code of Criminal Procedures (article 149). There are clear risks that a restriction on the right to immediate legal counsel for those suspected of terrorist offenses may reverse the progress made in this area. The European Court of Human Rights has long made clear that access to a lawyer at the initial stages of police interrogation is critical to safeguarding a detainee’ rights.” [9c] (p22)

11.14 The same HRW 2008 report also noted that “Lawyers interviewed by Human Rights Watch considered that the presence of lawyers offering legal counsel to detainees in police and gendarmerie stations had in practice constituted an important means of reducing the likelihood of law enforcement personnel resorting to coercion, or otherwise abusing their position or failing in their duty toward detainees.” [9c] (p15)

11.15 The UN Report published 18 February 2008 ‘Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development, 2008’ stated that:

“According to non-governmental sources, while there are great improvements in this area, there are still cases of lawyers reporting problems in gaining access to detainees. Although lawyers have not reported that the police routinely apply for the 24 hour postponement of access to legal counsel for a detainee provided for in cases that fall under the remit of the Anti-Terror Law, there are indications that the existence of the possibility to do so is undesirable given the continuing, albeit reduced, risk of torture or ill-treatment in places of detention. Torture or ill-treatment is still reported as being most likely to occur in the first 24 hours after arrest.” [20c] (paragraph 680)

11.16 The European Commission 2008 Progress report, published 5 November 2008, also noted that “As regards access to justice, reports indicate that in urban areas most detainees have access to a lawyer immediately after detention. In rural areas, however, in particular in the South-East of the country, there have been cases where defendants have not had access to a lawyer on terms equivalent to those in urban areas.” [71c] (p14)

[Return to contents](#)  
[Go to list of sources](#)

## MISTREATMENT IN DETENTION

- 11.17 The United States Department of State (USSD) 2008, published 25 February 2009, noted that

“Human rights activists maintained that those arrested for ordinary crimes were as likely to suffer torture and mistreatment in detention as those arrested for political offenses, such as speaking out against the government, although they were less likely to report abuse. Observers believed that security officials tortured some political detainees to intimidate them and send a warning to others with similar political views. Authorities allegedly tortured some suspects to obtain confessions.” [5b] (section 1cTorture and Other Cruel, Inhuman, or Degrading Treatment or Punishment)

- 11.18 The USSD 2008 report also mentioned that “On September 17, police officer Gazi Ozuak from the Van Security Directorate was arrested on charges of torturing theft suspect Zeki Simsek. Ozuak had detained Simsek for alleged involvement in a theft nine days earlier. Simsek’s claim at his subsequent arraignment that he had been tortured with nails and cigarettes during his interrogation was verified by a medical report by the Van State Hospital.” [5b] (section 1cTorture and Other Cruel, Inhuman, or Degrading Treatment or Punishment)
- 11.19 Mr Firat the Director of EU Affairs at the Justice Ministry told the UKBA FFM that there might be incidents of alleged mistreatment of detainees but certainly no systematic abuse. According to the Istanbul protocol, police officers were required to obtain medical reports as soon as a person was admitted to detention and immediately after a person’s release from detention. In this way, the detention system was transparent and any mistreatment would not go undetected. In Turkey there was a zero tolerance policy towards mistreatment / torture. [59] (S10.4)
- 11.20 The European Commission 2008 Progress report stated that “The rights of detainees are protected by a comprehensive set of safeguards which serve to prevent cases of torture and ill-treatment in custody. This includes medical examinations of detainees in police custody. Efforts are ongoing to ensure compliance with these provisions.” [71c] (p13)

See Section 12 – [Prison Conditions](#) and HRW report [Stuck in a Revolving Door chapter 9 Detention in Turkey](#)

## LEGISLATION (FRAMEWORK AND IMPLEMENTATION) TO PREVENT MISTREATMENT IN PRISONS AND DETENTION

- 11.21 The Report of the UK Border Agency Fact Finding Mission (UKBA FFM) to Turkey 11 – 20 February 2008, notes that several of the sources interviewed referred to the government’s ‘zero tolerance’ policy on torture, which was announced by the new AKP government in 2002. [59] (1)

- 11.22 A government circular issued to Provincial governors regarding the application of the 'zero tolerance' policy stated:

"No concession in any form will be made from the careful and decisive implementation of legal and administrative procedures which have been made, in line with our government's understanding of 'zero tolerance towards torture'. The necessary investigations into allegations of torture and ill-treatment will be started without delay and completed within the shortest period of time possible. In line with legal and administrative procedures to counter torture and ill-treatment, alongside the routine inspections of managers at all levels in public sector organisations and other responsible officials, carried out with and without prior notice, Human Rights Boards and related organisations and units located in the provinces and sub-provinces will carry out visits with and without prior notice. In order to address the problems identified in these visits and inspections, the required precautions will be taken quickly and it will be ensured that the necessary procedures relating to those who identified the fault will be carried out." [59] (21) (Translation)

- 11.23 The Grand National Assembly's Commission for Inspection of Human Rights published their 2009 Inspection report which noted that:

"Turkey is a signatory of the Universal Declaration of Human Rights adopted on 10 December 1948 by the United Nations General Assembly, the Convention for the Protection of Human Rights and Fundamental Freedoms, dated 4 November 1950 and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, dated 10 February 1984. Turkey has also signed up to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment dated 26 November 1987." [15]

See section [Mistreatment in Detention](#)

[Return to contents](#)  
[Go to list of sources](#)

## Relevant Provisions in Law

- 11.24 The Grand National Assembly's Commission for Inspection of Human Rights 2009 report also noted that:

"Provisions within the Constitution of the Republic of Turkey Protecting Individual's Right to Life, Not to Be Subjected to Torture and Right to Personal Liberty and Security.

**Article 17** of our Constitution headed Personal Inviolability, Material and Spiritual Entity of the Individual provides the following:

"Everyone has the right to life and the right to protect and develop his material and spiritual entity. Individual's bodily integrity cannot be infringed nor can he be subjected to medical experiments save for medical necessities and situations permitted by law. No one can be subjected to torture or ill treatment. No one can be subjected to a punishment or other treatment that is not compatible with human dignity.



**Article 19** of our Constitution headed Personal Liberty and Security of the Individual provides the following: “Everyone has the right to liberty and security of person. No one shall be deprived of his or her liberty except in the following cases where procedure and conditions are prescribed by law.” [15]

[Return to contents](#)  
[Go to list of sources](#)

## GOVERNMENT AND OTHER INITIATIVES TO PREVENT MISTREATMENT IN PRISONS AND DETENTION

- 11.25 The Grand National Assembly’s Commission for Inspection of Human Rights decided to carry out unannounced inspections of police stations following media allegations and reports of torture and ill treatment. The Inspection report published in 2009 stated that:

“The aims of the inspections are to forward the awareness that formed among enforcers as well as the general public as a direct result of the ‘zero tolerance for torture’ policies of the governments and to determine ways in which to prevent such violations of human rights and measures that need to be taken to that end.” [15]

- 11.26 The 2009 Inspection report further stated during the inspection that:

“The Commission examined the room and cells monitored by the MOBESE at the Provincial Police Headquarters. It was stated and observed that there were mobile apparatuses for the Mobile Police Station system at 120 police stations in Istanbul. Examination was conducted of the MOBESE system, which is in operation in 39 boroughs of the province of Istanbul, and which permits [police] to monitor the streets and roads using the cameras located in particular sites in boroughs... It was stated and observed that there are 29 cells in the ground floor of the Provincial Police Headquarters and that these cells are observed and monitored 24 hours a day by camera, and that care was taken to ensure there were no blind spots... Fingerprinting procedures are carried out in the scene-of- incident examination room.” [15] (p26-27)

- 11.27 The 2009 Inspection report also further noted that:

“Men and women are not placed in the same location in the cells. There are separate cells for each sex, and there is [are] even a sufficient number of cells to accommodate people of a third gender, and these people are kept separately in the cells...The interior of the cells and the people held in the cells are monitored by camera but also with the naked eye. The interior is sound insulated. Only officers and lawyers are permitted to enter the detention area, and even relatives are not permitted to enter... During the course of the examination, no instruments of torture were discovered in the police station, the storage area or annexes thereto.” [15] (p27-28)

- 11.28 Mr Sedat Ozcan, of the Human Rights Division of the General Security Directorate, told the UKBA FFM that between 2000 and 2007, 354,279 police



officials had received human rights awareness training. The Human Rights Division also said that they had held courses since 2003 to inform personnel working in the anti-terrorism branch about the latest ECHR verdicts made in relation to Turkey, advice from the CPT and information on the latest issues and concerns in the field of human rights. [59] (S16.3)

- 11.29 Mr Sedat Ozcan said a draft code on police ethics was also being prepared intended to create stronger cooperation between the police and local communities. The code would provide guidelines for police in the operation of their daily duties and increase the quality of the service they provided. It would also be drafted in line with Copenhagen criteria and ensure that the role of police officer was defined as a profession. [59] (S16.8)
- 11.30 The European Commission 2008, published 5 November 2008, reported that: “in urban areas most detainees have access to a lawyer immediately after detention. In rural areas, however, in particular in the south-east of the country, there have been cases where defendants have not had access to a lawyer on terms equivalent to those in urban areas. In courts, professional interpretation in languages other than Turkish remains an issue of concern.” [71c] (p70)

[Return to contents](#)  
[Go to list of sources](#)

## 12 PRISON CONDITIONS

- 12.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:
- “Prison conditions generally improved during the year, but facilities remained inadequate. Underfunding, overcrowding, and insufficient staff training were problems... According to the Turkish Medical Doctors' Association, prisons were not adequately staffed with doctors, and psychologists were available only at some of the largest prisons. Several inmates claimed they were denied appropriate medical treatment for serious illness. The HRA reported that in the first nine months of the year, 370 prisoners were denied access to appropriate medical treatment.” [5b] (Prison and Detention Center Conditions)
- 12.02 The USSD 2008 report also noted that:
- “At year's end, the Ministry of Justice reported that the country had 391 prisons with a capacity of 92,497 and with a total of 90,837 inmates, 53,229 of whom were detainees awaiting trial... Despite the existence of separate juvenile facilities, at times juveniles and adults were held in adjacent wards with mutual access. Observers reported that detainees and convicts occasionally were held together. Inmates convicted for nonviolent, speech-related offenses were sometimes held in high-security prisons.” [5b] (Prison and Detention Center Conditions)
- 12.03 The International Centre for Prison Studies' Prison Brief for Turkey (website accessed 7 July 2009), stated that: “In 2007 the number of establishments / institutions was 458. The official capacity of prison system was 90,558 (April 2008) while the occupancy level was 105.5 per cent (April 2008). The total

prison population (including pre-trial detainees/remand prisoners) totalled 110,928 (May 2009) with female prisoners at 3.6 per cent (May 2009).” [78]

12.04 The EC 2008 Progress report also noted that:

“The physical infrastructure of prisons continued to improve. Twelve new prisons have been completed and a further 22 new prisons are under construction...Provisions allowing solitary confinement of persons sentenced to aggravated life imprisonment remain in force. In its 2006 report on Turkey, the Council of Europe Committee for the Prevention of Torture indicated that such rules need to be applied for as short a time as possible and must be based on an individual risk assessment of the prisoner concerned. Cases of ill-treatment by prison staff have been reported, but few lawsuits have been launched to probe these allegations” [71c] (p14-15)

[Return to contents](#)  
[Go to list of sources](#)

## E AND F-TYPE PRISONS

### E Type

12.05 A *Bianet* article ‘Children's Situation in Diyarbakır Prison is Desperate’ published 19 May 2009 noted that:

“The Human Rights board attached to the Diyarbakır Governor's Office visited the Diyarbakır E-type prison to monitor the situation of the children held there. Such visits are made unannounced in order to be able to identify human rights violations. However, the delegation wrote that it was only given permission to visit two and a half months after their application, and that unannounced visits had been obstructed.” [102a]

12.06 The same *Bianet* article dated 19 May 2009 also stated that:

“According to prison manager İsmail Gül, there are 23 political detained and convicted children in prison, and 94 other children. Children are washing their clothes by hand, they are not clean. The beds are old, dirty and contain several bacteria. The tables are not hygienically clean, and because the children wash their dishes in an unhygienic environment (on the bathroom floor), this brings serious health problems.” [102a]

12.07 The *Bianet* article further noted that

“There is no prison doctor. According to the manager, a doctor comes once a week, and an ambulance is called for emergencies. In general, children are transferred to hospital if the gendarmerie is not busy on that day. The delegation noted that one child had had a detached finger stitched back on, but that the stitches had not been removed for three months. Another child had cuts on his head and hands. He said that they had been stitched six days earlier, but that the wounds had not been bandaged since his detention.” [102a]

12.08 It was noted by the Canadian Immigration and Refugee Board (IRB) in an information request response ‘Turkey: Prison conditions and the treatment of prisoners in civilian and F-type prisons, including the prevalence of torture and the state response to it’, dated 7 June 2007, that:

“Turkish prisons are divided into three security categories: F-type, which are maximum-security; E-type and special type, which are medium-security; and, open prisons and juvenile reformations, which are minimum-security (ibid.). Various sources note that conditions in Turkish prisons have been improving, although there are areas that remain inadequate. According to the European Union (EU), the lack of communal activities, problems regarding prisoner-staff interaction, limited medical and psychological care and the high prisoner-to-cell ratio are the principle areas of concern. The Human Rights Association of Turkey (IHD) recorded a total of 2,764 violations of human rights in Turkish prisons, including:

- 44 violations of rights of health
- 491 arbitrary and ill-treatments
- 88 violations of sending to medical
- 615 violations of right of communication
- 1 preventing meetings with lawyers
- 1,525 disciplinary punishments, including 57 cell punishments, 588 bans on family interviews; 391 prohibitions on publishing; and 489 prohibitions on social activities. (IHD, 27 Feb. 2007).” [7m]

12.09 The same Canadian Immigration and Refugee Board in an information request response dated 7 June 2007 further noted that Adana E-type prison reportedly held 950 inmates even though it has a capacity of 450; in one case, 22 prisoners were found sharing a 24 square-metre room (COE 6 Sept. 2006, para. 41). In response, Turkey stated that it was building a new prison to alleviate this overcrowding (Turkey 6 Sept. 2006, para. 41). [7m]

12.10 The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) visited Turkey from 7 - 14 December 2005 and their report, issued on 6 September 2006, noted that:

“In contrast to all the other prisons visited in December 2005, the delegation heard numerous allegations of the ill-treatment by staff of inmates at Adana E-type Prison. These allegations emanated from both prisoners at the establishment and from persons who had previously been held there. The ill-treatment alleged related for the most part to slaps, punches and kicks, as well as verbal abuse; however, some allegations of falaka [beating the soles of the feet] were also received. NGO representatives met by the delegation in Adana, including members of the Bar Association, also expressed concern about the situation in the E-type Prison. Moreover, Adana E-type Prison was grossly overcrowded at the time of the December 2005 visit, with some 950 prisoners for a capacity of 450. To give an example of the practical effects of this situation, in one unit the delegation found 22 prisoners sharing an upstairs dormitory of some 24, ten of them sleeping on the floor on mattresses.” [13a] (paragraph 41)

- 12.11 The CPT also added that “Healthcare services were poorly resourced at Adana E-Type Prison; there was only one doctor for almost 1,000 prisoners.” [13a] (paragraph 55)

### F-Type

- 12.12 The same Canadian Immigration and Refugee Board in an information request response dated 7 June 2007 further stated that:

“F-type prisons were created in 2000 by the Turkish government to house prisoners in cells alone or with only two fellow inmates. The F-type prison was a response to the frequent prison mutinies and hostage situations that characterized previous housing arrangements in which dozens of prisoners were kept in the same cell (ibid.). There are an estimated 2,000 convicts held in F-type prisons in Turkey today.” [7m]

- 12.13 The Canadian Immigration and Refugee Board in an information request response dated 7 June 2007 further noted that “According to the Turkish Medical Association (TTB), F-type prisons are geared to break prisoners psychologically through isolation. Since 20 October 2000, some 122 prisoners in F-type prisons have died from hunger strikes they were leading in protest of their treatment. The EU has complained that solitary confinement for prisoners sentenced to aggravated life imprisonment is too extensive.” [7m]

- 12.14 The CPT September 2006 report noted that “The CPT has never made any criticism of material conditions of detention in F-type prisons, and the facts found during this most recent visit confirmed that they are of a good standard.” [13a] (paragraph 43)

- 12.15 The CPT 2006 report further stated that:

“The situation in Tekirdağ F-type Prison No 1 was rather similar, though the groups of prisoners taking part in association and sport tended to be smaller than in Adana. Workshop activity was greater than at Adana, with more than 50 prisoners attending six workshops; certain of these prisoners spent up to 30 hours per week in the workshop concerned. A small number of prisoners attended religious classes on a weekly basis, and access to the library was apparently possible, also on a weekly basis...” [13a] (paragraph 45)

- 12.16 The CPT 2006 continued:

“The Director of each of the F-type prisons visited argued that the limited number of staff at their disposal was a major obstacle in developing activities. However, the Committee is also convinced that one of the underlying causes of the present situation is a continuing failure on the part of the prison authorities to display a sufficiently proactive, enterprising approach vis-à-vis this subject. The situation observed to date by the CPT in F-type prisons amounts to a missed opportunity. Capable of being rightly regarded as a model form of penitentiary establishment, they currently remain open to the accusation of perpetuating a system of small-group isolation...” [13a] (paragraph 47)

12.17 The CPT 2006 further stated that:

“In Tekirdağ F-type Prisons No 1 and 2, the delegation encountered a small number of prisoners who had been placed in single cells on psychiatric grounds. None of them were receiving the care required by their state of health. In this connection it should be noted that neither of the doctors assigned to the establishments had any competence or experience in treating psychiatric disorders, and there were no consultations at the prisons by visiting psychiatrists.” [13a] (paragraph 52)

See also report on [Conditions of Detention in Turkey: Blocking Admission to the EU February 2009 \[29a\]](#)

[Return to contents](#)  
[Go to list of sources](#)

### MONITORING OF PRISON CONDITIONS

12.18 The US State Department (USSD) report 2008, published on 25 February 2009 noted that:

“The government has permitted prison visits by representatives of some international organizations, such as the CPT, which last conducted one of its periodic visits to the country. In May 2007 a CPT delegation visited the Imrali High Security Closed Prison where PKK leader Abdullah Ocalan was the sole prisoner. The CPT visited psychiatric facilities in 2006. Domestic NGOs did not have access to prisons. Domestic human rights organizations and activists reported that prison monitoring boards composed of government officials and private individuals were ineffective.” [5b] (Prison and Detention Center Conditions)

12.19 The EC 2008 Progress report, published 5 November 2008, noted that “The Human Rights Presidency lacks independence and resources. The Law on the establishment of the ombudsman is still before the Constitutional Court following the veto by the President of the Republic in November 2006. The Constitutional Court ordered a stay of execution of the Law, but has yet to give its verdict.” [71c] (p68)

12.20 The UN, Report of the Working Group on Arbitrary Detention Addendum 2007 published 7 February 2007, noted that “The prisons (with the exception of military prisons) are administered by the General Directorate for the Penitentiary System, which is under the authority of the Ministry of Justice. Responsibility for the legal aspects of detention in each prison is, however, vested in the local Chief Prosecutor, who delegates a prosecutor to each prison.” [20b]

12.21 The Human Rights Presidency 2007 report on Human Rights, published 2 July 2008, noted that:

“Punishment execution institutions and prisons are inspected by Councils of Punishment Execution Institution and Prison monitoring including representatives of civil society organizations. With the new law numbers of members in these monitoring councils were increased from five to five principal

and three backup members. It is compulsory that one of the principal members is selected from women. Concrete activities are carried out for elimination of deficiencies identified by these Councils. Declaration of the reports of these Councils to the public is necessary in order to achieve transparency.” [79] (p31)

**[Return to contents](#)**  
**[Go to list of sources](#)**

## 13 DEATH PENALTY

- 13.01 The Hands off Cain website, on country status on the Death Penalty access 23 June 2009 recorded that:

“The death penalty has been fully abolished by a package of constitutional and legislative amendments. Constitutional amendments of May 7, 2004 removed all reference to the death penalty from the Constitution. In addition, legislative amendments of July 21, 2004 abolished the death penalty in all circumstances. The death sentences of 180 people convicted on charges of being members of the Kurdistan Workers' Party and Hezbollah terrorist organizations by the Diyarbakir State Security Courts (DGMs) were commuted to life imprisonment on November 23, 2002...On November 12, 2003, Turkey ratified Protocol No. 6 to the European Convention on Human Rights (ECHR), concerning the abolition of the death penalty in peacetime. In addition, Turkey signed Protocol No. 13 to the ECHR on January 9, 2004 and the Second Optional Protocol to the ICCPR on April 6, 2004. On October 6, 2005, Turkey's Parliament passed the Protocol No. 13 to the ECHR, concerning the abolition of the death penalty in all circumstances.” [41] (Facts)

[Return to contents](#)  
[Go to list of sources](#)



## 14 POLITICAL AFFILIATION

### FREEDOM OF POLITICAL EXPRESSION

- 14.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The constitution and law provide citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage. However, the government restricted the activities of a few political parties and leaders. The 2007 parliamentary elections were held under election laws that the OSCE found established a framework for democratic elections in line with international standards. The law requires a party receive at least 10 percent of the valid votes cast nationwide to enter parliament. Some political parties criticized the 10 percent threshold as unduly high.” [5b] (Section 3 Respect for Political Rights)

- 14.02 The USSD 2008 report also observed that:

“In a polarized political climate leading up to the presidential and parliamentary elections, the military issued three statements emphasizing concern over what it regarded as deep threats posed by religious fundamentalism, the military's role as the ultimate defender of secularism, and the alleged weakening of secularism in the country. Human rights groups characterized these statements as attempts to exert pressure on the democratic process that were suggestive of the military's disproportional influence over politics. In a November report, the European Commission noted that the military continued to exercise significant political influence via formal and informal mechanisms.” [5b] (Elections and Political Parties)

- 14.03 The Human Rights Watch (HRW) World 2008 report published 14 January 2009 also noted that:

“The ruling Justice and Development Party (AKP) narrowly escaped closure in July. The government failed to honor its post-election pledge to engage in meaningful consultation on a new constitution... Turkey's chief prosecutor launched a case to close down the ruling party on the grounds that it engaged in unconstitutional anti-secular activities... The European Union and Council of Europe warned that closure of the party on the basis of the evidence presented would be a major blow to democracy. It would also have violated freedom of expression, association, and the right to political participation. The court ruled on July 30 that the AKP had engaged in anti-secular activity, but fell one vote short of closing the party; the penalty imposed instead was to cut its treasury funding.” [9b]

See also [Pro-Kurdish Political Parties](#), Section 5 - [Constitution of the Republic of Turkey](#), Articles 68 - Forming Parties, Membership and Withdrawal from Membership in a Party.

[Return to contents](#)

[Go to list of sources](#)

## FREEDOM OF ASSOCIATION AND ASSEMBLY

- 14.04 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The law provides for freedom of association; however, there continued to be several restrictions on this right in practice. Under the law persons organizing an association do not need to notify authorities beforehand, but an association must provide notification before interacting with international organizations or receiving financial support from abroad, and must provide detailed documents on such activities. Representatives of associations said this placed an undue burden on their operations.” **[5b] (Freedom of Association)**

- 14.05 The USSD 2008 report also noted that “According to the Third Sector Foundation of Turkey, an advocacy NGO, the criteria for NGOs to obtain public benefit status that entitles them to certain tax exemptions were restrictive and complicated. Applications for public benefit status must be approved by the Council of Ministers. The law does not allow applicants to appeal if their petitions are rejected.” **[5b] (Freedom of Association)**

- 14.06 The Human Rights Association 2008 Balance Sheet on Human Rights Violations in Turkey recorded 103 raided or attacked political parties, trade unions and associations and 11 closed down/attempts to close down political parties and associations. **[73b] (Violations against freedom of associations)**

- 14.07 The EC 2008 Progress report also noted that:

“As regards freedom of assembly and association, including the right to form political parties and the right to establish trade unions, the legal framework for freedom of assembly is broadly in line with European standards. However, the obligations imposed by the Law on associations to notify the authorities before receiving financial support from abroad and to provide detailed documents on such support continue to place a burden on associations.” **[71c] (p69)**

- 14.08 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that “The law provides for freedom of assembly; however, the government restricted this right in practice. Significant prior notification to authorities is required for a gathering, and authorities may restrict meetings to designated sites.” **[5b] (Freedom of Assembly)**

- 14.09 The USSD 2008 report also observed that:

“The Human Rights Foundation (HRF) reported that security forces killed seven persons during demonstrations, and there were reports that police beat, abused, detained, or harassed some demonstrators during the year. The Ministry of Interior reported that police detained 3,119 persons involved in demonstrations through October. These detentions varied in length from several hours to several days.

“Approximately 180 public events around the country celebrating the Nevruz holiday in March were generally peaceful. During an initially peaceful protest against the decision on March 22, police shot and killed one person and injured 155 after the crowd did not abide by police requests to disperse. Police also killed one demonstrator during protests against a similar decision by Yuksekova officials. According to one public official, security forces killed two demonstrators, injured 187 others, and detained 653 persons during Nevruz demonstrations throughout the country.” [5b] (Freedom of Assembly)

- 14.10 The IHD (Human Rights Association) 2008 Balance Sheet on Human Rights Violations in Turkey recorded that 127 meetings and demonstrations were intervened by security forces; 29 investigations were opened against 1722 people and 5 cases filed against 99 people in 2008. In 5 concluded cases, 34 people were sentenced to 7 years and 3 months imprisonment, fines totalled 17.000 YTL and 21 people were acquitted. [73b] (Violations against freedom of meeting and demonstration)

See Section 16 [Human rights institutions, organisations and activists](#)

- 14.11 The EC 2008 Progress report further noted that:

“There has been some progress on strengthening the safeguards for freedom of expression in Turkey. In April, Parliament adopted amendments to Article 301 of the Criminal Code that, among other things, introduce a requirement for permission from the Ministry of Justice to launch a criminal investigation. However, the legal restrictions on freedom of expression remain a cause for concern. Efforts need to be enhanced and consolidated with a view to ensuring full respect of freedom of expression, in law and in practice, in line with the ECHR and the case law of the ECtHR.” [71c] (p69)

See also [The Constitutional Court \(Anayasa Mahkemesi\)](#)

[Return to contents](#)  
[Go to list of sources](#)

## 15 FREEDOM OF SPEECH AND MEDIA

- 15.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The law provides for freedom of speech and of the press; however, the government continued to limit these freedoms in occasional cases. Some senior government officials made statements during the year strongly criticizing the press. The government, particularly the police and judiciary, limited freedom of expression through the use of constitutional restrictions and numerous laws including articles of the penal code prohibiting insults to the government, the state, Turkishness, Ataturk, or the institutions and symbols of the republic. Other laws also restricted speech, such as the Anti-terror Law and laws governing the press and elections.” **[5b] (Section 2a Freedom of Speech and Press)**

- 15.02 The USSD 2008 report also noted that:

“On April 30, the parliament passed a constitutional amendment to reform Article 301, which criminalizes insults to the Turkish state. Previously, it had been a crime to insult "Turkishness." The amendment requires the approval of the justice minister in order for charges of violating Article 301 to proceed to court. However, the Turkish Published Association (TPA) continued to find that prosecutors and courts accepted certain classes of cases filed by ideologically motivated attorneys, such as those involving allegations of insulting the Turkish state or Ataturk.” **[5b] (Section 2a Freedom of Speech and Press)**

- 15.03 The USSD 2008 report also stated that: “Individuals could not criticize the state or government publicly without fear of reprisal, and the government continued to restrict expression by individuals sympathetic to some religious, political, and Kurdish nationalist or cultural viewpoints. The TPA reported that serious restrictions on freedom of expression continued despite legal reforms related to the country's EU candidacy.” **[5b]**

- 15.04 The USSD 2008 report also noted that “Justice Minister Sahin reported that the court continued 527 Article 301 cases during the year, after concluding 217 cases in 2007. After May 15, the Ministry of Justice received 519 applications to initiate a court case under amended Article 301 charges. The minister granted permission for 70 cases to proceed.” **[5b] (Section 2a)**

- 15.05 The IHD (Human Rights Association) 2008 Summary Table on Human Rights Violations in Turkey recorded that under section 301 of the new Turkish Penal Code in 31 cases. Under article 125 on insult there are 11 people showing as being tried and under article 215 on praise a crime or a criminal a total number of 47 cases were opened in 2008. **[73b] (Investigations against those who expressed their opinions)**

- 15.06 In the year 2008, Turkey ranked 106 (out of 195 countries) in the Freedom House Table of Global Press Freedom Rankings and the status of its press was considered ‘partly free’. **[62b]** In the Reporters without Borders (RSF) ‘Worldwide Press Freedom Index 2008’, the ranking of Turkey in 2008 was 103 out of 173

countries (ranging from one for the most free to 173 for the least free). The previous ranking for Turkey in 2007 was 101 out of 169. [11a]

[Return to contents](#)  
[Go to list of sources](#)

## JOURNALISTS

15.07 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that “According to the government, there were no journalists held on speech violations during the year. However, the Turkish Publishers Association (TPA) reported there were 21 journalists in jail for the content of their reporting, including Kurdish media members and those accused of being leftist dissidents.” [5b] (Section 2a)

15.08 The USSD 2008 report also observed that:

“Prosecutors harassed writers, journalists, and political figures by bringing dozens of cases to court each year under various laws that restricted media freedom; however, judges dismissed many of these charges. Police harassed and beat journalists during at least one demonstration. Authorities ordered raids of newspaper offices, closed newspapers temporarily, issued fines, or confiscated newspapers for violating speech codes.” [5b] (Section 2a)

15.09 The USSD 2008 report also noted that:

“On April 2, an Istanbul court acquitted journalists Lale Sariibrahimoglu of Today's Zaman newspaper and Ahmet Sik of Nokta news magazine of violating Article 301...On April 11, an Istanbul court acquitted Alper Gormuz, editor-in-chief of Nokta, of slander charges brought against him by a retired naval forces commander, Admiral Ozden Ornek...On September 16, an Istanbul court sentenced journalist Cengiz Kapmaz to 10 months in prison for his 2006 interview in Ulkede Ozgur Gundem with former Democratic Party deputy Orhan Dogan. During the interview Dogan said that the PKK should be permitted a political personality. The court also fined the administrators of the newspaper.” [5b] (Section 2a)

15.10 The USSD 2008 report further noted that:

“The trial of Ogun Samast, suspected of murdering prominent human rights activist Hrant Dink in January 2007, was ongoing at year's end. Dink, the editor-in-chief of the bilingual, Turkish-Armenian weekly newspaper Agos, was killed outside of his office building in Istanbul. The trial against Samast began in July 2007; he reportedly admitted shooting Dink during an October 1 session of the trial. The investigation resulted in the arrest and indictment of an additional 19 suspects, eight of whom remained in detention.” [5b] (Section 2a)

15.11 The Reporters without Borders (RSF) posted an article 2 June 2009 which stated that:

“In the course of major police operation on 27 April, Duruoglu was arrested on a charge of collaborating with the Revolutionary Headquarters, an armed group

on the Turkish government's list of terrorist organisations, because she knew one of its alleged members, writer and former journalist Ohan Yilmazkaya. Aylin Duruoglu, the editor of the daily Vatan's website, Gazetevatan.com, arrested on 27 April, she is now being held in Istanbul's Bakirköy prison." [11b]

- 15.12 The USSD 2008 also observed that "Some members of the AKP party and Prime Minister Erdogan continued to file suits against journalists and cartoonists during the year. Human rights organizations, publishing associations, and journalists alleged that those litigious tendencies created an environment of self-censorship." [5b] (Section 2a)

[Return to contents](#)  
[Go to list of sources](#)

## PRINT MEDIA

- 15.13 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

"Authorities routinely censored media with pro-Kurdish or leftist content, particularly in the southeast, by confiscating materials or temporarily closing down the media source. On September 1, an Istanbul court halted the publication of Ozgur Ulke for one month for publishing information on rights violations in prisons and reporting on military operations.

"On October 7, an Istanbul court halted publication of Kurdish daily newspaper Azadiya Welat for propagandizing the PKK and publishing its statements. On October 8, the Istanbul Public Prosecution stopped the publication of Kurdish weekly Yedinci Gün for one month for allegedly praising the PKK." [5b] (Section 2a)

- 15.14 The USSD 2008 report also noted that:

"Senior government officials, including Prime Minister Erdogan, made statements during the year strongly criticizing the press and media business figures, particularly following the publishing of reports on alleged corruption in entities in Germany connected to the ruling party. Under the law editors at media organizations that disclose the identities of public personnel fighting terrorism may be fined, and a judge may order the closure for up to one month of a publication that makes propaganda for terrorist organizations. Former president Ahmet Necdet Sezer challenged the law in the Constitutional Court, arguing that such restrictions violate the constitution. At year's end, the Constitutional Court had not ruled on the case, and the laws remained in effect." [5b] (Section 2a)

## THE HIGH BOARD OF RADIO AND TELEVISION (RTÜK)

- 15.15 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:



“The government owned and operated the Turkish Radio and Television Corporation (TRT). According to the High Board of Radio and Television (RTUK), as of June there were 213 local, 16 regional, and 23 officially registered national television stations and 952 local, 102 regional, and 36 national radio stations. In addition, 66 television channels were operating on the cable network, and RTUK granted 87 television enterprises and 48 radio enterprises satellite licenses and broadcast permits necessary for operation.” [5b] (Section 2a)

15.16 The USSD 2008 report noted that:

“The wide availability of satellite dishes and cable television allowed access to foreign broadcasts, including several Kurdish language private channels. Most media were owned by large, private holding companies that had a wide range of outside business interests; the concentration of media ownership influenced the content of reporting and limited the scope of debate. Observers noted that media conglomerates increasingly used media as a tool to build pressure against government policies.” [5b] (Section 2a)

See section 19 – [Kurdish Language](#)

15.17 The EC 2008 progress report also noted that “Some progress can be reported, the Turkish Grand National Assembly amended the Turkish Radio and Television Corporation (TRT) Law allowing broadcasts in languages other than Turkish. RTÜK promoted self regulation by broadcasters and enhanced its administrative capacity to fulfil its monitoring duties. Since August 2008, RTÜK decisions are accessible to the public.” [71c] (p50)

15.18 The USSD 2008 report further noted that:

“The government maintained significant restrictions on the use of Kurdish and other minority languages in radio and television broadcasts. In June amendments to the law permitted the state-owned television channel to broadcast nationally in languages other than Turkish during the entire day, as opposed to half of the day... RTUK regulations required non-Turkish language radio programs to be followed by the same program in Turkish and non-Turkish language television programs to have Turkish subtitles. Start-up Kurdish broadcasters reported that these were onerous financial obligations that prevented their entry into the market. On December 25, the state-owned TRT broadcasting company started a pilot 24-hour station dedicated to news, music, and cultural events broadcasting in Kurdish and other non-Turkish languages. The programming does not include Turkish subtitles and carries no time limitations for news broadcasts.” [5b] (Section 2a)

## INTERNET

15.19 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The Internet was widely available in the country. It was used in schools, libraries, private Internet cafes, and other public locations and the government



encouraged its use. There were some restrictions on Internet access. In May 2007 the government adopted a new Internet law governing criminal and civil law violations. The law allows the government to ban a Web site if there is sufficient suspicion that one of eight crimes is being committed by the site: encouraging suicide; sexual abuse of children; facilitation of drug abuse; provision of dangerous substances for health care; obscenity; prostitution; gambling; or crimes regulated in Turkish Code 5816 (crimes against Atatürk).” [5b] (Section 2a Internet Freedom)

- 15.20 Freedom house report ‘Freedom on the Net: A Global Assessment of Internet and Digital Media’ released 30 March 2009 noted that:

“Despite an increasing penetration rate in the last few years, obstacles to internet access remain. According to the International Telecommunication Union (ITU), Turkey had approximately 26.5 million internet users as of March 2008...There are 97 internet-service providers (ISPs) in Turkey...Government censorship of the internet continues to be relatively common...The procedures surrounding decisions to block websites, whether by the courts or the TIB, remain non transparent...” [62c]

- 15.21 The same 2009 Freedom on the Net report further added that:

“In May 2007, the government enacted Law No. 5651, entitled "Regulation of Publications on the Internet and Suppression of Crimes Committed by Means of Such Publication." This law established the responsibilities of content providers, hosting companies, mass-use providers, and ISPs. Its most important provision allows the blocking of websites containing certain types of content, including material that shows or promotes sexual exploitation and abuse of children, obscenity, prostitution, and gambling...The result has been the blocking of at least 1,310 websites, according to the TIB as of December 1, 2008. Although the available records are limited, the majority of blocks appear to have been on objectively harmful content, but at least 50, and possibly many more, were related to alleged crimes against Atatürk.” [62c]

- 15.22 The USSD 2008 report observed that “By December 1, the court and prosecutors had issued 1,475 distinct orders to ban Web sites in response to approximately 17,768 complaints, a significant increase over the approximately 900 bans ordered in the previous year.” [5b] (Section 2a Internet Freedom)

- 15.23 The Freedom on the Net: A Global Assessment of Internet and Digital Media report released 30 March 2009, also mentioned that:

“Despite the constitutional protections, the right to privacy and private communications remains rather problematic. In practice, most forms of telecommunication have been tapped and intercepted. During 2008, several surveillance scandals received widespread media attention, and it has been alleged that all communications are subject to interception by various law enforcement and security agencies, including the Gendarmerie (military police).” [62c]

[Return to contents](#)  
[Go to list of sources](#)

## 16 HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

### OVERVIEW

- 16.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The Human Rights Association (HRA) had 34 branches nationwide and claimed a membership of approximately 14,000. The HRA reported that prosecutors opened dozens of cases against HRA branches during the year. The Human Rights Foundation (HRF), established by the HRA, operated torture rehabilitation centers in Ankara, Izmir, Istanbul, Diyarbakir, and Adana and served as a clearing house for human rights information. Other domestic NGOs included the Istanbul-based Helsinki Citizens Assembly, the Ankara-based Turkish Democracy Foundation, the Turkish Medical Association, human rights centers at a number of universities, and Mazlum-Der.” [5b] (Section 4)

- 16.02 The USSD 2008 report further noted that:

“On January 23, authorities arrested HRA Adana branch chief Ethem Acikalin for being a member of an illegal organization after he attended an event hosted by the Adana representative of the Rights and Freedoms Front in December 2007. The event hosted a press conference to discuss the killing of Kevser Mizrak during a police raid in Ankara earlier in the month. The prosecution requested 7.5 to 10 years' imprisonment. Acikalin was imprisoned for 6 months before being released on bail; the trial continued at year's end.” [5b] (Section 4)

- 16.03 The European Commission 2008 Progress report, published 5 November 2008, noted that: “There have been no developments on the institutions monitoring and promoting human rights, such as the Human Rights Presidency, which lack independence and resources.” [71c] (p68)

- 16.04 The USSD 2008 report also noted that:

“On June 12, a court convicted four members of HRA's Canakkale branch, including its chairman, to 18 months' imprisonment each for violating the Law on Demonstrations when they organized a September 1 World Peace Day gathering in 2007. An appeal remained pending at year's end. On August 14, police raided DTP's provincial office in Adana. Adana HRA chapter president Ethem Acikalin went to the DTP office as an observer joined by the HRA accountant. Police broke the accountant's arm, and charges were brought against Acikalin for resisting police. The trial had not begun by year's end.” [5b] (Section 4)

[Return to contents](#)  
[Go to list of sources](#)

### HUMAN RIGHTS ADVISORY BOARD (IHDK), HUMAN RIGHTS PRESIDENCY AND HUMAN RIGHTS BOARDS AND COUNCILS

- 16.05 The Human Rights Advisory Board (IHDK) report in 2007 'The Minority report affairs in Turkey' noted that the:

"Prime Ministry's Human Rights Advisory Board was established by a law dated April 12, 2001, no.4643 as part of Turkey's endeavor to abide by the human rights provisions of the Copenhagen political criteria required for Turkish accession to the European Union (EU). This became necessary when the Helsinki Summit declared Turkey "a candidate State destined to join the Union on the basis of the same criteria as applied to other candidate States. The Board is established to ensure communications between the relevant public institutions and the NGOs on issues relating to human rights and to function as an advisory body on national and international issues." [98]

- 16.06 The same 2007 Minority report also observed that "It shall consist of representatives of ministries, public institutions and bodies and professional associations relating to human rights, representatives of human rights NGOs and persons who have publications and works in this field...The expenses of the Board shall be met from the budget of the Prime Ministry. " [98]

- 16.07 In correspondence from the Foreign and Commonwealth Office, dated 5 February 2007, it was also noted that:

"Membership of the Human Advisory Board consists of academics, civil society, public sector organisations, representatives of professional organisations. The Board reports directly to the Minister for Human Rights (Gul). Their role as expert advisory committee to assist the government in its implementation of reforms. The Human Rights Boards/Councils membership consist of the 850 county level boards reporting to 81 provincial boards. They are responsible in turn to the Presidency." [4c]

- 16.08 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

"The Prime Ministry's Human Rights Presidency (HRP) was authorized to monitor the implementation of legislation relating to human rights and coordinate the work of various government agencies in the field of human rights. Despite lacking a budget and sufficient resources, the HRP carried out a number of projects with the European Commission and Council of Europe. On July 2, the HRP released its first annual report on human rights issues in the country.

"During the year the HRP promoted human rights by showing short films on topics such as freedom of expression, discrimination, children's rights, and torture. The HRP maintained a free, emergency human rights hotline called "Alo 150," where individuals could report information on human rights violations for transmission to the appropriate government body." [5b] (Section 4)

- 16.09 The USSD 2008 report also noted that:

"There were provincial human rights councils under the HRP in all 81 provinces and 850 subprovinces. These bodies were established to serve as a forum for

human rights consultations among NGOs, professional organizations, and the government. They have authority to investigate complaints and refer them to the prosecutor's office. However, many councils failed to hold regular meetings or effectively fulfill their duties. Human rights NGOs generally refused to participate on the councils, maintaining that they lacked authority and independence.

“The Human Rights Presidency (HRP) reported that it received complaints of human rights violations from 206 persons through the end of June. The boards received 496 complaints of violations during the same period. These complaints were regarding health services and patient rights (115), property rights (84), and general human rights complaints (79).” [5b] (Section 4)

See the Human Rights Presidency (HRP) [Organisational Table \[79a\]](#)

- 16.10 Information obtained from correspondence on 5 February 2007 from the Foreign and Commonwealth Offices in Ankara regarding the Human Rights Presidency and Human Rights Boards / Councils stated that:

“Membership: The Presidency is a civil service department.

“Role: The Presidency reports directly to the deputy permanent undersecretary equivalent at the Prime Ministry, but is indirectly under the authority of the Minister for Human Rights. It is established by the Article 2 of law (no. 4643) and has a number of responsibilities, to co-ordinate the work of public bodies, to follow and assess developments in human rights, ensuring that Turkey is in line with international standards, to co-ordinate and assess pre-service internments on human rights issues Prime Ministry's Human Rights Presidency, to investigate human rights abuses and to act as the secretariat within the prime ministry for other groups/councils working on similar issues (e.g. the advisory board).” [4c]

See also the [Regulation on the Establishment, Duties and Working Principles of Provincial and Sub-provincial Human Rights Boards \[79b\]](#)

[Return to contents](#)  
[Go to list of sources](#)

## REFORM MONITORING GROUP

- 16.11 As confirmed by the British Embassy in Ankara on 5 February 2007, the membership of the (EU) Reform Monitoring Group consists of senior officials and ministers from the Prime Ministry and key government departments. The role of the Reform Monitoring Group oversees the passage of all reforms relating to the EU Accession Process, including the planning and timetabling of such reforms. Its role is therefore much broader than human rights, but it does oversee the passage and implementation of human rights related legislation. [4c]

[Return to contents](#)  
[Go to list of sources](#)

## PARLIAMENTARY HUMAN RIGHTS COMMISSION AND PARLIAMENTARY HUMAN RIGHTS INVESTIGATION COMMITTEE

- 16.12 A letter dated 5 February 2007 from the British Embassy in Ankara noted that the Parliamentary Human Rights Commission (PHRC) is comprised of MPs only. The PHRC's role is to oversee all aspects of human rights in Turkey, including petitions to Parliament on human rights issues, and Turkey's response to international human rights issues (e.g. the bombing of Lebanon, invasion of Iraq). In addition to its scrutiny role, it carries out research visits abroad and in Turkey, makes visits to prisons and police stations, etc. [4c]
- 16.13 The United States Department of State (USSD) 2007 report, published 11 March 2008, recorded that: "The parliamentary Human Rights Committee, which has a mandate to oversee compliance with the human rights provisions of domestic law and international agreements, investigated alleged abuses, prepared reports, and carried out detention center inspections. Human rights organizations reported that the purely advisory role limited its efficacy." [5g] (Section 4)
- 16.14 The United States Department of State (USSD) 2008 report, published 25 February 2009, stated that "The December parliamentary Human Rights Investigation Commission report found that, between 2003-08, 2 percent of the 2,140 personnel who were investigated due to accusations of torture or mistreatment were given disciplinary sentences." [5b]

## MINISTRY OF INTERIOR'S INVESTIGATION OFFICE

- 16.15 A letter from the British Embassy in Ankara, dated 5 February 2007, noted that the Ministry of Interior's Investigation Office was made up of Civil Servants and their role was to deal specifically with the investigation of allegations against the police. Anyone can make a complaint via the on-line application form. [4c]
- 16.16 The European Commission 2005 report recorded that:
- "The Ministry of Interior's Investigation Office, which was established in February 2004, has received 1,003 complaints of human rights abuses from the public. These complaints are assessed by inspectors, who follow them up with the relevant authorities within the ministry at local or central level. Most complaints received have been made against the police. To date, on only one occasion has a complaint led to disciplinary action being taken against a public official. This Office has also carried out inspections of a number of the provincial police disciplinary boards and has inspected detention procedures and places of detention in 26 provinces." [71b] (p21)

See section 8 – [Security Forces](#)

[Return to contents](#)  
[Go to list of sources](#)

## PRISON INSPECTION COMMITTEES AND PRISON MONITORING BOARD

- 16.17 A letter from the British Embassy in Ankara, dated 5 February 2007, noted that the Prison Inspection Committees and Prison Monitoring Board membership is also set up by law. Their remit does not include military prisons. Each has 5 members, serving a 4 year term. Members must be over the age of 35 and professionally qualified in fields such as law, medicine, psychology, education etc. They cannot be members of a political party. They observe prison conditions, regimes, internal security etc in situ and write reports at least every 3 months which goes to the Justice Ministry and the Parliamentary Human Rights Commission. [4c]
- 16.18 The European Commission 2008 report also recorded that “Greater transparency was introduced to the operations of the Penal Institutions and Detention Houses Monitoring Boards. These boards carry out regular visits to prisons and the findings of their reports are now publicly accessible. Furthermore, the Law provides for the publication of an annual report on the activities of the Penal Institutions and Detention Houses Monitoring Boards. However, the national framework for prison monitoring falls short of the requirements of the OPCAT.” [71c] (p14)

See section 12 – [Prison conditions](#)

### **THE GENDARMES INVESTIGATION AND EVALUATION CENTRE FOR HUMAN RIGHTS ABUSE ISSUES (JIHIDEM)**

- 16.19 As noted on the JIHIDEM website (updated on 15 August 2008):
- “Recently human rights have become a very important issue in Turkey, as in other countries... The Gendarmerie Human Rights Violations’ Investigation and Evaluation Center (JIHIDEM) has been founded to investigate and evaluate complaints and applications about the allegations of human rights violations taking place in the Gendarmerie area of responsibility or while carrying out the duties related to Gendarmerie. This is to investigate any allegation about human rights violation, commence a judicial or administrative inspection in case that the allegations are true, inform of applicants about the results or developments of the procedures and ensure that the public will be notified about the current developments.” [104] (The Aim of the JIHIDEM)
- 16.20 The JIHIDEM website (updated on 15 August 2008) further stated that in their Human Rights ‘Violations’ Investigation and Evaluation Centre:
- “The main mission is to receive complaints and applications about human rights violations forwarded to JIHIDEM by means of various ways (telephone, fax, mail, petition, personal application etc). To evaluate whether or not the complaints and applications received are within the scope of human rights violations. To investigate allegations, and to initiate judicial and administrative investigations in accordance with legal procedures. Furthermore to reply complaints and applications after investigation and to prepare reports about the replies given to the complaints and applications and statistical information about those replies and finally inform the public about activities of JIHIDEM.” [104] (The Mission of the JIHIDEM)



- 16.21 The JIHIDEM website further added that “Applications can be made directly in person or by telephone, mail, petition, fax, and internet.” [104] (**Application Ways**)

See section 8 – [Jandarma / Gendarmerie](#)

- 16.22 According to information on human rights monitoring provided by the Turkish Embassy in London in August 2004, “The Gendarmes Investigation and Evaluation Centre for Human Rights Abuse Issues (JIHIDEM) became operational on 26 April 2003 within the Gendarmes General Command Headquarters and operating on a 24 hour basis in order to systematically deal with or answer complaints regarding human rights abuse issues that might arise whilst gendarmes are fulfilling their duties.” [60a] (p10)

- 16.23 According to the information from the Turkish Embassy:

“Within a year of its establishment JIHIDEM received 221 applications of which 65 were deemed to be within the human rights abuse definition of JIHIDEM, 73 were not within its definition and were directly related to Gendarmes’ actions and that 83 were not related to Gendarmes at all. Among the 65 applications that were investigated 19 were for ill treatment, 16 were for ill treatment/unjust custody, 12 for non-effective investigation, 6 for unjust custody, 5 for being pressurised to withdraw complaints, 3 for torture, 2 for not abiding with a suspect’s custody rights, 1 for the abuse of a person’s right to life and 1 for the abuse of a person’s private life.” [60a] (p11)

[Return to contents](#)  
[Go to list of sources](#)

## EUROPEAN COURT OF HUMAN RIGHTS (ECTHR)

- 16.24 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that: “On September 23, the European Court of Human Rights (ECHR) ruled against the government for punishing Sakine Aktan, a reporter for the newspaper Ozgur Bakis, for interviewing the president of the Kurdistan Journalists’ Association. An Istanbul security court had sentenced Aktan to 20 months’ imprisonment in 2001 and then fined him in February for his 1999 interview.” [5b] (**Section 2a Freedom of Speech and Press**)

- 16.25 The European Commission 2008 Progress report, published 5 November 2008, recorded that:

“During the reporting period, the European Court of Human Rights (ECTHR) delivered a total of 266 judgments finding that Turkey had violated the ECHR. Similarly to last year, the total number of new applications to the ECTHR continued to increase, with 3,705 applications during the reporting period. The majority of these new applications concerned the right to a fair trial and protection of property rights. Few of them concerned violations of the right to life or torture and ill-treatment. Turkey abided by the final judgment of the ECTHR in the majority of cases. However, a considerable number of ECTHR judgments are awaiting enforcement by Turkey.” [71c] (p11-12)



- 16.26 The EC 2008 progress report further noted that: “Overall, Turkey has continued to make progress on the execution of ECtHR judgments. However, further efforts are needed in this context. Furthermore, there has been no progress on ratification of international human rights instruments, including in particular OPCAT.” [71c] (p12)

**[Return to contents](#)**  
**[Go to list of sources](#)**

## 17 CORRUPTION

17.01 In its 2008 Corruption Perceptions Index (CPI), Transparency International ranked Turkey 58<sup>th</sup> out of 180 countries, giving it a CPI score of 4.6. (The CPI Score relates to perceptions of the degree of corruption as seen to exist among public officials and politicians by business people and country analysts. It ranges between 10 (highly clean) and 0 (highly corrupt). The 2008 score was an improvement on 2007 (4.1) and 2006 (3.8). [55a]

17.02 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The law provides criminal penalties for official corruption; however the government did not implement the law effectively, and officials engaged in corrupt practices with impunity. The World Bank Worldwide Governance Indicators reflected that corruption slightly decreased during the year, though it remained a problem.

“Opposition party members criticized the ruling AKP for refusing to lift the immunity of AKP parliamentarians suspected of corruption and other abuses. Government officials are required by law to declare their property every five years. The law provides for public access to government information; however, the government occasionally rejected applications on national security and other grounds, and there were no opportunities to appeal.” [5b] (**Government Corruption and Transparency**)

17.03 The USSD 2008 report also noted that “Incidents of police corruption contributed to trafficking in persons for labor and sexual exploitation... The village guards were accused repeatedly of drug trafficking, corruption, theft, rape, and other abuses...Corruption and impunity remained serious problems. The law provides for an independent judiciary; however, the judiciary was occasionally subject to outside influence. There were reports of judicial corruption.” [5b]

17.04 The Freedom House report ‘2009 Freedom in the World’ noted that “Turkey struggles with corruption in government and in daily life. The AK government has adopted some anticorruption measures, but international reports continue to cite concerns, and allegations have been lodged against AK and CHP politicians. In 2008, outlets owned by media mogul Aydin Dogan accused Erdogan of involvement in a scandal involving the misuse of funds at a charity called Lighthouse.” [62a]

17.05 The FH 2009 report further added that “Government transparency has improved under a 2004 law on access to information, and a new program launched in 2008 will train provincial governors in implementing the code of ethics. Turkey was ranked 58 out of 180 countries surveyed in Transparency International’s 2008 Corruption Perceptions Index.” [62a]

17.05 The European Commission 2008 Progress report, published 5 November 2008, noted that:

“Turkey has implemented one third of the recommendations made in Group of States against Corruption (GRECO) 2005 joint first and second round evaluation report. It has made efforts to ensure practical implementation of the existing anti-corruption legislation, inter alia by enhancing training on corruption detection and investigation for law enforcement officers, establishing guidelines on seizure and confiscation and developing systems for monitoring the impact of anti-corruption measures. However, the Government failed to prepare a comprehensive anti-corruption strategy. Policy making in this field has not received adequate political support.” [71c] (p10)

17.06 The EC 2008 report also stated that: “Overall, there has been limited progress in the area of anti-corruption. Corruption remains a widespread issue. There has been limited progress towards strengthening the legal framework and institutional set-up to fight corruption. The continuing absence of an overall strategy, action plan and coordination mechanism is a cause for continuing concern in this area. Turkey needs to develop a track record of investigations, prosecutions and indictments of allegations of corruption.” [71c] (p11)

17.07 The USSD 2008 report further noted that “The law prohibits all forms of trafficking in persons; penalties for trafficking in persons are sufficiently stringent and commensurate with prescribed penalties for other grave crimes, such as sexual assault. There were media reports that police corruption contributed to the trafficking problem.” [5b]

See section 24 - [Trafficking](#) and section 30 – [Forged and Fraudulently obtained official documents](#)

[Return to contents](#)  
[Go to list of sources](#)

## 18 FREEDOM OF RELIGION

### OVERVIEW

- 18.01 The United States Commission on International Religious Freedom, (USCIRF) Annual Report 2009 - The Commission's Watch List: Turkey, published 1 May 2009 noted that:

“Turkey's active civil society, media, and political parties influence the climate for religious freedom as part of that country's continuing debate about the appropriate role of religion in society. Nevertheless, the Turkish state's interpretation of secularism has resulted in religious freedom violations for many of Turkey's citizens, including members of majority and, especially, for minority religious communities...The significant restrictions on religious freedom for religious minority communities, including state policies and actions that effectively deny non-Muslim communities the right to own and maintain property, to train religious clergy, and to offer religious education, have led to the decline – and in some cases virtual disappearance – of some religious minorities on lands they have inhabited for millennia.” [92]

- 18.02 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The constitution and laws provide for freedom of religion, and the government generally respected this right in practice; however, the government imposed significant restrictions on Muslim and other religious groups.

“The constitution establishes the country as a secular state and provides for freedom of belief, freedom of worship, and the private dissemination of religious ideas; however, other constitutional provisions regarding the integrity and existence of the secular state restrict these rights.” [5b] (Freedom of Religion)

- 18.03 The USSD 2008 report further noted that:

“The government oversees Muslim religious facilities and education through its Directorate of Religious Affairs (Diyanet), which is under the authority of the Prime Ministry. The Diyanet regulates the operation of the country's 77,777 registered mosques and employs local and provincial imams, who are civil servants. A few groups, particularly Alevi, claimed that the Diyanet reflected mainstream Sunni Islamic beliefs to the exclusion of other beliefs; however, the government asserted that the Diyanet treated equally all who request services.” [5b] (Freedom of Religion)

- 18.04 The European Commission 2008 Progress report, published 5 November 2008, further noted that:

“Attacks against non-Muslim clergy and places of worship have been reported in a number of provinces. Missionaries continue to be portrayed and/or perceived as a threat to the integrity of the country and to the Muslim religion. The Turkish Alliance of Protestant Churches submitted a report to Parliament's Human Rights Committee on the state of religious minorities in Turkey. This

report pointed out that non-Muslim groups in the country had been the targets of attacks, provided a list of such incidents and noted that no suspects had been arrested. Implementation of the Ministry of Interior circular of 19 June 2007 on freedom of religion of non-Muslim Turkish citizens has not yet had the desired effects.” [71c] (p19)

- 18.05 The USCIRF Annual Report 2009 - The Commission's Watch List: Turkey, published 1 May 2009 noted that “The Commission also learned of significant restrictions on religious freedom, including for the majority Sunni Muslim community, the minority Alevis (usually viewed as a unique sect of Islam), as well as Christian and other minority communities.” [92]

See also Section on [Alevis](#)

[Return to contents](#)  
[Go to list of sources](#)

### Headscarves

- 18.06 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“Authorities continued to enforce a long-term ban on wearing headscarves at universities. Unlike in 2007, there were no reports of a similar enforcement for civil servants who worked in public buildings. Students who wore head coverings were not permitted to register for classes, although some faculty members permitted students to wear head coverings in class. Some wore wigs instead. In February the parliament passed constitutional amendments designed to lift the ban on wearing headscarves on university campuses. On June 5, the Constitutional Court ruled that amendments intended to permit the wearing of headscarves in universities violated the secular nature of the state and were therefore unconstitutional.” [5b]

- 18.07 The United States Commission on International Religious Freedom, (USCIRF) Annual Report 2009 - The Commission's Watch List: Turkey, published 1 May 2009 noted that:

“The headscarf issue has long been the subject of considerable political debate in Turkey... Under the Turkish concept of secularism, religious dress, including the wearing of a head scarf, has long been banned in all public institutions... Women who wore headscarves or their advocates lost their public sector jobs, including as nurses or teachers. Students who wore headscarves were not officially permitted to register for classes, even at private institutions... More recently, in March 2009, the Supreme Election Committee declared that workers at polling stations could not wear the headscarf during their work at the station... In February 2008, the Turkish Parliament voted overwhelmingly to change the 1982 constitution to guarantee all citizens the right to attend university regardless of dress... the ban on the wearing of Islamic headscarves in government offices, as well as in public educational institutions, remains in effect.” [92]

See also Section 22: [Women](#) and Immigration and Refugee Board of Canada response: [Situation of women who wear headscarves](#), 20 May 2008

[Return to contents](#)  
[Go to list of sources](#)

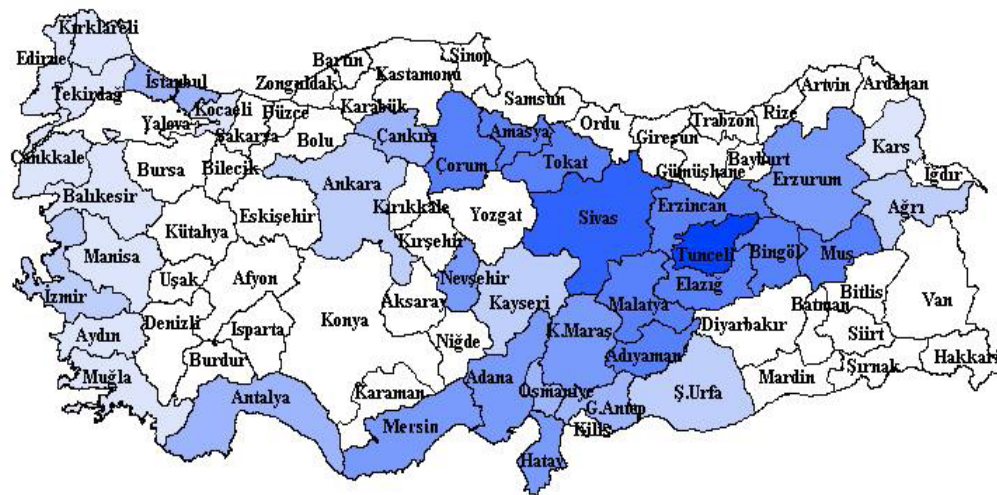
## ALEVIS

- 18.08 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“Academics estimated the Alevi population at 15 to 20 million, including ethnic Turks, Kurds, and Arabs. In general, Alevi follow a belief system that incorporates aspects of both Shia and Sunni Islam and draws on the traditions of other religions found in Anatolia as well. The government considers Alevism a heterodox Muslim sect; however, some Alevi and absolutist Sunnis maintain that Alevi are not Muslims.

“Alevi cem houses (places of gathering) have no legal status as places of worship in the state. However, two municipalities ruled that Alevi cem houses are considered places of worship. On September 3, the Kusadasi municipal assembly voted unanimously to consider a cem house as a temple. In October the Tunceli municipal assembly voted unanimously to provide temple status to cem houses. Both assemblies included members from major parties, who voted also to apply mosque tariffs to the cem houses' utility charges as part of efforts to improve relations with the Alevi community.” [5b] (Freedom of Religion)

- 18.09 A map in Eren Özalay report ‘Minorities in Turkey The identity of the Alevi in Accordance with the EU Legislation 2006’ shows the Turkish provinces in blue with a higher concentration of Alevi (more than 10%) and provinces with low proportions of Alevi (less than 10%) in white.



[61] (p11)

- 18.10 The same USCIRF Annual Report 2009 also mentioned that the “AKP government announced in November 2008 that it will pay a monthly salary to Alevi religious leaders, provide state-funded water and electricity to cem evleri as is the case for mosques, establish a museum at the Madimak hotel, and make religion courses optional as of the 2009 academic year.” [92]

[Return to contents](#)  
[Go to list of sources](#)

### Beliefs and practices

- 18.11 In a 2006 report written by Eren Özalay, ‘Minorities in Turkey: The identity of the Alevis in Accordance with the EU Legislation’, it was noted that:

“Another wish of the Alevi authorities is the opening of the tomb of Hacı Bektasi Veli in the town Hacibektas for Alevi practice. The tomb being the most sacred place in Anatolia for Alevis, serves as a museum open to all visitors and can not be used for particular Alevi worship. The Alevi authorities are against their kids learning the Sunni Islam tradition as Islam in public schools. The Turkish government has recently passed a regulation to teach the Alevi belief as an Islamic belief in the religion class.” [61] (p18)

- 18.12 The Middle East Review of International Affairs (MEDIA), in an article dated 1999 by David Zeidan on the beliefs and practices of ‘The Alevis of Anatolia’ stated that:

“Alevis belong to the extremist Shi’a branch and like all extreme Shi’a, their reverence for Ali (Muhammad’s cousin and son-in-law, and according to the Shi’a tradition, his rightful heir) verges on deification. Alevis accept Ali as the only legitimate successor to Muhammad. Alevis interpret the Quran in an esoteric, allegoric, and symbolic (rather than literal) manner and repudiate the external forms of Islam and its five pillars. In addition to the Quran, Alevis have their own holy books called ‘buyruk’ that contain doctrine and ritual and are claimed to have been written by important leaders. Alevis also have many liturgical hymns called nefes attributed to Shah Ismail and Pir Sultan Abdal.” [105]

- 18.13 The MEDIA article also noted that:

“Observers note that Alevi society is divided into two separate endogamous groups: the ocak are the spiritual and social elite who claim descent from Ali, Hussein, or religious warriors (ghazi) and constitute a priestly caste, and the talips (disciples), the majority lay members. Religious knowledge is passed down orally in the ocak families who were responsible for the religious and social leadership of the community. Alevi rituals (ibadet) are communal, with the aim of fostering unity (birlik) and love (muhabbet) within the community. Alevi rituals differ markedly from Sunni rituals. Alevis, for example fast in the month of Muharram for 12 days in memory of Hussein’s death at Karbala.” [105]

- 18.14 The MEDIA article further commented that:



“Alevism does not possess a tradition of authoritative religious scholarship and official carriers of formal learning. Rather, it is more a flowing together of various related movements, doctrines, ideas and rituals. Other differences distinguishing Alevis from Sunnis: the use of wine for religious ceremonial functions; non-observance of the five daily prayers and prostrations (they only bow twice in the presence of their spiritual leader), Ramadan, and the Haj (they consider the pilgrimage to Mecca an external pretense, the real pilgrimage being internal in one’s heart); and non-attendance of mosques. Alevis were forbidden to proselytise, and to regenerate themselves internally by paternal descent. To prevent penetration by hostile outsiders, the Alevis insisted on strict endogamy.” [105]

### Difficulties faced by Alevis

- 18.15 The USCIRF Annual Report 2009 - The Commission's Watch List: Turkey, published 1 May 2009 noted that:

“Alevis are a minority religious community in Turkey, though they are not recognized as an official minority by the state... Some consider the Alevi to be a sect of Twelver Shi'a Islam, which also incorporates aspects of Sufi, Gnostic, and Zoroastrian theology and pre-Islamic ritual. The Turkish government generally views the Alevis as heterodox Muslims, but many Sunnis and some Alevis maintain that Alevis are not Muslims... Though not granted status as a religious minority, Alevis reportedly are able to practice their beliefs relatively freely. Nevertheless, the Alevi continue to be subject to some discriminatory state practices.” [92]

- 18.16 The same USCIRF Annual Report 2009 further stated that:

“Some of the 300 groups within the Alevi community have called for the abolition of the Diyanet because it exercises state control over Islamic religious life, totally favors Sunni Islam... Alevis report some harassment and official discrimination, particularly regarding compulsory religious education for Muslims... Alevis believe that these classes should be optional for members of their community, others have advocated for curriculum reform.” [92]

See also Section 23: [Children - Education and](#) the Immigration and Refugee Board of Canada response, [Situation of Alevis](#) 27 May 2008

- 18.17 The USSD 2008 report also noted that:

“In 2006 authorities in the Sultanbeyli municipality of Istanbul reportedly banned the construction of a cem house on the grounds that the Pir Sultan Abdal Association, an Alevi group, had not acquired the necessary construction permits. Association officials said the local mayor and his staff had attended the groundbreaking ceremony and promised not to interfere with the project. The municipality filed a case against the association after it proceeded with construction following the ban; in January 2007 the court decided in favor of the municipality. The municipality had not demolished the cem house at year's end.” [5b]

[Return to contents](#)

[Go to list of sources](#)

## NON MUSLIM MINORITIES

- 18.18 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“A separate government agency, the General Directorate for Foundations (GDF), regulated a few administratively critical activities of non Muslim religious groups and their affiliated churches, monasteries, synagogues, and related religious property. There were 161 'minority foundations' recognized by the GDF, including Greek Orthodox foundations with approximately 74 sites, Armenian Orthodox foundations with approximately 50 sites, and Jewish foundations with approximately 20 sites, as well as Syrian Christian, Chaldean, Bulgarian Orthodox, Georgian, Protestant, and Maronite foundations. The GDF also regulated Muslim charitable religious foundations, including schools, hospitals, and orphanages.” [5b]

- 18.19 The USCIRF Annual Report 2009 - The Commission's Watch List: Turkey, published 1 May 2009 noted that:

“The 1923 Treaty of Lausanne, a peace treaty signed between Turkish military forces and several European powers that formally established the Republic of Turkey, contained specific guarantees and protections for all non-Muslim religious minorities, which have since been interpreted by the Turkish government to refer only to the Greek Orthodox, the Armenian Orthodox, and the Jewish communities. There are approximately 65,000 Armenian Orthodox in Turkey, 23,000 Jews, and 2,500 Greek Orthodox in Turkey today. Despite their unique status, legal recognition of these religious minority communities has not been implemented in Turkish law and practice.” [92]

- 18.20 The same USCIRF Annual Report 2009 also reports that “The absence of legal personality has, over the decades, resulted in serious problems with regard to minority communities' right to own, maintain, and transfer property as a community and as individuals, and to train religious clergy, leading in some cases to a critical decline in these communities on their historic lands.” [92]

- 18.22 The same USCIRF Annual Report 2009 further noted that:

“... the General Directorate for Foundations (Vakiflar), regulates all activities of non-Muslim religious groups and their affiliated houses of worship and other property. The Lausanne Treaty also permits the three minority communities to establish foundations to own property, including worship buildings, schools, and other institutions. In practice, the Turkish Government has only permitted the three Lausanne religious minorities to open foundations... A religious organization may also apply to register as an association, which provides a certain official status. Associations must be nonprofit in nature, can only receive income through donations, and cannot own property.” [92]

- 18.23 The USCIRF Annual Report 2009 also noted that:

“In November 2006, the Turkish parliament, as part of the reforms related to possible EU accession, passed a new law governing Lausanne religious minority foundations, easing procedures to establish foundations and allowing non-Turkish citizens in Turkey to open them. The law also enabled religious minorities to recover limited categories of expropriated property; the law did not enable religious minority foundations to recover property that is under government control. .. In February 2008, the parliament passed a similar law on the return of property confiscated from non-Muslim minorities, including orphanages, hospitals, and churches, although this law still does not apply to property sold to third parties and left in place the Vakiflar's expropriation authority... Reportedly, 13 non-Muslim congregations have applied to Turkish courts to reclaim 128 properties; as of this writing, three of these cases have been successful.” [92]

[Return to contents](#)  
[Go to list of sources](#)

## Christians

18.24 The USSD 2008 report on International Religious Freedom – Turkey, published 19 September 2008, noted that: “The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion, but constitutional provisions regarding the integrity and existence of the secular state restrict these rights.” [5e] (Introduction)

18.25 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“Police occasionally prevented Christians from handing out religious literature. Christians performing missionary work were occasionally beaten and insulted. Police officers sometimes reported students who met with Christian missionaries to their families or to university authorities... Several foreigners who were practicing Christians and had lived with their families in various cities for many years, reported governmental harassment during the year, including denial of residence and work permits that had been granted in previous years, monitoring by Jandarma, and receiving threats to themselves and their families. These persons reported that they worshiped in their homes but did not proselytize by distributing Bibles, going door-to-door, or undertaking similar activities.” [5b] (Freedom of religion)

18.26 The USCIRF Annual Report 2009 also noted that “In addition to the so-called Lausanne minorities, in Turkey there are approximately 15,000 Syriac Christians, 10,000 Baha'is, 5,000 Yezidis, 3,300 Jehovah's Witnesses, and 3,000 Protestant Christians, as well as small communities of Chaldean, Nestorian, Georgian Orthodox, Roman Catholic, and Maronite Christians.” [92]

## Jews

18.27 The USCIRF Annual Report 2009 - The Commission's Watch List: Turkey, published 1 May 2009 noted that:

“Most Jews in Turkey (96 percent) are descendants of those who fled religious persecution in Spain or Portugal in 1492 and have lived in Turkey for centuries. According to representatives of the Jewish community in Turkey, the situation for Jews in Turkey is better than in other majority Muslim countries. Jews report being able to worship freely and their places of worship generally receive government protection when it is required. Jews also operate their own schools, hospitals, two elderly persons' homes, and welfare institutions, as well as a newspaper.” [92]

- 18.28 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The NGO Minority Rights Group International reported in March that millions who belonged to ethnic, linguistic, and religious minorities faced systematic repression and many remained unrecognized. The report noted that the law is interpreted to protect only three religious minorities--Armenian Orthodox Christians, Jews, and Greek Orthodox Christians--and not other ethnic and religious minorities, including Alevis, Ezidis, Assyrians, Kurds, Caferis, Caucasians, Laz, and Roma. “ [5b] (National/Racial/Ethnic Minorities)

- 18.29 The International Helsinki Federation for Human Rights (IHF) report ‘A Minority Policy of Systematic Negation’, published October 2006, noted that there are around 26,000 Jews in Turkey. The majority of them live in Istanbul, but there also are important Jewish communities in Adana, Ankara, Bursa, Çanakkale, Iskenderun, and Kırklareli. Ninety-six percent of Turkey's Jewish population are Sephardic Jews, while the other 4% are Ashkenazic Jews. [10b]

[Return to contents](#)  
[Go to list of sources](#)

## 19 ETHNIC GROUPS

- 19.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The NGO Minority Rights Group International reported in March that millions who belonged to ethnic, linguistic, and religious minorities faced systematic repression and many remained unrecognized. The report noted that the law is interpreted to protect only three religious minorities--Armenian Orthodox Christians, Jews, and Greek Orthodox Christians--and not other ethnic and religious minorities, including Alevi, Ezidi, Assyrians, Kurds, Caferis, Caucasians, Laz, and Roma. The report stated that these "excluded minorities" were prohibited from fully exercising their linguistic, religious, and cultural rights and faced intense pressure to assimilate.” [5b] (National/Racial/Ethnic Minorities)

- 19.02 The Minority Rights Group International (MRG) report ‘State of the World’s Minorities and Indigenous Peoples’ published 16 July 2009, stated that:

“Turkey’s policy on minority rights and the legal framework has not changed. The only instrument Turkey will refer to when it comes to protection of minorities is the Treaty of Lausanne, which was signed between the new Republic of Turkey and the allies of the First World War in 1923.

“It guarantees specific rights only to non-Muslim minorities. Turkey, moreover, has been and still is violating the Lausanne Treaty by applying it only to Armenians, Rums (Greek Orthodox) and Jews, leaving other non-Muslim groups, such as Assyrians, Baha’is, Chaldeans, Protestants and Yezidis out of Lausanne’s protection.

“Other ethnic minorities, including Caucasians, Kurds, Laz and Roma, are not recognized as minorities and are therefore not fully guaranteed a number of rights, inter alia broadcasting and education in mother tongue.” [57c] (p197-198)

- 19.03 The International Federation for Human Rights (FIDH) and The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation against Torture (OMCT) in its Annual Report 2009 on Western Europe noted that:

“In Turkey, defenders of minority rights had to operate in a very restrictive, even repressive environment owing to a strong current of nationalism, and were regularly subjected to acts of harassment, even of a judicial nature. On March 3, 2008, for instance, the sentencing of Mr. Ridvan Kizgin, a leading member of the Association for Human Rights (Insan Haklari Dernegi - IHD), to two years’ and six months’ imprisonment for having investigated and published a report on five assassinations committed in the Kurdish village of Bingöl in 2003, was confirmed on appeal. At the end of 2008, Mr. Kizgin was still detained in the Erzurum prison.” [72b]

- 19.04 As noted in the report ‘State of the World’s Minorities 2008’, released on 11 March 2008:

“Turkish attitudes and laws on minorities have progressed considerably over the past decade, but many reforms lie ahead if the country’s legal framework and practice are to reach international standards. Minority groups including Alevis, Armenians, Assyrians, Caferis, Caucasians, Kurds, Jews, Laz, Roma, Rum (Greek Orthodox) Christians, and Yezidis still confront systematic repression in today’s Turkey. Officially, the government still only recognizes Armenians, Jews and Rum Christians as minorities, but, as used in Turkey, this term denotes clear second-class status. All other groups have faced intense pressure to assimilate.” [57b] (p141)

See also Section 16.01 [Human rights institution, organisations and activists](#)

- 19.05 The International Federation for Human Rights (FIDH) annual 2009 report further noted that:

“... on March 12, 2008 that Mr. Tahir Alçi, a lawyer, accused on January 19, 2007 of a breach of Article 288 of the Turkish Criminal Code on “attempting to influence the decision of a court of justice” after having issued a press release in which he called for the conditions of a fair trial to be met, in connexion with the trial of two police officers accused of having killed two Kurds through an excessive use of force, was acquitted by the Eskisehir High Criminal Court. Finally, Mr. Orban Kemal, a lawyer, received threatening letters in January 2008, for his defence of victims of assassinations committed in April 2007 against the employees of a Christian publishing house in Malatya.” [72b]

- 19.06 The EC 2008 Progress report, published 5 November 2008, noted that: “Turkey is a party to the UN International Covenant on Civil and Political Rights (ICCPR). However, its reservation regarding the rights of minorities and its reservation concerning the UN Covenant on Economic, Social and Cultural Rights (ICESCR) regarding the right to education are causes for concern. Turkey has not signed the Council of Europe Framework Convention for the Protection of National Minorities or the European Charter for Regional or Minority Languages.” [71c] (p25)

## KURDS

- 19.07 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The law provides a single nationality designation for all citizens and does not recognize ethnic groups as national, racial, or ethnic minorities. Citizens of Kurdish origin constituted a large ethnic and linguistic group. Millions of the country's citizens identified themselves as Kurds and spoke Kurdish. Kurds who publicly or politically asserted their Kurdish identity or publicly espoused using Kurdish in the public domain risked censure, harassment, or prosecution.” [5b]

- 19.08 The USSD 2008 report also noted that “In its October report, the NGO Societal and Legal Research Foundation (TOHAV) reported an increase in torture cases during the year. Based on a study of 275 surveys from individuals who



submitted credible reports of torture from 2006 through February 28, TOHAV found that 210 of the victims were ethnic Kurds.” [5b]

- 19.09 The Canadian Immigration and Refugee Board also noted in an information request response ‘Situation of Kurds in western cities such as Ankara, Istanbul, Izmir, Konya and Mersin; resettlement to these cities’, dated 29 May 2008, that:

“The situation of Kurds in western cities such as Ankara, Istanbul, Izmir, Konya and Mersin; resettlement to these cities as Turkey's largest ethnic and linguistic minority, Kurds constitute between 10 and 23 percent of the country's population. Kurds are primarily concentrated in eastern and southeastern Turkey, where they form an absolute majority of the population. Since the 1980s, millions of Kurds have either voluntarily or forcibly left south-eastern Turkey and resettled in the major cities of western Anatolia.” [7n]

- 19.10 As noted in the Minority Rights Group International (MRG) report ‘State of the World’s Minorities 2008’, released on 11 March 2008: “As a large, unrecognized minority, Kurds continue to face systematic marginalization. Around 30,000 people have been killed in fighting between the Turkish military and the Kurdistan Workers Party (PKK) since 1984, and over 1 million people remain displaced in heavily Kurdish south-eastern Turkey... The government continues to conflate any effort to promote Kurdish rights with support for PKK terrorists.” [57b] (p141)

[Return to contents](#)  
[Go to list of sources](#)

## Kurdish language

- 19.11 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“On December 25 [2008], the government expanded Kurdish language broadcasts with the introduction of a pilot, 24-hour state television channel in the Kurdish language... The wide availability of satellite dishes and cable television allowed access to foreign broadcasts, including several Kurdish language private channels... Officials at Radyo Imaj reported that they faced increasing pressure in the form of two continuing administrative closure cases and efforts by unknown parties to jam the station's frequency, reportedly because the station played Kurdish music and conducted occasional Kurdish language interviews.” [5b]

- 19.12 The USSD 2008 report noted that “Government officials responded that Radyo Imaj never obtained legal rights to the frequency at issue and was only one of numerous stations waiting for a frequency to become available.” [5b]

- 19.13 The Freedom House report, Freedom in the World 2009, noted that “Kurdish-language publications are now permitted, and television broadcasts in Kurdish began in 2006; a 2008 law allows one state-owned television channel to broadcast in Kurdish. However, Kurdish broadcasting is still restricted, Kurdish newspapers in particular are often closed down, and some municipalities and



mayors in the southeast have faced criminal proceedings for communicating in Kurdish.” [62a]

See also [High Board of Radio and Television \(RTÜK\)](#)

## Teaching in Kurdish

- 19.14 The Minority Rights Group International (MRG) report ‘State of the World’s Minorities and Indigenous Peoples’ published 16 July 2009 , stated that:

“The education right of minorities is one of the areas in which the government is most reluctant to progress. Issues including lack of ethnic data for the most disadvantaged groups, including child seasonal workers (see p.198), regional disparities in literacy rates that reveal inequality along ethnic and gender lines, and problems in registration, that particularly affect the Roma, are explored in greater depth in MRG’s 2009 report: [Forgotten or Assimilated? Minorities in the Education System of Turkey](#), published 16 March 2009.” [57c] (p199)

- 19.15 The MRG 2009 report State of the World’s Minorities and Indigenous Peoples further noted that:

“The report also looks at the importance of mother tongue education, which is guaranteed to Lausanne minorities only, and the difficulties and restrictions communities face in setting up their own schools. Discrimination exists in the system; the government has done little to reform the contents of the mandatory religion class, which focuses on Sunni Islam, despite a ruling by the ECtHR that the class is in violation of the right to education under Article 2 of the 1st Protocol to the Convention.” [57c] (p199)

- 19.16 The UK Foreign and Commonwealth Human Rights Annual Report 2008, released in March 2009, noted:

“Since Turkey was accepted as an EU candidate country the democratic rights of Kurds have improved...Legislation was passed in June allowing for state-run channels to broadcast in languages other than Turkish. The first state-funded channel broadcasting in Kurdish, Farsi and Arabic was scheduled to begin broadcasting on 1 January 2009. But constraints still remain on political campaigning and education in the Kurdish language.” [4u] (p53 Cultural Rights and minority rights)

[Return to contents](#)  
[Go to list of sources](#)

## KURDISH OPPOSITION GROUPS

### Hadep

See also [Annex B](#) for details of political groups

19.17 The Netherlands Ministry of Foreign Affairs 2002 reported that:

“The pro-Kurdish HADEP [People’s Democracy Party], was established in 1994 as a successor to the successively banned HEP, DEP and ÖZDEP.... HADEP campaigns for greater cultural rights for Kurds and a peaceful solution to the Kurdish issue. It has kept to that position by never resorting to violence. The party runs local branches in many provinces and districts, as well as women’s and youth wings in a large number of localities. The Turkish authorities regard HADEP as the PKK’s political wing. They therefore view this party with suspicion. The HADEP has no direct ties with the PKK, but relies largely on the same supporters.” [2a] (p131)

19.18 As reported by the BBC on 13 March 2003:

“Turkey’s constitutional court has banned the country’s main pro-Kurdish party [HADEP] for alleged links with rebel groups... The court also banned 46 members of the party, including former chairman Murat Bozlak, from politics for five years. Hadep did not stand in last November’s [2002] elections, but its candidates stood under the umbrella of the Democratic People’s Party (Dehap)... Neither Hadep nor Dehap describe themselves as Kurdish parties, but both say they defend the rights of people living in the south-eastern, Kurdish-populated, part of the country.” [66c]

### Hadep membership cards

19.19 As noted by the Canadian Immigration and Refugee Board in an information request response ‘Turkey: Whether the People’s Democracy Party (HADEP) and the Democratic People’s Party (DEHAP) issue membership certificates to members residing within Turkey and / or abroad’, dated 28 April 2005:

“Prior to the dissolution of HADEP by the Turkish Constitutional Court, HADEP did indeed issue membership cards to members residing in Turkey, although actual possession of the card was uncommon among voters and supporters of the party. According to the former coordinator, few of the hundreds of thousands of members actually carried a card since this would have made them easily identifiable targets of the state and many preferred to avoid the risk of being caught by a police or military officer while carrying a HADEP membership card. One could either apply for a card through the local party office and, after approval; the provincial organization (il orgutu) would issue the card, which was initially printed on regular, plain paper. However, as a result of ‘HADEP’s investigations that found that non-HADEP members were forging these cards and claiming to be party affiliates for asylum purposes, the membership procedures and cards were modified.” [7e]

19.20 The Canadian Immigration and Refugee Board in an information request response further stated that:

“Under the revised HADEP membership procedures, only the party’s Secretariat General in Ankara could issue cards. In addition, one had to apply at the party’s district office (ilce orgutu) and submit references from two party members or

active supporters known by the party office. The applications were then sent to the provincial organizations, which forwarded them to the General Secretary in Ankara for final approval. Approved members had to sign a form at the provincial office in order to receive their official membership card, which was now of a higher quality, made out of plastic, with a special cold stamp to prevent forging and duplication.” [7e]

[Return to contents](#)  
[Go to list of sources](#)

### Relatives of Hadep

19.21 The Netherlands Ministry of Foreign Affairs 2002 reported that: “Relatives of HADEP members need not fear persecution by the Turkish authorities solely because one or more of their relatives is a member of HADEP. In certain cases, however, it cannot be ruled out that, for example, first or second degree relatives of HADEP members who are active at local level are closely watched by the State because of their relatives’ activities.” [2a] (p136)

19.22 As noted by the Canadian Immigration and Refugee Board in an information request response ‘Turkey: Status of the Kurdistan Workers’ Party (PKK) and Turkish Hezbollah; situation and treatment of members, supporters and sympathizers of these parties (2006 - 2007)’, dated 6 June 2007:

“In 28 April 2006 correspondence sent to the Research Directorate, an assistant professor of political science at Loyola University in Chicago who specializes in Islamic politics in Turkey stated the PKK [Kurdistan ‘Worker’s Party] and the Hezbollah of Turkey are considered terrorist organizations by the Turkish state. Media reports also state that the PKK is considered a terrorist organization by Turkey, the US and the European Union. Criminal charges involving terrorism have been brought against members of both the PKK and Turkish Hezbollah: for instance, out of the 512 inmates of a prison in the city of Diyarbakir, 258 allegedly belong to Turkish Hezbollah and 224 are thought to belong to the PKK.

“It is illegal to be members, supporters, and sympathizers of both organizations in Turkey. Citizens suspected to have any kinds of ties to these organizations are harassed by security forces and violations of their human rights have been common. While the European Union-demanded reforms have liberalized Turkish legal systems, the progress in application has been much limited.” [7b]

[Return to contents](#)  
[Go to list of sources](#)

### Democratic Society Party (DTP)

19.23 The US State Department (USSD) 2008 report on Human Right Practices, published 25 February 2009, noted that:

“DEHAP reconstituted itself as the DTP in 2006; and during the year the Constitutional Court added the closure case for DTP to the DEHAP closure case. On September 16, the DTP co-chairman, Ahmet Turk, provided a verbal defense to the Constitutional Court denying any organizational link between the DTP and the PKK. Since November 2007 the DTP has faced potential closure and the banning from politics of 221 of its members. Deliberations in the combined legal case on charges of separatism were ongoing at year's end.” [5b]

19.24 The USSD 2008 report also stated that:

“During the year police raided dozens of DTP offices, particularly in the southeast, and detained hundreds of DTP officials and members. During the year prosecutors opened scores of investigations and trials against DTP members. Police raids on DTP offices in Van and Siirt provinces resulted in the detention of approximately 50 DTP members during the year. Jandarma and police regularly harassed DTP members through verbal threats, arbitrary detentions at rallies, and detention at checkpoints. Security forces also regularly harassed villagers they believed were sympathetic to DTP. Although security forces released most detainees within a short period, many faced trials, usually for supporting an illegal organization or inciting separatism.” [5b]

19.25 The USSD 2008 report further noted that:

“In February the DTP sub-provincial chairman in Istanbul's Fatih district, Mehdi Tanrikulu, was convicted for speaking Kurdish during judicial proceedings in 2007, and was sentenced to five months' imprisonment.

“On April 22, a court convicted DTP Diyarbakir provincial chairman, Hilmi Aydogdu, of inciting hatred and sentenced him to 15 months in prison for suggesting that Kurds would fight the government if government forces ever attacked Kurds in Iraq. He was found guilty of threatening public safety after he warned the government against taking any action in Kirkuk and was banned from politics.

“In September a Mersin penal court convicted the DTP Mersin Province deputy and 2007 election candidate Orhan Miroglu for using Kurdish during his electoral speeches. The court put Miroglu on probation for five years. On September 28, an Antalya penal court sentenced the former DTP Antalya Province branch chairman, Mustafa Gul, to 18 months' imprisonment for using the honorific "sayin" (esteemed) to describe jailed PKK leader Abdullah Ocalan in a January 27 speech.” [5b]

19.26 The Freedom House report '2009 Freedom in the World', published 16 July 2009' noted that:

“50 DTP members were arrested in 2007 for pro-Kurdish activities, and some were convicted; the DTP leader is currently in jail, and prominent member Leyla Zana was again sentenced to prison at the end of 2008. The DTP considers prosecutions of its sitting legislators to be unequal treatment, as the parliamentary immunity that is applied to other legislators is ignored in their case. At the end of 2007, the Constitutional Court began hearing a case to shut

down the DTP on the grounds that it was linked to the PKK; the hearings were ongoing at years' end." [62a] (Political Rights and Civil Liberties )

- 19.27 The Minority Rights Group International (MRG) report 'State of the World's Minorities and Indigenous Peoples' published 16 July 2009 , stated that:

"In January 2009, six members of the pro-Kurdish Democratic Society Party (DTP) were charged under this provision for issuing posters in Kurdish in May 2008. When Ahmet Türk, the president of the DTP gave a speech in Kurdish at the DTP group meeting at the parliament in February 2009, TRT 3, the parliament broadcasting channel, cut its broadcast after a few minutes, although there is no clear legal prohibition against giving such talks in languages other than Turkish." [57c] (p199)

[Return to contents](#)  
[Go to list of sources](#)

### PKK / Kadek / Kongra-Gel and the conflict in the south east

- 19.28 Jane's Sentinel Security Assessment for Turkey, posted 11-May 2009, accessed 15 May 2009 noted:

"Group name: Workers' Party of Kurdistan (Partiya Karkaren Kurdistan: PKK). Renamed the Kurdistan Freedom and Democracy Congress (Kongra Azadî û Demokrasiya Kurdistan: KADEK) in 2002 and again renamed the Kurdistan People's Congress (Kongra Gelê Kurdistan: KONGRA-GEL) in 2003. All three names are on the EU's list of terrorist groups and the US Department of State's list of designated terrorist groups. In February 2005, the group was restructured and resumed calling itself the PKK.

"Most PKK members look to Abdullah Öcalan as their president, despite his having been confined alone on the prison island of Imrali in the Sea of Marmara since 1999. Öcalan is currently honorary president of the PKK and remains responsible for overall strategy, communicating with the organisation through his lawyers. However, the restrictions imposed by his incarceration mean that in practice the PKK is run by Murat Karayilan, a veteran field commander and the current president of the KKK Executive Committee." [81a]

- 19.29 The EC 2008 Progress report, published 5 November 2008, noted that:

"Landmines remain a security concern for both military personnel and civilians. The government reported ongoing use of anti-personnel mines by the PKK/KONGRAGEL. During the reporting period there have been 66 casualties among civilians and security forces due to anti-personnel landmine explosions. Under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (the 'Ottawa Convention'), of which it is a signatory party, Turkey has undertaken to destroy all anti-personnel mines in mined areas as soon as possible, but no later than 1 March 2014." [71c] (p27)

- 19.30 The Internal Displacement Monitoring Centre (IDMC) report 'Turkey: Progress on National IDP Policy Paves Way for Further Reforms', 26 July 2007, stated that:

"Since the conflict began, both sides have treated villagers in southeast Turkey as a soft target. In the 1980s the PKK frequently massacred whole families. Many women and children are caught in the cross-fire and killed in the course of armed clashes when the PKK attacks village guards in their villages, but relatives of village guards are also sometimes deliberately and arbitrarily killed. Eleven children were apparently deliberately killed when PKK members attacked the village of Daltepe, near Siirt, in October 1993." [3a] (p40)

- 19.31 The IDMC report 'Turkey: Progress on National IDP Policy Paves Way for Further Reforms', 26 July 2007, also noted that:

"Selahattin Günbay, Düzce village, Mardin province. The most recent reported killing by a village guard was that of thirteen-year-old Selahattin Günbay on March 19, 2005. Selahattin Günbay and two of his relatives were grazing sheep near the village of Düzce, near Nusaybin in Mardin province, when village guards warned them not to graze their animals in that area. When Selahattin Günbay took no notice, one of the village guards shot him dead with an automatic weapon. Four village guards were arrested in connection with the killing and are awaiting trial." [3a] (p192)

- 19.32 As noted in the European Commission 2008 report:

"Cross-border terrorist activities of the PKK, listed on the EU list of terrorist organisations, pose a security challenge to Turkey. In this context, Turkey started air strikes in December 2007, and in February 2008 undertook a nine-day ground operation in Northern Iraq. In parallel, Turkey intensified diplomatic exchanges with Iraqi authorities and, for the first time, engaged in official contacts with the Kurdish regional government. A Turkish delegation met in October with the President and the Prime Minister of the Kurdish Regional Government." [71c] (p81-82)

- 19.33 On 19 August 2008, the *Turkish Daily News* reported that a landmine explosion in the southeastern province of Şırnak killed a soldier and injured eight others. The Şırnak governor's office said a landmine believed to have been planted by the outlawed Kurdistan Workers' Party, or PKK, exploded near a military vehicle. The landmine exploded as a military convoy was passing a road linking the towns of Cizre and Şırnak. [23a]

### Relatives of PKK

- 19.34 The Netherlands Ministry of Foreign Affairs stated in their Official General report on Turkey dated January 2002 that:

"Those known to have or suspected of having one or more family members in the PKK can expect some attention from the authorities. Depending, among other things, on the degree of kinship and the (suspected) position of their relative(s) within the PKK, family members may be subjected to varying degrees



of intimidation, harassment, official obstruction, questioning and similar problems. It is perfectly conceivable, even probable in many cases, for the families of (suspected) PKK members to be kept under observation by the authorities or questioned and interrogated, also because they could as often as not be potential suspects themselves. In many cases the Turkish authorities probably assume that some relatives of PKK supporters harbour sympathies for the party. However, if the authorities are convinced that relatives of (suspected) PKK members do not have any links to the PKK they are not persecuted.” [2a]

19.35 The same Netherlands 2002 report further noted that:

“Countless people in Turkey have one or more relatives in the PKK without having any significant problems with the authorities as a result. The families of prominent PKK supporters such as Abdullah Öcalan and Şemdin Sakık were probably always under intensive surveillance by the authorities and lived under a certain degree of pressure, but they were not actually persecuted for their relationship with the PKK leaders. Öcalan's family attended his trial on İmralı Island. One of Sakık's brothers is openly politically active.” [2a]

[Return to contents](#)  
[Go to list of sources](#)

### Newroz / Nevruz celebrations

19.36 As outlined by the Netherlands Ministry of Foreign Affairs report 2002, Newroz (or in Turkish Nevruz) is the New Year celebrated by Kurds, Persians and in Central Asia on the 21 March. [2a] (p87)

19.37 The European Commission 2008 report recorded that: “The Kurdish Newroz Spring celebrations in March 2008 resulted in violence against demonstrators in several provinces, in particular Hakkari, Yuksekova and Van. Three citizens died during the course of the Newroz demonstrations in Van. Investigation files are pending on the circumstances of these deaths in the Van Chief Public Prosecution Office.” [71c] (p16-17)

19.38 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, recorded that:

“Approximately 180 public events around the country celebrating the Nevruz holiday in March were generally peaceful. Some organizers applied for permission to celebrate on March 22, instead of March 21, so participants would not miss work. However, a mayoral decision in Van permitted the celebration to occur only on March 21. During an initially peaceful protest against the decision on March 22, police shot and killed one person and injured 155 after the crowd did not abide by police requests to disperse.” [5b] (Freedom of Assembly)

### ARABS

19.39 According to the World Directory of Minorities (1997): “There are probably about one million Arabs in the provinces of Urfa, Mardin, Siirt and Hatay



(Alexandretta). Unlike the Turkish Sunni Majority, Sunni Arabs belong to the Shaf'i tradition (which they share in common with most Sunni Kurds). They are denied the opportunity to use their language except in private, and the use of Arabic is forbidden in schools.” [57a] (p382)

- 19.40 The World Directory of Minorities continued: “About 200,000 Alawi or Nusayri Arabs live in the northern most settlements of the larger Alawite community in Syria. They are a distinct religious community from Alevis but have in common reverence for Ali, the prophet’s son-in-law, as an emanation of the divinity. Alawites have an uneasy relationship with Sunnis, but are more comfortable with Christians.” [57a] (p382)
- 19.41 The Minority Rights Group International (MRG) report ‘Forgotten or Assimilated? Minorities in the Education System of Turkey’, published 16 March 2009, stated that: “Ethnically they are mainly Azerbaijani Turkish, Arab, Turkish and Kurdish (there are also some Roma Alevis). The Rum Orthodox community comprises ethnic Rums as well as Arabic- and Turkishspeaking Antakya Rum Orthodox Christians (Antiochians) who are not ethnically Rum. Their population is estimated to be around 16,000.” [57d]

[Return to contents](#)  
[Go to list of sources](#)

## CAUCASIANS

- 19.42 The Minority Rights Group International (MRG) report ‘Forgotten or Assimilated? Minorities in the Education System of Turkey’, published 16 March 2009’, stated that: “Caucasians consist of various groups of peoples of Caucasian origin, each of which has its own language. Ninety per cent of Caucasians in Turkey are Circassian, while the majority of the remaining 10 per cent are Abkhaz. All Caucasians are Muslim. According to the Federation of Caucasian ssociations, there are 6 million Caucasians in Turkey.” [57d] (p10)
- 19.43 The Encyclopedia of the World’s Minorities 2005 noted that there are Circassian diaspora communities in Turkey believed to be the largest in the world, with estimates numbering more than 4 million; however they are scattered throughout the entire country. [46] (p313–316)
- 19.44 The World Directory of Minorities (1997) estimated that there are probably about one million people of Circassians or Abkha descent in Sakariya, Bolu, Bursa, Eskişehir, Sinop, Samsun, Tokat and Kayeri. There are also about 80,000 Sunni Georgians and 10,000 Orthodox Christian Georgians located mainly in the Artvin province in the north east and around 150,000 Laz (a south Caucasian language related to Georgian) speakers in Turkey. [57a] (p382-383)
- 19.45 The International Helsinki Federation for Human Rights (IHF) report ‘A Minority Policy of Systematic Negation’, published October 2006, noted that:
- “... the Circassians are considered a very old indigenous people in the North Caucasus... There are an estimated 2 million Circassians living throughout

Turkey. A minority of them still speaks the Circassian language, which belongs to the family of the northwestern Caucasian languages. Most are Sunni Muslims.” [10b] (The Circassians)

[Return to contents](#)  
[Go to list of sources](#)

## ARMENIANS

- 19.46 The MRG report ‘Forgotten or Assimilated? Minorities in the Education System of Turkey’, published 16 March 2009’, stated that:

“Armenians are among the native people of Anatolia. The majority of Armenians in Turkey today belong to the Orthodox Church, while there are also some Catholic and Protestant Armenians. Their number was around 2 million during the Ottoman Empire. Today, slightly more than 60,000 remain. Armenians run private schools providing primary and secondary education in their mother tongue.” [57d] (14)

- 19.47 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, recorded that:

“On December 16 [2008], the ECHR issued two judgments against the government for violating the property rights of two Armenian foundations in cases pertaining to properties they formerly owned. The Samatya Surp Kevork Armenian Church, School and Cemetery Foundation and the Yedikule Surp Pirgic Armenian Hospital Foundation brought cases to the ECHR after Turkish courts ruled that the foundations’ charters did not give them the right to acquire immovable property.” [5b]

- 19.48 The 2008 USSD report also noted that “Numerous religious groups, particularly the Greek and Armenian Orthodox communities, have lost property to the government and continued to fight ongoing government efforts to expropriate properties. Many such properties were lost because the law allows the GDF to assume direct administration of properties that fall into disuse when the size of the local non-Muslim community drops significantly.” [5b] (Section 2c Freedom of Religion)

- 19.49 As noted in the State of the World’s Minorities 2008 report, released in March 2008:

“Turkish attitudes and laws on minorities have progressed considerably over the past decade, but many reforms lie ahead if the country’s legal framework and practice are to reach international standards... Minority groups including Armenians, still confront systematic repression in today’s Turkey. Officially, the government still only recognizes Armenians... as minorities, but, as used in Turkey, this term denotes clear second-class status... The January 2007 murder of Armenian rights campaigner and writer Hrant Dink offered a stark reminder of Turkey’s ongoing failure to protect the rights of individuals from minority communities.” [57b] (141)

See section 18 – [Freedom of Religion](#)

## GREEKS

- 19.50 The US State Department (USSD) 2008 report on Human Right Practices, published 25 February 2009, noted that:

“The government did not recognize the ecumenical status of the Greek Orthodox Patriarch, acknowledging him only as the head of the country's Greek Orthodox community. As a result, the government has long maintained that only citizens of the country could become patriarch, serve as members of the Greek Orthodox Holy Synod, and participate in patriarchal elections. Nevertheless, officials did not respond to the ecumenical patriarch's appointment of six non-Turkish metropolitans to the Holy Synod in 2004. Members of the Greek Orthodox community asserted that these restrictions threatened the survival of the patriarchate in Istanbul, because, with a dwindling population of no more than 3,000 Greek Orthodox persons in the country, the community was becoming too small to maintain the institution...In December the Ministry of Foreign Affairs provided one-year visas for foreign clergy working at the Ecumenical Patriarchate. Previously, such clergy had to leave and return every three months to obtain new tourist visas.” [5b] (Section 2c Freedom of Religion)

See section 18 – [Freedom of Religion](#)

- 19.51 The USSD 2008 report also observed that:

“Numerous religious groups, particularly the Greek communities, have lost property to the government and continued to fight ongoing government efforts to expropriate properties. Many such properties were lost because the law allows the GDF to assume direct administration of properties that fall into disuse when the size of the local non-Muslim community drops significantly. The government expropriated other properties that were held in the name of individual community members who emigrated or died without heirs.” [5b] (Section 2c Freedom of Religion)

- 19.52 The EC 2008 report further noted that: “Problems encountered by Greek nationals in inheriting and registering property continue to be reported, in particular as regards, inter alia, the application by the Turkish authorities of the amended Land Registry Law. With respect to that issue, the ECtHR held that there had been a violation of Article 1 of Protocol 1 (peaceful enjoyment of possessions) to the ECHR and ordered either the return of the property or the financial compensation of the applicants.” [71c] (p24)

[Return to contents](#)  
[Go to list of sources](#)

## ROMA

- 19.53 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“Roma continued to face persistent discrimination and problems with access to education, health care, and housing. The government took no apparent steps during the year to assist the Romani community. The European Roma Rights Center, Helsinki Citizens Assembly, and Edirne Roma Culture Research and Solidarity Association conducted a program to train the Romani community on civil society organization and activism. Literacy courses for Roma women offered by the Roma Culture and Solidarity Association of Izmir continued, and the association celebrated International Roma Day in Izmir.” [5b]

- 19.54 The 2008 USSD report also mentioned that “Beginning on June 3, 500 Roma living in the Sulukule neighborhood of Istanbul faced destruction of their homes and were relocated outside of the city due to an urban renewal project sponsored by the municipality. The law states that nomadic Gypsies are among the four categories of persons not admissible as immigrants.” [5b] (National/Racial/Ethnic Minorities)

- 19.55 The MRG report ‘Forgotten or Assimilated? Minorities in the Education System of Turkey’, published 16 March 2009’, stated that “Roma live all across the country and their population is estimated to be around 2 million. The vast majority of Roma are Muslim (nearly half Sunni and half Alevi), while there are a small number of Rum Orthodox.” [57d] (10)

- 19.56 The International Helsinki Federation for Human Rights (IHF) report ‘A Minority Policy of Systematic Negation’, published October 2006, noted that research and statistics about the Roma in Turkey are still limited. According to official records, there are over 500,000 Roma people living throughout Turkey. Most are sedentary and found in settlements in larger cities and towns but some are still nomads who follow pre-established itineraries across the country. The Roma in Turkey speak Romani that is strongly influenced by Turkish, Kurdish, and Greek words and expressions. The Roma in Turkey are either Muslims or Christians. [10b]

See Minority Rights Group International (MRG) [‘Forgotten or Assimilated? Minorities in the Education System of Turkey’](#) [57d]

[Return to contents](#)  
[Go to list of sources](#)

## 20 LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

### LEGAL RIGHTS

20.01 The International Lesbian and Gay Association report, State-sponsored Homophobia 2009, released 13 May 2009, noted that Turkey has considered homosexual acts as legal since 1858 and has had a specific law on gender recognition after Gender Reassignment treatment since 1988. [54a] (p48)

20.02 The Immigration and Refugee Board of Canada, in an information request response 'Treatment of gay, lesbian and transgender people by Turkish society; treatment by authorities; legislation, protection and services available' dated 11 June 2007 observed that:

"Turkey does not have a legislative statute that relates to homosexuality, although homosexuality is not illegal, gay and lesbian Turks are not specifically protected by any legislation. Furthermore, gay activists have complained that municipalities use morality-based laws to discriminate against gays and lesbians in Turkey. In January 2004, Turkey's Parliamentary Justice Commission created a draft law, including a clause to make discrimination based on sexual orientation illegal. However, this clause was removed in July 2004." [7j]

20.03 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, recorded that:

"While the law does not explicitly discriminate against homosexuals, gay and lesbian rights organizations, Lambda Istanbul and Kaos GL, claimed that vague references in the law relating to 'the morals of society' and 'unnatural sexual behavior' were sometimes used as a basis for discrimination by employers. The law also states that 'no association may be founded for purposes against law and morality.' This article has been applied in attempts to shut down or limit the activities of NGOs working on gay and lesbian issues." [5b] (Other Societal Abuses and Discrimination)

20.04 The Global Gayz. Com website on their Turkey country page noted that:

"The human right of LGBT people in Turkey is one of the most controversial human rights issues in Turkey. Homosexuality is not illegal as such in the Republic of Turkey. However, owing to conservative values embedded in Muslim-majority Turkish society, homosexuality remains a taboo topic in public discourse. The desire of Turkey to join the European Union has forced the government to grant official recognition to LGBT rights organizations, respect a greater degree of the freedom of speech and the press and to entertain gay rights legislation." [32]

[Return to contents](#)  
[Go to list of sources](#)

### STATE AND SOCIETAL ATTITUDES AND TREATMENT

- 20.05 The Human Rights Watch (HRW) report 'We Need a Law for Liberation', dated May 2008, noted that:

"Many lesbian, gay, bisexual, and transgender (LGBT) people in Turkey lead lives of fear, paralyzed by stigma. When singled out for harassment, violence, or other abuse—still an everyday occurrence for many—they also fear going to the authorities for assistance, and often for good reason: they have long experienced harassment and sadistic treatment by police and dismissive attitudes among judges and prosecutors. Despite reforms, new cases of such mistreatment continue to emerge, as this report demonstrates... The picture is not unremittably bleak; there have been positive developments in recent years. Turkey today is full of mixed signals. The situation was illustrated most pointedly by the process leading to the adoption of a revised version of the Criminal Code in mid-2005. A year before the new code was adopted, the Justice Commission of Turkey's Parliament voted to include new language in the provision barring discrimination in a wide range of areas of public life: it would have included 'sexual orientation' as a protected status. The move almost certainly came in response to Turkey's pending application for admission to the European Union (EU)." [9d] (p2)

- 20.06 The same report continued:

Ultimately, the language mentioning sexual orientation was dropped and replaced with that found in Article 10 of Turkey's Constitution—promising equality 'irrespective of language, race, color, sex, political opinion, philosophical belief, religion, and sect, or any other reasons.' This defeat was perhaps predictable—since in late 2003, the prime minister's spokesman said, 'homosexuals cannot be members' of the ruling party: 'They can establish their own.' However, activists were hopeful because Turkey had seen many positive legislative changes in preceding years, many in order to comply with the EU accession criteria. [9d] (p3)

- 20.07 The Canadian Immigration and Refugee Board in an information request response 'Treatment of homosexuals in the military; process to establish that a man is gay; consequence of refusing to undergo this process, dated 5 April 2007, noted that:

"Turkey is the only member of the North Atlantic Treaty Organization (NATO) whose army considers homosexuality a psychological disorder and the Turkish Army follows the guidelines established in the Diagnostic and Statistical Manual of Mental Disorders and deems homosexuals unfit to serve.

"In a highly publicized case involving a conscientious objector named Mehmet Tarhan, the Turkish Army requested that Tarhan apply for a discharge on the grounds of his sexual orientation, rather than his conscientious objection. The requirement for homosexuals to undergo a psychiatric assessment in order to become exempt from military service on account of their sexual orientation is corroborated by the Human Rights Association (IHD) of Turkey. A psychiatrist might ask that the recruit provide a photograph showing homosexual intercourse, have the recruit undergo an anal examination... despite the fact



that such degrading physical examinations have been conclusively discredited. (13 Sept. 2006).” [7k]

See also Section 9 [Military Service](#) - [Conscientious objectors](#)

- 20.08 The Human Rights Watch (HRW) report '[We Need a Law for Liberation](#)', dated May 2008, observed that:

“While the predicament faced by LGBT people in Turkey is similar to that faced by this community in many other countries, stringent norms for ‘masculinity’ and ‘femininity’ are particularly ingrained in both Turkish society and the state itself. The endurance of such norms, reflected in this report, perpetuate inequality and promote violence in many of the cases we document.

“Every transgender person and many of the gay men Human Rights Watch spoke to report having been a victim of a violent crime—sometimes multiple crimes—based on their sexual orientation or gender identity. Beatings in cruising areas, robberies by men or gangs who arranged to meet their victims over the internet, and attempted murder were among the documented abuses.

“The lesbian or bisexual women Human Rights Watch spoke with reported pressure, often extreme, from their families. Some were constrained to undergo psychological or psychiatric “help” to “change” their sexual orientation. Many faced physical violence.” [9d] (p4)

- 20.09 The HRW further stated:

“Conditions in Turkey are still in flux today, with greater freedom and invidious attitudes coexisting. On the positive side, civil society in Turkey is notably freer than it was a decade ago, and gays and lesbians feel it; so too do some in Turkey’s large communities of transgender people. Lambda Istanbul, KAOS-GL, and the Ankarabased transgender support group Pink Life (Pembe Hayat)—though small, hampered by legal difficulties and harassment—benefit from an environment in which censorship is relaxing, and civil society enjoying greater if still restricted space. In February 2005, a member of parliament from the ruling party and a representative of the Ministry of Health attended a conference in Ankara on the human rights of LGBT people—a significant symbolic step.

“Yet violence has followed visibility. Lesbian, gay, bisexual, and transgender people’s greater exposure has led to greater danger for many ordinary people. This report provides evidence of those dangers in five areas: abuses against gay men, still too often abetted and at times perpetrated by the police themselves; continuing family strictures on lesbian women, with often violent repercussions, again with woefully inadequate police response, if not police complicity; the particularly severe stigmatization and violence faced by transgender individuals; discrimination in the military and medical profession; and continuing restrictions on LGBT groups’ freedom of association and expression.



“Homophobic violence has come to the attention of Turkish authorities as an endemic problem, and the first uncertain steps are being taken to address it. In 2003 Dr. Şevki Sözen, professor of forensic medicine at Istanbul University, and a former doctor in the sexual-violence unit of the Justice Ministry’s Forensic Sciences Department, gave Human Rights Watch figures that he said came from a study launched by the ministry. Among gays and lesbians interviewed for the study, he said, 37% reported having undergone physical violence and 28% reported sexual violence. Among transvestites and transsexuals, 89% reported physical violence, and 52% sexual violence. Among all cases, Dr. Sözen told us, only 42% of victims sought help and only 26% turned to police. Less than one-sixth of the latter said that their cases had been adequately addressed by the criminal justice system.” [9d] (p4-5)

- 20.10 The KAOS website reported on March 2008 that lesbians face particular problems, being exposed to discrimination on the basis of both their gender and their sexual orientation. In many social groups women in Turkey represent the ‘honour’ of their families and community. Many lesbians are obliged to marry because of societal and economic pressure. In January 2005 a husband who killed his wife’s girlfriend was given a diminished punishment by Istanbul Second District Criminal Court of Major Cases because his wife’s lesbianism was considered ‘unjust provocation’. [96a]

See also Section: [Honour killings](#)

- 20.11 The Human Rights Watch (HRW) report dated May 2008 [‘We Need a Law for Liberation’](#) noted that:

“Human rights violations against lesbian and bisexual women and girls in Turkey are inextricable from the abuses that women in Turkish society face in general. Human Rights Watch interviewed 24 lesbian or bisexual women and girls in 2003 and 2007. The most overwhelming factor that they cited to Human Rights Watch is the subjection of women and their sexualities to the family and its values—including honor or custom. As women and girls whose sexualities move beyond the norms and expectations of heterosexuality, lesbians and bisexual women and girls feel these pressures in especially acute ways, and feel and fear the steady possibility of family violence.” [9d]

- 20.12 The HRW report dated May 2008 also noted that “In recent years, the Turkish government has made advances in protecting women...The Law on the Protection of the Family; passed in 1998, in May 2007 a reform extended the definition of victim of domestic violence to include all members of the family, whether living or not in the same household.” [9d]

- 20.13 The same 2008 HRW report further observed that Sevinç Eryılmaz, professor at Bilgi University explained, “In practice the law is not working very well. The decision [to grant a protection order] is supposed to be made immediately but they [the judges] don’t. Prosecutors are asking for medical reports as the golden proof of violence.” [9d]

See also Section: 22 [Women](#) and [Honour killing](#) and [Availability of protection](#)

- 20.13 The US State Department 2008 report, published 25 February 2009, recorded that “February 2007 Bilgi University students established the country's first gay and lesbian university club... 15 parents lodged complaints with the university administration, and the Turkish Higher Education Council opened an inquiry into the university. Bilgi's dean of students, Halit Kakinc, responded that closing the club would violate human rights. The club was operating normally at the end of the year.” [5b] (Other Societal Abuses and Discrimination)

[Return to contents](#)  
[Go to list of sources](#)

### ORGANISATIONS PROMOTING EQUAL RIGHTS FOR LGBTPERSONS

- 20.14 Immigration and Refugee Board of Canada, in an information request response Turkey: Treatment of gay, lesbian and transgender people by Turkish society; treatment by authorities; legislation, protection and services available, 11 June 2007 stated that:

“As of February 2007, Turkey had several legally registered LGBT organizations: Kaos GL (Ankara), Lambda Association (Istanbul), Pink Life (Ankara), and the Rainbow Association (Bursa) .Kaos GL was informally established in 1994 as Turkey's first non-governmental organization to promote LGBT rights. Kaos GL cooperates with other LGBT organizations, such as the International Lesbian and Gay Association. It obtained legal NGO status by the Interior Ministry on 15 July 2005.” [7j]

- 20.15 There are organisations in Turkey that advance the interests of LGBT people working towards legal changes; promoting anti-discrimination; social or support groups:

- The International Lesbian and Gay Association (ILGA) - The International Lesbian and Gay Association is a world-wide network of national and local groups dedicated to achieving equal rights for lesbian, gay, bisexual and transgendered (LGBT) people everywhere. [88] <http://www.ilga.org/>
- International Lesbian and Gay Association-Europe (ILGA-Europe) - ILGA-Europe is a non-governmental umbrella organisation which represents its members, principally organisations of lesbian, gay, bisexual and transgender persons, at the European level. [88] <http://www.ilga-europe.org/>
- KAOS GL - KAOS GL was founded in September 1994, to unite Turkey's homosexuals in the struggle against discrimination. The group's underlying philosophy is that the liberation of homosexuals will also free heterosexuals. KAOS GL has been publishing the journal KAOS GL (now a quarterly) since it was founded. [96] <http://news.kaosgl.com/>
- Lambda - Lambda Istanbul is the largest queer liberation group in Turkey. It was formed by a small number of gays and lesbians as a

result of a police ban on Christopher Street Day celebrations in 1993. Since then, Lambda, Istanbul has grown in membership and aims to raise its voice on behalf of the gay communities in Istanbul. [44] Lambda Istanbul operates a telephone helpline to counsel Turkish sexual minorities. Lambda Istanbul has been active in legislation projects, such as consultations on the Turkish parliament's 2004 consideration of the new Penal Law. [7j]  
<http://www.lambdaistanbul.org/php/main.php?menuID=26> and  
<http://www.qrd.org/qrd/www/world/europe/turkey/>

[Return to contents](#)  
[Go to list of sources](#)

## TRANSGENDER PERSONS

- 20.16 The Human Rights Watch (HRW) report dated May 2008 'We Need a Law for Liberation' noted that:

"In Turkey, the Penal Code criminalizes encouraging or facilitating sex work; however, prostitution in licensed brothels is legal. Transgender people are commonly compelled to do sex work, but only women (by birth) have the right to work in the licensed brothels. Hence transgender sex workers are driven onto the street, at the mercy of the police. There, they are subject to arbitrary arrest, prohibitive fines, and repressive regimes of medical testing: a steady round of humiliations, where revulsion at their not conforming to "maleness" or "femaleness" adds to the intensity of abuse." [9d]

- 20.17 The 2008 European Commission Progress report, published 5 November 2008, stated that "Transsexuals and transvestites are occasionally subjected to physical assaults, including by the police. Homophobia has also resulted in cases of physical and sexual violence. These allegations are not systematically followed up by prompt and effective investigation." [71c] (p70)
- 20.18 The Canadian Immigration and Refugee Board's website, dated 11 June 2007, also reported that "many Turkish transvestites and transsexuals work as prostitutes because they cannot find regular jobs due to the prejudice they face... In August 2006, a group of transsexuals were reportedly denied the right to set up an association in the city of Bursa for reasons of public morality (Kaos GL 5 Oct. 2006)." [7j]
- 20.19 The Netherlands Ministry of Foreign Affairs 2002 reported that "Turkish law does not prohibit transvestism. Nor does government policy discriminate against transvestites in any way. Attitudes to transvestites in Turkey are also ambivalent. Some nationally known transvestites from the world of show-business are highly regarded in Turkey. Huysuz Virjin is a famous transvestite who presents a popular talk show on television. The transvestite singer Zeki Müren, who died in 1996, was given a state funeral for his services as a singer." [2a] (p142)
- 20.20 The Immigration and Refugee Board of Canada (IRB), in an information request response Turkey: Treatment of gay, lesbian and transgender people by Turkish

society; treatment by authorities; legislation, protection and services available, 11 June 2007 stated that:

“Although sex changes are legal in Turkey (Kaos GL 5 Oct. 2006), Lambda activists report that transsexuals and transvestites experience more discrimination than gay and lesbian Turks because they are visibly more different (Turkish Daily News 9 Apr 2007). Reuters reports that human rights organizations have noted an increase in police action against transsexuals since the centre-right Justice and Development Party (AKP) (US 31 May 2007) took power in 2002.” [7j]

20.21 The IRB in an information request response: The treatment of sexual minorities, particularly lesbians, homosexuals and transsexuals, by state and non-state agents, including the police; protection available to sexual minorities who have been victimized, dated 5 April 2007, noted that “Transsexuals are persecuted in Turkey and the police often torment them by forcibly shaving their heads: Long hair is a symbol of femininity and cutting it off is a potent assault on the victim’s sense of identity.” [7i]

20.22 The US State Department (USSD) 2008 report, published 25 February 2009, recorded that:

“In September a group of transsexuals and transvestites in Istanbul filed a criminal complaint against several police officers for alleged mistreatment. The group leader alleged that group members were arbitrarily detained and released in remote parts of the city... In May 2007 members of the groups Pembe Hayat and Kaos GL protested at the Esat police station in Ankara. Protestors claimed that transsexuals and transvestites had been unjustly taken into custody and faced mistreatment during their detention. Police officers on duty prevented the protestors from making a press statement during the demonstration.” [5b]

[Return to contents](#)  
[Go to list of sources](#)

## 21 DISABILITY

- 21.01 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, recorded that:

“The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services; the government generally enforced the law effectively. The law does not mandate access to buildings and public transportation for persons with disabilities. The Presidency Administration for Disabled People under the Prime Ministry is responsible for protecting the rights of persons with disabilities.” [5b] (Persons with Disabilities)

- 21.02 The USSD 2008 report also noted that:

“On November 6, a clandestinely filmed documentary on the state of public facilities for children in the country aired in the United Kingdom. Earlier in the year, Duchess of York, Sarah Ferguson used a disguise to enter and film two care centers for children with mental and physical disabilities for use in the documentary. The expose showed children tied to their beds with fabric and poor caretaking conditions at Saray Rehabilitation Center in Ankara and Zeytinburnu Center for the Care of Disabled Children in Istanbul.” [5b]

- 21.03 The *BIA News Center* on 4 December 2008 reported in an article ‘Turkey Ratifies the Convention for the Rights of the Disabled’, that:

“The Parliament has unanimously ratified the UN Convention on the Rights of Persons with Disabilities. Turkey had signed this convention on March 30, 2007, but not ratified it until today [4 December 2008]. The convention imposes on the state obligations regarding incorporating the persons with disabilities into the society, protecting them from discrimination and stigmatization, making all the services accessible to them and in the matter of equality before the law.

“The optional protocol, on the other hand, provides the individuals and the groups with the ability to apply directly to the UN Commission for the Rights of the Persons with the Disabilities, once all the internal legal means in their countries are exhausted.” [102j]

- 21.04 The 14<sup>th</sup> report on the implementation of the European Social Charter submitted by the government of Turkey for the period covering 2004-2006 noted that in regard to the:

“Law on Disabled People No. 5378 (Article 14).[That] In recruitment, no discriminative practices can be performed against the disabled people in any of the stages from the job selection to application, selection process, technical evaluation, suggested working periods and conditions. Working disabled people cannot be subjected to any different treatment than the other people with respect to their disability such that it could cause a result which is unfavorable for them... sanctions for discrimination Penal Code (Article 122) Persons found guilty of offence of discrimination shall be sentenced to imprisonment for a term of six months to one year or judicial fine.” [68a]

21.05 The 14<sup>th</sup> report on the implementation of the European Social Charter further noted that:

“Active participation of people with disabilities into the labour market is promoted by quota system both in private and public organizations. In accordance with the Labour Law numbered (No 4857; No discrimination based on language, race, sex, political thought, philosophical belief, religion, sect and similar grounds can be made in the employment relationship) and Civil Servants Law (No. 657-article7; Civil servants; cannot discriminate anyone on the basis of language, race, sex, political thought, philosophical belief, religion or sect when performing their duties), private and government funded agencies and organizations employing at least 50 workers are obliged to employ disabled persons up to 4% (3% in the case of civil servants) of the minimum required number of employees in that agency or organization. Grant System for employing disabled persons has been established based on contribution for employers.” [68a]

21.06 The USSD 2008 report observed that “In January 2007 State Minister for Women and Children's Affairs Nimet Cubukcu established a hotline to prevent the exploitation of women, children, persons with disabilities, and senior citizens. From its inception through November, the hotline received 119,090 calls.” [5b] (Section 5 Women)

[Return to contents](#)  
[Go to list of sources](#)

## 22 WOMEN

### OVERVIEW

- 22.01 World Organisation against Torture (OMCT) in their 2003 report 'Violence against Women in Turkey' a report to the Committee against Torture noted that:

"Turkey ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter, the Convention Turkey against Torture) on 2 August 1988. Upon ratification Turkey recognized the competence of the Committee against Torture to receive and process individual communications under articles 21 and 22 of the Convention against Torture.

"Turkey is a State Party to the Convention on the Elimination of All Forms of Discrimination against Women. In General Recommendation 19, the Committee on the Elimination of Discrimination against Women concluded that gender-based violence, including torture, is a form of discrimination against women as defined under article 1 of the Convention on the Elimination of All Forms of Discrimination against Women. Turkey ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women on 29 October 2002.

"On 15 August 2000, Turkey signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights; neither Convention has yet been ratified. Under article 90 of the Turkish Constitution, international treaties duly ratified, have the force of law, and can be invoked in Turkish courts.

"At the regional level, Turkey is a member of the Council of Europe, ratified the European Convention on Human Rights in 1954, and is seeking membership in the European Union. At the national level, Article 17 of the Turkish Constitution prohibits "torture and ill-treatment incompatible with human dignity." Article 243 of Turkey's Penal Code criminalizes torture, cruel, inhuman or degrading treatment by state officials. On November 22, 2001 the Turkish legislature passed comprehensive legislative bill designed to promote gender equality in civil legislation." [83] (1.1 Turkey's International Obligations)

- 22.02 The UK Foreign and Commonwealth Office (FCO) Human Rights Annual Report 2008, released in March 2009, noted that "Improved co-operation between the public sector and NGOs has led to better implementation of the legal framework to combat domestic violence and honour killings." [4u] (Women and children's rights)
- 22.03 Correspondence from the Foreign and Commonwealth Office dated 6 July 2009 stated that in April, former Minister Güldal Akşit was elected as chair of the new Parliamentary Commission on Equal Opportunities for Women. The Minister Akşit herself mentioned that they will look at the rights of women more generally and monitor the impact of government policy on women; the Commission will investigate individual petitions and make recommendations on these cases. It will also produce in-depth reports on specific issues; first report planned will be on early marriage. [4h]



[Return to contents](#)  
[Go to list of sources](#)

## Legal Rights

22.04 The Constitution of the Republic of Turkey states:

Equality before the Law (As amended on May 22, 2004)

“ARTICLE 10:

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.” [36c]

22.05 The Women for Women’s Human Rights (WWHR) website, accessed on 24 August 2008, noted:

“The new Civil Code has taken a new approach to the family and to women’s role in the family. The old legal approach, which assigned women a legislatively subordinate position in the family with rights and duties defined in respect to the husband, has been abandoned in favor of one that defines the family as a union based on equal partnership. Consequently, this new concept is also reflected in the language of the new Code. The terms ‘the wife’ and ‘the husband’ are replaced by ‘the spouses’, the new approach to the family is reflected in several changes:

The husband is no longer the head of the family; spouses are equal partners, jointly running the matrimonial union with equal decision-making powers;

- Spouses have equal rights over the family abode;
- Spouses have equal rights over property acquired during marriage;
- Spouses have equal representative powers;
- The concept of ‘illegitimate children’, which was used for children born out of wedlock, has been abolished; the custody of children born outside marriage belongs to their mothers.” [95b]

22.06 The CEDAW 32nd Session, January 2005 Based on Shadow Report for Turkey prepared by Women for Women’s Human Rights - New Ways, endorsed by the Turkish Penal Code Women’s Platform, stated that:

“One of the most significant amendments in the new Civil Code (adopted by the Parliament in 2001) has been the adoption of the ‘Regime Regarding the Ownership of Acquired Property’ as the de facto property regime governing married couples. This enables the equal sharing of all acquired property during marriage, and as such recognizes the value of the unpaid work of women that goes into the reproduction of daily life of the family.” [95a]

- 22.07 The Report of the UK Border Agency Fact Finding Mission to Turkey 11 – 20 February 2008, noted that Ms Zümra Yılmaz, Head of the Directorate of EU Coordination, Justice Ministry, said that the right to seek a remedy is laid down in section two of the Turkish Constitution under ‘Fundamental Rights and Duties’. Article 36 provides that: “Everyone has the right of litigation either as plaintiff or defendant before the courts through lawful means and procedure. No court shall refuse to hear a case within its jurisdiction”. In light of this article, women and men alike have equal rights and freedoms and can therefore access the judiciary with equal ease. [59] (S10W)
- 22.08 The Report of the UK Border Agency Fact Finding Mission to Turkey 11 – 20 February 2008, also asked Ms Senay Ertem, Head of the Board for Women’s Rights (within the Bar Association), about the legislative framework in place for redress against human rights violations against women. She advised that that new legal mechanisms were in place and implementation was improving slowly. However, the regulations pertaining to law 4320 on protection of the family and its changes had been put into effect immediately, and in this way women and family members who suffered every kind of violence were provided with a direct point of legal protection, allowing them to receive quick responses to their enquiries and applications for protection. [59] (S6.7)

[Return to contents](#)  
[Go to list of sources](#)

## POLITICAL RIGHTS

- 22.09 The European Commission 2008 Progress report, published 5 November 2008, noted that:
- “There are some notable examples of high-level presence of women in Turkish society in business, academia, the civil service and politics... However, gender equality remains a major challenge in Turkey...Political representation of women, at both national and regional levels, is very low. Civil society organisations have submitted proposals to address this issue, in particular with a view to the forthcoming municipal elections scheduled for 2009.” [71c] (p20)
- 22.10 In *Todayzaman’s* an article published 15 December 2008 noted that:
- “Since its establishment in 1990, the General Directorate on the Status of Women (KSGM) has been working to design a comprehensive policy for equal political participation and representation of women in Turkey. Among the strategic aims of the KSGM’s Strategic Plan of 2007, there is no mention of enhancing the participation of women in political decision-making. Following the Turkish general election in 2007, the number of women in Parliament doubled from 24 to 50, about 9 percent of the 550 seats. But it is still short of the 17 percent target the country committed itself to in its 2005 millennium development goals. Female representation at the municipal level is only 2 percent.” [24g]
- 22.11 The US State Department (USSD) 2008 report on Human Rights Practices, published 25 February 2009, also noted that “There were 50 women in the 550-

seat parliament. There was one female minister in the 25-member cabinet.” [5b] (Section 3 Elections and Political Parties)

- 22.12 In the same *Todayzaman's* article published 15 December 2008 it was further noted that:

“There are indeed several women who participate in the lower level activities of the political organizations, but since they are not given much opportunity to rise other than doing the legwork, they move on to work in different fields... the Democratic Society Party (DTP) has shown a different policy than the others. In recent years, it has started applying a quota system both at the local and national parliament level. The DTP has the highest rate of woman deputies with more than 29 percent. In the AK Party, the rate of woman deputies increased from 3.8 to 9 percent. In the CHP, the rate of female deputies decreased from 9.9 to 9 percent. The number of woman deputies in the CHP dropped from 11 to 10 while the number of woman deputies of AK Party increased from 13 to 30.” [24g]

[Return to contents](#)  
[Go to list of sources](#)

## SOCIAL AND ECONOMIC RIGHTS

- 22.13 The Institute for War and Peace reporting on a conference in Damascus promoting the rights for women to play a stronger part in business noted that “Nimet Cubukcu, Turkey's minister for women's affairs cautioned that improving the status of women would be ‘a long process requiring huge efforts’. Legal rights are very important in improving women's conditions, but they are not sufficient, as cultural and economic factors must also be taken into account”. [20f] (Women's Economic Empowerment Urged)

- 22.14 The Freedom House 2009 Freedom in the World report, published 16 July 2009, stated that: “The amended constitution grants women full equality before the law, but they face discrimination in employment and are under represented in government, but the World Economic Forum ranked Turkey 121 out of 128 countries surveyed in its 2007 Global Gender Gap Index.” [62a]

[Return to contents](#)  
[Go to list of sources](#)

## Employment

- 22.15 The US State Department (USSD) 2008 report on Human Rights Practices, published 25 February 2009, noted that:

“Women continued to face discrimination in employment and were generally under represented in managerial level positions as well as in government... Women generally received equal pay for equal work in professional, business, and civil service positions, although a large percentage of women employed in agriculture and in the retail, restaurant, and hotel sectors worked as unpaid family labor [sic]. The World Economic Forum reported during the year that women earned 61 percent of what their male counterparts earned for similar work.” [5b] (Section 5)

- 22.16 The European Commission 2008 Progress report, published 5 November 2008, mentions that “There has been progress in the area of employment policy... Parliament adopted the ‘Employment Package’ amending the Labour Law and certain other laws in order to promote women’s employment. This package was adopted in May 2008 aiming to address unemployment challenges, with a specific focus on the promotion of job opportunities for women...” [71c] (p61)
- 22.17 The EC 2008 Progress report also added that “For instance, the amendments stipulate, among other things, that the employers’ share of social security premiums for newly hired women employees are to be covered by the Unemployment Insurance Fund for a five-year period, starting with 100% in the first year and ending with 20% in the fifth.” [71c] (p61)

[Return to contents](#)  
[Go to list of sources](#)

## MARRIAGE

- 22.18 The Office of the Prime Minister, Directorate General of Press and Information, accessed 24 August 2008, recorded that the legal age for marriage has been raised for both men and women to over 17 years (Article 124). However, under extreme situations and with sufficient cause, both men and women who are over the age of 16 can be married with the permission of the judge. [36b]
- 22.19 The Turkish Statistical Institute which gathers marriage and divorce data from the Central Population Administrative System (MERNIS), reported that while 638311 couples got married in 2007, that number increased to 641,973 in 2008. The Crude marriage rate was 9.03 per thousand in 2008. While 94219 couples got divorced in 2007, this number increased to 99663 in 2008. The Crude divorce rate was 1.40 per thousand in 2008. The Aegean Region has the highest crude divorce rate with 2.06 per thousand according to the Classification of Statistical Region Units, Level 1 in 2008. West Anatolia Region follows the Aegean Region with 1.78 per thousand. North East Anatolia and Central East Anatolia have the lowest crude divorce rate with 0.50 per thousand. [89d]
- 22.20 The Turkish Statistical Institute in their family structure survey of 2006 noted that in urban areas the choice of marriage through a matchmaker with the approval of family was 31.9 per cent for females and 22.5 per cent for males. Marriage without the approval or information of family was 5.1 per cent for females and 4.6 per cent for males. In the rural areas it was 43.5 per cent for females and 28.6 per cent for males through a matchmaker with the family approval and without approval or information is 1.2 per cent females and 1.6 per cent for males. It also stated that in 2006 the type of wedding that took place in urban areas were 88.1 per cent both religious and official, 7.8 only official and 3.6 only religious and in rural areas it was 86.9 per cent , 7.5 per cent and 5.1 per cent respectively. The stats further mention the rate of giving bride price suggests in rural areas as 23.5 per cent and in urban areas 13.0 per cent. [89c]

- 22.21 A Nationwide Survey “Violence against Women in Turkey” reported that in the Turkey sample under Forms of Marriage, 82 per cent of the women were married both civilly and religiously. 15 per cent were only married civilly, while 2 per cent were married only religiously. For the Eastern Turkey sample, the figure for those civilly married only falls to just 3 per cent. (p20) Nearly all of the women interviewed identified themselves as believers of Islam. [99] (p27)

[Return to contents](#)  
[Go to list of sources](#)

## VIOLENCE AGAINST WOMEN

- 22.22 The *Globalpost* news website recorded in an article ‘Turkey's shocking domestic violence statistic’ published 20 February 2009 that:

“Four out of 10 women in Turkey are beaten by their husbands, according to the recent study entitled ‘Domestic Violence against Women in Turkey,’ which has collected the first official statistics on this topic in Turkey. Even more disturbing, the study reveals that a significant number of abused women, almost 90 percent, do not seek help from any organization. This is such a silent problem that most people don’t believe you when you give them the numbers, said Henriette Jansen, team leader of the study, which was conducted by the General Directorate of the Status of Women (KSGM). It shows how much women suffer alone and the huge stigma attached to violence against women.” [43]

- 22.23 The US State Department (USSD) 2008 report on Human Rights Practices published 25 February 2009, noted that:

“Violence against women, including spousal abuse, was a serious and widespread problem. The law prohibits violence against women, including spousal abuse, but the government did not effectively enforce it. Domestic human rights organizations reported that these laws were partially effective... Women's NGOs reported that more than 150,000 women were victims of domestic violence between 2001 and 2005, the latest period for which statistics were available. According to the most recent available government data, there were 646 domestic violence cases brought to court in 2006, a decrease over previous years.” [5b] (section 5 women)

- 22.24 A Nationwide Survey “Violence against Women in Turkey” conducted by Sabanci University reported a striking finding with regard to marriage and physical violence is that the circumstances under which spouses meet and get married have a significant effect on the experience of physical violence: while 28 per cent of women who met their future spouses on their own and married with their families’ approval, and 37 per cent of women who were married by arranged marriage have experienced physical violence at least once, the figure for those who met their future spouses themselves but got married without their families’ approval rises to 49 per cent . [99] (p42)

- 22.25 The Report of the UK Border Agency Fact Finding Mission to Turkey (UKBA FFM) 11 – 20 February 2008, interviewed a number of sources on the issue of

violence against women. The Social Services and Child Protection Agency (SHCEK) said that most cases of domestic violence in Turkey involved women who suffered violence from their husbands. SHCEK advised that, in Turkish society, men were seen as the dominant power and the use of violence against their wives was culturally condoned. [59] (S11.4)

See section – [Availability of protection](#) and Nationwide Survey [“Violence against Women in Turkey”](#)

[Return to contents](#)  
[Go to list of sources](#)

### Forced marriages

- 22.26 *Voice of America* – News website published an article in which the Women for Women representative Pinar Ilkaracan said that:

“Her group is still battling to get forced marriage recognized as a problem in Turkey. It is the first meeting on forced marriages in Turkey. Forced marriages is an issue of the invisible suffering of women, so it has not been on the agenda, but I hope through this awareness now, as it is becoming an issue among emigrant communities in Europe, I hope that will also contribute to raising awareness here. We did research in 14 cities in eastern and south-eastern Turkey and found that 52 percent of women were married against their will, so I think the numbers are horrifying.” [100]

- 22.27 Buzzle.com website also published an article about a 23 year women who succeeded in divorcing the man her parents forced her into marrying, only to be shot in the head three times by her brother. [106]

- 22.28 A June 2008 article on *Today'szamen.com* reported:

“The issue of forced marriages in Turkey was discussed at the ‘Active against Forced Marriages’ conference aiming to raise awareness of the issue and offer solutions to combat the threat to women’s human rights... Experts highlighted the significance of public awareness in tackling with the problem of forced marriage, in Turkey mostly seen in the eastern regions but also occurring in the country’s west... The conference program stressed that the more young girls know about their legal rights, the better chances they have of resisting an undesired marriage.

“However, a rising level of awareness alone is not enough, a lack of economic independence drove women to give in to forced marriages or continue the marriage they were forced into. Government institutions must take steps, and women should be provided with vocational training.” [24b]

### Domestic Violence

- 22.29 Women’s Aid organisation defines Domestic violence as “Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality. This can include forced



marriage and so-called 'honour crimes'. Domestic violence may include a range of abusive behaviours, not all of which are in themselves inherently 'violent'." [88]

- 22.30 The US State Department (USSD) 2008 report on Human Rights Practices published 25 February 2009 noted that:

"Violence against women, including honor killings and rape, remained a widespread problem... [Introduction] The law prohibits violence against women, including spousal abuse, but the government did not effectively enforce it. Domestic human rights organizations reported that these laws were partially effective; more women called the police emergency hotline to report domestic violence and went to police stations to file abuse reports." [5b] (Women)

- 22.31 The same USSD 2008 report recorded that women's NGOs reported that more than 150,000 women were victims of domestic violence between 2001 and 2005, the latest period for which statistics were available. According to the most recent available government data, there were 646 domestic violence cases brought to court in 2006, a decrease over previous years. [5b] (section 5 women)

- 22.32 A Nationwide Survey "Violence against Women in Turkey" reported that women who are subjected to violence do not share their experience with anyone else but instead have to deal and struggle with domestic violence on their own. 49% in the Turkey area and 63% in the East area said that they had never before spoken to anyone about it. [99] (p40) The percentage of women living in cities who are or have been subjected to physical violence is approximately 42% greater than those living in small towns. [99] (p46)

- 22.33 The EC 2008 Progress report on Turkey stated that:

"The Prime Ministerial circular on combating honour killings and domestic violence against women has helped to improve cooperation between public institutions. Awareness-raising activities have been organised for members of the judiciary and law enforcement bodies. To date, 30000 law enforcement officers have reportedly participated in training with a further 10000 planned by the end of 2008. Gender sensitivity training programmes have also been conducted for health workers. The number of shelters for women victims of domestic violence has marginally increased. Courts have applied the amended Law on protection of the family." [71c] (p19)

See section – [Availability of protection](#)

[Return to contents](#)  
[Go to list of sources](#)

## Honour killings

- 22.34 In a letter from the Foreign and Commonwealth Office dated 23 June 2008, it was noted that "An honor killing is generally a murder committed by male family members against female members who has brought 'dishonour' to the family, including seeking a divorce or allegedly committing adultery." [4s]



- 22.35 Channel 4 news documentary 'Unreported World' shown on 27 March 2009 travels to Turkey to investigate honour killings, which have now reached record levels with more than 200 girls and women killed in the past year alone. The programme highlights a chilling new development in which a new law outlawing honour killings may have led to a huge increase in girls being forced to commit suicide instead. **[51] (Killing for Honour)**
- 22.36 Channel 4 reporter Ramita Navai and Producer Matt Haan begin their journey in the south east of Turkey, an ethnically Kurdish region. The team moves on to Karacada, an area renowned for its blood feuds, where there have been several honour killings over the last year... The team meets Husna, who claims that these killings are common and three have happened in the area recently... Moving on to a village close to the Iranian border, the team hears about Nazime Alir, who was 21 years old when she was murdered. Her father-in-law tells Navai that his son gouged out her eyes, cut her tongue off and put her remains in a plastic bag before burning her. Nearly all the men in the village say they would kill their wives and daughters for honour - life without honour is not worth living. **[51](Killing for Honour)**
- 22.37 The US State Department (USSD) 2008 report on Human Rights Practices published 25 February 2009 noted that:
- "Persons convicted of honour killings receive life imprisonment. The Turkish National Police reported 39 honour killings and 9 attempted honour killings through September 30. The HRP reported there were 53 honour killings in 2007 and 1,000 honour killings between 2003 and July 2008, mainly in conservative Kurdish families in the southeast or among migrants from the southeast living in large cities. Because of sentence reductions for juvenile offenders, observers noted that young male relatives often were designated to perform such killings." **[5b] (section 5 Women)**
- 22.38 The US State Department (USSD) 2008 report on Human Rights Practices published 25 February 2009 further noted that
- "Due to penalties for honour killings, family members increasingly pressured girls to commit suicide in order to preserve the family's honour. Between 2005 and 2006, 1,985 women were reported to have committed suicide or have been killed, according to women's rights advocacy group AKDER. Government officials worked with advocacy groups such as KA-MER to hold town hall meetings and set up rescue teams and hotlines for endangered women and girls." **[5b] (section 5 Women)**
- 22.39 The USSD 2008 report also mentioned that "KA-MER, the leading women's organization in the southeast, reported that from 2003-07 a total of 198 women from eastern and south-eastern Anatolia contacted it to report that their family had threatened them with honour killings. Of these cases, three of the women died from injuries sustained in the attacks, one committed suicide, and 27 were pressured to commit suicide." **[5b] (section 5 Women)**
- 22.40 Channel 4 news further clarified that until recently; under Turkish law honour killers could get a reduced sentence by claiming provocation. However, four

years ago, as part of Turkey's campaign to join the European Union, it introduced a mandatory life sentence for the crime. But the change in the law hasn't reduced the killings. Instead, as Unreported World reveals, it appears to have given rise to a sinister new twist. [51](Killing for Honour)

See also [Female suicide](#) below and the Report of the Special Rapporteur on [Violence against Women, Its Causes and Consequences, Mission to Turkey](#), published 5 January 2007.

[Return to contents](#)  
[Go to list of sources](#)

## Female suicide

22.41 The Channel 4 team in their documentary 'Unreported World-Killing for Honour' highlighted a chilling new development in which a new law outlawing honour killings may have led to a huge increase in girls being forced to commit suicide instead. The team traveled to the city of Batman, nicknamed 'suicide city' because in the last few years hundreds of women and girls have committed suicide. Like other areas of the country, female suicides rocketed after the change in the law. Batman's chief prosecutor told the Channel 4 team. [51](Killing for Honour)

22.42 On 23 August 2007, an article published in the *Guardian* noted that:

"On the streets of Batman, a city with a population of 250,000, an alarming number are harbouring suicidal thoughts, and acting on them. Across Turkey, men are twice as likely as women to take their own lives, but, defying that trend, more than 300 women in Batman have attempted suicide since 2001... The numbers are increasing. By June this year [2007], 19 had tried to take their lives and most were successful. But 'women's groups and human rights advocates believe the suicides are tantamount to murder. Stories have emerged of girls as young as 12 being locked in rooms for days with rope, poison or a pistol." [38a]

22.43 The UN Human Rights Council: Addendum to the Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Mission to Turkey, 15 March 2006 noted that:

"More specifically, there are reasonable grounds to assume that some recorded cases of suicides in fact constitute grave violence, either because the victim was forced to commit suicide or because a murder was disguised as a suicide. Patriarchal oppression, manifesting itself in diverse forms of violence against women, including forced marriage, early marriage, incestuous sexual abuse and honour-related violence, is often a factor that underlies suicides." [20d]

See above [Honour killing](#)

## Virginity testing

22.44 The CEDAW 32nd Session, January 2005 Shadow NGO Report on Turkey's Fourth and Fifth combined Periodic Report to the Committee on the Elimination

of Discrimination against Women prepared by Women for Women's Human Rights - New Ways, endorsed by the Turkish Penal Code Women's Platform, noted that:

"The new Turkish Penal Code refers to virginity testing under the Article 287 entitled Genital Examination'. The article, however does not name the practice 'virginity testing', thereby failing to explicitly criminalize it. Furthermore, even though the article limits the authority to issue a 'genital examination' exclusively to judges and public prosecutors, it does not seek the consent of the woman herself as a necessary precondition. Hence, as it stands, this provision continues to provide space for this human rights violation." [95a]

22.45 A *Bianet* article published 27 November 2008, noted that:

"Virginity tests are back. Lawyer Yasemin Öz and President of the Education and Science Workers Union (Eğitim-Sen) Zübeyde Kılıç think this practice victimizes the girls and the female students. The incident happened when the principle of the dormitory where the said university student was staying called her father and told him that he should come and get his daughter, on the grounds that the reddish marks around her face and neck were obvious signs of a sexual relationship. The father had to come and take two virginity reports for her daughter from two different hospitals. The father said he was going to file a complaint." [102e]

[Return to contents](#)  
[Go to list of sources](#)

### Treatment of women in detention

22.46 'Conditions of Detention in Turkey: Blocking Admission to the EU' a book by Haldane Society of Socialist Lawyers published February 2009 investigates whether Turkey is implementing its commitments on prison reform and conditions of detention noted that:

"Turkey has ratified the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), and was one of the first State Parties to ratify CEDAW's Optional Protocol permitting the bringing of individual complaints against State Parties. It has also withdrawn all the substantive reservations to CEDAW, signed up to the Beijing Platform for Action and agreed to implement Security Council Resolution 1325. These are important landmarks for women but, as with concerns raised in other sections of this report, the delegation believes that problems remain with the practical implementation of these rights and protections." [29a] (Women and Detention p 28)

22.47 The book 'Conditions of Detention in Turkey: Blocking Admission to the EU' further commented that:

"The delegation welcomes the reports it has received that indicate that the treatment of women in detention has improved in recent years. In particular, we welcome the fact that the indications are that the practices of rape and of stripping women naked for interrogation have largely been eliminated. However,

the delegation, based on what it has heard, remains concerned about the treatment of women in detention.” [29a] (Women and Detention p 28)

- 22.48 The book ‘Conditions of Detention in Turkey: Blocking Admission to the EU’ also added that:

“The delegation met with Erin Keskin on 5th February 2008 in her offices in Istanbul, a lawyer who established and works on a project called ‘Legal Aid for Women Raped or Sexually Assaulted by State Security Forces’, she is concerned that change has only occurred because of the EU, that is, because of external pressure: she believes that the real change will only happen if there is internal change – there remains a contradiction between the written law and actions in practice... She told us that since 2003-4, she has heard of virtually no cases of rape perpetrated in prison, fewer cases where women are stripped naked and interrogated, although she told us that this still happens in all cases involving transsexuals.” [29a] (Women and Detention p 28)

- 22.49 The book further mentioned that “Nevertheless, she [Erin Keskin] remains concerned about the treatment of women in custody. She told us that the state authorities have been using different methods of torture, citing an increase in the number of women reporting that they have been beaten with sandbags so as not to leave marks and that there are more reports of psychological torture.” [29a] (Women and Detention p 28)

- 22.50 The EC 2008 Progress report published 5 November 2008, reported that

“However, the number of applications to NGOs in relation to cases of torture and ill-treatment has increased, in particular outside official places of detention, notably during apprehension, transfer, or in the open with no detention registered. Furthermore, there are cases where the legal safeguards in place failed to prevent or stop the occurrence of torture and ill-treatment while in custody or in prison. These developments are a matter of concern.” [71c] (p13)

- 22.51 In a recent *BIA News* article ‘Sexual Violence in Detention’, dated 27 November 2008, it was noted that:

“The Legal Aid Bureau against Sexual Harassment and Rape in Detention has announced the data regarding the applications between January and November. In 2008, 35 women applied to the bureau. According to the information supplied by the bureau, there was no rape application in 2008, but there were sexual harassment complaints. Harassment was done by touching using one’s hand or other objects, threat of rape and verbally about woman’s sexuality.” [102f]

- 22.52 The book ‘Conditions of Detention in Turkey: Blocking Admission to the EU’ also added that “The delegation spoke to a woman former prisoner D, who believed that the psychological torture that she had suffered as a result of the isolation regime in prison had been far worse than any physical torture. She told the delegation that she had spent 14 years in the same room with the same two people, having no contact with any other prisoners.” [29a] (Women and Detention p 28)

- 22.53 Mr Öndül, Chairman of the Human Rights Association also said that while avenues of legal redress were available to individuals who had been subjected to mistreatment at the hands of the police authorities, police impunity remained a problem. Officers were able to continue their police duties while prosecutions against them are ongoing. [59] (S4.8)

See also Section 11 [Legal rights; Mistreatment in Detention](#) and [Government assistance](#)

[Return to contents](#)  
[Go to list of sources](#)

### Government Assistance

- 22.54 Several helpline services available to women were mentioned by the sources interviewed by the UKBA FFM. SHCEK's telephone hotline 'Call 183', noted above, provided support and guidance to women on issues of domestic violence/abuse. Those reporting abuses could be reached immediately as call offices were available across Turkey. If necessary, SHCEK (in cooperation with the Turkish National Police) could remove people from violent home environments. Other hotlines were also available to women throughout Turkey providing support and guidance, such as the Turkish National Police Helpline 'call 155', the Gendarmerie helpline 'call 156' and a line run by IOM 'call 157' to deal with cases of human trafficking. [59] (S11.18)
- 22.55 The US State Department (USSD) 2008 report on Human Rights Practices, published 25 February 2009, noted that;
- "In October 2007 the governor of Istanbul and the Foundation to Support Contemporary Life launched a domestic violence hotline financed by the EU and staffed by operators who screened calls and then forwarded legitimate calls to police, attorneys, or psychologists. In January 2007 State Minister for Women and Children's Affairs Nimet Cubukcu established a hotline to prevent the exploitation of women, children, persons with disabilities, and senior citizens. From its inception through November, the hotline received 119,090 calls" [5b] (section 5 Women)
- 22.56 The UKBA FFM 2008 spoke to Ms Zumra Yimaz, Head of the Directorate of EU Coordination, Justice Ministry, who said that the right to seek a remedy is laid down in section two of the Turkish Constitution under 'Fundamental Rights and Duties'. Article 36 provides that: 'Everyone has the right of litigation either as plaintiff or defendant before the courts through lawful means and procedure. No court shall refuse to hear a case within its jurisdiction'. In light of this article, women and men alike have equal rights and freedoms and can therefore access the judiciary with equal ease. [59] (S10W)
- 22.57 A letter from the British Embassy in Ankara to the Country of Origin Information Service, dated 27 March 2007, sets out details of the complaints procedure for women mistreated in custody, in terms of answers to a series of questions:

"I refer to your letter of 21 February for additional information on the complaints procedures available for women, who have been mistreated in custody in Turkey. The answers to your questions follow.

1. What precisely does a Turkish woman need to do in order to complain about her treatment by the Turkish police either during her arrest/questioning or while being held in police detention?  
There are currently a number of different avenues of complaint available in Turkey:
  - a) The most usual route is to submit a written allegation to the Provincial Chief Prosecutor, who will then arrange an investigation.
  - b) Alternatively, complaints about police treatment can be submitted directly to the Interior Ministry
  - c) A third option is to submit a complaint to the provincial Human Rights Board. The Boards consist of local government and non-governmental representatives and are have responsibilities across the full range of civil and political rights. They are unable to instigate a prosecution but they do have investigative powers and will submit their findings to the prosecutor.
  
2. What forms does she need to fill in?
  - a) This option does not require a form, although complaints must contain details of places, times, persons and their actions. A lawyer may submit a complaint on the victim's behalf.
  - b) This option is most commonly pursued via an online form available on the Ministry of Interior Website at [www.icisleri.gov.tr](http://www.icisleri.gov.tr). The form must be completed in Turkish.
  - c) The Regional Human Rights Boards use a standard 4-page application form, copies of which are available on-line, from public and NGO offices. The form can be filled in personally, or by a relative or representative. Forms can be submitted by e-mail, fax, post or via a 'human rights application box' located in various public buildings in every town. An English version is available from the Prime Ministry website at [www.basbakanlik.gov.uk](http://www.basbakanlik.gov.uk) Applications must be submitted in Turkish.
  
3. If she is required to attend in person can she be accompanied by a lawyer or other representative, such as a representative of an NGO?  
If required to attend in person, she may always be accompanied by a lawyer. NGO representatives are unlikely to be allowed to attend police interviews, but may accompany the plaintiff at other stages of the proceedings.
  
4. Can the complaint be lodged from a different police district from the one where the alleged ill-treatment took place?  
As outlined above, complaints are not submitted directly to the police. Complaints to the prosecutor and human rights board are submitted in the same province (an average province in Turkey has a population of 700,000 - 1 million). Complaints to the Interior Ministry are handled centrally, but involve local prosecutors.
  
5. How effective are these remedies in practice?



Investigations into allegations of mistreatment occur after almost all allegations are submitted, but as outlined in the 2006 Progress Report, impunity remains a problem in Turkey. Prosecutions are often made but convictions are rarer.

6. Are there any human rights groups active in Turkey who provide assistance to women in this situation?

There are no human rights groups focusing exclusively on women in this situation, but a number do provide this service to men and women. The most important of these is the Human Rights Association, which has branches in 35 cities in Turkey. Each can be contacted by phone or e-mail. Details are available from the website [www.ihd.org.tr](http://www.ihd.org.tr). The Human Rights Foundation will also compile medical evidence for submission to prosecutors and rehabilitation for torture survivors. It has offices in Ankara, Istanbul, Izmir, Adana and Diyarbakir. Contact details for each branch are available on the website [www.tihv.org.tr](http://www.tihv.org.tr). [4r]

- 22.58 A letter from the British Embassy in Ankara to the Country of Origin Information Service, dated 17 April 2007, sets out details of the complaints procedures available for women who have been mistreated in custody by the National Guard or Jandarma:

- “1. Complaints are dealt with by a centralised body known as the Gendarmerie Human Rights Violations Investigation and Assessment Centre (JIHIDEM), which is responsible for the investigation and assessment of complaints and their submission to the prosecutor for action. Applications can be made to JIHIDEM in a variety of different ways:
  - Via an on-line form available on the Gendarmerie website (an English version is available at <http://uyg.jandarma.tsk.mil.tr/JIHIDEM/FORM/frmlngBasvuruGD.aspx>)
  - In person, by phone or by petition to the relevant provincial command centre
  - In person, by phone, fax, letter, petition directly to JIHIDEM.
2. Contact details for JIHIDEM are as follows  
 JIHIDEM  
 Jandarma Genel Komutanligi  
 Korg. Hulusi SAYIN Kislasi 06500  
 Bestepe, Ankara  
 Phone: 0312 456 1186  
 Fax: 0312 212 8463, 0312 215 1417
3. I can find no indication that applications must be made in Turkish, but this is highly likely to be the case. Information about the complaints procedure and forms are available only in Turkish and English (for the diplomatic community). As outlined in my previous letter (above), there are various human rights groups in Turkey who will assist anyone wishing to make a complaint. [4p]

- 22.59 The European Commission 2008 Progress report published 5 November 2008, mentions that “Women are reportedly reluctant to have recourse to the police or



the courts due to lack of confidence in provision of effective protection.” [71c] (p20)

[Return to contents](#)  
[Go to list of sources](#)

### Provision of shelters

22.60 The US State Department (USSD) 2008 report on Human Rights Practices, published 25 February 2009, noted that:

“The Institution for Social Services and Orphanages operated 23 shelters with a total capacity of 405 for female victims of domestic violence and rape. The government reported that provincial government offices, municipalities, and NGOs operated 38 shelters and that one private foundation operated a shelter. During the year there was one shelter bed for every 144,000 persons in the country, which observers noted was an inadequate amount of shelters for towns with populations of more than 50,000.” [5b] (section 5 Women)

22.61 The Social Services and Child Protection Agency (SHCEK) indicated that they directly operated 23 shelters (also known as ‘Guest-Houses’) with a total capacity to accommodate 477 women across Turkey. Each shelter had a manager of university graduate level education in a relevant social science, social workers, psychologists, nurses and other staff. The staff worked together to identify the conflict dispute and the type of legal aid or support assistance that a woman might require. Shelters also worked with women who wished to reunite with their families. [59] (S11.6)

22.62 An Amnesty International News article ‘Turkey: Shelters not Cemeteries’ stated that:

“At present, the role of women’s rights activists is crucial to ensure that at least a small proportion of women obtain protection – some of these organizations are the:

- Women’s Support and Solidarity Centre in Antalya,
- the Purple Roof Foundation in Istanbul,
- the Women’s Centre (Ka-Mer) in Diyarbakır,
- the Women’s Solidarity Foundations (KADAV) in Ankara and Izmit.

A worker at an NGO told Amnesty International, ‘everyone sends women who have experienced violence to us, Everyone. [sic] the government, the police, everyone. We don’t have the facilities to meet the demand’.” [12b]

22.63 The US State Department (USSD) 2008 report on Human Rights Practices, published 25 February 2009 noted that “KA-MER, the leading women’s organization in the southeast, reported that from 2003-07 a total of 198 women from eastern and southeastern Anatolia contacted it to report that their family had threatened them.” [5b] (Women)

See also: [Availibility of protection](#)

22.64 In a *BIA News* article published March 2008, it was reported that:

“Since 1990, the ‘Purple Roof Women’s Shelter Foundation’ has offered shelter for women trying to change their lives. Gülsun Kanat is responsible for meeting the women applying for shelter, while Yalcin is responsible for media and public relations. Zelal Yalcin studied statistics. As a student, she was part of a feminist initiative, and after working in the private sector for a while, she found a job at the foundation. The most important issues for women’s shelters are that their locations remain secret... When people dial the telephone number directory and ask for a women’s shelter, the operators today automatically give them the number of ‘Purple Roof’.” [102i]

[Return to contents](#)  
[Go to list of sources](#)

### Women’s NGOs

22.65 The Stop Violence against Women website accessed 17 June 2009 stated that

“Nongovernmental organizations, or NGOs, play vital roles in articulating and enforcing international human rights standards. NGOs lobby on national and international levels for strengthened human rights standards... As advocates for social change, NGOs have been instrumental in achieving legal reform and have played important roles in advancing ‘women’s rights as human rights. Despite their diversity, NGOs can be broadly defined as independent voluntary association[s] of people acting together on a continuous basis, for some common purpose.” [97a]

22.66 The same Stop Violence against Women website further noted the six different Women NGOs listed in Turkey as follows:

Foundation for Women’s Solidarity (Kadin Dayanisma Vakfi)  
 Mithat Pasa Caddesi, No. 10/11 Sihhiye  
 Telephone: 90-312-430-4005      Email: [Kadindv@yahoo.com.tr](mailto:Kadindv@yahoo.com.tr)

Human Resources Development Foundation (Insan Kaynagini Gelistirme Vakfi)  
 Sira Selviler Caddesi, Kristal Apt. No. 152/3-4 Beyoglu  
 Telephone: 90-212-293-16-05      Email: [ikqv@ikqv.org](mailto:ikqv@ikqv.org)

Flying Broom  
 Büyükelçi Sokağı 20/4 Kavaklıdere, Ankara, Türkiye 06700  
 Telephone: 90-312-427-00-20      Email: [ucansupurge@ucansupurge.org](mailto:ucansupurge@ucansupurge.org)  
 Fax: 90-312-466-55-61  
 Website: <http://www.ucansupurge.org/>

Foundation for the Support of Women’s Work  
 İstiklal Cad. Bekar Sokak, No: 17 Beyoglu - Istanbul/TURKEY  
 Phone: 90-212-292-26-72,      Email: [kedv@kedv.org.tr](mailto:kedv@kedv.org.tr)  
 Fax: 90-212-249-15-08  
 Website: <http://www.kedv.org.tr/>

Human Rights Association  
HRA Headquarters, İHD Genel Merkezi  
Tunalıhımi Cad. 104/4 Kavaklıdere, Ankara, Turkey  
Telephone: 90(312)-466-49-13-14, Email: [posta@ihd.org.tr](mailto:posta@ihd.org.tr)  
Website: <http://www.ihd.org.tr/index.html>

Kadin2000  
Arjantin Caddesi 22/10, Kavaklıdere 06700, Ankara, Turkey  
Telephone: 0312-467-13-37, Email: [info@kadin2000.gen.tr](mailto:info@kadin2000.gen.tr)  
Fax: 0312-468-18-33  
Website: <http://www.kadin2000.gen.tr/>

Women for Women's Human Rights - New Ways Foundation  
İnönü Caddesi, 37/6 Saadet Apt. Gümüşsuyu, 80090, İstanbul-TURKEY  
Telephone: 90-212-251-00-29, Email: [wwhrst@superonline.com](mailto:wwhrst@superonline.com)  
Fax: 90-212-251-00-65  
Website: <http://www.wwhr.org>  
[97b]

**Return to contents**  
**Go to list of sources**

## 23 CHILDREN

### OVERVIEW

23.01 UNICEF in Turkey: Country Profile page, accessed on 9 June 2009, summarised the position of children in Turkey “Children are the country’s largest demographic group. The current estimated total of 27 million people under 19 years of age represents 36% of the total population with under-fifteen-year-olds and under-five-year-olds constituting 28% and 9% of the total respectively. The proportion of children is expected to decrease slightly to 33% by 2015.” [91b] (UNICEF Country profile)

23.02 The same source indicated that though children face difficulties in Turkey, it was observed that:

“Levels of poverty have decreased since 2002, dropping from 30% to 16%... Rates of child poverty have also dropped over the same period. However, children continue to live with a much higher risk of poverty than adults...Notably, the 40% poverty rate of children in rural areas represents only a minute drop by comparison with 2002... Low levels of education and customs also affect the protective environment for children of both sexes, especially the most vulnerable. Although there has been no systematic monitoring of the situation to date, available research and anecdotal information indicate that incidence of child abuse, neglect and deprivation of parental care is on the increase. The lack of preventive measures, policies and poor enforcement of legislation reflects a weak institutional response in this respect.” [91b] (UNICEF Country profile)

23.03 However the UNICEF Turkey Country background page accessed 11 June noted some activities and results affecting children:

- “More than 100 hospitals have been certified as “Baby Friendly,” accounting for 70 per cent of hospital births.
- The government’s ongoing efforts to improve prenatal care, increase educational opportunities for girls have had profound effects on infant and under-five mortality rates.
- In a joint venture with Procter & Gamble, UNICEF has helped to educate 250,000 mothers about better parenting.
- A Girls’ Education Campaign has led to the enrolment of 74,500 additional girls in primary schools. Some 52,800 additional boys were also enrolled.
- A new civil code gives women equal rights with men, though most women still face discrimination.
- A juvenile justice system is in its infancy. Judges are learning about child-sensitive detention centres, alternative dispute resolution and due process for children in conflict with the law.” [91e] (Background)

See subsection [Health and welfare](#) and [Education](#)

[Return to contents](#)  
[Go to list of sources](#)

- 23.04 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“The government was committed to furthering children's welfare and worked to expand opportunities in education and health. While education through age 14 or the eighth grade was free, universal, and compulsory, only 40 percent of children received a high school diploma, according to the Organization for Economic Cooperation and Development and one in 10 girls did not attend compulsory primary school.” [5b] (Section 5)

- 23.05 The EC 2008 Progress report further noted that “The proportion of children under 15 years of age in households experiencing poverty decreased from 27.7% in 2005 to 25.2% in 2006.” [71c] (p21)

### Basic legal information

- 23.06 The ‘Child Information Network in Turkey’ website, defines a child as “below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.” [80]

- 23.07 The Office of the Prime Minister, Directorate General of Press and Information, accessed 24 August 2008, recorded that the legal age for marriage has been raised for both men and women to over 17 years (Article 124). However, under extreme situations and with sufficient cause, both men and women who are over the age of 16 can be married with the permission of the judge. [36b] The Child Soldiers Global Report on Turkey 2008 states that the compulsory recruitment age for military service is 19yrs and the voluntary recruitment age as 18yrs. [40] CIA World Factbook, updated 22 May 2009, stated the voting age as 18years. [103] The USSD 2008 Human rights report states that the law prohibits the employment of children younger than 15 and prohibits children under 16 from working more than eight hours a day. At age 15 children may engage in light work provided they remain in school. [5b]

See section on [Forced Marriage](#), [Military Service](#) and [Child Labour](#)

- 23.08 Turkey signed the Convention on the Rights of the Child on 14 September 1990 and ratified it by decision of the Council of Ministers No. 4058 of 9 December 1994. The Convention came into force on 11 December 1994. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in the armed conflict was signed on 8 September 2000 and ratified by decision of the Council of Ministers No. 4991 on 16 October 2003. The Optional Protocol came into force on 18 March 2004. [20a]

- 23.09 The Convention on the Rights of the Child, adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989, entry into force 2 September 1990, states under Article 32 that:

“1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to

interfere with the 'child's education, or to be harmful to the 'child's health or physical, mental, spiritual, moral or social development.” (91c]

- 23.10 The European Commission 2008 Progress report, published 5 November 2008, on Turkey noted that Parliament has ratified the Hague Convention on the Civil Aspects of International Child Abduction, which provides for a simplified procedure for returning children to their legal custodian. [71c] (p21)

[Return to contents](#)  
[Go to list of sources](#)

## LEGAL RIGHTS

- 23.11 UNICEF, as the intergovernmental agency working with the Government of Turkey signed the latest Country Programme Action Plan (CPAP) for the period 2006-2010 in August 2006:

“The goal of the 2006-2010 CPAP is to ensure the effective implementation of social and economic policies for the reduction of poverty and inequality in Turkey by 2010. The Country Programme Action Plan (CPAP) will promote and support national priorities of expanding quality basic social services for vulnerable groups in hard-to-reach areas, enhancing child protection, equipping adolescents with knowledge and skills, implementing policies and legislation for children and women and increasing resources accordingly. Targeting areas with low human development indicators and low-income families in general.” [91f] (Country Programme Action Plan 2006–2010)

## Domestic legislation

- 23.12 The Report of the UK Border Agency Fact Finding Mission to Turkey 11 – 20 February 2008 includes information regarding Legislative Framework for Children obtained from interviews with a number of sources. Mr Yilmaz Head of the Department of Child Labour told the mission that the Turkish government had adopted laws and regulations relating to the prevention of child labour in line with international standards. There were also many international organisations operating in Turkey that worked with the Government to regulate child labour, such as the International Labour Organization (ILO) and the United Nations (UN). [59] (S15.1)

- 23.13 Mr Yilmaz said that there were a number of Turkish byelaws related to the prevention of child labour but that constitutionally, article 50 of the Turkish Labour Law was the strongest provision in place. Byelaws concerning the education of children and the prevention of child labour included:

- “- Law no 4857 (Article 71 of the Turkish Labour Law) which prohibits children from being engaged in hard labour.
- Law no 222 which concerns the obligation to complete compulsory primary and secondary education for 8 years (6 to 14yrs).
- Law no 2821 which concerns the syndicate trade union law provision on child labour.

- Law no 2559 which concerns the provision of guidelines for the police and local authorities on preventing child labour.
- Law no 1580 which concerns the responsibilities of municipalities regarding child labour.
- Law no 2828 which pertains to social services and child care services.
- Law no 5395 which concerns child protection.” [59] (S15.2)

23.14 The U.S. Department of Labour’s 2007 findings on the Worst forms of Child Labour further noted that:

“The National Guidance Committee, chaired by the Deputy Undersecretary of MOLSS, decides the suitability of programs designed to combat child labor in Turkey. MOLSS inspectors are responsible for enforcing child labor laws in Turkey. There are approximately 600 labor inspectors operating in Turkey. All have been trained to identify cases of exploitive child labor. MOLSS has been unable to effectively prevent child labor for a variety of reasons, including traditional attitudes, socioeconomic factors, and the predominantly informal nature of child labor in Turkey. Work on agricultural sites and workplaces with fewer than 50 workers, maritime transport, family businesses, small shops, and the informal economy are not covered by the labor law. These are places where children are frequently engaged in work, but cannot be regulated by the inspectorate.” [5c]

23.15 The Office of the Prime Minister, Directorate General of Press and Information, has recorded that the legal age for marriage has been raised for both men and women to over 17 years (Article 124). [36b] However Article 103 of the Turkish Penal Code states that - Any person who sexually abuses a minor shall be sentenced to a penalty of imprisonment for a term of three to eight years. [36b] (Turkish Penal Code) The *Turkish Weekly* also states that one of the following parts of the same article (103-6) clarifies the issue: If the sexual assault results in damage in victim’s physical or mental health, perpetrator is punished with imprisonment not less than 15 years. [45a]

[Return to contents](#)  
[Go to list of sources](#)

### Judicial and penal rights

23.16 The *Hurriyet Daily* news reported on 11 March 2008 that:

“A EU-funded project, ‘Modeling Child Protection Mechanisms at the Provincial Level’ with a budget of 5.8 million euros, will take 15 months and be held in 12 provinces, including Adana, Ankara, Batman, Bursa, Diyarbakir, Istanbul, Izmir, Kocaeli, Mersin, Samsun, Sanliurfa and Trabzon. It aims to ensure effective enforcement of the Turkish Children Protection Law, which took effect in 2005, as well as strengthen the capacity of institutions and professionals working in the field of juvenile justice and those in contact with children who have faced violence, abuse, neglect and legal cases, and those deprived of education. The project also aims to establish a co-ordination and monitoring system at the national and provincial level.” [70c]



- 23.17 The Human Rights Association (IHD) in their Press release on 3 June 2009 said that:

“The Heavy Penal Courts of Adana imprisoned two children M.Ö (15) and I.S (16) for 8 years and 2 months each on 09.03.2009 under the accusation of joining demonstration... In addition to that the court decided that these children would not be released but stay in prison, who have been in prison for three months, on the basis of the period of the imprisonment... Moreover all these trials are being held in a manner that is contrary to international conventions namely the UN Convention on the Rights of the Child. The UN Convention on the Rights of the Child and other international instruments state that arrest of children and putting them into prison must be the last method to apply. However arrest is the first action that is taken in Adana.” [73d]

- 23.18 In the same Press release by The Human Rights Association (IHD) it was further noted that “another unlawful aspect of children trial is that these children are being tried before the heavy penal courts which have special authorities. There are 69 imprisoned children, including M.Ö (15) and İ.S (16), in Adana during the last 11 months. These 69 children were imprisoned for 300 years in total after some reduction.” [73d]

See table on [the arrested children in Adana](#)

- 23.19 The Deputy Representative of United Nations Children’s Fund (UNICEF) Mrs Pieters stated that 60 Bar offices across the country had offices known as “Child Rights Commissions” but only 40 of these were quite active. Officially speaking, legal redress was available to children, though concerns remained around the fact that there were no children’s courts and some children’s cases had been referred to the adult courts. [59] [S3.11]

[Return to contents](#)  
[Go to list of sources](#)

## VIOLENCE AGAINST CHILDREN

### Customary marriages

- 23.20 The US State Department Report on Human Rights Practices 2008 (USSD 2008), published on 25 February 2009, stated that:

“Child marriage occurred, particularly in poor, rural regions; however, women’s rights activists claimed that underage marriage has become less common in the country in recent years. The law defines 15 as the minimum age for marriage, although children as young as 12 were at times married in unofficial religious ceremonies. In rare instances, families engaged in ‘cradle arrangements’ agreeing that their newborn children would marry at a later date, well before reaching the legal age.” [5b] (section 5 Children)

- 23.21 The United Nations Development Programme (UNDP) report on Youth of Turkey 2008 notes that “Although the law prohibits children from marrying, families — particularly those in remote rural areas — have sufficient leeway to

give their adolescent daughters in marriage, owing to inadequate birth registration procedures. Furthermore many rural communities consider an imam nikah or religious ceremony sufficient to formalise a union. As a result many marriages remain officially unregistered and essentially invisible to the State.” [35b]

23.22 The same UNDP report on Youth of Turkey 2008 also noted that:

“... in many cases, child marriage is motivated to a considerable extent by fear that a girl’s family honour will be ruined if her virtue is compromised in any way. The same fear is at the root of the issue of honour killings — a persistent threat to adolescent girls and young and adult women alike especially in rural areas where hundreds of Turkish women die each year by way of reparation for their family’s allegedly damaged reputation.” [35b]

23.23 In the NGO Report on Turkey’s Implementation the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography report of 2006, compiled by Ankara Child Rights Initiative, it was stated that:

“Prof. Dr. Türkan Saylan, President of one of the leading girl’s education NGO with more than 90 branches all over Turkey, in one of her recent remarks stated that there are still girl children in some areas who are being sold in marriage for 200 YTL (around € 125) in rural Turkey.” [80a] (p8)

See section 22.26 – [Forced marriages](#)

23.24 The same NGO 2006 report further added that “in Diyarbakir (South Eastern Turkey), 12 year-old girl had been kidnapped and been raped by the kidnapper, later she was forced to marry her kidnapper to clean her honour as she was left pregnant. Two years later, her nose was cut off by her father-in-law when she resisted his rape attempt.” [80a] (p8)

See section 22.37 - [Honour killing](#)

23.25 The Report of the UK Border Agency Fact Finding Mission to Turkey 11 – 20 February 2008, noted that Mrs Pieters the Deputy Representative of the United Nations Children’s Fund (UNICEF) in Turkey said that underage marriages affected particular sections of society including the Kurdish, Roma and Arab communities. Mrs Pieters advised that 99 per cent of such marriages did not get prosecuted owing to cultural stigma. [59] (S3.12)

[Return to contents](#)  
[Go to list of sources](#)

## Child abuse

23.26 The US State Department (USSD) report 2008 report on Human Rights Practices published 22 February 2009, noted that “Child abuse was a problem. There were a significant number of honor killings of girls by immediate family members, sometimes by juvenile male relatives. There were reports that children were trafficked for sexual exploitation.” [5b] (Section 5-Children)

- 23.27 The Amnesty International (AI) 2009 report reported that “In November, 14-year-old Ahmet Yıldırım was shot by police officers at close range and paralysed from the waist down. Police stated that they had suspected Ahmet Yıldırım of stealing the motorcycle he was riding and fired at the tyres when he refused to stop. Eyewitnesses stated that no warning to stop was given.” [12c] (**Excessive use of force**)
- 23.28 In *Todayzaman’s* an article published 7<sup>th</sup> June 2008 reported that:  
 “Statistics and police reports on the sexual abuse of children have been indicating a steady rise in the number of such events. Republican People’s Party (CHP) deputy Canan Aritman, said statistics gathered from police records and reports of sexual crimes committed against children were only the tip of the iceberg. Drawing on statistics she gathered working with experts and civil society groups, Aritman says 4 percent of all children in Turkey are subject to sexual abuse, with 70 percent of the victims being younger than 10. Contrary to popular belief, boys are subject to sexual abuse as frequently as girls.” [24f]
- 23.29 The same article in *Todayzaman’s* further noted that:  
 “In reported cases of children subject to commercial sexual exploitation, 77 percent of the children came from broken homes. Twenty-three percent lived with their parents, but in those homes domestic violence was common... Figures provided by the state Social Services and Child Protection Agency (SHÇEK), 2,678 -- 18 percent -- of the 14,398 children currently living in SHÇEK homes have been subject to physical or sexual abuse by their parents.” [24f]

See [Child labour](#) below

[Return to contents](#)  
[Go to list of sources](#)

## Child labour

- 23.30 The US State Department (USSD) report 2008 report on Human Rights Practices published 22 February 2009 noted that “There are laws to protect children from exploitation in the workplace; however, the government did not effectively implement these laws. The use of child labor was particularly notable in agriculture, carpentry, the shoemaking and leather goods industry, the auto repair industry, small-scale manufacturing, and street sales.” [5b] (**section 6d Prohibition of Child Labor and Minimum Age for Employment**)
- 23.31 The U.S. Department of Labour’s 2007 findings on the Worst forms of Child Labour noted that:  
 “The law establishes the minimum age for employment at 15 years. The law, however, allows children 14 years to perform light work that does not interfere with their education... Children under 16 years are permitted to work no more than 8 hours per day. During the compulsory education period, children are prohibited from working more than 2 hours per day or 10 hours per week.

“The Ministry of Labor and Social Security (MOLSS) published a list of prohibited occupations for children 15 to 18 years. Children 15 to 18 years are not permitted to work in bars, coffee houses, dance halls, cabarets, casinos, or public baths, or to engage in industrial or night work. The law prohibits underground and underwater work for females of any age and for boys under 18. The law prohibits the employment of children under 18 years in industrial night work. Seasonal agricultural work, dangerous conditions in small and medium sized enterprises, and child labor in the streets are classified as among the worst forms of child labor in Turkey.” [5c]

23.32 The same USSD of Labour 2007 report also noted that “The law prohibits prostitution under the age of 21 years, and the sexual exploitation of children. Child sexual abuse is punishable by 3 years to life imprisonment. The use of children in pornographic materials is punishable by imprisonment for 5 to 10 years, the law also designates the trafficking of persons as a crime; those convicted face 8 to 12 years in prison.” [5c]

23.33 The European Commission 2008 Progress report published 5 November 2008 noted that “Child labour, including children working on the streets, remains a problem. Shortcomings in the legislation with regard to child labour still persist, as outlined in the Turkey 2007 Progress Report. Turkey needs to continue its efforts to combat child labour. In the area of labour law, Turkey is not yet sufficiently prepared.” [71c] (p60)

23.34 The U.S. Department of Labour’s 2007 findings on the Worst forms of Child Labour also noted that “the Timebound Program for the Elimination of the Worst Forms of Child Labor in Turkey program included activities in 11 provinces, targeting the priority sectors of street work, the informal economy, and seasonal agricultural labor. The project withdrew 5,661 children and prevented 7,448 children from exploitive labor.” [5c]

23.35 The US State Department (USSD) report 2008 report on Human Rights Practices published 22 February 2009 noted that:

“In a child labor survey conducted in the last quarter of 2006 and released in April 2007, the State Statistical Institute reported that the number of child laborers between the ages of six and 17 was 960,000, or 5.9 percent of a total of 16.2 million in that age group. These figures represented a decrease over previous years. The study found that 84.7 percent of children aged six to 17 attended school and that the 31.5 percent of children in that age group who were employed were also attending school at least part time.” [5b] (section 6d Prohibition of Child Labor and Minimum Age for Employment)

23.36 The NGO 2006 compiled by Ankara Child Rights Initiative states that “Although problem of children in agricultural sector are being addressed more and more, there are still report of abuse of economically disadvantaged segments of the society by brokers who hire children between 12-16 years of age from their families in Eastern and South Eastern Turkey to work in Western Northern parts of Turkey mostly during summer months. These children not only are exposed to forced hard labour in fields but also to all forms of abuse including sexual.” [80a] (p6)

- 23.37 The NGO 2006 report compiled by Ankara Child Rights Initiative stated that “Due to economic hardships, child labour is being used as cheap labour in parts of Turkey. For example recently Food Processing Trade Union branch in Erzurum (Eastern Turkey) reported that number of children working is increasing as a source of cheap labour.” [80a] (p6)

See also CHILD LABOUR: [Give Girls a Chance: Tackling child labour](#), a key to the future published 15 June 2009

See also [The Department of Labor’s 2008 Findings on the Worst Forms of Child Labor](#) – 10, September 2009

[Return to contents](#)  
[Go to list of sources](#)

### Unregistered children

- 23.38 The UN Convention on the Rights of the Child, Article 7 states that “The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and as far as possible, the right to know and be cared for by his or her parents.

“States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.” [91c]

- 23.39 In a letter from the Foreign and Commonwealth Office dated 14 August 2008, it was noted that:

“Children’s birth registry status can be analysed also in terms of the type of marriage of their parents. Three-fourth of children born to parents with imam marriage (religious marriage) have no birth registry. The proportion of children in this status is 15 percent among parents with both civil and religious marriage, and 10 percent for parents with civil marriage only. It is further observed that non-registry is also more common among children born to parents who were married with such practices as başlık (bride money paid to the family of the bride by the family of the groom) and berdel (marriage allowed by families on the condition that one sibling of the groom gets married with one sibling of the bride).” [4]

- 23.40 The Report of the UK Border Agency Fact Finding Mission to Turkey 11 – 20 February 2008, interviewed a number of sources on the issue of unregistered children. Mrs Pieters the Deputy Representative of United Nations Children’s Fund (UNICEF) advised the FFM that in order to register the birth of a child in Turkey, a parent needed to be married. Consequently, individuals who were unmarried would often register their children to married members of their family. Mrs Pieters said that UNICEF was doing an analysis of the Birth Registrations laws which would shortly be published. Also, an awareness raising campaign would be launched jointly with the Directorate General for population under the Ministry of Interior. [59] (S3.15)

- 23.41 Mrs Pieters also said that when a child was born to an unwed mother it was often placed in an institution, given to a childless family member to bring up, or put up for fostering. Mrs Pieters gave an example of four pregnant girls in an Istanbul prison who had been told that their babies were stillborn, when the babies had actually been given for adoption. [59] (S3.14)
- 23.42 On the children born out of wedlock, Mrs Nurdan Tornaci, Deputy Director General and Nilgun Geven, Head of Department for Women's Branch Department of Services for Women, Children and Society (SHCEK) reported to the UKBA FFM that there was still a certain stigma attached to this issue in Turkish society and that often children assumed to be born out of wedlock were left on the streets. In cases of child abandonment, SHCEK would take in the children concerned and look after them; some may then be fostered or adopted. SHCEK said that every year there were about 500 adoption cases, of which approximately 250 children were abandonment cases, probably born out of wedlock. [59] (S11.19)
- 23.43 In a letter from the Foreign and Commonwealth Office dated 22 July 2008, it was noted that:
- “It is obligatory to register your child at birth in Turkey. However, registration can only be carried out at offices in the provincial capitals (81 cities in Turkey) which can make it difficult for rural communities to register. Notwithstanding this, registration is very high, because communities are aware that they cannot claim benefits for their children unless they are registered. This means that there is a high level of registration overall - 85% - and no difference between registration of girls and boys, or of Sunni Turks and other minority groups such as Roma.
- “If a child is not registered at birth, they are registered by the authorities on entering the education system, which means that the majority of children are registered. One problem that remains is the tendency of rural communities not to register children who die, or not to register a younger child given the same name as a dead elder sibling.” [4k]

[Return to contents](#)  
[Go to list of sources](#)

## CHILDCARE AND PROTECTION

- 23.44 The US State Department (USSD) 2007 report on Human Rights Practices, published 11 March 2008, noted that “The government operated 113 orphanages, including 48 for girls and 65 for boys, serving a total of 6,116 children during the year. The government operated 43 children and youth centers and eight surveillance homes that provided daycare services and temporary boarding.” [5g] (Section 6)
- 23.45 The 2008 USSD report noted that “The Institution for Social Services and Orphanages operated 23 shelters with a total capacity of 405 for female victims of domestic violence and rape.” [5b] (section 5 women)



23.46 The Report of the UK Border Agency Fact Finding Mission includes information regarding child care and orphanages obtained from interviews with a number of sources. Mrs Nurdan Tornaci, Deputy Director General, and Nilgun Geven, Head of Department for Women's Branch Department of Services for Women, Children and Society (SHCEK), told the mission that SHCEK provided orphanages for children aged up to 12, dormitories and nurseries to educate children aged between 13-18, rehabilitation centres for children working on the street, homes for the elderly and the disabled, and shelters for women subject to domestic violence. SHCEK also worked on child custody issues, particularly in cases of children of foreign nationals. [59] (S11.3)

See Section 22: [Provision of shelters](#)

23.47 The EC 2008 Progress report also noted that

"Reception centres have been opened in a number of provinces for children who are perpetrators or witnesses of crimes or victims of violence. Six (6) such centres were established for the first time in 2007 in accordance with provisions of the Child Protection Law. Four (4) of these centres are 'Protection, care and rehabilitation centres' and assist children involved in criminal activities; two (2) are 'Care and social rehabilitation centres' and assist child victims of violence and abuse." [71c] (p22)

See section 21 [Disability](#) and [Mental Health](#)

23.48 The UN Secretary-General's database on violence against women accessed 18 June 2009 noted the measures on Family counseling centers and community centers in Turkey as:

"The family counseling centers and community centers which are run by the General Directorate on Social Services and Child Protection (SHÇEK) provide legal-psychological assistance. The victims are given legal assistance, especially in case of lack of means to afford the costs associated with court procedures, and provided with a free of charge attorney by the bar association. There are currently 41 family counseling centres and 77 community centres in Turkey." [77]

23.49 UN Committee on the Elimination of Discrimination against Women (CEDAW), 6th periodic report of States parties on Turkey dated 24 November 2008 noted that "The Law on Child Protection, effective as of 15 July 2007, resolved that appropriate shelters be provided to individuals with children with no means of sheltering and to pregnant women in fatal danger and that the addresses of these individuals be kept confidential upon their request." [20g]

23.50 A *Bianet* article 'Children's Situation in Diyarbakır Prison is Desperate' published 19 May 2009 noted that:

"The Human Rights board attached to the Diyarbakır Governor's Office visited the Diyarbakır E-type prison to monitor the situation of the children held there. Such visits are made unannounced in order to be able to identify human rights violations. However, the delegation wrote that it was only given permission to



visit two and a half months after their application, and that unannounced visits had been obstructed. According to prison manager İsmail Gül, there are 23 political detained and convicted children in prison, and 94 other children. Children are washing their clothes by hand, they are not clean. The beds are old, dirty and contain several bacteria. The tables are not hygienically clean, and because the children wash their dishes in an unhygienic environment (on the bathroom floor), this brings serious health problems.” [102a]

- 23.51 The Human Rights Association (IHD) in their Human Rights Violation in Adana in January, February and March 2009 report published 8 April 2009 noted that:

“In January, February and March 2009, 82 children between the ages of 13 and 17 were taken into custody. Twenty-eight out of these 82 children were placed in pre-trial prison detention, and 54 children were released pending trial... Adana 6th, 7th and 8th High Penal Court sentenced 33 children to a total of 129 years, 3 months and 15 days of imprisonment for ‘making propaganda for a terrorist organization or its aims’ and being a member of a terrorist rganization.” [73c] (Children received disproportionate and unjust sentences)

See also [Mistreatment in Detention](#)

- 23.52 The *Hurriyet* newspaper reported on 14 November 2008 that:

“The Diyarbakır prosecutor charges six children for attacking police with stones and Molotov cocktails as they participated in street protests during the prime minister’s visit last month. Lawyers and experts have reacted strongly to the strict penalty and have called on legal authorities to observe the rights of young people. Six young people, all around the age of 15, are facing up to 23 years in prison for participating in the street demonstrations in Diyarbakır last month. The demonstrations plagued Prime Minister Recep Tayyip Erdoğan’s visit to the southeastern province.” [70b]

- 23.53 The European Commission 2008 Progress report on Turkey, published 5 November 2008, noted that

“Despite some progress in the juvenile justice system, the number of child courts is still inadequate, there is a lack of social workers in these courts and their workload is heavy. This results in longer trials and, thus, possibly in children being deprived of their liberty for longer periods of time. There has been an increase in the number of children in detention. The conditions in detention centres need to be improved, both in terms of physical conditions and as regards the quality of the services provided.” [71c] (p22)

- 23.54 The Report of the UK Border Agency Fact Finding Mission to Turkey 11 – 20 February 2008, noted that a judge from the International Affairs Department of Prisons and Detention Facilities explained that children 13-15 years old convicted of crimes were sent to one of 133 probation centres which implemented non-custodial sentences and provided social and psychological support to prisoners after conviction and to victims. Children 16-18 years old convicted of crimes were sentenced to either non-custodial or custodial according to the nature of the crime. He also explained that in Turkey all victims

of crime were also supported by probation centres. Each probation centre has a protection board which consists of people from local businesses, civil society organisations, public organisations and which provides support to both victims and prisoners and provides work for them. [59] (9.13)

[Return to contents](#)  
[Go to list of sources](#)

## EDUCATION

- 23.55 The Child Information Network in Turkey, accessed 26 August 2008, noted that under Article 28:

“States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity; they shall, in particular

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.” [91c]

[Return to contents](#)  
[Go to list of sources](#)

- 23.56 The US State Department (USSD) 2008 report on Human Rights Practices published 25 February 2009, noted that:

“The government was committed to furthering children's welfare and worked to expand opportunities in education and health. While education through age 14 or the eighth grade was free, universal, and compulsory, only 40 percent of children received a high school diploma, according to the Organization for Economic Cooperation and Development and one in 10 girls did not attend compulsory primary school.” [5b] (Section 5 children)

- 23.57 The European Commission 2008 Progress report on Turkey, published 5 November 2008, mentioned that:

“... there was an increase in net primary school enrolment from 90% in the 2006/2007 school year to 97% in 2007/2008. Over the same period, the gender gap in primary education was halved from 4.6% to 2.3%. The number of pupils in pre-school education has increased by 28% over the last three years, from 550,000 in 2005 to 700,000 in 2007. The government target is to attain a 50% pre-school enrolment rate from the current 25%.” [71c] (p21)

- 23.58 Mrs Pieters, the Deputy Representative of United Nations Children's Fund (UNICEF), reported that Turkey did not have enough schools for its 10.8 million school age children, despite the fall in the pace of population growth. [59] (S3.6) She further said that there were some parents who were willing to send both their daughters and sons to school, but in cases of financial hardship, the sons were given preference to continue schooling, as daughters were more likely to be asked to stay at home to help out with domestic chores. [59] (S3.7)
- 23.59 With regard to absenteeism from school, Mrs Pieters told the mission that Turkey had no strict guidelines on children who were absent or missing from school. Until recently, there was no data kept on numbers absent. However, with UNICEF support, the government had now made it mandatory for schools to record absentees and take action against parents for non-attendance. [59] (S3.9)
- 23.60 The EC 2008 Progress report also confirmed that:
- “The Ministry of National Education has established an e-school database containing information on school attendance. The Ministry can thus identify children that are out of school and try to ensure their enrolment or provide catch-up education... (p21) The 2008 EC report further noted that “However, respect for and implementation of children's rights continues to be a matter of concern. Children out of school remain a problem: the e-school database has revealed that approximately 450 000 children between 6 and 14 years of age do not attend school.” [71c] (p22)
- 23.61 As recorded in Turkey's Statistical Yearbook 2008, in the education year 2008/2009, 96.99 per cent of males and 95.97 per cent of females were in primary education; in secondary education 60.63 per cent of males and 56.30 per cent of females and for higher education year 2007/08, 22.37 per cent of males and 19.69 per cent of females were in higher education. [89a] (p96 Education and Culture)
- 23.62 A letter from the British Embassy in Ankara to the Country of Origin Information Service, dated 27 March 2007, stated:
- “I refer to your letter of 21 February for additional information about services for children who are deaf, or whose hearing is impaired, in the province of Izmir. We are aware of at least one state-funded school for deaf children in the city of Izmir. This provides education from pre-school level up to 8th grade:
- “Tülay Aktaş İşitme Engelliler İlköğretim Okulu  
Mevlana Mahallesi, 373/2 Sokak  
No:6/1, Bornova - IZMIR  
Tel: 90 232 3397826  
Fax: 90 232 3392537  
email: taktasio@ttnet.net.tr
- “There is no secondary school for the deaf and hearing impaired in the province. At present children have the choice between being assisted to attend

a normal secondary school or attending a specialist school in one of the neighbouring provinces in the Aegean region.

“Pre-school education is also available. We are aware of two state-funded specialist toddler groups in Izmir itself, in the Carsi and Konak districts. Provision is likely to be much more limited outside of the main towns, as in the UK. To access these services a child’s parents must first submit documentation to the local Directorate of Education confirming that his or her hearing is impaired. A state hospital will usually be able to provide a suitable report.” [4q]

See section 21 - [Disability](#)

- 23.63 The International Deaf Children’s Society (IDCS) released a report by Mary C Essex on ‘Resources for Deaf people in Turkey’, which noted that:

“Turkey has been doing a good job of special education and there are many resources available for people with disabilities. There are 47 elementary schools and 14 high schools for the Deaf throughout Turkey. All of these schools are under the auspice of the Turkish Ministry of Education. Other Key National Offices that provide support for People with Disabilities are:

“Ministry of Social Services and Child Protection Services  
Milli Sosyal Hizmetler Çocuk Esirgeme Kurumu Bakanligi.

“Turkish Rehabilitation Centers (SHCEK): There are 385 updated lists of centers with 41 centers for Hearing and Speech Impaired 337 centers for the Mentally Retarded and 7 Spastic centers. These centers serve an early infant program and work with families and children from 0 – 21.” [28]

See also Section 21 [Disability](#)

[Return to contents](#)  
[Go to list of sources](#)

## Religious education

- 23.64 The US State Department (USSD) 2008 report on Human Rights Practices, published 25 February 2009, noted that “The constitution establishes compulsory religious and moral instruction in primary and secondary schools. Religious minorities are exempted... The government oversees Muslim religious facilities and education through its Directorate of Religious Affairs (Diyamet), which is under the authority of the Prime Ministry.” [5b] (Section 2c)
- 23.65 The same USSD 2008 report further noted that “The law establishes eight years of compulsory secular education, after which students may pursue study at imam hatip (Islamic preacher) high schools... Most families that enrolled their children in imam hatip schools did so to expose them to more extensive religious education, not to train them as imams.” [5b] (Section 2c)
- 23.66 The European Commission 2008 Progress report on Turkey, published 5 November 2008, stated that “In October 2007, further to an application lodged

by a family who are followers of Alevism, the ECtHR found that these classes did not just give a general overview of religions but provided specific instruction in the major principles of the Muslim faith, including its cultural rites. The Court requested Turkey to bring its educational system and domestic legislation into conformity with Article 2 of Protocol No1 to the ECHR. In March 2008, in two separate cases, the Council of State (CoS) decided that children of Alevi families were entitled to be exempted from these religious education classes.” [71c] (p18)

- 23.67 The USSD International Religious Freedom report 2008 on Turkey, published 19 September 2008, stated that:

“Alevi children receive the same compulsory religious education as all Muslims, and many Alevis alleged discrimination in the Government's failure to include any of their doctrines or beliefs in religious instruction classes in public schools. During the reporting period, Alevis had more than 4,000 court cases against the Ministry of Education regarding this alleged discrimination. Materials for the proposed new religious course curriculum that includes instruction on Alevism are believed by many Alevis to be inadequate and, in some cases, false.” [5e] (section 2 Legal/Policy Framework)

- 23.68 The *BIA News Center* on 11 March 2008 reported in an article, ‘Compulsory Religious Education is Hypocritical Violation of Rights’, that:

“Constitutional law expert Gürcan has criticised the continuing obligation of school children to attend Religious Education classes. They have been controversial for two reasons. For one, many people argue that religious education should not be compulsory. Secondly, although the name of the class is ‘Religious Culture and Ethics’, students are mostly instructed in religious practices of Sunni Islam, rather than learning about different religious beliefs.” [102b]

See section 18 - [Freedom of Religion](#)

[Return to contents](#)  
[Go to list of sources](#)

## HEALTH AND WELFARE

- 23.69 The UNICEF report, ‘The State of the World’s Children 2009’, reported that: “In terms of deaths of under five-year olds, Turkey ranks 104. In 1990, 82 out of 1,000 children died before that age in Turkey, but in 2007 this number fell to 23. As far as deaths of under one-year olds are concerned, the rate was 67 in a thousand, while it decreased to 21 in a thousand by 2007.” [91d] (p117)

- 23.70 The 2008 USSD report also noted that:

“In November IHRMH reported on research conducted in 12 mental health care centers between June 2007 and October with permission of the Ministry of Health and Social Services and the Child Protection Agency. The report cited a need to increase the number of professional care staff, improve hygienic conditions, vary treatment from only antipsychotic drugs and antidepressants, and allow for greater freedom of movement.” [5b] (Persons with Disabilities)

23.71 The United Nations Children’s Fund Turkey (UNICEF), in the ‘Early Childhood Care and Learning’ programme 2006 -2010 overview page stated that:

“UNICEF and the Government’s new Country Programme Action Plan (CPAP) for 2006–2010 focuses on child protection, education and early childhood development, targeting areas with low human development indicators and low income families in general. The CPAP aims to:

- continue progress made in reducing infant and under–five mortality rates;
- establish and strengthen minimum standards of institutional care;
- make institutions and individuals accountable for violations of children’s rights;
- foster a more protective environment for Turkey’s children
- encourage the adoption of policies, laws and monitoring systems for the better development and protection of children.” [91a] (overview)

23.72 The same UNICEF 2006 – 2010 programme further noted that

“Turkey has developed a considerable tradition of comprehensive immunisation campaigns. The first major national immunisation campaign involving government ministries, health workers, schools and numerous volunteers set a worldwide standard after achieving an 84% coverage rate straight away. Turkey achieved polio free certification in 2002 and UNICEF is now working closely with the MOH and other partners for the elimination of measles by 2010.” [91a] (Immunisation)

[See also Section: Medical Issues and section: Education school for deaf children](#)

**[Return to contents](#)**  
**[Go to list of sources](#)**



## 24 TRAFFICKING

### POLICY

- 24.01 The International Organization for Migration (IOM) Turkey country profile released October 2008 stated that:

“Turkey ratified the United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. Article 80 of the new Criminal Code, enforced on 1st of June 2005, defines THB and foresees sanctions of eight to twelve years of imprisonment and also prescribes judicial fines up to an amount corresponding to 10,000 days in prison. The article includes also punitive measures for legal entities that commit this offence intentionally. On 19 December 2006 the expression ‘forced into prostitution’ was included in the definition of THB in article 80 of the Turkish Criminal Code” [86a] (6.6 Policies to address trafficking in human beings)

- 24.02 Stop Violence against Women website accessed 8 July 2009 also adds that “Turkey signed a Co-operation Protocol with some countries of origin, including Moldova, Ukraine, Georgia and Kyrgyzstan, in order to investigate trafficking cases effectively and to provide assistance to victims.” [97c]

- 24.03 The International Organization for Migration (IOM) Turkey country profile released October 2008 stated that “that IOM signed a Memorandum of Understanding with the Organization of the Black Sea Economic Cooperation (BSEC) in 2006. One of the main aims of this agreement is to enhance cooperation in addressing irregular migration and combating trafficking in persons in the Black Sea region, an area that experiences significant migration challenges as a transit, origin, and destination hub for migrants.” [86a] (p7)

- 24.04 The US Department of State Country report on Human Rights Practices 2008, published on 25 February 2009, noted that “The law prohibits all forms of trafficking in persons; penalties for trafficking in persons are sufficiently stringent and commensurate with prescribed penalties for other grave crimes, such as sexual assault. There were media reports that police corruption contributed to the trafficking problem.” [5b] (Section 5 Trafficking in Persons)

- 24.05 The IOM 2008 country profile also stated that “The majority of the victims of human trafficking identified in Turkey are between 18 to 24 years old, with mainly secondary school education. Istanbul, Antalya, and Trabzon are the main ports of entry for trafficked individuals, majority of whom enter Turkey legally with a tourist visa...Illegal profits from trafficking total more than 1 billion US dollars annually.” [86a] (5.3 Figures and information on trafficking in human beings)

- 24.06 The US Department of State 2009 Trafficking in Person report, published on 16 June 2009, noted that:

“The Government of Turkey does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Law enforcement continued to successfully target and disrupts trafficking



networks and the government improved its prosecution of trafficking offenders in 2008. The government's anti-trafficking efforts were constrained, however, by inconsistent identification, referral, protection, and assistance to trafficking victims in Turkey." [5d] (Turkey Tier 2)

24.07 A June 2009 article on *Todayszamen.com* reported:

"The Ankara Police Department's Anti-Organized Crime Unit busted a large crime ring in the capital, allegedly led by two women, H.B. and M.K. According to reports, some of Ankara's wealthiest elites have been employing illegal workers brought to the country by the two women. The two women stand accused of establishing and running a human-trafficking ring that tricked men and women from countries including Ukraine, Russia, Turkmenistan, Azerbaijan and Kyrgyzstan into coming to Turkey allegedly confiscated their passports and threatened the workers and their families with death if they did not do as they were told. The police took 43 foreigners into custody. The women reportedly forced around 100 people to work as slaves and earned about TL 50,000 monthly" [24c]

24.08 On 1 July 2008 the *Turkish Daily News* reported in 'Turkey launches campaign to combat human trafficking' that:

"The European Commission-funded campaign is being implemented by the International Organization for 'Migration's, or OIM, Turkey office in close cooperation with the Turkish government. The two-year project aims at providing support to Turkish institutions in their fight against human trafficking, and protecting victims in line with EU directives... On the same day as the launch, a short promotional TV film titled 'React to Human Trafficking, Don't Be Indifferent!' was introduced for broadcast on television channels nationwide. The film draws attention to the crime of human trafficking." [23d]

See also Section [Foreign Refugees and Migration in Turkey country profile 2008](#) [86a]

[Return to contents](#)  
[Go to list of sources](#)

## PROSECUTIONS

24.09 The US Department of State Country report on Human Rights Practices 2008, published on 25 February 2009 noted that:

"Based on preliminary data, in the first six months of the year the government prosecuted approximately 100 suspected trafficking offenders. Under the penal code, the penalties for trafficking include eight to 12 years' imprisonment and heavy fines. Also based on preliminary data, in the first six months of the year, the government convicted four traffickers. However, approximately 53 additional traffickers were convicted during the same period under the statutes prohibiting mediation of prostitution and organized crime. These convictions averaged three to four years' imprisonment plus fines." [5b] (Section 5 Trafficking in Persons)

- 24.10 The USSD 2009 Trafficking in Persons report also noted that “The Government of Turkey prosecuted 69 cases involving 273 suspected traffickers in 2008, a significant increase from 160 suspected traffickers prosecuted in 2007. The government reported securing the convictions of 58 trafficking offenders in 2008. The government expanded its use of Article 80 in 2008, convicting 13 traffickers under the trafficking-specific article, a three-fold increase from 2007.” [5d] (Prosecution)
- 24.11 The USSD 2009 Trafficking report further noted that:
- “The government reported investigating 25 security officials for trafficking-related complicity in 2008. In January 2008, the government secured the conviction of a Court of Appeals Judge for aiding traffickers; he was sentenced to two years’ imprisonment, although the court subsequently reduced the sentence to probation and a prison term of one year and eight months. In June 2008, the government obtained the conviction of a judicial hall employee to one year and six months’ imprisonment and barred him from public service for one year for trafficking-related complicity.” [5d] (Prosecution)
- 24.12 The EC 2008 Progress report also noted that:
- “The Witness Protection Law entered into force. It protects the identity of victims of human trafficking who agree to testify against the perpetrators and opens the way to include them in a witness protection programme. There are now court precedents on the application of a recent amendment of the Penal Code stipulating tougher penalties for human trafficking. Inter-agency cooperation could be improved with the aid of common operations and training activities. It is of key importance that Turkey signs the Council of Europe Convention on action against trafficking in human beings. Solutions allowing sustained funding are necessary for the free emergency helpline and for the centres.” [71c] (p74)

## SUPPORT AND ASSISTANCE

- 24.13 The US Department of State 2009 Trafficking in Persons report, released on 16 June 2009, stated that:
- “The government’s overall protection efforts for victims of trafficking did not improve during the reporting period. Turkey failed to provide adequate direct funding for its two trafficking shelters and the overall number of trafficking victims identified dropped for a second consecutive year. In June 2008, Istanbul’s municipal government suspended the provision of free rent to Istanbul’s shelter, despite a signed protocol between the municipality and the shelter stipulating otherwise.” [5d] (Protection)
- 24.14 The USSD 2009 Trafficking report also noted that:
- “Although the government continues to report that it is focused on finding a long-term financial solution to this problem, it has yet to commit adequate funding to either of its shelters in Ankara and Istanbul. However, the Ministry of Foreign Affairs has pledged and begun disbursing approximately \$20,000 per

year to each shelter for three years beginning in 2009. Both shelters continue to require perennial outside donor funding. These two NGO-run shelters provided care to 83 trafficking victims, a decline from 109 in 2007. In 2008, the government identified a total of 118 trafficking victims, a decline from 148 in 2007; IOM facilitated the repatriation of 78 of these victims.” [5d] (TURKEY (Tier 2) Protection)

- 24.15 The US Department of State Country report on Human Rights Practices 2008, published on 25 February 2009 noted that:

“There were two NGO-operated shelters for trafficking victims in the country, located in Ankara and Istanbul. The shelters received free rent from the municipalities, and the Ministry of Health provided free medical care to victims in the shelters. Nevertheless, government financial support for these protection mechanisms was inconsistent. The lack of consistent government funding threatened the operation of one shelter, although core services were not impacted. During the year the Istanbul shelter assisted 57 victims, and through December the Ankara shelter assisted 28 victims.” [5b] (Section 5 Trafficking in Persons)

- 24.16 The Turkish Ministry of Foreign Affairs, updated 10 July 2008, noted that “the 157 toll free, tip-off number/emergency helpline for the victims of trafficking provide services in Russian, Romanian, English and Turkish. The helpline can be reached throughout Turkey including from mobile phones. The international helpline became operational in April 2007 (+ 90 312 157 11 22). Shelters have been established in Istanbul in 2004 and in Ankara in 2005 for the victims of trafficking.” [60b]

### TRAINING ACTIVITIES

- 24.17 Counter Trafficking.org website noted that “In line with Turkey’s efforts on counter trafficking a new project founded by European Commission has been launched and implemented by IOM Mission to Turkey in close cooperation with the Turkish Government. The aim of this 2 years project is to provide support to Turkish institutions in their fight against human trafficking and protection of victims in line with EU directives and harmonization with the EU Acquis.” [94] (EC Project Bulletin)

- 24.18 Counter Trafficking.org website further noted tha

“Within the scope of the 2 year project funded by the EU ‘Supporting Turkey’s efforts to combat Human Trafficking and promote access to Justice for all Trafficked persons’ a group of 32 trainers from the staff of General Command of Gendarmerie and General Directorate of Security of Ministry of Interior, who are involved in tracking and investigating human trafficking cases, received the necessary skills to become trainers in their respective institutions to help combat human trafficking. The two week training course took place in June 2008 with Turkish and international experts.” [94] (EC Project Bulletin)

See [EC Project Bulletin – March 2009](#)

[Return to contents](#)  
[Go to list of sources](#)

## 25 MEDICAL ISSUES

### OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

- 25.01 The Human Development Report has published the human development index (HDI) which looks beyond GDP to a broader definition of well-being. The HDI provides a composite measure of three dimensions of human development: living a long and healthy life (measured by life expectancy), The UN Development Programme's 2007/2008 Country Factsheet on Turkey noted that the country's Human Development Index (HDI) was 0.775, which gave Turkey a rank of 84th out of 177 countries:

HDI value	Life expectancy at birth (years)	Adult literacy rate (% ages 15 and older)	Combined primary, secondary and tertiary gross enrolment ratio (%)	GDP per capita (PPP US\$)
84. Turkey (0.775)	85. Turkey (71.4)	69. Turkey (87.4)	108. Turkey (68.7)	66. Turkey (8,407)

[35a]

- 25.02 The World Health Organisation's (WHO) 'European health for all database (HFA-DB)', last updated in July 2008, recorded the presence of 1,205 hospitals with a bed capacity of 196,667 in 2006. The database also informed that there were 158.98 people per physician; a total of 116,014 physicians in the same year. [37d]
- 25.03 On 21 February 2005, the *Turkish Daily News* reported that a law to transfer ownership of Social Security Authority (SSK) hospitals to the Health Ministry had come into effect over the weekend:

"The law also transfers health facilities owned by Postal and Telecommunications General Directorate (PTT) and Ziraat Bank to the ministry. SSK hospitals will from now on be run like other state-owned medical facilities. SSK members will still have to obtain referrals from their local hospital for treatment at university hospitals... Numerous political parties, nongovernmental organizations and labor groups criticized the government decision to transfer the hospitals to the Health Ministry. Those opposing to the law said the government intended to privatize the health sector, with many people only getting the treatment they could afford. The government decision is a small part of the social security reform process currently under way to ease the burden on taxpayers. Despite being owned by the SSK, hospitals are a drain to the state because of the huge losses they incur." [23f]

[Return to contents](#)  
[Go to list of sources](#)

- 25.04 A June 2007 Pharmaceutical Pricing and Reimbursement Information report commissioned by the European Commission, Health and Consumer Protection Directorate-General and the Austrian Ministry of Health, Family and Youth recorded:

“... In general, access to health care has improved since 2004 with radical changes in the provision side. In the past, the Social Insurance Organization (SSK) had its own hospitals with restricted access to its members and in many cases low standard facilities. In 2005, as part of the ongoing reforms, the competence of these facilities were transferred to the Ministry of Health (MoH) and all MoH hospitals were opened to the SSK members increasing the opportunities of access. Second, access to prescriptions was also improved after allowing SSK enrollees to obtain pharmaceuticals from private pharmacies. In the past, the SSK members were only allowed to buy pharmaceuticals from their hospitals’ pharmacies. After the transfer of these hospitals to the MoH, the SSK beneficiaries also started to purchase their prescriptions from private pharmacies as well. Last but by no means the least, in the past, the Green Card Scheme for the poor covered only in patient care hence excluded outpatient care and prescriptions. In 2005 the scheme was extended to cover all health care expenditures easing access of the poorest segments of the society.” [75] (p6)

## PHARMACIES

- 25.05 The Yellowpages.com website provides a list of Pharmacies (Eczanes) or Nöbetçi Eczane in Turkey accessed 30 January 2009;  
[http://www.yellowpages.com.tr/search\\_results.php?yp=c2VhcmNoX2tleXdvcmRzPSZzZWFiY2hfZGlyPUFsbCZjaXR5X2lkPUFsbCZhcmlldF9pZD0mc2VhcmNoX2xhbmd1YWdlPSZzZWFiY2hfbW9kdWxIPWNhdGVnb3J5JmFjdGlvbj1zaG93bGlzdCZzdGFydD0wJmNvbXBvbmVudF9pZD0yOTA1JmXldHRlcj1h](http://www.yellowpages.com.tr/search_results.php?yp=c2VhcmNoX2tleXdvcmRzPSZzZWFiY2hfZGlyPUFsbCZjaXR5X2lkPUFsbCZhcmlldF9pZD0mc2VhcmNoX2xhbmd1YWdlPSZzZWFiY2hfbW9kdWxIPWNhdGVnb3J5JmFjdGlvbj1zaG93bGlzdCZzdGFydD0wJmNvbXBvbmVudF9pZD0yOTA1JmXldHRlcj1h) [82]

## HOSPITALS

- 25.06 The US State Department’s Consular Information Sheet on Turkey dated February 13, 2009 stated:

“Turkish hospitals vary greatly. The new, private hospitals in Ankara, Antalya, and Istanbul have modern facilities and equipment, numerous U.S.-trained specialists, and international accreditation. However, they still may be unable to treat certain serious conditions. ... Those planning to remain in Turkey for a prolonged period of time should consider bringing or securing a supply of necessary chronic medications (e.g., heart medications, birth control pills) to cover them while they are in the country, as certain medications are difficult to obtain in Turkey. Nursing care and diagnostic testing (including mammograms) meet American standards at specific institutions in the larger cities. Health care standards are lower in small cities in Turkey in comparison to bigger cities such as Ankara, Istanbul, Izmir, and Adana.” [5]

- 25.07 The Foreign and Commonwealth website provides a list of Hospitals for Turkey;  
[Ankara](#)

Hacettepe Üniversitesi Tıp Fakültesi Sıhhiye – Ankara Tel: 305 5000  
Numune Hastanesi Sıhhiye – Ankara, Tel: 310 3030 (50 lines)  
Ankara Üniversitesi İbni Sina Hastanesi Dıřkayı – Ankara, Tel: 310 3333 (120 lines)  
Ankara Üniversitesi Tıp Fakültesi Cebeci – Ankara, Tel: 319 2160  
Gazi Üniversitesi Tıp Fakültesi Arařtırma ve Uygulama Hastanesi Beřevler – Ankara, Tel: 202 4444

#### Istanbul

Bakırköy Psychiatric Hospital, Bakırköy, Istanbul, Tel: 0212 543 6565  
Taksim İlk Yardım (Emergency) Hospital Sıraselviler Caddesi Taksim, Istanbul  
Tel: 0212 252 4300  
Florence Nightingale Hospital Abide Hürriyet Caddesi 290, Çağlayan Şişli  
Istanbul, Tel: 0212 224 4950. www.florence.com.tr

#### Izmir

Atatürk Devlet Hastanesi, Basın Sitesi 35360, İzmir, Tel: 0232 2434343  
Ege Üniversitesi Hastanesi Bornova, İzmir. Tel: 0232 3434343  
Denizli Pamukkale Üniversitesi Hastanesi, Denizli. Tel: 0258 2410034  
[4t]

[Return to contents](#)  
[Go to list of sources](#)

## HIV/AIDS – ANTI-RETROVIRAL TREATMENT

- 25.08 The Turkish Ministry of Health (MoH) Country Report of January 2008, accessed via the UNAIDS website, recorded that “Turkey is among low prevalence countries in Central Europe for HIV/AIDS. The first case of HIV infection was reported in 1985, and by the end of June 2007, a total of 2,711 cases had been identified. The rate of increase for the reported number of HIV/AIDS cases has been more over the last three years (about 300 reported new cases annually) and the estimated prevalence is 3,700 cases out of a population of over 70 million.” [39a] (p3)
- 25.09 On the subject of funding for treatment, the Ministry of Health (MoH) Country Report of January 2008 recorded that “In Turkey PLHA [people living with HIV/AIDS] have same rights with other patients. The Government of Turkey provides with ART services including treatment for opportunistic infections. For PLHA not having any medical insurance, green card provides with ART treatment as for any other disease...In 2006, 685 PLHA have been taking ART. In 2007 it is estimated that around 800 PLHA have taken ART in Turkey.” [39a] (p11)
- 25.10 The *BIA News Center* article published 1 December 2008, noted that “In the last seven years, the HIV/AIDS cases have reached twice the initial number. According to the figures of the Ministry of Health, while there were total of 158 HIV cases in 2000, this number rose to 376 in 2007. The total number of the cases since 1985 has become 2920. The ages of the three hundred registered cases are not known. There are 118 cases under the age eighteen. 470 of the



cases are in the 30-34 age intervals. 892 of the 2920 HIV/AIDS cases are women.” [102k]

- 25.11 The same *Bianet* article further adds that “The government pays the cost of the HIV/AIDS treatment in Turkey. Thanks to the support that comes from the Global Fund, ‘HIV/AIDS Prevention and Support Project’ could be launched.” [102k]

## CANCER TREATMENT

- 25.12 As recorded in the World Health Organisation’s (WHO) Impact of Cancer for Turkey 2005: “In 2005 cancer killed approximately 52,000 people in Turkey, 37,000 of these people were under the age of 70.” [37b]

- 25.13 The International Observatory on End of Life Care website, dated 2006, stated that:

“Turkey is an area where supportive care with hospice/ palliative care is linked to the development of other services, particularly within hospital based oncology units... There are no specialist palliative care services in Turkey. Medical oncology units and departments of algology (pain) at major hospitals in the country provide pain control and symptom relief. Oncologists and pain specialists in seven hospitals report actively working to establish the concepts of palliative care... The majority of cancer patients are treated in university hospitals that support units with pain specialists and medical oncologists... Some specialist cancer state hospitals such as the Dr Ahmet Andicen Oncology Hospital and Demetevler Oncology Hospital will provide pain relief and symptom management. No information, however, is currently available about the development of palliative care services in the state hospital system or the development of training in the 57 medical schools around the country. There are around 30 specialist ‘pain centres’ and 20 medical faculties with departments of algology in Turkey. There are no reported activities for paediatric palliative care.” [33] (Current palliative services)

- 25.14 The same website also noted that:

“Individual physicians (and their colleagues) have reported active involvement in developing the concepts of palliative care within departments and units in three main areas of the country; in Ankara, a pain specialist at Hacettepe University Hospital, three oncologists, one at Başkent University Hospital, one in the Gulhane Military Academy, (GATA) and one at Gazi University Hospital; in Istanbul, a pain specialist at the Istanbul University Medical Faculty and two oncologists at the Marmara University Medical Faculty; there is one pulmonary specialist developing concepts of palliative care at the Pamukkale University Medical School, Denizli. Medical and nursing professionals have also expressed interest in palliative care at Ankara University Faculty of Medicine.” [33] (Current palliative services)

[Return to contents](#)  
[Go to list of sources](#)

- 25.15 The World Health Organisation (WHO) report on ‘Strengthening cervical cancer prevention in Europe’ of May 2007 noted:

“In Turkey, cancer of the cervix is the eighth leading cause of cancer in women and the age-standardized incidence rate is relatively low (4.5 per 100 000 women). There are several arguments against the introduction of HPV [Human papillomavirus] vaccines in Turkey ... ‘Guerrilla marketing’ of HPV vaccines gives the impression that their introduction is a high priority. In Turkey, however, introducing organized screening is considered much more important and more feasible at the moment. It is essential that WHO policies are country-based and take the different scenarios into account.” [37e] (p22)

### KIDNEY DIALYSIS

- 25.16 The website Globaldialysis. Com provides a list of all Dialysis centres in Turkey. <http://www.globaldialysis.com/centres/country/eurasia-and-central-asia/turkey.html> [50]

### TUBERCULOSIS (TB)

- 25.17 The World Health Organisation (WHO) states “Tuberculosis (TB) is a contagious disease. Like the common cold, it spreads through the air. Only people who are sick with TB in their lungs are infectious. When infectious people cough, sneeze, talk or spit, they propel TB germs, known as bacilli, into the air. A person needs only to inhale a small number of these to be infected.” [37c] The WHO country profile 2006 provides key indicators, notification and treatment outcome data. See link attached. [37c]

[http://www.who.int/globalatlas/predefinedreports/tb/PDF\\_Files/tur.pdf](http://www.who.int/globalatlas/predefinedreports/tb/PDF_Files/tur.pdf)

- 25.18 A January 2008 article on *Today's Zaman*.com reported:

“Although Turkey has long been committed to activities to counter tuberculosis and has achieved great success in the last few years in fighting against the disease, experts have said it continues to pose a threat to the society as hundreds of people contract tuberculosis each year. There has been a significant increase in the number of services to fight tuberculosis in the past two to three years, yet we cannot say that it will be eradicated in the short term, said Ali Rıza Erdoğan, the secretary-general of the Ankara-based Federation of National Associations of the Fight against Tuberculosis (TUVSDF) in a phone interview with *Today's Zaman*.” [24a]

- 25.19 The same 2008 *Today's Zaman* article continued:

“TUVSDF Chairman Dr. Ferit Koçoğlu, in an interview with the Anatolia news agency, noted there are some 20,000 people with tuberculosis in Turkey, around 13,000 of whom are male patients. ...Almost 88 out of every 100 cases of tuberculosis can be treated in Turkey because we have waged a successful fight against this disease. There are many volunteer doctors and nongovernmental organizations that battle tuberculosis. They continue their

struggle against this ailment under unfavorable conditions,' he noted... The [Directly Observed Treatment Short Course (DOTS)] project has made health officials accessible to 89 percent of all tuberculosis patients, with 85 percent of these patients being treated." [24a]

[Return to contents](#)  
[Go to list of sources](#)

## DEAF AND HEARING IMPAIRED

- 25.20 In a letter to the Country of Origin Information Service from the British Embassy in Ankara, dated 27 March 2007, about services for children who are deaf or whose hearing is impaired, in the province of Izmir it was noted that:

"We are aware of at least one state-funded school for deaf children in the city of Izmir. This provides education from pre-school level up to 8th grade:

"Tülay Aktaş İşitme Engelliler İlköğretim Okulu  
 Mevlana Mahallesi, 373/2 Sokak  
 No:6/1, Bornova - IZMIR  
 Tel: 90 232 3397826  
 Fax: 90 232 3392537  
 Email: [taktasio@ttnet.net.tr](mailto:taktasio@ttnet.net.tr)

"There is no secondary school for the deaf and hearing impaired in the province. At present children have the choice between being assisted to attend a normal secondary school or attending a specialist school in one of the neighbouring provinces in the Aegean region? Pre-school education is also available. We are aware of two state-funded specialist toddler groups in Izmir itself, in the Carsi and Konak districts. Provision is likely to be much more limited outside of the main towns, as in the UK.

To access these services a child's parents must first submit documentation to the local Directorate of Education confirming that his or her hearing is impaired. A state hospital will usually be able to provide a suitable report." [4n]

- 25.21 The International Deaf Children's Society (IDCS) published an article in March 2004 by Mary C Essex, who specifically looked at the Turkish special education system for the deaf people, and it noted that:

"The Ministry of Education estimates having 58,351 students with disabilities in elementary, middle school and high school. This is well below the WHO estimate of people with disabilities.

### Percentages of Disabilities in Turkey

Disability	Total	Percentage
Deaf	8,666	15%
Vision	1,555	3%
Physical	656	1%
Mental	44,970	77%
Autistic	419	.007%
Other	2,085	3%
Total	58,351	0.8%

There are four Deaf education teacher training programs in Turkey and these are located in the cities of:

- Bolu, Abant Izzet Baysal University
- Eskisehir, Anadolu University
- Samsun, Ondokuz Mayıs Üniversitesi
- Trabzon Karadeniz Teknik Üniversitesi

There are 47 elementary schools and 14 high schools for the Deaf throughout Turkey... The Ministry of Special Education has more information about the Deaf education curriculum and other information about their services available in Turkish.” [28]

See section 21 - [Disability](#)

[Return to contents](#)  
[Go to list of sources](#)

## MENTAL HEALTH

- 25.22 As recorded in the World Health Organisation’s (WHO) Department of Mental Health and Substance Dependence Mental Health Atlas 2005, the country has disability benefits for persons with mental disorders: “After being approved by a mental health board as a chronic mental health patient, the patient can benefit from the social security services... Mental health is part of the primary health care system. Actual treatment of severe mental health is available at the primary level... Mental health in primary care is available in only some provinces... Regular training of primary care professional [sic] in the field of mental health is present and the approximate number of personnel trained over the last two years totalled 3,000.” [37a] (Section on Mental Health Financing)
- 25.23 The WHO Mental Health Atlas 2005 further states that there are 1.3 psychiatric beds per 10,000 population, one neurosurgeon, one neurologist, one psychologist and one social worker per 100,000 population. [37a] (Section on Mental Health Financing)
- 25.24 The Foreign and Commonwealth Office contacted Hacettepe University Hospital Psychiatric Department in April 2002 and confirmed that antipsychotic and antidepressant medication is available in Turkey. [4b]
- 25.25 The WHO Mental Health Atlas 2005 recorded that “The following therapeutic drugs are generally available at the primary health care level:  
Carbamazepine,  
Ethosuximide,  
Phenobarbital,  
Phenytoin,  
Sodium valproate,  
Amitriptyline,  
Chlorpromazine,  
Diazepam,  
Fluphenazine,

Haloperidol,  
Lithium,  
Biperiden,  
Carbidopa and  
Levodopa.” [37a] (Section on Therapeutic Drugs)

25.26 The WHO Mental Health Atlas 2005 continued:

“The mental health department was established within the Ministry of Health in 1983 with the primary tasks of improving mental health services, development and dissemination of preventive mental health services, integration of mental health with primary care, community education and protection of the community from harmful behaviours. The means of achieving these aims were through determination of standards, training programmes, data collection, research, creation of counselling and guiding units, creation of psychiatric clinics in state hospitals, assigning proper tasks to personnel, developing rehabilitation facilities, carrying out public education through the help of media, educating the public on harmful behaviour, and taking care of those who succumb to those behaviours.” [37a] (Section on Other Information)

25.27 The US Department of State Country report on Human Rights Practices 2008, published 25 February 2009, noted that:

“The Ministry of Health operated eight mental health hospitals in seven different provinces. There were two private mental health hospitals in Istanbul. The government reported that it operated 45 boarding care centers and 22 daycare centers for physically and mentally challenged individuals. According to the European Commission, mental health hospitals and rehabilitation centers do not provide sufficient medical care or treatment.” [5b] (Section 5 – Persons with Disabilities)

25.28 A Mental Health Economics European Network (MHEEN) report of January 2008 recorded that there was virtually no social care or community care provisions for the mentally ill in Turkey. [22] (p9) It further added that: “although psychiatric care is almost entirely provided in nine psychiatric hospitals and there are virtually no social care homes or community-based services, there has also been a slight decrease from 4140 beds in 1990 to 3777 in 2004. ... there are now some beds available in psychiatric wards in general hospitals but figures are difficult to obtain and the only data available are for 2003 when there were 1876 beds, and for 2004 when there were 2467 beds.” [22] (p8)

25.29 As noted in a report by the Mental Disability Rights International (MDRI) entitled ‘Behind Closed Doors: Human Rights Abuses in the Psychiatric Facilities, Orphanages and Rehabilitation Centers of Turkey’ (released on 28 September 2005):

“There is no enforceable law or due process in Turkey that protects against the arbitrary detention or forced treatment of institutionalized people with mental disabilities. There are virtually no community supports or services, and thus, no alternatives to institutions for people in need of support. As a result, thousands of people are detained illegally, many for a lifetime, with no hope of ever living

in the community. Once inside the walls of an institution, people are at serious risk of abuse from dangerous treatment practices. In order to receive any form of assistance, people must often consent to whatever treatment an institution may have to offer. For people detained in the institution, there is no right to refuse treatment. The prison-like incarceration of Turkey's most vulnerable citizens is dangerous and life-threatening." [90]

- 25.30 The European Commission 2008 Progress report, published 5 November 2008, acknowledged that:

"As regards mental health, progress has been made in the field of electroconvulsive therapy which is implemented in hospitals in line with medical standards and respecting patients' rights. The lack of data and research on persons with a disability and on conditions of care for mentally ill persons is preventing informed policy-making. Community based services are not sufficiently developed as an alternative to institutionalisation, and resources continue to be limited in relation to needs. There is an ongoing problem of insufficient general medical care and treatment in mental health hospitals and rehabilitation centres." [71c] (p22-23)

See also Section 21.00 [Disability](#)

[Return to contents](#)  
[Go to list of sources](#)

## 26 FREEDOM OF MOVEMENT

- 26.01 The US State Department (USSD) report 2008, published 25 February 2009, noted that with regard to freedom of movement within the country, foreign travel, emigration and repatriation:

“The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation; however, at times the government limited these rights in practice. The law provides that a citizen's freedom to leave the country could be restricted only in the case of a national emergency, civic obligations (e.g., military service), or criminal investigation or prosecution. The government maintained a heavy security presence in the southeast, including numerous roadway checkpoints.” [5b] (Section 2d Freedom of Movement)

- 26.02 The USSD 2008 report also stated that “The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.” [5b] (Protection of Refugees)

[Return to contents](#)  
[Go to list of sources](#)

## NÜFÜS CARD / IDENTITY CARD

- 26.03 The Netherlands Ministry of Foreign Affairs 2002 reported that “The population registry has responsibility for issue of identity cards (in Turkish: nüfus cüzdanı) often referred to in other languages too as nüfus cards. The nüfus card is the only valid domestic identity document, and everyone is required to carry it at all times. Births have to be registered to the population registry for the place of birth without delay, so that a nüfus card can be issued straight away.” [2a] (p19)

- 26.04 The US Department of State Country report on Human Rights Practices 2008, published on 25 February 2009, noted that

“Religious affiliation is listed on national identity cards. A few religious groups, such as the Baha'i, are unable to state their religion on their cards because it is not included among the options; they have expressed their concerns to the government. In 2006 parliament adopted legislation allowing persons to leave the religion section of their identity cards blank or change the religious designation by written application. However, the government reportedly continued to restrict applicants' choice of religion; members of the Baha'i community stated that government officials had told them that despite the new law, they would still not be able to list their religion on the cards.” [5b] (section 2c Freedom of Religion)

- 26.05 As confirmed by the British Embassy in Ankara on 22 July 2005:

“Under Turkish law citizens are obliged to produce an official ID card if requested by police or jandarma. If you cannot produce identification when required, or refuse to do so, you can be held in detention until your identity is proved. The maximum standard detention period in Turkey is 24 hours, extendable for a further 12 hours to allow time for transfer between custody and



the nearest court. (Suspects can be held up to 48 hours for organised crime offences, illegal drug production/sale, and certain crimes against the State). Under the Law on Misdemeanours those who refuse to give ID information, or who give false information, to civil servants conducting their duty are liable to a small administrative fine.” [4e]

26.06 As noted in a letter from the British Embassy in Ankara to the Country of Origin Information Service, dated 8 January 2007:

“I am writing in response to a number of queries you have sent about the ID card in Turkey. The format and application form currently available on the website of the Directorate General for Population and Citizenship Affairs ([www.nvi.gov.tr](http://www.nvi.gov.tr)).

Collection of ID Cards:

ID cards must be collected in person. They cannot be collected by relatives or friends on the behalf of the applicant. The only exception to this rule is when a person has been given power of attorney, in which case they can collect the ID card belonging to the person they represent.

Place of Issue:

The back of the ID card contains a section for details of the holder’s original registration. This includes the place of registration (kayitli oldugu il/ilce/mahalle). A separate section lists details relating to the replacement card (nufus cuzdaninin verildigi yer/verilis nedeni etc). This includes where the current card was issued and the reason it was replaced. The front of the card lists place of birth (dogum yeri), which in most cases is the same as place of registration (the ID card does not have to be carried by law until the age of 15, but an ID card without a photograph is provided following registration of a birth).

Religion:

The Population Services Law, which was ratified on 29 April 2006, came into force on 23 November 2006. The law permits individuals to choose what is written on the ‘religion’ section of the identity card. By making a written application, individuals can choose to leave the space blank, or to change the religion listed on the card.” [4o]

See website of the [Directorate General for Population and Citizenship Affairs](http://www.nvi.gov.tr) [84a]

See TR Identity Number and Identity card sample [84c]

[http://www.nvi.gov.tr/English/Mernis\\_EN,Mernis\\_En.html?pageindex=1](http://www.nvi.gov.tr/English/Mernis_EN,Mernis_En.html?pageindex=1)

When changing an identity card or being issued with one for the first time, the TR Identity Number is being printed on the identity card. [84c]

See also Section 31: [Exit/entry procedures](#)

**Return to contents**  
**Go to list of sources**

## ADDRESS REGISTRATION SYSTEM (AKS)

26.07 The website of the Directorate General for Population and Citizenship Affairs up dated 17 February 2009 mentions the method to register one address which can be put on the ID card as:

“The Address Registration System, abbreviated AKS in Turkish, is a centrally administered system established by the Civil Registration Services Law No 5490 where up to date domicile and other address information of Turkish nationals and foreigners domiciled in Turkey is maintained electronically.

“The system is integrated with the Central Civil Registration System (MERNIS) where records such as the “Name, Surname, Mother’s and Father’s Name, Place of Birth and Information on Civil Status Events” related to the identity of the person are stored and accessed using the Turkish Republic Identity Number (TR Identity Number).” [84b]

See also - How to make an address change notification?

[http://www.nvi.gov.tr/English/Address\\_EN,Address\\_Registration\\_System.html?pageindex=4](http://www.nvi.gov.tr/English/Address_EN,Address_Registration_System.html?pageindex=4)

See also Section 31: [Exit/entry procedures](#)

**[Return to contents](#)**  
**[Go to list of sources](#)**

## 27 INTERNALLY DISPLACED PEOPLE (IDPs)

- 27.01 The US Department of State Country report on Human Rights Practices 2008, published on 25 February 2009, noted that:

“Various NGOs estimated that there were from one to three million IDPs in the country from the PKK conflict, which began in 1984, continued at a high level through the 1990s, and continued during the year. The government reported that 368,360 citizens from 62,448 households migrated from the southeast during the conflict, with many others departing before the fighting. In 2006 Hacettepe University released the results of a study commissioned by the government which concluded that an estimated 953,680 to 1,301,200 persons were displaced by conflict in the southeast between 1986 and 2005. The study found that the main reason for the large discrepancy between government and NGO figures was that the government only included persons evacuated by the security forces from settlements, and not those who were forced to flee because of general violence or for a combination of security and economic reasons.” [5b] (Section 3 Internally Displaced Persons (IDPs))

- 27.02 The Internal Displaced Global overview of trends and developments in 2008 report published 31 December 2008, stated that “Around a million people became displaced from towns and villages in south-eastern Turkey during the 1980s and 1990s as a result of the insurgent actions of the Kurdistan Workers’ Party (PKK). The conflict has abated since 1999, but low-level violence between the PKK and security forces, which may have led to further displacement, continued in 2007 and 2008.” [3b]

- 27.03 The Global overview of trends and developments in 2008 report further noted that:

“In 2005, 75 per cent of IDPs were found in urban centres, both within affected provinces and elsewhere in Turkey. Most were in 2008 living on the edges of Istanbul, Ankara, Izmir and Adana, and in cities in the south-east such as Batman, Diyarbakir, Hakkari and Van. Problems which IDPs have particularly identified include prevalent psychological and emotional trauma, low levels of education, and high unemployment among adults and particularly among displaced women. Displaced children have also had limited access to schooling, and child labour is reported as a problem in urban centres with significant displaced populations.” [3b]

- 27.04 The European Commission 2008 Progress report on Turkey, published 5 November 2008, noted:

“The situation of IDPs in urban areas remains a cause for concern. IDPs suffer from economic and social marginalisation and have little or no access to social, educational and health services. Return of IDPs is prevented by a number of factors. These include mainly the security situation, but also the lack of basic infrastructure, lack of capital, limited employment opportunities and the threat posed by the village guard system.” [71c] (p28)

- 27.05 The EC 2008 Progress report also reported that “There is no overall national strategy to address the situation of IDPs. The insufficient institutional capacity of departments responsible for IDPs remains a challenge. There is a need to involve civil society further in the development of IDP policies.” [71c] (p28)

[Return to contents](#)  
[Go to list of sources](#)

## COMPENSATION

- 27.06 The US Department of State Country report on Human Rights Practices 2008, published on 25 February 2009, noted that “The law to compensate IDPs allows persons who suffered material losses during the conflict with the PKK to apply for compensation. In May 2007 parliament extended the duration of the law so that applicants could apply for compensation through May.” [5b] (Section 3 Internally Displaced Persons )
- 27.07 The USSD 2008 report also noted that “Human Rights Watch (HRW) reported in 2006 that the law was being implemented in a way contrary to the government's stated purpose and principles of fair and appropriate redress. According to HRW, rulings by provincial commissions charged with the law's implementation were inadequate and hindered those IDPs who would like to return to their preconflict homes.” [5b] (Section 3 Internally Displaced Persons)
- 27.08 The USSD 2008 report also noted that “The Ministry of Interior reported that the review commissions had received a total of 278,165 applications for compensation under the law through December. The commissions have processed 97,579, approving 66,563 and rejecting 31,016. The government paid total compensation in the amount of 351 million lira (\$294 million), an average of 16,000 lira (\$13,400) per person.” [5b] (Section 3 Internally Displaced Persons)
- 27.09 The Internal Displaced People (IDP's) reported on 31 December 2008, website accessed 8 July 2009 stated at a glance that “The Van Action Plan, launched in 2006, provided a concrete model for addressing IDPs' and returnees' needs at the provincial level. The government in 2008 had still to formulate a national IDP plan of action, some NGOs reported that the implementation of the Van Action Plan had progressed slowly for lack of resources.” [3b]
- 27.10 The USSD 2008 report concluded that “Voluntary and assisted resettlements were ongoing. In a few cases, persons could return to their former homes; in other cases, centralized villages were constructed. (The government reported that, as of September 7, its Return to Village and Rehabilitation Project and compensation law had facilitated the return of 151,469 persons from 25,001 households to their villages).” [5b] (Section 3 Internally Displaced Persons)

[Return to contents](#)  
[Go to list of sources](#)

## 28 FOREIGN REFUGEES

- 28.01 The US Department of State Country report on Human Rights Practices 2008, published on 25 February 2009, noted that:

“The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

“An administrative regulation provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol. However, the country ratified the 1967 protocol subject to a geographic limitation, and therefore accepts its obligations only with respect to refugees from Europe. The government has not established a formal system or legislation for providing protection to refugees. The Interior Ministry conducted a parallel refugee status determination process subsequent to UNHCR's, sometimes affirming UNHCR's decisions. Refugees who were granted status by UNHCR but not affirmed by authorities were not granted exit permission for resettlement flights.” [5b] (Protection of Refugees)

- 28.02 The Amnesty International (AI) report ‘Stranded: Refugees in Turkey denied protection’ published 22 April 2009 stated that:

“UNHCR which conducts refugee status determination for non-European asylum-seekers in Turkey, received in 2008 12,980 new applications, representing a 70 per cent increase from the previous year [2007]... In addition to this number, the Office of the Head of the Turkish Armed Forces announced in October 2007 that more than 29,000 irregular migrants had been apprehended by the armed forces between January and October 2007.” [12a]

- 28.03 The US Committee for Refugees and Immigrants (USCRI) in the 2009 World Refugee Survey - Turkey noted that:

“Turkey hosted roughly 18,200 refugees at the end of 2008, 8,300 of them from Iraq and 4,400 from Iran. Turkey returned 14 refugees to their countries of origin, and deported 51 to other countries. Turkey also returned 13 asylum seekers registered with the Office of the UN High Commissioner for Refugees (UNHCR) to their home countries, and deported 7 others to other countries. This included 24 Iranian refugees Turkish authorities deported to Iraq and 2 Iranian refugees they returned to Iran. Turkey also deported more than 700 other people of concern to UNHCR between January and October.” [21] (Introduction)

- 28.04 The USCRI 2009 World Refugee Survey further noted that:

“In 2008, UNHCR attempted 393 times to interview nearly 3,400 foreign nationals arrested for illegally entering the country, including some asylum seekers. Turkey allowed UNHCR access to only 72... Turkey generally granted UNHCR and non-governmental organizations less access to detainees than it had in previous years... During 2008, Turkish authorities returned 600 Afghans by plane, even though some of them wished to apply for asylum and

UNHCR did not receive access to any of them. UNHCR cannot verify how many asylum seekers in international airports Turkey returns... During 2008, Turkey received 10,800 asylum applications and granted temporary asylum to 1,100 refugees, mostly Iraqis. At years end, there were 9,200 pending cases.” [21]

28.05 The USSD 2008 report elucidated that:

“The government provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol, including individuals of non-European origin. According to the Ministry of Interior, during the year the government provided temporary protection to 7,584 foreigners referred by UNHCR for resettlement to a third country. Refugees were not authorized to work in the country and needed permission from Ministry of Interior authorities to travel to Istanbul or Ankara, including for meetings with UNHCR or resettlement agencies.” [5b] (Protection of Refugees)

28.06 The EC 2008 Progress report also stated that:

“Given the increase in the number of asylum applications to Turkey, the revision of the Asylum Law and the establishment of the new asylum unit are important... Limited progress can be reported on management of irregular migrants in Turkey. However, the detention and deportation procedures need to be improved to ensure that the authorities systematically give written reasons for such decisions in a language the persons concerned can understand...Overall, some progress can be reported. ” [71c] (p71-75)

See [the USCRI 2009 World Refugee Survey – Turkey country report](#)

See also [REPORT by Thomas Hammarberg Commissioner for Human Rights of the Council of Europe - Human rights of asylum seekers and refugees](#), published 1 October 2009

See Map of Turkey, [Refugees and Asylum-seekers](#), 9<sup>th</sup> June 2008

[Return to contents](#)  
[Go to list of sources](#)

## 29 CITIZENSHIP AND NATIONALITY

29.01 As regards nationality by birth, Introduction to Turkish Law states that:

“Turkish nationality is mainly acquired through the relation to the father or mother. Thus a legitimate or illegitimate, but legally recognised, child of a Turkish father or mother is Turkish. Legitimate children born to a Turkish mother, and not acquiring the nationality of the father by birth, as well as all illegitimate children born to Turkish mothers, are Turkish. Children born of non-Turkish parents do not acquire Turkish nationality by reason of birth on Turkish soil. An exception is the case of children born in Turkey and not acquiring at the time of birth the nationality of either their father or mother; they are Turkish at birth.” [64] (p89)

29.02 Regarding acquisition of nationality other than by birth, Introduction to Turkish Law states that: “Any foreigner may acquire Turkish nationality by means of naturalisation (telsik). Persons who have lived in Turkey more than five years and have all the qualifications required by the law may apply to the Ministry of Interior, and, upon the recommendation of this Ministry, the Council of Ministers may grant Turkish nationality.” [64] (p89)

29.03 A country profile by Migration Research Group of Hamburg Institutue of International Economics, dated April 2008, stated that:

“Turkey’s national immigration policy and the question of who is allowed to enter and/or stay in the country are closely tied to the Republic’s notion of national identity and citizenship. Although the constitutional concept of citizenship emphasises territoriality (ius soli) rather than descent (ius sanguinis), the concept of national identity clearly relies on the perception of one common culture. In other words, Turkey’s immigration policy – including regulations on refugees and asylum is still strongly guided by the concept of national identity and its underlying principle of cultural unity. This idea is clearly reflected in the three legal documents which form the basis of the country’s current immigration policy:

- the 1934 Law on Settlement (Law 2510)
- the 1951 Geneva Convention on Refugees
- the 1994 Regulation on Asylum.” [19] (p3-4)

29.04 The EC 2006 report however also noted that:

“Administrative structures for recognition of foreign qualifications are limited to academic recognition, the structure to certify the professional qualifications and to handle recognition requests submitted by non-nationals are not in place. Nationality requirements for professions such as lawyers, medical doctors, dentists and midwives, as well as for air traffic controllers and private security services are not in line with the *acquis*. Overall alignment in this area is limited.” [71a] (p34)

See also Section 9.00 on [Military service](#), for [evasion of military service](#)

[Return to contents](#)  
[Go to list of sources](#)



### 30 FORGED AND FRAUDULENTLY OBTAINED OFFICIAL DOCUMENTS

30.01 The Canadian Immigration and Refugee Board reported in an information request response ‘Security and administrative procedures in place to guard against the issuance of fraudulent Turkish passports or to guard against the issuance of Turkish passports by fraudulent means’, dated 28 April 2005, that:

“Articles 350 and 351 of Law 765 of the Turkish Penal Code contain provisions that could be used to indict people engaged in the falsification of passports and of other official documents in relation to irregular migration. Article 201a of the Penal Code adds that those involved in the procurement of false identification or travel documents, for the illegal arrival, stay or departure of an individual...shall be sentenced to two to five years' imprisonment and imposed a fine of not less than one billion liras [CAN\$915]. The competent authority [issuing] passport [in Turkey] is the General Directorate of Security, or the District Security Office in smaller districts. In addition, [t]he Turkish National Police receive special training, funded by the EU [European Union] and administered by UNHCR [United Nations High Commissioner for Refugees], in areas such as visa fraud, passport forgery, and illegal entries.

“Passport applicants in Turkey are subject to thorough investigation. Entries and exits of persons are recorded in the computer network and checked with criminal information. A draft Passport Law is in process, which foresees heavier sentences for illegal border crossings and a new type of Turkish passports more difficult to forge (ibid. n.d.b).” [7g]

See section 17: [Corruption](#) and Section 11: [Warrants and court documents](#)

[Return to contents](#)  
[Go to list of sources](#)

## 31 EXIT / ENTRY PROCEDURES

- 31.01 The Consulate General for the Republic of Turkey in London, gives information on visa applications, consular matters, useful addresses and general information about Turkey. [31]  
<http://www.turkishconsulate.org.uk/en/index.htm>
- 31.02 The Legislationline website notes the Entry visa obligations under Passport No. 5682 of 15 July 1950.  
<http://www.legislationline.org/documents/action/popup/id/8984>
- 31.03 The Immigration and Refugee Board of Canada reported in April 2005 that:  
“The regulations concerning entry into and exit from Turkey of Turkish and non-Turkish nationals fall under the Turkish Passport Law Number 5682, which stipulates that all travellers, whether Turkish or not, require a valid passport or travel document whenever they leave or enter Turkey... Turkish citizens who do not have a valid passport or travel document are still entitled to enter Turkey if they show their Turkish identity card (Nüfus Cüzdanı), or another valid identity card, to border authorities...” [7d]
- 31.04 A senior official in the Passport Office, Ministry of Interior, explained to the Immigration and Nationality Directorate’s (IND) fact-finding mission to Turkey in 2001, the passport issuing procedures in Turkey:  
“All Turkish citizens are entitled to a passport. An applicant must apply in person; an application cannot be made through an agent. The application must be made in the local area where the applicant resides. The regional passport office makes checks to verify his or her identity. These checks include establishing whether the applicant has criminal convictions and/or is wanted by the authorities. The applicant is always asked why the passport is wanted.” [48] (p10)
- 31.05 The Immigration and Refugee Board of Canada reported in an information request response on 4 December 2008: ‘Whether consent of both parents is required for a Turkish citizen under 18 years of age to obtain a passport, and whether there are any other procedural or documentary requirements for minors to obtain a passport or to travel outside Turkey’ noted that:  
“According to Turkish passport law, Turkish authorities require the consent of both parents in order for a minor [a person under the age of 18 years (Turkey 30 Oct. 2008)] to obtain a passport. An application for a minor’s passport must be made in person; if one parent is absent during application, a notarized consent letter from that parent is required (Turkey 27 Oct. 2008). However, if the parents of a minor are not married, Turkish authorities verify the custody decision and the parent who has custody can be the sole parent to provide consent (ibid.). Only a valid passport is required for a minor to travel outside Turkey, the Official stated that only a valid passport is required (ibid.).

- “The Official also stated that minors are either issued their own passport or are added to their parent's passport (ibid.). In order for a minor to receive his or her own passport, Turkish authorities require the Turkish birth certificates - Nüfus Hükümet Cüzdanı (pink for females and blue for males) - of the parents and the minor, any previous passports, as well as both parents' consent (ibid.). Turkish authorities are first required to verify whether the applicant already has a passport; if a previous passport has been lost or stolen, Turkish authorities require a copy of the police report (ibid.).” [7f]
- 31.06 An interlocutor advised the IND fact-finding mission that the issue of a passport would not be withheld if the applicant had not completed his military service; this is because there are provisions in law to defer military service. [48] (p11)
- 31.07 The IND fact-finding mission was also told that there are four different types of passport:  
 Red (diplomatic) passports.  
 Grey (service) passports, issued to lower rank government officials who are being sent abroad for a short time on official duty.  
 Green (officials') passports, issued to government officials, who have reached a certain level, the qualification for these passports is based on hierarchy and length of service in government, and  
 Blue passport, issued to ordinary citizens. [48] (p10)
- 31.08 The Immigration and Refugee Board of Canada reported, in October 2004, in an information request response ‘Turkey: Whether a Turkish citizen who is the subject of an arrest warrant can obtain a passport legitimately or through bribery or any other fraudulent means’, that:  
 “If a Turkish citizen is the subject of an arrest warrant, he or she must resolve any outstanding legal cases with the justice system before he or she will be given a passport. If the applicant for a Turkish passport submits his or her application at a Turkish consulate outside Turkey, the consular authorities will need to see the applicant’s old passport, or they will require a letter from the local police to account for the passport if it is missing... Regarding the acquisition of a Turkish passport through bribery or any other fraudulent means by an individual who has an arrest warrant against him or her, during the period February 2001 through August 2004, there were various reports of persons who were in possession of fraudulent Turkish passports when they were arrested by Turkish authorities.” [71]
- 31.09 The Canadian Immigration and Refugee Board noted in an information request response ‘Procedures that must be followed by, and documents that must be provided to, Turkish airport and land border authorities for a Turkish citizen and/or foreign national to be allowed to enter or leave Turkey; the security/law enforcement personnel present; action taken in cases where a person is wanted by the Turkish authorities’, dated 29 April 2005, that:  
 “Exit and entry procedures, as well as the documents required of persons entering or leaving Turkey, are the same at airports as they are at land borders... The regulations concerning entry into and exit from Turkey of Turkish and non-Turkish nationals fall under the Turkish Passport Law Number 5682,

which stipulates that all travellers, whether Turkish or not, require a valid passport or travel document whenever they leave or enter Turkey.

“Turkish citizens who do not have a valid passport or travel document are still entitled to enter Turkey if they show their Turkish identity card (Nüfus Cüzdanı), or another valid identity card, to border authorities. According to the Embassy, [t]hose who demonstrate by other means that they are citizens are also accepted in, pending the police assessment that they are citizens. However, non-Turkish citizens require a valid passport and a valid visa to enter Turkey. The Embassy added that exceptions could be made to the visa rule through bilateral agreements and other arrangements. Permission for foreign nationals to enter Turkey without a visa is subject to approval by security authorities.” [7h]

- 31.10 The EC 2008 Progress report also stated that “No progress can be reported on visa policy. Sticker- and stamp-type visas are still issued at borders, with different authorities responsible for the issuing procedures, and airport transit visas have not been introduced.” [71c] (p72)

[Return to contents](#)  
[Go to list of sources](#)

#### TREATMENT OF RETURNED FAILED ASYLUM SEEKERS

- 31.11 The Netherlands, Ministry of Foreign Affairs, Official General Report on Turkey (January 2002), 15 April 2002 noted that:

“It is a known fact that thousands of (illegal) Turkish nationals are returned to Turkey from Western Europe each year. They also include rejected asylum seekers. There are no indications that Turkish nationals are persecuted in Turkey purely because they applied for asylum abroad. The Turkish authorities are aware that many citizens leave the country for economic reasons and apply for asylum elsewhere. However, people who have engaged in activities abroad which the Turkish authorities regard as separatist are at risk of persecution if the Turkish authorities find out.” [2a] (section 3.4.11 Returned asylum seekers p 144)

- 31.12 The Netherlands Ministry of Foreign Affairs, Official General Report on Turkey, January 2002 also noted that:

“The criminal records of Turkish-Kurdish asylum seekers who are returned to Turkey are checked on entry just like those of other Turkish nationals. The records may concern criminal convictions by a Turkish court, but can also be related to official judicial preliminary inquiries or investigations by the police or jandarma. Draft evaders and deserters are also on record at the border posts.

“If a person is found to have a criminal record or incorrect border-crossing documents, to have left Turkey illegally in the past or been expelled from another country, the Turkish border authorities often interrogate the person concerned. Questioning is often intended to establish or check personal particulars, reasons for and time of departure from Turkey, grounds for seeking asylum, reasons why the application was rejected, any criminal records at home and abroad, including (drug-related) offences, and possible contacts with illegal

organisations abroad. If, however, there is no definite suspicion, as a rule the person is released after an average six to nine hours' detention." [2a] (section 3.4.11 Returned asylum seekers p 144)

- 31.13 The Netherlands, Official General Report on Turkey, January 2002 further stated that:

"Anyone suspected of having committed criminal offences is transferred to the relevant investigative authority. In Istanbul this is mostly the Police Headquarters, which is located in Bakırköy, not far from the airport. Persons suspected of membership of the PKK, left-wing radical organisations such as the DHKP/C or TKP/ML, militant Islamic groups, or anyone suspected of giving support or shelter to one of those organisations is handed over to the Anti-Terror Branch, which is housed in the Police HQ mentioned above. Torture or ill-treatment of suspects at the Police Anti-Terror Branch cannot be ruled out." [2a] (section 3.4.11 Returned asylum seekers p 145)

- 31.14 The Netherlands, 2001 General report further stated that:

"From time to time, asylum seekers rejected from western Europe claim to have been maltreated or tortured after their arrival in Turkey. A limited number of the claims of ill-treatment or torture after expulsion to Turkey from western European countries (in 1999 and 2000) have been investigated by the relevant western European authorities. On the basis of a medical examination in Turkey in one of those cases – which involved a person being sent back from Germany – it was concluded that the complaints and symptoms pointed to torture. In the remaining cases in which investigations into claims have been completed either there are doubts as to the veracity of the claims asserting illtreatment or torture, or such declarations were found incorrect or implausible." 2a] (section 3.4.11 Returned asylum seekers p 145)

- 31.15 Turkish citizens who are without passports are returned on one-way emergency travel documents, which are issued by the Turkish Consul General in London. In a letter to the Home Office dated 11 January 2006, the Turkish Consulate General in London noted:

"A Turkish national who wishes to obtain an Emergency Travel Document from the Turkish Consulate General in London should meet the following requirements: 1. He/she must be a Turkish national; 2. He/she must apply in person to the Consulate General so that the applicant can be interviewed; 3. He/she should submit the following documents:

- Any identity document issued by official Turkish authorities (Nufus card, driving licence etc).
- A flight ticket (or reservation);
- Two photos;

If the applicant does not possess any official document of identity, he/she is required to provide his/her identity details during the interview at the Consulate. The purpose of the interview is to ascertain that people who apply for Emergency Travel Documents are indeed Turkish citizens. The Turkish Consulate would not refuse to issue an Emergency Travel Document to a Turkish National under any circumstances. [An] Emergency Travel Document is

issued without delay if the Consulate is satisfied that the applicant is a Turkish national. The application is referred to the relevant authority in Turkey for approval – i.e. the Ministry of Interior of the Republic of Turkey if the Consulate is not satisfied that the applicant holds Turkish nationality. Passports checking at borders, ports and airports are carried out by security officers. People returning to Turkey on an Emergency Travel Document go through the same procedure as anyone returning there on a standard passport. There is only one type of Emergency Travel Document in use. However, Turkish nationals travelling with Emergency Travel Documents will be interviewed by security officials on their arrivals to Turkey.” [31a]

[Return to contents](#)  
[Go to list of sources](#)

### CHECKING OF DOCUMENTS

31.16 The European Commission 2008 Progress report on Turkey, published 5 November 2008, noted that “Following the training received by 200 staff in 2007, there has been a slight increase in the detection rate for forged documents. In 2007, 493 documents were identified as false and falsified, compared with 469 in 2006.” [71c] (p72-73)

31.17 The Norwegian Country of Origin Information Centre ‘Report of fact-finding mission to Turkey (7-17 October 2004)’, noted that the lawyer:

“Had further noticed that most of these documents (some of them being ‘warrants’) referred to article 169 in the (old) Turkish Criminal Code. According to him, this article does not play an important role any more and it rarely leads to punishment: ‘You can send the persons with article 169 back to Turkey, nothing will happen to them’. However, persons who are wanted for activities sanctioned by articles 125 and 168 in the Penal Code might still face severe problems after return, according to Demirtaş. He stressed that some of these persons really might be in need of protection and he suggested that documentation on such cases should be carefully verified.” [16] (p25)

See section 30 – [Forged and Fraudulently obtained official documents](#)

### THE GENERAL INFORMATION GATHERING SYSTEM (GBTS)

31.18 The Swiss NGO Schweizerische Flüchtlingshilfe (Swiss Organisation for Refugees) stated, in its report on Turkey published in June 2003, that:

“There are a number of different information systems in Turkey. The central information system is known as the GBTS (Genel Bilgi Toplama Sistemi – General Information Gathering System). This system lists extensive personal data such as information on arrest warrants, previous arrests, foreign travel restrictions, avoidance of military service, desertion, refusal to pay military tax and delays paying tax. Served sentences are as a rule removed from this information system and entered onto the database of criminal records (Adli Sicil).” [8] (p41)



- 31.19 As outlined in the September 2003 Report on GBTS system by the Turkish Ministry of Interior, the GBTS is operated by the Anti-Smuggling Intelligence and Data Collection Department of the Turkish National Police. The Ministry of the Interior further state that “In the GBT system records of the following are kept as a general rule:
- (i) Persons who have committed a crime but have not been caught;
  - (ii) Persons who have committed serious crimes such as organised crime, smuggling, drugs related crimes, terrorism, unlawful seizure, murder, fraud;
  - (iii) Persons who have search warrants issued including those who have an arrest warrant issued “in absentia”;
  - (iv) Persons who are barred from public service;
  - (v) Missing persons;
  - (vi) Persons of responsibility within political parties who have been convicted of crimes defined in the Political Parties Law No.2908, article 4/4;
  - (vii) Stolen, lost, appropriated motor vehicles, firearms, identification documents.” [17]
- 31.20 As stated by the Turkish Ministry of the Interior in September 2003, records are erased from the system under the following circumstances:
- “(i) Upon the death of a person convicted of a crime by a court;
  - (ii) As soon as a court decision of non-pursuit, acquittal or expiry of time limitation reaches the Turkish National Police (TNP) regarding a person who was previously registered in the GBTS;
  - (iii) In case of a crime other than those listed above, when the person is caught;
  - (iv) In case of stolen/lost/appropriated property, when the property in question is found.” [17]
- 31.21 Only the latest warrant of arrest is held on file. The others are cancelled. Information about convicted persons is stored at the Judicial Registry Office (Adli Sicil Mudurlukleri), rather than on the GBTS. (Turkish Ministry of the Interior, September 2003) [17]
- 31.22 The Turkish Ministry of the Interior stated in September 2003 that “Only records of people who are under judicial proceedings or judicial examination are kept on the GBTS. No records of people are kept on the system who are detained and [subsequently] released by the security forces.” [17]
- 31.23 The Swiss Organisation for Refugees, in its report published June 2003, stated that “Experience has shown, however, that despite its name, this [GBTS] system does not by any means contain all the information relating to a given individual. Concrete examples have demonstrated that individuals are generally only entered onto the system following prosecution or issue of an arrest warrant by the public prosecutor or a court.” [8] (p41)
- 31.24 However, the Swiss Organisation for Refugees also stated that “In several cases we have discovered that individuals who have been denounced as PKK activists or sympathisers show up as not being sought and therefore do not



appear on the register even though authentic police statements prove that they have been denounced by name.” [8] (p41)

31.25 The report continued: “It should be mentioned that in addition to the GBTS central information system, the various security forces each have their own information systems... They include the registers of the police, the anti-terrorist department, the gendarmerie, JITEM, the military secret service etc. It is therefore perfectly possible for someone not to be listed on the central system but to be sought by the anti-terrorist unit.” [8] (p41)

31.26 The Swiss Organisation for Refugees further stated that “Neither can the absence of a data entry or current investigation or the lack of a passport ban be taken as evidence that an individual is not in danger. Despite the absence of entries in the central information system, the individual concerned might be listed on one of the other information systems. This must certainly be assumed in the case of individuals who have already been taken into custody by the police, gendarmerie or some other branch of the security forces in the past.” [8] (p41)

31.27 In a fax sent to the British Embassy in Ankara on 7 October 2005, the Assistant Director of the Trafficking and Organised Crime Directorate of the Turkish Ministry of Interiors confirmed that:

“In our country the GBT system is governed by the Trafficking Intelligence and Information Gathering Directorate attached to the Ministry of Internal Affairs. Law enforcement units such as the police and the gendarme can use the GBT system. While the customs officers stationed at international ports and borders cannot use the GBT system police units stationed at all land, air and sea borders are able to use the said system. Foreign establishments cannot use this system in any way whatsoever. The offence of leaving the country through illegal means can only be detected when the offenders are captured abroad. It is impossible to know who left the country through illegal means and therefore no records are being kept in relation to such matters. Draft evaders are also being registered in the GBT system. Records relating to individuals who are being prosecuted or are subject to investigation are being kept in the GBT system. Records relating to individuals who have been taken into custody and subsequently released are not registered in the GBT system.” [4f]

[Return to contents](#)  
[Go to list of sources](#)

## 32 EMPLOYMENT RIGHTS

### LABOUR ACT OF TURKEY

- 32.01 Law No. 4857, date of enactment: 22.05.2003, published in the official gazette on 10 June 2003.

Article 1. The purpose of this Act is to regulate the working conditions and work-related rights and obligations of employers and employees working under an employment contract.

With the exception of those cited in Article 4, this Act shall apply to all the establishments and to their employers, employer's representatives and employees, irrespective of the subject matter of their activities. [27]

- 32.02 The Employment Act (EA) No. 4857 of 2003, the Trade Unions Act of 1983 and the Obligations Act of 1926 are the sources of employment legislation in relation to termination of employment for employees falling within their scope...

Civil servants and employees with an administrative employment contract are subject to different regulations and are not covered in this Digest. In Turkey, civil servants enjoy considerable job security. [27]

- 32.03 The US State Department (USSD) report 2008, published on 25 February 2009, noted that:

"The national minimum wage of 638 lira (\$425) per month did not provide a decent standard of living for a worker and family. All workers covered by the labor law are also covered by the law establishing a national minimum wage. This law was effectively enforced by the Ministry of Labor Inspection Board.

"The law establishes a 45-hour workweek with a weekly rest day, and limits overtime to three hours per day for up to 270 hours a year. Premium pay for overtime is mandated but the law allows for employers and employees to agree to a flextime schedule. The Labor Inspectorate of the Ministry of Labor effectively enforced wage and hour provisions in the unionized industrial, service, and government sectors, which covered approximately 12 percent of workers. Workers in other sectors had difficulty receiving overtime pay, although by law they were entitled to it." [5b] (Section 6)

- 32.05 The USSD 2008 report also noted that

"The law mandates occupational health and safety regulations; however, in practice the Ministry of Labor Inspection Board did not carry out effective inspection and enforcement programs. Workers have the right to remove themselves from situations that endangered health or safety without jeopardy to their employment, although reports of them doing so were rare. Authorities effectively enforced this right." [5b] (Section 6)

- 32.06 The Eurasianet Civil Society website published an article 1 December 2008 reporting that

“Emine Arslan mother of three from the conservative Black Sea region had been working at Desa for eight years when she was sacked on July 1 without receiving any kind of severance package. Desa management accused her of negligence. Arslan says her dismissal came just days after she joined a trade union to fight for better working conditions. They made us work 60, 70, sometimes even 80 hour weeks for 485 lira [\$300] a month. Union membership is a constitutional right in Turkey. But it remains a common cause of dismissal.” [42a]

- 32.07 The Turkish Statistical Institute (TURKSTAT) released on 28 September 2007 the Wages and Earnings in the Manufacturing Industry second quarter 2007 and noted that:

“When average monthly gross earnings were examined by statistical regional classification at level 12 (twelve regions) (NUTS1), the highest per capita average monthly gross earnings was found in Western Black Sea Region (1 970 TRY.) In the second quarter of 2007 and Northeastern Anatolia Region (1 868 TRY.). Istanbul Region has 1 604 TRY per capita average monthly gross earnings in the second quarter of 2007.” [89b]

- 32.08 The European Commission 2008 report recorded that:

“There has been progress in the area of employment policy. An Employment Package was adopted in May 2008 aiming to address unemployment challenges, with a specific focus on the promotion of job opportunities for women, young people and people with disabilities. For instance, the amendments stipulate, among other things, that the employers' share of social security premiums for newly hired women employees are to be covered by the Unemployment Insurance Fund for a five-year period, starting with 100% in the first year and ending with 20% in the fifth. Unemployed persons registered with the Turkish Employment Agency (İŞKUR) will benefit from job matching, guidance and vocational training, to be funded by the Unemployment Insurance Fund. İŞKUR continued its efforts to improve its institutional capacity and the services provided to job seekers. Turkey also declared 2008 as the year for combating undeclared work.” [71c] (p61)

- 32.09 The European Commission 2008 report also stated that:

“As regards social dialogue, there has been limited progress. Tripartite social dialogue meetings were more frequent in the reporting period; however, the Economic and Social Council does not meet regularly as required by the law. Full trade union rights have not yet been established in Turkey. The draft legislation aimed at bringing the currently applicable Trade Union and Collective Bargaining, Strike and Lockout Laws into line with ILO and EU standards is still pending.” [71c] (p61)

- 32.10 The EC 2008 report further noted that “There is no progress to report in the area of labour law. Shortcomings in the transposition of a number of directives

remain; these include the limited scope of application of the labour law. Administrative capacity of the Ministry of Labour and Social Security and its affiliated institutions is not yet sufficiently developed. In the area of labour law, Turkey is not yet sufficiently prepared.” [71c] (p60)

32.11 The EC 2008 report also noted that:

“There has been some progress in the area of health and safety at work, where Turkey has attained a good degree of alignment with the acquis. The Labour Law was revised to prohibit workers without the relevant vocational training qualifications, from being employed in heavy and risky work. The implementing regulation on health and safety measures on risks related to chemical agents was amended and came into force in March 2008.” [71c] (p60-61)

32.12 The European Commission 2008 report stated that:

“The Labour Inspection Board started harmonising its inspection practices and further improved its capacity. However, major shortcomings remain. In particular, legislation to transpose the Framework Directive has not yet been adopted. Existing legislation does not cover all workers in the private sector and excludes workers in the public sector. Further efforts to implement the legislation are needed including through awareness-raising, training and strengthening the capacity of the inspection bodies. Preparations in this field have started.” [71c] (p61)

**Return to contents**  
**Go to list of sources**

## MAJOR TRADE UNION CONFEDERATIONS

32.13 As recorded in Europa Regional Survey of the World: The Middle East and North Africa 2005, the major trade union confederations were TÜRK-İŞ (Confederation of Turkish Labour Unions <http://www.turkis.org.tr/?wapp=homepage>) and DISK (Confederation of Progressive Labour Unions <http://www.disk.org.tr/default.asp?Page=Content&ContentId=269>). [1a] (p1204)

32.14 In addition to TURK and DISK there is also The Confederation of Turkish Real Trade Unions (HAK-İŞ) which was set up on 22 October 1976 in Ankara. Today, the HAK-İŞ has 9-affiliate trade unions. The aim is to respect human rights, universal principles and values, the Constitution and the natural law. It believes in the unity of the country and “It accepts it as its principle to defend and improve effectively the rights and interests of working people with an understanding of pluralist and truly democracy. It considers the humans and labour as high values. In order to reach this aim, it accepts the innovative, principled, responsible and resolute struggle as its own main duty and responsibility.” [49]

32.15 There is also the existence of the Public Sector Workers Union Confederation (KESK). The Confederation of Public Employees Trade Unions represents the struggle for unionisation of public employees in Turkey since its establishment

in 1995... the number of KESK affiliated unions is 11 and our confederation has 231.987 members in total. The percentage of women membership is 41, 02 %... [47]

32.16 The EC 2008 progress report recorded that:

“On labour rights and trade unions, the pending legislation amending the Trade Unions and Collective Bargaining, Strike and Lockout Laws has not moved forward substantially. Turkey needs to ensure that trade union rights are fully respected in line with EU standards and the relevant International Labour Organisation (ILO) conventions, in particular the rights to organise, to strike and to bargain collectively. This is a priority of the Accession Partnership. There are reports about restrictions on the exercise of existing trade union rights and dismissals due to trade union membership. Social dialogue mechanisms, including at tripartite level, are weak.” [71c] (p23)

32.17 The US State Department (USSD) report 2007, published on 11 March 2008, noted that:

“The law provides most but not all workers with the right to associate and form unions subject to diverse restrictions; most workers exercised this right in practice. The government maintained a few restrictions on the right of association. Unions may be established by a minimum of seven persons without prior permission. There are no restrictions on membership or participation of individuals or unions in regional, national, or international labor organizations, but such participation must be reported to the government.” [5g] (Section 6)

32.18 The USSD 2007 report also noted that “Labor law prohibits union leaders from becoming officers of or otherwise performing duties for political parties, from working for or being involved in the operation of any profit-making enterprise, and from displaying any political party logos or symbols on any union or confederation publications. Unions are required to notify government officials prior to holding meetings or rallies (which must be held in officially designated areas) and to allow government representatives to attend their conventions and record the proceedings; these requirements were usually enforced.” [5g] (Section 6)

32.19 The USSD 2007 report further noted that: “The law provides for the right to strike; however, the law requires a union to take a series of steps, including negotiations and nonbinding mediation, before calling a strike. The law prohibits unions from engaging in secondary (solidarity), political, or general (involving multiple unions over a large geographical area) strikes or in work slowdowns. In sectors in which strikes are prohibited, labor disputes were resolved through binding arbitration.” [5g] (Section 6)

32.20 The USSD 2007 report further noted that

“The law prohibits strikes by civil servants, public workers engaged in the safeguarding of life and property, workers in the coal mining and petroleum industries, sanitation services, national defense, banking, and education;

however, many workers in these sectors conducted strikes in violation of these restrictions with general impunity. The majority of strikes during the year were illegal according to law; while some illegal strikers were dismissed, in most cases employers did not retaliate.” [5g] (Section 6)

32.21 The USSD 2007 report also stated that

“The law and diverse government restrictions and interference limited the ability of unions to conduct their activities, including collective bargaining. Industrial workers and some public sector employees, excluding white-collar civil servants and state security personnel, have the right to bargain collectively, and approximately 1.3 million workers, or 5.4 percent of the workforce, were under collective bargaining agreements. The law requires that, in order to become a bargaining agent, a union must represent 50 percent plus one of the employees at a given work site and 10 percent of all the workers in that particular industry. This requirement favored established unions.” [5g] (Section 6)

[Return to contents](#)  
[Go to list of sources](#)

## MAIN EMPLOYERS’ ASSOCIATIONS

32.22 As recorded in Europa the main employers’ associations are TÜSIAD (Turkish Industrialists’ and Businessmen’s Association) TISK (Turkish confederation of employers’ Associations). [1a] (p1202)

32.23 The Turkish Industrialists’ and Businessmen’s Association (TUSIAD) undated website noted that:

“This is the highest advisory board. All members of the Association are members. The General Assembly shall elect six members from among the members of the High Advisory Council to form the Presidency Board for two years. This Board consists of a chairman, three deputy chairmen and two secretaries. The Council meets at least twice a year as determined by the Chairman of the Council, to debate and decide on issues.

Principal duties of the council are:

- a) to review the course and problems of Turkish industry and business and to consider long-term policy measures in relation thereto;
- b) to evaluate strategies for the realization of the purpose of the Association and offer advice on such matters.” [25]

32.24 The Turkish Industrialists’ and Businessmen’s Association (TUSIAD) US branch website stated that:

“Founded in 1971 and is an independent, non-governmental organization dedicated to promoting public welfare through private enterprise. TUSIAD supports independent research and policy discussions on important social and economic issues in Turkey and abroad. Much like the US Business Roundtable, TUSIAD is comprised of the CEOs and Executives of the major industrial and

service companies in Turkey, including those that are among global Fortune 500 companies.” [25]

32.25 The same website also stated that:

“TUSIAD has expanded its scope to include US-Turkish relations and launched its office in Washington, DC, in November 1998. Within the general framework of the mission of its parent organization, TUSIAD-US strives to:

Be a conduit for exchange of information between Turkey and the United States...

Establish its own line of communication with the US administration and agencies, congressional committees, think tanks, business organizations, media, and international organizations;

Develop suggestions and formulate policy recommendations on ways to strengthen Turkish-US political, economic, and business ties...” [25]

32.26 MUSIAD is a “BUSINESSMEN’S ASSOCIATION” founded on May 5, 1990, in Istanbul, Turkey...MUSIAD is an active and strong “NON-GOVERNMENTAL ORGANIZATION” that has grown to 26 branches and 2000 members since 1990; that, remaining committed to its mission, has shown concern and courage in acting in accordance with its original purposes. [67]

32.27 MUSIAD has also opened a branch in London in Whitechapel and will soon be launching its English webpage. [67]

**[Return to contents](#)**  
**[Go to list of sources](#)**



## Annex A: Chronology of major events

(As reported in the BBC's 'Timeline July 2009 – Turkey, A chronology of key events' unless otherwise sourced) [66a]

- 2005** **January:** New lira currency introduced as six zeroes are stripped from old lira, ending an era in which banknotes were denominated in millions.  
**April:** The introduction of the new Turkish Penal Code (due to come into force on that date) is postponed. [66a]  
**May:** Parliament approves amendments to new penal code after complaints that the previous version restricted media freedom. The EU welcomes the move but says the code still fails to meet all its concerns on human rights.  
**1 June:** A revised version of the new Turkish Penal Code comes into force. [23c]  
**October:** Turkey officially begins membership talks with the European Union. [66bi]  
**November:** DEHAP dissolves. [23b] Democratic Society Movement (DHT) becomes the Democratic Society Party (DTP). [93b]
- 2006** **March:** 14 suspected Kurdish rebels killed by security forces.  
**April:** At least a dozen people are killed in clashes between Kurdish protesters and security forces in the south-east. Several people are killed in related unrest in Istanbul.  
**May:** Islamist gunman opens fire in Turkey's highest court, killing a prominent judge and wounding four others.  
**July:** Baku-Tbilisi-Ceyhan oil pipeline opened at ceremony in Turkey.  
**August-September:** Bombers target resorts and Istanbul. Shadowy separatist group Kurdistan Freedom Falcons (TAC) claims responsibility for some attacks and warns it will turn 'Turkey into hell'.  
**30 September:** Kurdish separatist group, the PKK, declares a unilateral ceasefire in operations against the military.
- 2007** **January:** Journalist and Armenian community leader Hrant Dink is assassinated. The murder provokes outrage in Turkey and Armenia. Prime Minister Erdogan says a bullet has been fired at democracy and freedom of expression.  
**April:** Tens of thousands of supporters of secularism rally in Ankara, aiming to pressure Prime Minister Erdogan not to run in presidential elections because of his Islamist background.  
Ruling AK party puts forward Foreign Minister Abdullah Gul as its candidate after Mr Erdogan decides not to stand. He narrowly fails to win in the first round.  
**May:** Parliament brings forward national elections to 22 July to try end the standoff between secularists and Islamists over the choice of the next president.  
Parliament gives initial approval to a constitutional change allowing the president to be elected by a popular vote, but the amendment is vetoed by President Sezer.  
**May:** Tension mounts on Turkey-Iraq border amid speculation that Turkey may launch an incursion to tackle Kurdish rebels.  
Bomb blast in Ankara kills six and injures 100. PKK denies responsibility.

**July:** AK Party wins parliamentary elections.

**August:** Abdullah Gul is elected president.

**October:** Diplomatic row with United States after a US congressional committee recognises the killings of Armenia under the Ottoman Empire as genocide.

**October:** Parliament gives go ahead for military operations in Iraq in pursuit of Kurdish rebels.

**October:** Voters in a referendum back plans to have future presidents elected by the people instead of by parliament.

**December:** Turkey launches a series of air strikes on fighters from the Kurdish PKK movement inside Iraq.

- 2008** **February:** Thousands protest plans to allow women to wear the Islamic headscarf to university.  
Parliament approves constitutional amendments which will pave the way for women to be allowed to wear the Islamic headscarf in universities.  
**July:** A move in Turkey's Constitutional Court to get the governing AK Party banned fails by a narrow margin. The case was brought by the country's chief prosecutor who accused the party of undermining Turkey's secular constitution by becoming a focus of pro-Islamist activity.  
In a separate development, an indictment is filed against 86 people suspected of plotting to overthrow the government. Those named in the indictment are alleged to have links with a shadowy ultra-nationalist group known as Ergenekon.  
**October:** Trial starts of 86 suspected members of a shadowy ultra-nationalist group accused of plotting a series of attacks and provoking a military coup against the government.
- 2009** **February:** Protesters marking the 10th anniversary of the arrest of Abdullah Ocalan, the leader of the banned Kurdish PKK movement, clash with police in south-east Turkey.  
Prominent Kurdish politician Ahmet Turk defies Turkish law by giving speech to parliament in his native Kurdish. State TV cuts live broadcast, as the language is banned in parliament.  
**June:** Trial starts of a further 56 people in connection with the alleged ultra-nationalist Ergenekon plot to bring down the government.  
**July:** President Abdullah Gul approves legislation proposed by the ruling AK Party giving civilian courts the power to try military personnel for threatening national security or involvement in organised crime.  
PM Tayyip Erdogan holds a rare meeting with the leader of the pro-Kurdish Democratic Society Party, Ahmet Türk, as part of efforts to solve the Kurdish problem politically.

[Return to contents](#)  
[Go to list of sources](#)

## Annex B: Political Groups

---

### MAIN PARTIES

Information on political parties in Turkey as of 3 August 2004 can be found on:

<http://www.byegm.gov.tr/REFERENCES/Structure.htm> and

<http://www.politicalresources.net/>

**Democratic Left Party:** (DSP Demokratik Sol Parti)

Founded on : November 14, 1985

Chairman : Zeki Sezer

Address : Mareşal Fevzi Çakmak Cad. No: 17 ANKARA

Phone : (0312) 212 49 50 (5 lines)

Web site: <http://www.dsp.org.tr/MEP/>

**Nationalist Movement Party:** (MHP Milliyetçi Hareket Partisi)

Founded on : February 9, 1969

Chairman : Devlet Bahçeli

Address :Karanfil Sok. No: 69 Bakanlıklar/ANKARA

Phone : (0312) 417 50 60 (5 lines)

Web site: <http://www.mhp.org.tr/>

**Motherland Party:** (ANAP Anavatan Partisi)

Founded on : May 20, 1983

Chairman : Erkan Mumcu

Address : 13. Cad. No: 3 Balgat/ANKARA

Phone : (0312) 286 50 00 (20 lines)

Web site: <http://www.anavatan.org.tr/>

**Democrat Party:** (DP Demokrat Parti)

Founded on : July 23, 1983

Chairman : Mehmet Ağar

Address : Selanik Cad. No: 40 Kızılay/ANKARA

Phone : (0312) 419 04 70 (2 lines)-417 22 40 (3 lines)

Web site:<http://www.dyp.org.tr/>

**Felicity Party:** (SP Saadet Partisi)

Founded on : July 27, 2001

Acting Chairman : Recai Kutan

Address : Ziyabey Cad. 2. Sok. No: 15 Balgat/ANKARA

Phone : (0312) 284 88 00)

Web site: <http://www.sp.org.tr/>

**Justice and Development Party:** ( AKP Adalet ve Kalkınma Partisi)

Founded on : August 14, 2001

Chairman : Recep Tayyip Erdoğan

Address : Ceyhun Atuf Kansu Cad. No: 202 Balgat / ANKARA

Phone : (0312) 2868989-2863084

Web site: <http://eng.akparti.org.tr/english/index.html>

**Republican People's Party:** (CHP Cumhuriyet Halk Partisi)

Founded on : September 9, 1923  
Chairman : Deniz Baykal  
Address : Çevre Sok. No: 38 Çankaya/ANKARA  
Phone : (0312) 468 59 69 (20 lines)  
Website:

<http://www.chp.org.tr/index.php?module=news&sid=74003ad117721af2c2f87c132cb29d21>

**Grand Union Party:** (BBP Büyük Birlik Partisi)

Founded on : January 29, 1993  
Chairman : Muhsin Yazıcıoğlu  
Address : Tuna Cad. No: 28 Yenışehir/ANKARA  
Phone : (0312) 434 09 20-27  
Web site: <http://www.bbp.org.tr/>

**Freedom and Solidarity Party:** (ÖDP Özgürlük ve Dayanışma Partisi)

Founded on : January 21, 1996  
Chairman : Hayri Kozanoğlu  
Address : Necatibey Cad. No: 23/10 Sıhhiye/ANKARA  
Phone : (0312) 229 97 06- 231 72 32  
Web site: <http://www.odp.org.tr/>

**Democratic Turkey Party:** (DTP Demokrat Türkiye Partisi)

Founded on : January 7, 1997  
Chairman : Yaşar Okuyan  
Address : Mesnevi Sok. 27 ANKARA  
Phone : (312) 442 01 51 442 12 49 442 16 19

**Liberal Democratic Party:** (LDP Liberal Demokrat Parti)

Founded on : July 26, 1994  
Chairman : Emin Şirin  
Address : G.M.K. Bulvarı No: 47/14 Maltepe/ANKARA  
Phone : (312) 2291503 (2 lines)  
Web site: <http://www.ldp.org.tr/>

**My Turkey Party:** (Türkiyem Partisi)

Founded on : May 11, 1998  
Chairman : Durmuş Ali Eke

**Free Society Party:** (Özgür Toplum Partisi)

Founded on : June 6, 2003  
Chairman : Ahmet Turan Demir

**Our Party:** (Bizim Partimiz)

Founded on : August 2, 2004  
Chairman : Ahmet Yılmaz

**Nation Party:** (MP Millet Partisi)

Founded on : November 22, 1992  
Chairman : Aykut Edibali

Address : Atatürk Bulvarı No: 73/37-38 Kızılay/ANKARA  
 Phone : (312) 4194060  
 Web site: <http://www.milletpartisi.org/>

**Worker's Party:** (İP İşçi Partisi)

Founded on : March 2, 1992  
 Chairman : Doğu Perinçek  
 Address : Mithatpaşa Cad. No: 10/8 Sıhhiye/ANKARA  
 Phone : (312) 435 29 99  
 Web site: <http://www.ip.org.tr/>

**Labour Party:** (EMEP Emeğin Partisi)

Founded on : November 26, 1996  
 Chairman : Abdullah Levent Tüzel  
 Address : Necatibey Cad. Sezenler Sk. Lozan Apt. ANKARA  
 Phone : (312) 232 41 98  
 Web site: <http://www.emep.org/index.php>

**Changing Turkey Party:** (DEPAR Değişen Türkiye Partisi)

Founded on : February 24, 1998  
 Chairman : Gökhan Çapoğlu  
 Address : 6. Cad. 78 Sok. 15/2 Öveçler/ANKARA

**Democracy and Peace Party:** (DBP Demokrasi ve Barış Partisi)

Founded on : March 11, 1996  
 Chairman : Yılmaz Çamlıbel  
 Address : Menekşe Sok. 10A/7 Kızılay/ANKARA

**Liberation Tranquility Party:** (Kurtuluş Huzur Partisi)

Founded on : February 1, 1999  
 Chairman : Hacer Söğütülen

**Communist Party:** (Komünist Parti)

Founded on : July 20, 2000  
 Chairman : Yalçın Cerit

**National Unity Party:** (UBP Ulusal Birlik Partisi)

Founded on : October 23, 1998  
 Chairman : Fehmi Kural  
 Address : Necatibey Cad. Lale Sok. 3/14 Sıhhiye/ANKARA  
 Phone : (312) 230 16 32

**Enlightened Turkey Party:** (ATP Aydınlık Türkiye Partisi)

Founded on : November 27, 1998  
 Chairman : Ahmet Bican Ercilasun  
 Address : Çetin Emeç Bulvarı Öveçler 4. Cad. 52. Sk. Dikmen - ANKARA  
 Phone : (312) 284 29 32  
 Web site: <http://www.atp.org.tr/>

**The Main Road Party:** (AYP Anayol Partisi)

Founded on : May 5, 1994

Chairman : Gürcan Başer  
 Address : İzmir Cad. Sümer Sok. Sümer Han Kat: 4 4/2021 Kızılay/ANKARA  
 Phone : (312) 232 23 23

**Great Justice Party:** (BAP Büyük Adalet Partisi)

Founded on : April 12, 1995  
 Chairman : Sabit Batumlu  
 Address : Güvenlik Cad. 25/25 A.Ayrancı/ANKARA

**Communist Party of Turkey:** (Türkiye Komünist Partisi)

Founded on : November 11, 2001  
 Chairman : Aydemir GÜLER  
 Address : Selanik Cad. 41/7 Kızılay/ANKARA  
 Phone : (0312) 4188743-4172931  
 Web site: <http://www.tkp.org.tr/>

**Democratic People Party:** (DHP Demokrat Halk Partisi)

Founded on : December 15, 1999  
 Chairman : Mahmut İhsan Özgen  
 Address : Rüzgarlı Mah. Soydaşlar Sok. 4/6 Ulus/ANKARA  
 Phone : (312) 310 50 50

**Socialist Worker's Party of Turkey:** (TSIP Türkiye Sosyalist İşçi Partisi)

Founded on : January 3, 1993  
 Chairman : Turgut Koçak  
 Address : Lale Sok. 4/8 Sıhhiye/ANKARA  
 Phone : (312) 431 23 86229 99 93  
 Web site: <http://www.tsip1974.com/>

**Revolutionary Socialist Worker's Party:** (DSİP Devrimci Sosyalist İşçi Partisi)

Founded on : April 25, 1997  
 Chairman : Şevket Doğan Tarkan  
 Address : Menekşe 1. Sok. 8A/16 Kızılay/ANKARA  
 Web site: <http://www.dsip.org.tr/>

**Socialist Worker's Party:** (SİP Sosyalist İşçi Partisi)

Founded on : September 9, 1996  
 Chairman : Mehmet Önder Ergönül

**Socialist Unity Movement Party:** (SBHP Sosyalist Birlik Hareketi Partisi)

Founded on : August 5, 1999  
 Chairman : Nihat Çağlı  
 Address : Bankacı Sok. 15/3 Kocatepe/ANKARA

**Justice Party of Turkey:** (TAP Türkiye Adalet Partisi)

Founded on : April 12, 1995  
 Chairman : Mehmet Yorgancıoğlu  
 Address : Cinnah Cad. Ahenk Sok. 10/8 ANKARA

**Equality Party:** (EP Eşitlik Partisi)

Founded on : May 25, 2001

Chairman : Bektaş Çelebi  
Address : Selanik Cad. No:6/21 K.3 KIZILAY ANKARA

**Union of Hearts Greens Party:** (Gönül Birliği Yeşiller Partisi)

Founded on : November 03, 2000  
Chairman : Eşref Yazıcıoğlu  
Address : Strasbourg Cad. No:26/15 Sıhhiye/ ANKARA

**Our Legacy Party:** (Varlığımız Partisi)

Founded on : May 11, 2001  
Chairman : Köksal Satır  
Address : Demetevler İvedik Cad. No: B 99/P.9 ANKARA

**Radical Change Project Party:** (RADEP- Radikal Değişim Projesi Partisi)

Founded on : May 16, 2001  
Chairman : Alişan Ağca  
Address : Güniz Sok. No:12/3 KAVAKLIDERE ANKARA

**National Autonomy Party:** (Ulusal Muhtariyet Partisi)

Founded on : August 13, 2001  
Chairman : Fehmi Öztürk  
Address : İzmir Cad. Sümer 1 Sok. No : 12/6 Kızılay / ANKARA  
Phone : (312) 229 97 06 231 72 30

**Leader Turkey Party:** (Lider Türkiye Partisi)

Founded on : September 03, 2001  
Chairman : Mustafa ÖZMAN  
Address : Harf Devrimi Cad. Özügüzel Kent Sitesi No:4/8 Eryaman / ANKARA

**Independent Turkey Party:** (Bağımsız Türkiye Partisi BTP)

Founded : September 25, 2001  
Chairman : Prof. Dr. Haydar BAŞ  
Address : K.Esat Cad. No: 123 Çankaya/ANKARA  
Phone : (0312) 4482424 (5 lines)  
Web site: <http://www.btp.org.tr/>

**Socialist Democratic Party:** (TDP - Toplumcu Demokrat Parti)

Founded on : 29 January 2002  
Chairman : Sema PIŞKİNSÜT  
Address : Yıldız 4. Cad. 19. Sok. No:10 Çankaya/ANKARA  
Web site: <http://www.toplumcudemokrasipartisi.com/>

**Solution Party:** (ÇP - Çözüm Partisi)

Founded on : December 25, 2001  
Chairman : Nazım KOCAMAN  
Address : Saklambaç sk. No : 66/16 Keçiören / ANKARA  
Web site: <http://www.cozumpartisi.org/>

**Social Democratic People's Party:** (SHP - Sosyal Demokrat Halkçı Parti)

Founded on : May 24, 2002



Chairman : Murat KARAYALÇIN  
Web site: <http://www.shp.org.tr/>

**Social Democrat Party:** (SDP – Sosyal Demokrat Parti)  
Founded on : November 29, 2001  
Chairman : Nihat DEMİR  
Address : Kuleli Sk. No : 33 / 4 GOP / ANKARA

**Republican Democracy Party:** (Cumhuriyetçi Demokrasi Partisi)  
Founded on : July 19, 2002  
Chairman : Erdoğan Bakkalbaşı  
Address : Ergün Sok. No : 2 Maltepe / ANKARA  
Phone : (0312) 232 63 00  
Web site: <http://www.ctp.org.tr/>

**Rights and Freedoms Party:** (Hak ve Özgürlükler Partisi)  
Founded on : February 11, 2002  
Chairman : Abdülmelik FIRAT  
Address : Menekşe 2. Sk. 33 / 7 Kızılay - ANKARA  
Phone : (0312) 418 16 38  
<http://www.hakpar.org.tr/>

**Homeland Party:** (Yurt Partisi)  
Founded on : March 14, 2002  
Chairman : Sadettin TANTAN  
Address : Öveçler Mah. 8. Cad. No: 25 Dikmen - ANKARA  
Phone : (0312) 4785700  
Web site: <http://www.yurtpartisi.org.tr/>

**Eurasia Party:** (Avrasya Partisi)  
Founded on : May 9, 2002  
Chairman : H.Hüsnü DOĞAN  
Address : Çetin Emeç Bulvarı No : 57 Öveçler - ANKARA

**Independent Republic Party:** (Bağımsız Cumhuriyet Partisi)  
Founded on : July 24, 2002  
Chairman : Prof. Mümtaz SOYSAL  
Web site: <http://www.bcp.org.tr/>

**Republican Democrat Turkey Party:** (Cumhuriyetçi Demokrat Türkiye Partisi)  
Founded on : September 3, 2003  
Chairman : Serap Gülhan

**New Faces Party:** (Yeni Yüzler Partisi)  
Founded on : August 2, 2002  
Chairman : Münci İnci  
Web site: <http://www.yeniyuzler.org/>

**Turkey Party:** (Türkiye Partisi)  
Founded on : February 23, 2004  
Chairman : Tekin Enerem,

**Katılımcı Demokrasi Partisi:** (Participatory Democracy Party KADEP)

Founded on : December 20, 2006

Chairman : Şerafettin ELÇİ

Web site: <http://www.kadep.org.tr/>

**NOW BANNED****Fazilet Partisi (FP)** (Virtue Party)

Founded 1997, banned June 2001. Fazilet replaced Refah Partisi (Welfare Party), which was dissolved by the Constitutional Court. Islamic fundamentalist. Interest in free market economy. Leader Recai Kutan. [1c]

**Halkın Demokrasi Partisi (HADEP)** (People's Democracy Party)

Founded 1994. Pro-Kurdish nationalist party. Chairman Murat Bozlak. [1a] On 20 September 2002 Mr Bozlak was barred from running in the November 2002 general election because of his conviction in the past for sedition. [66b] In March 2003 HADEP was banned by the Constitutional Court on the grounds that it aided and abetted the PKK. [63c]

**Refah Partisi (RP)** (Welfare Party)

Founded 1983, closed by a Constitutional Court ruling in January 1998 that it had become the focal point of anti-secular activity. Islamic fundamentalist. Chair Prof. Necmettin Erbakan. [1b]

**MAIN LEFTIST AND / OR ILLEGAL POLITICAL ORGANISATIONS**

**IMPORTANT.** This section consists of the names of both legal and illegal organisations. Those organisations which are known to be illegal have this fact recorded in their entry below. It is not possible to have a fully comprehensive list of illegal parties, because of their constantly changing and clandestine nature.

Information on the current situation regarding leftist Parties in Turkey can be found on [www.broadleft.org/tr.htm](http://www.broadleft.org/tr.htm) [52a] and <http://www.electionguide.org/country.php?ID=218> [108]

For general information on terrorist organisations in Turkey:

<http://www.tkb.org/GroupRegionModule.jsp?countryid=TU&pagemode=group&regionid=1> [63a]

List of proscribed terrorist groups outlawed in the UK. [101]

<http://www.homeoffice.gov.uk/security/terrorism-and-the-law/terrorism-act/proscribed-groups>

The Turkish State sees three main threats: militant Kurdish nationalism/separatism; militant Marxist-Leninist groups; and armed radical Islamic movements. [2a]

Brief glossary

cephe = front

devrimci = revolutionary

emek = labour

halk = people  
hareket = movement  
işçi = worker  
köylü = peasant, villager  
kurtuluş= liberation  
örgüt = organisation, association  
özgür = free  
özgürlük = freedom, liberty

**Aczi-Mendi Group** radical Islamic group.

Founded by Müslüm Gündüz in Elaziğ in 1985. The meaning of Aczi-Mendi is the “Sect of the Helpless Servants of Allah”. All group’s members dress in the same style, with black robes, turbans, and baggy trousers, and they carry sceptres. They hold their meetings in Elaziğ and in dervish lodges, which they have established in different cities. Dervish convents in Elaziğ, Gaziantep and Izmir have been closed by court order. [65]

**Akabe** radical Islamic group.

Author Mustafa Islamoğlu leads it. The legal branch of the group is AKEV (Akabe Education and Culture Association). [65]

**ARGK** see **PKK**.

**BCH** (Independent Republic Movement) (Bağımsız Cumhuriyet Hareketi). [52b]

**BDGP** (United Revolutionary Forces Platform)  
(Birleşik Devrimci Güçler Platformu) (Turkish)  
(Platforma Hezen Soresgeren Yekgirti) (Kurdish)  
Founded 1998. Radical left. [52b]

**BP/KK-T** (Bolshevik Party/North Kurdistan - Turkey) (Bolşevik Partisi/Küzey Kürdistan - Türkiye)

Illegal. Formed 1981 as TKP/ML (Bolşevik). Ex-Maoist, Stalinist. Publications - “Bolşevik Partizan”, “Roja Bolşevik”. [52b]

**Ceyshullah** (Army of Allah).

Founded in Istanbul in 1995. Its aim is to bring about a theocratic regime in Turkey by “holy war”. Between 1994 and 1999 the Turkish police conducted six operations against Ceyshullah, and apprehended 33 members, as well as guns, pistols, bombs and other munitions. The members stated that they had been trained in Saudi Arabia and Afghanistan. [65]

**Dev Sol** See **DHKP-C**

**Dev Yol** (Revolutionary Path) (Devrimci Yol). See **THKP/C**

Founded 1975. Radical left. Part of ÖDP (see Annex B). Publications – “Bir Adım” (One Step), “Hareket” (Movement), “Devrimci Hareket” (Revolutionary Movement). [48] [18c]

**Devrim Partisi-Kawa** see **PS-Kawa**

**Devrimci Gençlik** see **DHKP-C**

**Devrimci Halk Hareketi** (Revolutionary People's Movement).

Split of TKIP in 1999. Radical left. Publication - "Devrimci Halk" (Revolutionary People). [52a]

**Devrimci Hareket** (Revolutionary Movement). [52b]

**Devrimci İşçi Partisi - Insa Örgütü** (Revolutionary Workers Party - Build up Organisation).

Trotskyist. Publication - "Enternasyonal Bülten". [52a]

**Devrimci Mücadele** (Revolutionary Struggle).

Founded 1977 as Devrimci Derleş. Radical left. Publication - "Devrimci Mücadele". [52a]

**Devrimci Sosyalist Yön** (Revolutionary Socialist Direction) [52b]

**DHKP-C / DHKP/C** now known as the DHKC (Revolutionary People's Liberation Party - Front) (Devrimci Halk Kurtulus Partisi - Cephesi)

<http://www.dhkc.net> [54]

Illegal. Radical left. It was formed in 1993 as a splinter faction of **Dev Sol** (Devrimci-Sol, Revolutionary Left), which was founded in 1978 and which went out of existence following the split. The other splinter faction, known as THKP/C Devrimci Sol, is on hostile terms with DHKP/C, but constitutes a far smaller group in scale and significance. Although DHKP/C has long had a difficult relationship with the PKK, it has repeatedly expressed its solidarity with the Kurdish armed struggle.

DHKP/C seeks to overthrow the existing Turkish system of government by armed revolution and to replace it with a Marxist-Leninist state. Its terrorist operations are aimed in particular at the Turkish security forces and public figures, as well as at bodies seen by the group as "symbols of imperialism". An attack on a bank in Istanbul in September 1999 left 23 people injured. The authorities struck a major blow at DHKP/C in 1999, arresting 160 members and seizing a large quantity of arms and explosives. In August 2000 the police caught seven DHKP/C members trying to plant a bomb at an airforce base. DHKP/C was in action again in 2001 with various operations, including an attack on a police car on 10 April, in which a passer-by was killed and two police officers injured. The US State Dept. report for 2001 records that DHKP-C suicide bombers attacked police stations in Istanbul in January and September 2001, killing several police officers and civilians.

Many of those involved in the hunger strikes in Turkish prisons in late 2000 and early 2001 came from among DHKP/C's ranks. The group drummed up large-scale support throughout Europe for protests in connection with those events. In Turkey itself the protests included a bomb attack on a police station in Istanbul on 3 January 2001, following which the organisation announced that this was in retaliation for the deaths of 30 prisoners in a prison clearance operation. Turkey's Anatolia news agency reported that, according to a circular distributed to police stations in Istanbul, the organisation had planned further attacks. [2a] Ankara State Security Court prosecutor Talat Salk alleged in a 1999 court case that DHKP/C conducts its activities under the names of HÖP (Haklar ve Özgürlükler Platformu) (Rights and Freedoms Platform), the outlawed Devrimci Gençlik (Revolutionary Youth), and TODEF (Türkiye Öğrenci Dernekleri Federasyonu) (Federation of Turkish Students and Youth Associations). [23a] Publications -

“Yaşadığımız Vatan”, “Devrimci Sol”, “Kurtuluş” (Liberation). [52a] In UK the DHKP-C is part of the List of Proscribed international groups under the Terrorism Act 2000 (Proscribed Organisations). [101]

**DHP** (Revolutionary People’s Party) (Devrimci Halk Partisi)  
Founded 1994. Close to the PKK. Publication - “Alternatif” (Alternative). [52a]

**Direnış Hareketi** (Resistance Movement)  
Founded 1978 as THKP/C - Üçüncü Yol. Radical left. Publication - “Odak”. [52a]

**Dördüncü Sol - Insa Örgütü** (Fourth Left - Construction Organisation)  
Trotskyist. Publication - “Son Kavga” (Last Fight). [52a]

**DPG** (Revolutionary Party Forces) (Devrimci Parti Güçleri)  
Radical left. Illegal. [52a]

**DSIH** (Revolutionary Socialist Workers Movement) (Devrimci Sosyalist İşçi Hareketi)  
Illegal. Radical left. Publication - “Kaldıraç” (Lever); İşçi Gazetesi [52a] [52a]

**DSIP** (Revolutionary Socialist Workers Party) (Devrimci Sosyalist İşçi Partisi).  
Founded 1997. Legal. Trotskyist. Publication - “Sosyalist İşçi” (Socialist Worker); Enternasyonal Sosyalizm. [52a]

**ERNK** see **PKK**

**ESP** (Socialist Platform of the Oppressed) (Ezilenlerin Sosyalist Platformu). Founded in 2002. [52a] In December 2004, the group’s publication Atilim reported that 46 of its members were arrested as members of the illegal MLKP and that a court claimed that ESP which is a legitimate organisation was in fact the legal branch of the MLKP.

**Gerçek** (Truth)  
Publication – Gerçek. [52b] [52a]

**Hareket** (Movement) [52b]

**HDÖ** (People’s Revolutionary Leaders) (Halkın Devrimci Öncüleri)  
Illegal. [48] [18c]

**Hevgirtin Welatparez** (Patriotic Union) [52a]

**Hizb-I Kuran** see **Med-Zehra**

**Hizbullah / Ilim Gruhu and Hizbullah / Menzil Grubu**

Both are illegal. Hizbullah/Hezbollah is a very shadowy Islamist group which originated in the 1980s in southeast Turkey. It advocates the establishment of an Islamic state by violent means. When a major Hizbullah leader was killed by PKK fighters in 1991, a difference of opinion emerged within the organisation as to whether the time was yet right to wreak revenge on the PKK, and also to take up arms in pursuit of its own objective. One faction, centring on the Menzil publishing house (and known as the Menzil group), took the view that the organisation was not yet sufficiently well-developed

to pitch into armed struggle. The other, centred on the Ilim publishing house and known as the Ilim group, thought the time was ripe for armed revenge on the PKK. Its idea was as far as possible to let the Turkish State do the dirty work for it in combating the PKK. The Ilim group bore particular responsibility for the atrocities committed by Hizbullah. The group had an ideological aversion to Iran, which adhered to Shia Islam; the Ilim group was striving for a Sunni Islam state. When the Ilim group managed to kill some of the Menzil group's main leaders in 1996, the Menzil group disintegrated and faded away. Some former Menzil members then joined the Ilim group, and, from 1996, Hizbullah became synonymous with the violent Ilim faction. Rumours were rife that Hizbullah was at least tolerated by the security forces because it was fighting against a common enemy, and it has been held responsible for a large number of disappearances and killings. Its victims included a former DEP member of parliament, Mehmet Sincar, and an Islamic feminist writer, Konca Kuris. President Demirel denied allegations that there were links between Hizbullah and Turkish officialdom, while the general staff of the armed forces issued an angry statement condemning such allegations as slander.

From 1997 onwards the Turkish authorities began to take tougher action against Hizbullah, with a reported 130 supporters arrested in 1998, 250 in 1999 and 3300 in 2000. In a raid on a home in the Üsküdar area of Istanbul on 17 January 2000 Hüseyin Veliöğlu, Hizbullah's founder and leader, was killed, and two other people arrested. On the basis of evidence found in the home, many other premises were searched, revealing the bodies of thirteen missing businessmen. With many more corpses being uncovered in the following months, the public prosecutor was able to press charges against 21 people on 156 counts of murder in the major Hizbullah trial which opened on 10 July 2000. During an interrogation, a Hizbullah suspect reportedly confessed to killing moderate Islamic scholar Konca Kuris in the early 1990s. In November 2002 an appeals court acquitted five defendants and sentenced the others to prison terms ranging from life to 45 months. The security forces' many operations against Hizbullah have inflicted heavy setbacks on it, and the number of bombings carried out by the group has fallen from 302 in the first eight months of 1999 to 94 in the corresponding period of 2000. However, the provincial governor of Diyarbakır stated in October 2000 that, in spite of those serious setbacks, Hizbullah could certainly not yet be considered to have been eliminated. There are said to be many teachers and religious officials involved in the organisation. As of February 2000, Hizbullah was said to have had in Turkey some 20,000 members, who were organised in tight cells and knew a few of their fellow members because they were sworn to strict secrecy. They were said to operate in teams of two or three people, who "would stalk their victim before one member of the group carried out the execution by shooting the target in the neck with a single bullet, while the other kept a watch. A third militant may have assumed the duty of protecting the executioner." Up to the time of the security forces' major action in January 2000, there were no known instances of Hizbullah's having targeted the authorities in its operations. Since then, however, armed incidents have taken place. On 11 October 2000 in Diyarbakır a policeman was killed in a gunfight with Hizbullah, which has also been linked with the shooting dead of the province's chief of police, Gaffar Okkan, and five of his officers in January 2001. In April 2001 a Hizbullah member was arrested on suspicion of involvement in that attack. The USSD 2004 reported that the Government continued to detain persons, particularly in the southeastern province of Batman, on suspicion of links to Hizballahan that 1,500 political prisoners were alleged members of Hizbullah or other radical Islamist political organizations. On 5 February 2005 Turkish Daily News reported that, acting upon intelligence that the group was trying to regroup



the security forces had arrested 22 suspected Hizbullah militants in 18 provinces. [2a] [5a] [23r] [32b] [48] [65]

### **Hizbullah Vahdet**

Radical Islamic group, which centred on the Vahdet publisher in the 1980s. The group's leader is Abdulvahap Ekinci. The group's legal foundations are Davet Education and Culture Association and Abdulkadir Geylani Trust. The group publishes a periodical called "Vahdet". [65]

### **HÖP See DHKP-C**

**IBDA-C** (Islamic Great East Raiders - Front) (İslami Büyük Doğu Akincilar Cephesi) Illegal Iranian-backed fundamentalist group which seeks the establishment of an Islamic republic based on strict Shariah or religious law. It attacks the PKK as well as the Turkish establishment.

IBDA-C is reportedly organised in small, isolated cells. Members organise independently without any hierarchical authority. Usually each cell does not have information about another cell's actions. There are two different types of cell. One type carries out propagandist actions, publishing books and periodicals, and organising meetings, conferences or exhibitions. The other type includes such cells as "Ultra Force", "Altinordu", "Lazistan", and "Union of Revolutionist Sufis". IBDA-C is active in publication, and has many bookstores, websites and print-houses. Meetings are held in bookstores. Some of its periodicals are "Ak-Doguş", "Ak-Zuhur", "Akin Yolu", "Taraf", and "Tahkim". IBDA-C has been linked with a number of terrorist attacks, especially in the early 1990s. It frequently makes use of explosives and Molotov cocktails in its attacks, and has often targeted banks, casinos, Christian churches and Atatürk monuments. IBDA/C has been linked with the fatal bomb attack in October 1999 on a secular professor, Ahmet Taner Kışlali, who was best known as a journalist for the Cumhuriyet newspaper. In December 1999 and February 2000 IBDA/C members sparked off bloody clashes in Metris prison when they attempted, by armed force, to prevent guards from entering their cell. In the December riot, 54 soldiers were injured and 100 hostages taken by IBDA/C, which also laid claim to the fatal attack on two police officers in Istanbul on 1 April 2001. Proceedings were brought against IBDA/C's leader, Salih İzzet Erdiş, known by the nom de guerre Salih Mirzabeyoğlu, before Istanbul State Security Court in February 2000, seeking to have the death penalty imposed on him for leadership of an illegal organisation working for the establishment of an Islamic state. On 3 April 2001 he was sentenced to death by that court. [2a] [48] [34] [65]

**IHÖ** (Islamic Movement Organisation) (İslami Hareket Örgütü) Illegal. [48]

**Ilerici Gençlik** (Progressive Youth) [52b]

**IMO** (Islamic Movement Organisation)

Its goal was to found an Islamic State in Turkey. Members were trained in Iran. Usually high level militants were sent abroad for training in guerrilla tactics, using weapons, and producing bombs. İrfan Çağrıci, the director of the operations team, was caught by police in Istanbul in 1996. After the command and control of IMO had been weakened, IMO collapsed, and today most of its members are in prison. [65]



**İşçi Demokrasisi** (Workers Democracy)

Founded 1998; split of DSIP. Trotskyist. Publication - "İşçi Demokrasisi". [52a]

**Jerusalem Fighters See Kudüs Savaşçilari****KADEK** See **PKK****Kaplancilar / Sözde Hilafet Devleti.**

Illegal. [48]

**KDB** (Communist Revolutionary Union) (Komünist Devrimci Birlik)

Illegal. [48]

**KDH** (Communist Revolutionary Movement) (Komünist Devrim Hareketi) Publications - "Maya" (Ferment), "Parti Yolunda" Illegal. [48] [52a]

**KDH / L** (Communist Revolutionary Movement/Leninist) (Komünist Devrim Hareketi/Leninist)

Illegal. Publication – "Köz". [52b] [52a] [48]

**KHK** See **PKK****Kongra-Gel** See **PKK****KKP** (Kurdistan Communist Party) (Kürdistan Komünist Partisi)

Illegal. [48]

**Kongreya Azadî û Demokrasiya** (Kurdistan Freedom and democracy Congress) [52b]**KP(İÖ)** (Communist Party (Build Up Organisation)) (Komünist Partisi (İnşa Örgütü))

Illegal. Ex-Maoist, Stalinist. Split of MLKP in 1995. Publication - "Halkin Birliđi". [52a] [48]

**KSB** (Communist Fighters Union) (Komünist Savaşçilar Birliđi)

Publication – "İşçi Davası". [52a]

**Kudüs Savaşçilari** (Jerusalem Fighters)

Islamic splinter group, said to have links with Iran. Police operations in May 2000 brought the arrest of some members and the discovery of various arms caches. [2a]

**KUK** (Kurdistan National Liberationists) (Kurdistan Ulusal Kurtulusculari)

Marxist-Leninist. Established 1978. Its initial aim is to establish an independent Kurdistan in east and southeast Turkey, and then to unite this republic with territories in which Kurds live in Iran, Iraq and Syria. KUK-MK leaders are Dasraf Bilek (General Secretary), Sait Özsoy, Vasfi Özdemir, Mahfuz Yetmen, Şevket Kaçmaz, Lütfi Baksı. KUK-SE leaders are K. Başibüyük, Yalçın Büyük (Gen. Sec.), Abdurrahman Bayram, Abdurrahman Esmer, Yasemin Çubuk, Zeynel Abidin Özalp, and Yusuf Ahmet Bartan. [65]

**M-18** See **MLKP**

**Malatyalılar** (From Malatya / Malatyalites)

This radical splinter group, also known as Şafak-Değişim, advocates establishment of an Islamic state. The group first attracted attention at demonstrations against the ban on wearing the veil, in 1997 and 1998, and related disturbances in Malatya. Apart from Malatya, the organisation is reported also to be active in Istanbul, Gaziantep, Erzurum and Kayseri. In October 2000 the security forces carried out a large-scale operation against the group, arresting some 250 people in 28 provinces. Although there have (as of May 2001) been no known Malatyalılar acts of violence, a large number of arms were found in that swoop by the security forces. [2a] The group's leader is Zekeriya Şengöz. The group's leading members come from the city of Malatya in southeast Turkey. The group publishes "Değişim" (Metamorphosis) periodical. In addition, it has founded a legal trust named "Islamic Solidarity Trust", which is active in Istanbul. The group calls itself "Şafak" (Down Group), and in university circles they use the signature of "Muslim Youth". [65]

**Marksist Tutum** (Marxist Attitude). [52b]**Mezhepsizler Grubu** illegal. [48]**Med-Zehra**, also called **Hizb-i Kuran** (The Party of Q'uran)

A radical Islamist group, named after the university, Medresetu'z-Zehra, which Said Nursi (who was the originator of the Nurcu movement (probably the most important religious movement in Turkish Kurdistan), and who died in 1969) wished to establish in Kurdistan. Med-Zehra is an important representative of Kurdish Islamic movements. It opposes the Turkish Government, and refuses to employ constitutional methods. [7c]

**MIB** (Marxist Workers League). (Marksist İşçi Birliği)  
Trotskyist. [52a]**MLKP** (Marxist Leninist Communist Party) (Marksist Leninist Komünist Partisi)

Illegal. Founded in September 1994; merger of TKP/ML - Hareketi, TKIH, TKP/ML(YİÖ). Stalinist. It seeks the armed overthrow of Turkey's present political system. It also sees itself as representing the Kurdish community, and wants to throw off the "fascist colonial yoke" by means of armed struggle, having its own armed wing, known as M-18. In May 1998 MLKP abducted Tacettin Asci, treasurer of the Bursa branch of the Turkish Human Rights Association, and Ahmet Aydın, and on 7 June 1998 it issued a statement saying that the two had been "executed" as police informers. Amnesty International said that it was appalled to learn of the killings, and added that the fact that the bodies had not been recovered suggested that the victims may have been interrogated under torture by their captors. Amnesty urged that the bodies be surrendered, and also that those responsible for the murders be brought to justice. Publications - "Partinin Sesi", "Atılım" (Progress); Teori'de; Dogrultu. [2a] [52a] See also **ESP**

**MLSPB** (Marxist-Leninist Armed Propaganda Unit) (Marksist Leninist Silahlı Propaganda Birliği)

Illegal. Founded 1975 as split from THKP/C; political military. Radical left. Publication - "Barikat" (Barricade). [48]

**Müslüman Gençlik Grubu** (Muslim Youth Group)

Illegal. [48]

**PADEK** (Freedom and Democracy Party of Kurdistan)

(Partiya Azadî û Demokrasî ya Kurdistanê) (Kurdish)

(Kürdistan Özgürlük ve Demokrasi Partisi) (Turkish)

Founded 2000 by faction of PYSK (Kurdistan Sosyalist Birlik Partisi). Left, Kurdish nationalist. Illegal. [52b] [52a]

**PDK** (Kürdistan Demokrat Partisi)

Illegal. [48]

**PDK / Bakur** (Democratic Party of Kurdistan/North)

(Partî Demokratî Kurdistan/Bakur) (Kurdish)

(Kürdistan Demokrat Partisi/Küzey) (Turkish)

Illegal. Founded 1992 as PDK/Hevgirtin. Left, Kurdish nationalist. It aims to unite Kurds living in Iran, Iraq, Syria and Turkey under the flag of an independent Socialist Kurdistan Republic. Publication - "Dênge Bakur". [52a] [48] [65]

**PDK(T)** (Democratic Party of Kurdistan (Turkey))

(Kürdistan Demokrat Partisi (Türkiye) (Turkish)

(Partîya Demokrat a Kurdistan (Türkiyê) (Kurdish)

Left, Kurdish nationalist. Illegal, founded 1965. Publication - "Xebat". [52a]

**PIK** (Islamic Kurdistan Party) (Partiya Islamiya Kurdistan)

Founded 1979. PIK's main aim is to establish an Islamic state, and its members see this as a holy mission. Its strategy is allegedly to create chaos in Turkey, to destabilise government institutions, to start a nationwide revolt, and to establish an Islamic Kurdistan. It is active in eastern and southeastern Turkey, especially in Malatya. It has branches in Ankara and Istanbul. Leaders of the party include Prof. Dr. Muhammad Salih Mustafa (Party President and General Emir/Governor), Osman Caner (Emir of Students and Youth) and Sukuti Evcim (Director of Youth. [65]

**PKK** also known as **KADEK** and more recently **KHK or Kongra-Gel** (Kurdistan Workers' Party)

<http://www.kongra-gel.org/index.php?newlang=english>

(Partîya Karkerên Kurdistan) (Kurdish)

(Kürdistan İşçi Partisi) (Turkish)

[www.pkk.org](http://www.pkk.org) and [www.kurdstruggle.org/pkk](http://www.kurdstruggle.org/pkk)

Illegal. Founded on 27 November 1978. It advocates armed struggle both at home and abroad, to achieve an independent Kurdish state slicing through Turkey, Syria, Iraq and Iran, and launched the struggle in 1984. 57-member directorate. Its components include ERNK (the National Liberation Front of Kurdistan), the PKK's "popular front and propaganda division", and ARGK (the Kurdistan National Liberation Army), the PKK's "popular army". Leadership: Abdullah "Apo" Öcalan. The PKK's armed operations in south-eastern Turkey, starting in 1984 and peaking from 1990 to 1994, involved attacks on civilians (in many cases Kurdish) and military targets, causing very many deaths. The PKK was guilty of human rights violations, including murders, especially in rural parts of the south-east, but also in other areas. The victims were mainly Jandarma officers, mayors, teachers, imams, village guards and their families, reluctant recruits, young villagers, refusing to fight for the PKK, and (former) PKK members acting as informants for the Turkish authorities. From the outset, the Turkish army took tough action against the PKK. The PKK attempted to make the south-east ungovernable, by systematically destroying economic and social infrastructure etc., and by deliberately polarising the

local population. Many village schools were closed down, not least as a result of the PKK's policy, up until 1996, of killing schoolteachers. According to information from the Turkish authorities, a total of just over 23,000 PKK fighters and around 5000 members of the armed forces and security forces have been killed since 1987 in the conflict with the PKK. Just over 4400 civilians are reported to have been killed. The Injured number just over 11,000 armed forces and security forces members, and around 5400 civilians. No figures are given for injured PKK fighters. On 3 August 1999 Abdullah Öcalan called on PKK fighters to end their armed struggle and withdraw by 1 September to beyond Turkey's borders. On 1 September his brother Osman, a member of PKK's command council, announced that the PKK would do this with immediate effect. The extent to which Öcalan's call has been followed by PKK fighters can be seen from figures from the Turkish army high command in May 2000, showing only 500 out of 5500 PKK fighters still to be in Turkey. In the first five months of 2000, the number of clashes between the army and guerrillas had fallen to 18, as against 3300 at its peak in 1994 and 48 in 1999. There were few armed clashes in 2001, and a near absence of PKK violence in 2002. In April 2002 the PKK announced that it had ceased activities and had regrouped as KADEK, the Kurdistan Freedom and Democracy Congress (Kürdistan Özgürlük ve Demokrasi Kongresi). The change of name did not affect the policy of the Turkish State towards members of the PKK/KADEK. Publication - "Serxwebûn" (written in Turkish). [1a] [2a] [5a] [18c] [63a] [67] [52a] [48] In the UK PKK is part of the List of Proscribed international groups under the Terrorism Act 2000 (Proscribed Organisations). [101]

On the 29 May 2004 the BBC reported that Kongra-Gel declared that its five-year unilateral cease-fire would end in three days time (on the 1 June 2004) and that it would start to target Turkish security forces. [66w] In January 2005 the Turkish Daily News reported that, according to a report released by the Diyarbakir Human Rights Associations, the number of armed conflict between security forces and the Kurdistan's Workers Party (PKK/Kongra-Gel) increased. While 104 people died and 31 were wounded in armed clashes in 2003, 219 people died and 126 were wounded in 2004. [23e] On 8 October 2005, the Turkish Daily News reported that the PKK had said it ended a unilateral ceasefire against Turkey. [23ac]

**PKK-DCS** (PKK – Devrimci Çizgi Savaşçilari) (PKK-Serwanên Xeta Soresgerî) (PKK – Revolutionary Line Fighters). Radical leftist, Kurdish-nationalist, illegal, split from PKK 1999. Publication: Devrimci Çizgi. [52b] [52a]

**PKK / KKP** (Communist Party of Kurdistan)

(Partiya Komunistê Kurdistan) (Kurdish)

(Kürdistan Komünist Partisi) (Turkish)

Founded 1990 by Kurdish section of TKEP. Communist. Publication – "Dengê Kurdistan". [52a]

**PKK Vejin** (Resurgence)

As noted in the website Terror Organisation in Turkey:

"After the Fourth [KADEK] Congress, three opposing members Sari Baran, Mehmet Sener and Faik (K) have formed another organisation called Vejin (Resurgence). This organisation was in the same direction with KADEK but it was giving its members more social rights, [such] as marriage and the right to resign from the organisation in [sic] every time the member wished. The leaders of Vejin have stated that their objective is to establish a Federal Kurdistan in the Turkish territories. Mehmet Sener was killed in Syria

with A. Ocalan's command. After Mehmet Sener's death, Vejin and KADEK began to fight against each other." [65]

**PNBK** (National Platform of North Kurdistan)  
(Platforma Neteweyî ya Bakûrê Kurdistanê) (Kurdish)  
(Kuzey Kurdistan Ulusal Platformu) (Turkish)  
Founded 1999. Left, Kurdish nationalist. Illegal. [52a]

**PRK / Rizgari** (Liberation Party of Kurdistan)  
Partîya Rizgariya Kurdistan (Kurdish)  
Kürdistan Kurtulus Partisi (Turkish)  
Illegal. Founded 1976. Radical left, Kurdish nationalist. The party's aim is to establish an independent Kurdistan, and extend this to an independent United Socialist Kurdistan with territory which is at present part of Iran, Iraq, Syria and Turkey. Publications - "Rizgari", "Stêrka Rizgarî". [52a] [48] [65]

**PRNK** (National Liberation Party of Kurdistan) (Kürdistan Ulusal Özgürlük Partisi)  
Illegal. Probably disbanded. [48]

**PS-Kawa** (Revolutionary Party) (Partîya Sores)  
Illegal. Founded 1998 as split of PYSK (Kurdistan Sosyalist Birlik Partisi). [48] [52a]

**PSK** (Socialist Party of Kurdistan)  
(Partîya Sosyalist a Kurdistan) (Kurdish)  
Kürdistan Sosyalist Partisi (Turkish)  
Illegal. Founded 1974. Left, Kurdish nationalist. Its legal wing is the DBP (see Annex B). Publications - "Roja Nû", "psk-bulten". Leader Kemel Burkay. [48]

**PSK** (Kurdistan Revolutionary Party)  
(Devrimci Kürdistan Partisi) (Turkish)  
(Partîya Soreşa Kürdistan) (Kurdish)  
Illegal. [48]

**Revolutionary Marxist League**  
Trotskyist. [52a]

**RNK / KUK** (Kürdistan Ulusal Kurtuluşçular)  
Illegal. [48]

**RSDK** (Socialist Democratic Organisation of Kurdistan)  
(Rêxistina Sosyalîst a Demokratîk a Kurdistanê) (Kurdish)  
(Kürdistan Demokratik ve Sosyalist Örgütü) (Turkish)  
Split of PYSK (Kurdistan Sosyalist Birlik Partisi). [52a]

**Şafak-Değişim** see **Malatyalılar**

**SED** (Social Ecological Transformation) (Sosial Ekolijist Dönüşüm)  
Green. Publication – Kara Toprak. [52a]

**SEH** (Socialist Labour Movement) (Sosyalist Emek Hareketi)  
Publication – "Siyasi Gazete" (Political Gazette). [52b] [52a]

**Selam Grubu.**

Illegal. [48]

**Selefi** (from the Arabic “Salafi”, referring to an Islamic revivalist movement which seeks to emulate the lives of the earliest Muslims).

The organisation, which was established in 1993 by an imam, supports religious law. In raids in 1999, the Turkish authorities seized eight rocket rifles, one Kalashnikov, and 650 rounds of ammunition. The Turkish State considers the organisation to be terrorist. [20] [30d]

**SIP** see **Sosyalist İktidar Partisi - Komünist Parti**

**Sosyalist Alternatif** (Socialist Alternative).

Part of ÖDP (see Annex B). Trotskyist. Publication - “Sosyalist Alternatif”. [52a]

**Sosyalist İktidar Partisi - Komünist Parti** (Party for Socialist Power – Communist Party)

Founded 1993, Communist, legal, gained 0.12% of the national vote in the April 1999 general election. Changed its name in November 2001 to TKP (Türkiye Komünist Partisi) (Turkish Communist Party); it is unclear whether this is different from, or identical to, the TKP which is listed later in this annex. Gained 0.19% of the national vote in the November 2002 general election. Publications – “Sosyalist İktidar” (Socialist Power), “Sol” (Left). [30a] [52a]

**Sosyalist Politika** (Socialist Politics)

Part of ÖDP (see Annex B). Publication - “Sosyalist Politika”. [52a]

**Spartaküs**

Illegal. [48]

**TAYAD** (the Solidarity Association of Prisoners’ Families) (Tutuklu ve Hükümlü Aileleri Yardımlama Derneği)

In January 2001 the headquarters and various branches in Istanbul of the TAYAD were closed after it had held weekly demonstrations over a period of months against the introduction of the new cell system in prisons. Various executive members were arrested. The authorities regard TAYAD as a cover for the revolutionary DHKP/C. The organisation was consequently proscribed for a few years in the early 1990s. [2a]

**TAK** (Kurdish Liberation Hawks/Falcons) a radical Kurdish group said to have carried out various actions including the bombing in Cesme and Kusadasi in July 2005, two bomb explosions in Istanbul in February 2006, an explosion at the Mezitli offices of AKP in the same month, a bomb attack targeting a police building in Izmir in March 2006. The Tak is considered an offshoot of the Kurdistan Workers’ Party (PKK) and a cover group for PKK although the PKK denies any links. [23c] [66az] [66bj] [66bk]

**TDKP** (Revolutionary Communist Party of Turkey) (Türkiye Devrimci Komünist Partisi). Illegal. Founded 1980. Ex-Maoist, Stalinist. Its legal wing is Emep (Labourers Party) (see Annex B). Publication - “Devrimin Sesi”. [47] [52a]

**TDP** (Revolution Party of Turkey) (Türkiye Devrim Partisi)



Illegal. Founded 1978, formerly TKP (Birlik). Radical left. Publication - "Hedef" (Target). [52a] [48] [52a]

### **Tehvid-Selam**

Islamic splinter group said to have links with Iran. The group adopts Hizballahi ideas, and is closely related to the Hizbullah and Menzil groups. It began to publish "Şehadet" (Testimony) and "Tehvid" (Unification) periodicals, and nowadays publishes "Selam" (Greeting, Salute), a weekly newspaper. Police operations in May 2000 brought the arrest of some members and the discovery of various arms caches. [2a] [65]

**THKP / C Acilciler** (Turkish Peoples' Liberation Party and Front – The Urgent Ones) (Türkiye Halk Kurtuluş Partisi/Cephesi Acilciler)  
Illegal. Probably disbanded. [52a] [48]

**THKP / C-Dev Sol** (People's Liberation Party/Front of Turkey - Revolutionary Left) (Türkiye Halk Kurtuluş Partisi/Cephesi - Devrimci Sol)  
Illegal. Founded 1993 as split of Dev Sol. Political military. Radical left. Publication - "Devrimci Çözüm" (Revolutionary Solution). [52a] [48] [52b]

**THKP / C-Dev Yol.**  
Illegal. [48]

**THKP-C / HDÖ** (People's Liberation Party/Front of Turkey - People's Revolutionary Vanguards) (Türkiye Halk Kurtuluş Partisi ve Cephesi - Halkın Devrimci Öncüleri)  
Founded 1977. Political military. Radical left. Publications - "Cephe" (Front, Façade), "Kurtuluş" (Liberation), "Kurtuluş Cephesi" (Liberation Front). [52a] [52b]

**THKP / C-MLSPB** (People's Liberation Party/Front of Turkey – Marxist Leninist Armed Propaganda Unit) (Türkiye Halk Kurtuluş Partisi ve Cephesi – Marksist Leninist Silahlı Propaganda Birliği)  
Publication – "Barikat" (Barricade). [52b] [52a]

**TIKB** (Revolutionary Communists Union of Turkey) (Türkiye İhtilalci Komünistler Birliği)  
Illegal. Founded 1977. Political military. Ex-Maoist, Stalinist. Publications - "İhtilalci Komünist", "Orak-Çekiç", "Devrimci Proletarya", "Alinterimiz". [48] [52a]

**TIKB - B** (Revolutionary Communists Union of Turkey - Bolshevik) (Türkiye İhtilalci Komünistler Birliği - Bolşevik)  
Illegal. Split of TIKB. Radical left. Publication - "Devrimci Duruş" (Revolutionary Attitude). [48] [52a]

**TIKKO** (Turkish Workers' and Peasants' Liberation Army) (Türkiye İşçi Köylü Kurtuluş Ordusu or Türk İşçiler Köylüler Kurtuluş Ordusu).  
Illegal armed resistance movement, which was set up in 1972 by TKP/ML. It advocates the violent overthrow of the Turkish government and abolition of the entire Turkish political system. Members (a maximum of several thousand people) are scattered in small cells throughout Turkey. The armed guerrilla units are used by both TKP/ML and TKP(ML) in common for their terrorist operations. Amnesty International notes that in the early 1990s TIKKO and other organisations would frequently announce, that this journalist, or that Kurdish villager, had been "punished". Since then, the numbers of such



killings have fallen notably. In September 2000 a police operation against TIKKO in Istanbul brought the arrest of the head of its local section. On 6 October 2000 a suicide squad attacked the military training college in the Harbiye district of Istanbul. TKP/ML also claimed responsibility for an attack on a police car on 11 December 2000, in which two policemen were killed. February 2001 saw two armed clashes between TIKKO and the security forces. The attack on a Jandarma general in Çorum on 22 March 2001 was said by the authorities to have been carried out by TIKKO, which reportedly itself on 28 March 2001 laid claim to the attack. [2a] There used to be a division of labour between PKK and TIKKO guerrillas, with the PKK carrying on the combat in south-eastern Turkey and TIKKO in the Black Sea region. In October 1999 TKP/ML announced its complete disagreement with Öcalan's call to end the armed struggle. [2a]

**TIP** (Workers Party of Turkey) (Türkiye İsci Partisi) [52a]

**TKEP** (Communist Labour Party of Turkey) (Türkiye Komünist Emek Partisi)  
Illegal. Founded 1980, part of ÖDP (Özgürlük ve Dayanısme Partisi - see Annex B).  
Communist. [48] [52a]

**TKEP- Leninist** (Communist Labour Party of Turkey - Leninist) (Türkiye Komünist Emek Partisi - Leninist)  
Illegal. Split of TKEP in 1990. Political military. Communist. Publications - "Devrimci Emek" (Revolutionary Labour), "Devrim İscin Mücadele Birliđi. [48] [52b] [52a]

**TKIP** (Communist Workers Party of Turkey) (Türkiye Komünist İşçi Partisi)  
Illegal. Founded 1998. Ex-Maoist, radical left. Publications - "Ekim" (Sowing, Planting), "Kızıl Bayrak" (Red Flag) [52a] [48] [72]

**TKKKÖ** (Turkey and North Kurdistan Liberation Organisation) (Türkiye ve Kuzey Kürdistan Kurtuluş Örgütü)  
Illegal. [48]

**TKP** (Communist Party of Turkey) (Türkiye Komünist Partisi)  
Founded 1980 as TKP - İscinin Sesi. Communist. Publication - "İscinin Sesi" (Workers' Voice). [52a]

**TKP / İS** (Communist Party of Turkey/Workers Voice) (Türkiye Komünist Partisi/İşçinin Sesi).  
Illegal. [48] [52a]

**TKP- Kivilcim** (Communist Party of Turkey - Spark) (Türkiye Komünist Partisi - Kivilcim). Illegal. Founded 1989 by Socialist Homeland Party (SVP). Communist. Publications - "Kivilcim" (Spark), "Zafere Kadar Direnis", "Yol" (The Way), "Widerstand". [48] [52b]

**TKP / ML** (Communist Party of Turkey/ Marxist Leninist) (Türkiye Komünist Partisi / Marksist-Leninist).  
Founded 1972. Political military. Based on Maoist ideology. The party has suffered several divisions, with each faction claiming to be "the real party". In 1994 it split into two wings: a partisan wing, retaining the old name TKP/ML, and an Eastern Anatolian regional committee, assuming the almost identical name TKP(ML). Talks have been under way since late 1999 concerning reunification of the two wings. In 1972 TKP/ML

set up armed guerrilla units, known as TIKKO (Türk İşçiler Köylüler Kurtuluş Ordusu - Turkish Workers' and Peasants' Liberation Army), which are used by both TKP/ML and TKP(ML) in common for their terrorist operations. In October 1999 TKP/ML announced its complete disagreement with the call by Abdullah Öcalan, PKK leader, to end the armed struggle. TKP/ML claimed responsibility for an attack on a police car on 11 December 2000; two policemen were killed in the attack. Publications - "Partizan", "İsçi-Köylü Kurtuluşu", "Özgür Gelecek" (Free Future). [2a] [67] [52a] [52b] [69]

**TKP (ML)** (Communist Party of Turkey (Marxist-Leninist) (Türkiye Komünist Partisi (Marksist-Leninist)).

Split of TKP/ML in 1994. Political military. Maoist. Publications - "İsçi Köylü Kurtuluşu", "Devrimci Demokrasi" (Revolutionary Democracy), "Öncü Partizan" (Pioneer Partisan). [52a]

**TKP / (M-L) DABK** (Communist Party of Turkey (Marxist-Leninist) East Anadolu Area Committee) (Türkiye Komünist Partisi (Marksist-Leninist) Doğu Anadolu Bölge Komitesi) Illegal. [48]

**TKP / M-L Kons. Kes** (Communist Party of Turkey / Marxist-Leninist Conferencing Body) (Türkiye Komünist Partisi / Marksist-Leninist Koferansçı Kesim). Illegal. [48]

**TKP / ML** (Maoist Parti Merkezi) (Communist Party of Turkey / Marxist-Leninist (Maoist Party Centre) (Türkiye Komünist Partisi / Marksist Leninist (Maoist Parti Merkezi)) Illegal. Split of TKP/ML in 1987. Political military. Maoist. Publication - "İktidara". [48] [52b]

**TODEF** see **DHKP-C**

**Toplumsal Özgürlük Platformu** (Social Freedom Platform). Part of ÖDP (see Annex B). [52a]

**TSIP** (Socialist Workers Party of Turkey) (Türkiye Sosyalist İşçi Partisi). Founded 1993. Legal. Communist. Publication - "Kitle" (Mass, Crowd). [52a]

**Türkiye'de Marksist-Leninist Parti** (Marxist Leninist Party in Turkey). Founded in 1980 as TKP/ML Spartakus. Stalinist. Publications - "Spartakus", "Bilimsel Komünizmin Sancağı Altında". [52b]

**UIC** (Union of Islamic Communities)

Founded 1983. Its initial goal is to unite Muslims living in Europe under one roof. Its main goal is to establish a Federal Islamic State in Anatolia. Its founder Cemalettin Kaplan declared himself the "caliph" of all Muslims in 1994, and from then on UIC called itself the "Caliphate State". After he died in 1995, his son Metin Kaplan replaced him as "caliph". Some members of UIC have rejected Metin Kaplan's caliphate, and UIC has divided into three groups. UIC has 200-300 members in Turkey, largely in Istanbul, Konya, Adana, Sivas, Aydin, and Maraş, and 1300 members in Germany. In Germany in 1999 Metin Kaplan declared a holy war against Turkey. The German authorities arrested Metin Kaplan in March 1999. He was extradited from Germany in 2004 after Turkey banned the death penalty. The Turkish police have conducted operations against UIC militants in Sivas, Sakarya, Erzurum, Bursa and Çanakkale. As reported by BBC News on 20 June 2005, Metin Kaplan was sentenced to life in prison for plotting to

overthrow Turkey's secular system. However, on 30 November 2005, BBC News reported that the appeals court had ruled that there had been inadequate investigation and procedural deficiencies in the case and Kaplan's conviction was overturned. [65] [66bf] [66bm]

**Vasat Grubu / Ehl-i Sünnet vel Cemaat.**

Illegal. It claimed responsibility for throwing a grenade at a book fair in Gaziantep on 14 September 1997, killing one person and injuring 24. [56] Today Vasat is inactive. With series of police operations in the June of 1999, in Malatya and in Ankara all the action plans, structure, strategies, educational activities and financial resources of the organisation had been deciphered. [65]

**Yeni Yol (New Way)**

Part of ÖDP (see Annex B). Trotskyist. Publication - "Yeni Yol" (New Way). [52a]

[Return to contents](#)  
[Go to list of sources](#)

## Annex C: Prominent people: past and present

### GOVERNMENT AFFILIATED

**Head of state:** Abdullah Gul was nominated for the presidency following the AKP's election victory and eventually elected to the position on 28 August 2007. [81b]

**Prime Minister:** Recep Tayyip Erdogan served as the Prime Minister of Turkey since March 14, 2003. He is the leader of the Adalet ve Kalkınma Partisi (AKP, or Justice and Development Party). [81b]

### KEY MINISTERS AND POSTS

Deputy Prime Minister and Minister of State:	Cemil Cicek
Deputy Prime Minister and Minister of State:	Nazim Ekren
Deputy Prime Minister and Minister of State:	Mehmet Simsek
Deputy Prime Minister and Minister of State:	Hayati Yazici
Minister of State:	Murat Basesgioglu
Minister of State:	Nimet Cubukcu
Minister of State:	Mehmet Aydin
Minister of State:	Kursad Tuzmen
Minister of State:	Mustafa Said Yazicioglu
Minister of Agriculture and Rural Affairs:	Mehmet Mehdi Eker
Minister of Culture and Tourism:	Ertugrul Gunay
Minister of Energy and Natural Resources:	Hilmi Güler
Minister of Environment and Forestry:	Veysel Eroglu
Minister of Finance:	Kemal Unakitan
Minister of Foreign Affairs:	Ali Babacan
Minister of Health:	Recep Akdag
Minister of Industry and Trade:	Mehmet Zafer Caglayan
Minister of Interior:	Dr Besir Atalay
Minister of Justice:	Mehmet Ali Sahin
Minister of Labour and Social Security:	Faruk Celik
Minister of National Defence:	Vecdi Gönül
Minister of National Education:	Hüseyin Çelik
Minister of Public Works and Housing:	Faruk Nafiz Ozak
Minister of Transportation:	Binali Yildirim

[81b]

## OTHERS

**Atatürk, Kemal** (born 1880/1881, died 1938) His original name was Mustafa Kemal, he was surnamed Atatürk ("Father of the Turks") in 1934. Atatürk was the founder of modern Turkey. He became Turkey's first President in 1923.

**Bahçeli, Devlet:** Leader of MHP (Nationalist Action Party), and Deputy Prime Minister 1999-2002.

**Bakirhan, Tuncer:** Chairman of DEHAP. [69]

**Baykal, Deniz:** Leader of CHP (Republican People's Party).

**Bozlak, Murat:** Chairman of HADEP (People's Democracy Party) until it was banned in March 2003. He is banned from being a founder, member or administrator of another party for five years from March 2003.

**Çiller, Tansu:** Turkey's first woman Prime Minister 1993-96. Was Chairman of DYP (True Path Party).

**Derviş Kemal:** Formerly a Turkish Vice President of the World Bank. Appointed after the February 2001 crisis as the State Minister responsible for the economy; resigned August 2002.

**Ecevit, Bülent:** Former leader of DSP (Democratic Left Party), and Prime Minister 1999-2002. Was Prime Minister in 1974 (when Turkey invaded Cyprus, in order, in its perception, to protect the Turkish Cypriot minority), in 1977, and in 1978-79.

**Öcalan, Abdullah** (nickname "Apo")

Leader of the PKK. Born in 1949 in Urfa. He initiated, with six colleagues, a specifically Kurdish national liberation movement based on Marxism-Leninism. From 1978 the Apocular, or followers of Apo, called themselves the PKK. He was captured, forcibly returned to Turkey in February 1999, put on trial, convicted of treason and sentenced to death. With the abolition in 2002 of the death penalty for offences in peacetime, his sentence was commuted to life imprisonment without conditional release. [30b] [58]

**Özkök, General Hilmi:** Born 1940, Chief of the General Staff for a four year term from August 2002.

**Sezer, Ahmet Necdet:** President of Turkey since May 2000. He is the first President in Turkey's history who is neither an active politician nor a senior military official. He was formerly Turkey's most senior judge, the Chairman of the Constitutional Court.

**Yılmaz, Mesut:** Prime Minister in 1991, 1996, and 1997-1999, and Deputy Prime Minister 1999-2002. Was Chairman of ANAP (Motherland Party)

**Zana, Leyla:** Kurdish activist and former MP. She was one of the founders of the Democratic Society Movement (DHT) [30a] [93a] [93b]

[Return to contents](#)  
[Go to list of sources](#)

## Annex D: Administration of justice

The European Commission Turkey 2005 Progress Report released on 9 November 2005 recorded that “The principle of legality of criminal offences is set out in Article 38 of the Constitution and in Article 2 of the [new] Penal Code. The non-retroactivity of penalties is established in Article 38 of the Constitution and in Article 7 of the Penal Code. Proportionality between the criminal offence and the penalty is guaranteed by Article 3 of the Penal Code.

The principle of ne bis in idem [the right of a person not to be prosecuted twice for the same offence] is established in Article 223 of the Code of Criminal Procedure.”  
[71b] (p106)

### Judges

1. The position of the judge (hakim, yargıç) is important, especially as there is no jury trial in Turkey. His role is substantially larger than that of a judge in UK or USA. He is actively responsible for the administration of justice. He takes the initiative in finding the law applicable to the facts submitted by the parties. The lawyers have the duty to assist the judge in establishing the facts and determining applicable legal provisions. The independence of judges is safeguarded by Articles 138 and following of the Constitution: “Judges shall be independent in the discharge of their duties. They shall pass judgements in accordance with the Constitution, law, justice and their personal convictions. No organ, office, agency or individual may give orders or instructions to courts or judges in connection with the discharge of their judicial duty, send them circulars, or make recommendations or suggestions. No questions may be raised, debates held, or statements issued in legislative bodies in connection with the discharge of judicial power concerning a case on trial.” [64]

As recorded in Turkey’s Statistical Yearbook 2008, published by the Turkish Statistical Institute, in 2007 there were 6,260 judges. [89a] (p131 Section on Justice)

### Public Prosecutors

2. Offences are, in the great majority of cases, prosecuted in the name of the people by public prosecutors (savcılar), who are virtually representatives of the executive branch of the government within the judiciary. The duty of initiating public prosecution rests with the public prosecutor. As soon as he is informed of the occurrence of an offence, the public prosecutor should make the investigation necessary to decide whether public prosecution should be initiated. He investigates evidence both against the accused and in his favour, and helps to preserve proof which otherwise might be lost. If, at the end of his investigation, the public prosecutor decides not to prosecute, he will inform the accused if the accused has testified, or if a warrant of arrest has been issued against the accused. No one may be convicted under an indictment in which he is not named, nor may he be convicted of a crime not specified in the indictment. [64]

As noted in the European Commission 2005 report “The Code establishes the concept of plea bargaining. In order to reduce the number of unmeritorious

prosecutions, the Code increases the discretion of prosecutors, who are now able to assess the strength of the evidence before preparing an indictment. Moreover, judges are given the power to return incomplete indictments.

[71b] (p15) As regards legal guarantees including access to justice, so far as the prohibition of arbitrary arrest is concerned, Article 90 of the Criminal Procedure Code provides that persons who are arrested by the police must be informed of the reason for their arrest.” [71b] (p15)

3. In the case of some lesser offences specified by law, where the injury is deemed more private than public, the injured party may himself institute criminal proceedings by filing a private complaint (*şahsi dava*) without participation of the public prosecutor. In these exceptional cases, the private party enjoys all the rights given to the public prosecutor by law. Furthermore, the person injured by an offence may intervene in any public prosecution, and he becomes a party to the action by virtue of his intervention (*Müdahale yolu ile dava*). [64]

As recorded in Turkey’s Statistical Yearbook 2008, published by the Turkish Statistical Institute, in 2007 there were 3, 860 prosecutors. [89a] (p131 Section on Justice)

4. The European Commission 2005 report recorded that “The number of judges and prosecutors has remained largely stable; there are currently 5 952 judges and 3 179 prosecutors in service and a further 1 053 judges and prosecutors in training. A law adopted in December 2004 provided for the recruitment of 4 000 additional judges and prosecutors, 100 judicial inspectors and 6 619 court administrative staff.” [71b] (p105)

#### **The defendant**

5. The law is designed to protect innocent citizens. The accused is favoured in criminal proceedings by the presumption of innocence. The burden of proof rests on the public prosecutor or the private complainant, and the defendant is not held guilty until his guilt is established by final judgement. When the court is not satisfied by the evidence of the prosecution, or a reasonable doubt exists, the court must give a judgement of acquittal. [64]

The European Commission 2005 report noted that “The right of defence is enshrined in Article 36 of the Constitution. The Code of Criminal Procedure regulates the use of legal counsel and the rights of defence in criminal investigations and during trials. The new Code substantially improves the rights of the defence. Article 150 of the new Code of Criminal Procedure provides that all accused persons may have access to a lawyer and that representation by legal counsel is mandatory, both during the investigation and the trial, for offences punishable by more than five years’ imprisonment ... The new Criminal Code also introduces the principle of cross-examination, which strengthens the rights of the defence. Nevertheless, certain practices undermine equality of arms. The design of the courtroom, in which the prosecutor is seated on a raised platform next to the judges while defence counsel is seated at ground level, places the prosecution in a privileged position vis-à-vis the defence. Defence counsel experience difficulties in communicating with their clients both in the court house immediately before the trial (in part due



to lack of suitable facilities) and in the court room during the course of the trial.” [71b] (p106)

### Evidence

The European Commission 2005 report recorded that “Under the new Code, criminal investigations must be carried out by a judicial police force under the authority of the public prosecutor.” [71b] (p15)

7. The use of unlawful interrogation methods (such as maltreatment, torture, forcing drugs, causing fatigue, cheating, deceiving, violence, unlawful promises) which are may distort free will, is prohibited. Accordingly statements and depositions obtained by unlawful means are considered inadmissible, even if they are of free will (for example, if a person were deceived). [64]

The European Commission 2005 report recorded that “All detainees are entitled to access to justice (i.e a lawyer) and for juveniles the presence of a lawyer during interrogation is obligatory. Moreover, the new Regulation on Apprehension, Detention and Statement Taking [entered into force on 1 June 2005] makes the appointment of a defence lawyer obligatory in cases where the alleged crime carries a sentence of more than 5 years’ imprisonment.” [71b] (p23)

## COMMENCEMENT AND CONDUCT OF PROCEEDINGS

### Preparatory investigation

8. The public prosecutor, upon being informed of the occurrence of an alleged offence, makes a preparatory investigation (hazırlık soruşturması) in order to ascertain the identity of the offender and to decide whether it is necessary to institute a public prosecution. If he concludes that a public action is necessary, he institutes a case by an indictment before the competent court. If a public action is unnecessary he decides not to prosecute. The Minister of Justice may, by order, direct the prosecutor to initiate a public prosecution. [64]
9. The public prosecutor may, for the purpose of his enquiry, demand any information from any public employee. He is authorised to make his investigation either directly or through police officers. The police are obliged to inform the public prosecutor immediately of events, detainees, and measures taken, and to execute orders of the prosecutor concerning legal procedures. [64]
10. In cases where a private complaint is submitted to the public prosecutor, and the prosecutor finds no reason for prosecution or decides not to prosecute after a preparatory investigation, he informs the petitioner of his decision. If the petitioner is, at the same time, the aggrieved party the petitioner may, within 15 days of notice, object to the Chief Justice of the nearest court which hears aggravated felony cases. If the court is convinced that the petition is well founded and rightful, it orders a public prosecution; the prosecutor in charge of the case executes this decision. Otherwise, the court refuses the petition, and after such action a public prosecution may be opened only upon production of newly discovered evidence. [64]

11. A public prosecution shall be dismissed when the perpetrator of an offence which is punishable by a fine or a maximum of three months' imprisonment deposits the minimum amount of the fine prescribed for the specific offence (or, in the case of imprisonment, the sum which is the amount prescribed by the Law of Execution of Penalties for one day of imprisonment) in the appropriate office before the court hearing. If this amount is paid by the offender before a public prosecution has been initiated, and within ten days of the date of the offence, the perpetrator shall not be prosecuted at all. [64]
12. The preparatory investigation is, in principle, secret, performed without the presence of the parties and in written form. [64]

### Final investigation (trial)

13. The European Commission 2005 report noted that "Article 38 of the Constitution provides for the presumption of innocence to be applied in criminal trials. Article 36 and 141 of the Constitution guarantee the right to a fair and public trial. Article 182 of the Code of Criminal Procedure also provides for trials to be held publicly." [71b] (p106) The final investigation or trial (son soruşturma) begins when the indictment is sent by the public prosecutor to the court which will try the case. The final investigation has two stages: the preparation for trial (duruşma hazırlığı) and the trial itself (duruşma). Its object is to examine all evidence before the court, and to reach a judgement with respect to the guilt of the accused. [64]
14. All phases of final investigation are conducted in the presence of the defendant. At his own request, a defendant may be excused from attending trial, and may send a defence counsel in cases where his presence is not necessary. Trial may also be instituted against an absentee defendant when the offence is punishable by a fine, confiscation, or both. If the suspect has already been heard by the court in an earlier session, or if he has been questioned by a judge on the facts of the case during preliminary enquiries before the trial, the trial may continue in the suspect's absence. [64]
15. In principal trials are open to the public. This includes cases relating to state security. In political cases the audience usually includes some representatives of human rights organisations, and diplomatic staff from various countries. [2a]

The European Commission 2005 report noted that The Code of Criminal Procedure introduces the requirement that certain trials are to be recorded on audio and videotape. [71b] (p15)

(See also section 10 [Judiciary](#) which includes the findings of the European Commission 2006 Report)

[Return to contents](#)  
[Go to list of sources](#)

## Annex E: List of abbreviations

---

<b>AI</b>	Amnesty International
<b>CEDAW</b>	Committee on the Elimination of All Forms of Discrimination Against Women
<b>CPJ</b>	Committee to Protect Journalists
<b>EU</b>	European Union
<b>EBRD</b>	European Bank for Reconstruction and Development
<b>FCO</b>	Foreign and Commonwealth Office (UK)
<b>FH</b>	Freedom House
<b>GDP</b>	Gross Domestic Product
<b>HIV/AIDS</b>	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
<b>HRW</b>	Human Rights Watch
<b>IAG</b>	Illegal Armed Group
<b>IAGCI</b>	Independent Advisory Group on Country Information
<b>ICG</b>	International Crisis Group
<b>ICRC</b>	International Committee for Red Cross
<b>IDP</b>	Internally Displaced Person
<b>IFRC</b>	International Federation of Red Cross and Red Crescent Societies
<b>IMF</b>	International Monetary Fund
<b>IOM</b>	International Organisation for Migration
<b>MSF</b>	Médecins sans Frontières
<b>NGO</b>	Non Governmental Organisation
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>ODIHR</b>	Office for Democratic Institutions and Human Rights
<b>ODPR</b>	Office for Displaced Persons and Refugees
<b>OECD</b>	Organisation of Economic Cooperation and Development
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>OSCE</b>	Organisation for Security and Cooperation in Europe
<b>RSF</b>	Reporteurs sans Frontières
<b>STD</b>	Sexually Transmitted Disease
<b>STC</b>	Save the Children
<b>TB</b>	Tuberculosis
<b>TI</b>	Transparency International
<b>UN</b>	United Nations
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UNHCHR</b>	United Nations High Commissioner for Human Rights
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>USAID</b>	United States Agency for International Development
<b>USSD</b>	United States State Department
<b>WFP</b>	World Food Programme
<b>WHO</b>	World Health Organization

[Return to contents](#)  
[Go to list of sources](#)

## **Annex F: References to source material**

*The Home Office is not responsible for the content of external websites.*

*Numbering of source documents is not always consecutive because some older sources have been removed in the course of updating this document. (If applicable)*

### **[1] Europa Publications**

- a “Regional Surveys of the World: The Middle East and North Africa 2005”
- b Europa World online, Turkey <http://www.europaworld.com>  
(Accessed on 11 July 2006; 15 June 2009)

### **[2] Netherlands Ministry of Foreign Affairs**

- a “Official general report on Turkey” (January 2002)  
<http://register.consilium.eu.int/pdf/en/02/st07/07838en2.pdf>  
(Accessed 16 February 2006)  
NOW VIA  
<http://www.unhcr.org/refworld/category,COI,NMFA,,,467008522,0.html>  
(Accessed 20 May 2009)
- b “Turkey/military service” (1<sup>st</sup> July 2001)  
[http://www.ecoi.net/file\\_upload/ms59\\_neth-tur0701.pdf](http://www.ecoi.net/file_upload/ms59_neth-tur0701.pdf)  
(Accessed 13 December 2006) NOW VIA  
<http://www.unhcr.org/refworld/country,COI,NMFA,,TUR,,467010bd2,0.html>  
(Accessed 3 October 2009)

### **[3] Internal Displacement Monitoring Centre (IDMC)**

- a Turkey: Progress on National IDP Policy Paves Way for Further Reforms – 26 July 2007 – via <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=search&docid=46a9a3e52&skip=&query=relatives&querysi=turkey&searchin=title&display=10&sort=date>  
(Accessed 13 August 2008)
- b Global overview of Trends and Developments in 2008-(Turkey page 75)  
[http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/82DA6A2DE4C7BA41C12575A90041E6A8/\\$file/IDMC Internal Displacement Global Overview 2008.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/82DA6A2DE4C7BA41C12575A90041E6A8/$file/IDMC%20Internal%20Displacement%20Global%20Overview%202008.pdf) (Accessed 8 July 2009)

### **[4] Foreign and Commonwealth Office**

- a Letter 15 May 2009 (Complaints procedures for men)
- b Letter 11 April 2002
- c Correspondence dated 5 February 2007.
- d Letter 22 April 2005
- e Letter 22 July 2005
- f Fax 11 October 2005
- g Correspondence dated 12 May 2009 (the issue of power of attorney and procedures for Obtaining Court documents)
- h Correspondence dated 6 July 2009 (chair of the new Parliamentary Commission on Equal Opportunities for Women)
- i Letter 28 September 2005
- j Letter 14 August 2008 (Unregistered Births)

- k Letter 22 July 2008 (Child Registration in Turkey)
  - l Country Profile 27 January 2009 <http://www.fco.gov.uk/en/about-the-fco/country-profiles/europe/turkey?profile=all>  
(Accessed 20 May 2009)
  - m Letter 6 March 2009 (translation of Turkish Penal Code)
  - n Letter 27 March 2007 (Request for Hearing Impaired)
  - o Letter 8 January 2007 (Request for additional information)
  - p Letter 17 April 2007 (Request for additional information)
  - q Letter 27 March 2007 (Request for additional information)
  - r Letter 27 March 2007 (Request for additional information)
  - s Letter 23 June 2008 (Request for information on Honour Killing)
  - t List of Hospitals in Turkey – June 2008  
<http://ukinturkey.fco.gov.uk/en/help-for-british-nationals/when-things-go-wrong/if-you-need-doctor>
  - u Human Rights Annual Report 2008: March 2009  
<http://www.fco.gov.uk/resources/en/pdf/pdf15/human-rights-2008>  
(Accessed 20 May 2009)
  - v Information obtained from the FCO dated 25 November 2008 (Local Authorities in Turkey) (hard copy available)
- [5] **U.S. Department of State** <http://www.state.gov/g/drl/rls>
- a Country Reports on Terrorism 2008 - released April 30, 2009  
<http://www.state.gov/s/ct/rls/crt/2008/122432.htm>  
(Accessed 13 May 2009)
  - b Report on Human Rights Practices in Turkey 2008, (February 25, 2009)  
<http://www.state.gov/g/drl/rls/hrrpt/2008/eur/119109.htm>  
(Accessed 13 May 2009)
  - c U.S. Department of Labour's 2007 findings on the Worst forms of Child Labour – <http://www.dol.gov/ilab/programs/ocft/PDF/2007OCFTreport.pdf>  
(Accessed 17 June 2009)
  - d Trafficking in Person 2009 report, June 2009  
<http://www.state.gov/g/tip/rls/tiprpt/2009/123139.htm>  
(Accessed 4 July 2009)
  - e Report on International Religious Freedom 2008 (19, September 2008)  
<http://www.state.gov/g/drl/rls/irf/2008/108476.htm>  
(Accessed 13 May 2009)
  - f Consular Information Sheet– current as of February 13, 2009.  
[http://travel.state.gov/travel/cis\\_pa\\_tw/cis/cis\\_1046.html](http://travel.state.gov/travel/cis_pa_tw/cis/cis_1046.html)  
(Accessed 13 May 2009)
  - g Report on Human Rights Practices in Turkey 2007, (11 March 2008)  
<http://www.state.gov/g/drl/rls/hrrpt/2007/100589.htm>  
(Accessed 5 August 2008)
- [6] **Elcano Royal Institute Turkey's EU Accession Reaches an Impasse – working paper 3 July 2009**  
[http://www.realinstitutoelcano.org/wps/wcm/connect/0b8283004f018ad2a757e73170baead1/WP34-2009\\_Chislett\\_Turkey\\_EU\\_Accession\\_Impasse.pdf?MOD=AJPERES&CACHEID=0b8283004f018ad2a757e73170baead1](http://www.realinstitutoelcano.org/wps/wcm/connect/0b8283004f018ad2a757e73170baead1/WP34-2009_Chislett_Turkey_EU_Accession_Impasse.pdf?MOD=AJPERES&CACHEID=0b8283004f018ad2a757e73170baead1)  
(Accessed 6 July 2009)

- [7] **Documentation, Information and Research Branch, Immigration and Refugee Board, Ottawa, Canada.** [www.irb-cisr.gc.ca](http://www.irb-cisr.gc.ca)
- a Turkey: Whether the section in the Turkish passport pertaining to military service is left blank or has a horizontal line to indicate the holder has been granted a deferment of military service for academic purposes; whether this section contains a military registration number (TC Kimlik No.) that is cross-checked in a computer database by Turkish authorities at ports of entry; if so, whether this database contains detailed reasons for the deferment. TUR103062.E – 24 February 2009 <http://www2.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=452230> (Accessed 12 June 2009)
  - b Turkey: Status of the Kurdistan Workers' Party (PKK) and Turkish Hezbollah; situation and treatment of members, supporters and sympathizers of these parties (2006 - 2007) <http://www.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451309> (Accessed 25 September 2007)
  - c Turkey: Situation and treatment of members, supporters and sympathizers of the Democratic Society Party (DTP) (2006 - 2007) <http://www.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451310> (Accessed 25 September 2007)
  - d Turkey: Procedures that must be followed by, and documents that must be provided to Turkish airport and land border authorities to allow a Turkish citizen and/or foreign national entry into and exit out of Turkey (July 2003) <http://www.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=444539> (Accessed 4 October 2005)
  - e Turkey: Whether the People's Democracy Party (HADEP) and the Democratic People's Party (DEHAP) issue membership certificates to members residing within Turkey and/or abroad. (TUR43475.E 28 April 2005) <http://www.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=444432> (Accessed 29 May 2007)
  - f Whether consent of both parents is required for a Turkish citizen under 18 years of age to obtain a passport, and whether there are any other procedural or documentary requirements for minors to obtain a passport or to travel outside Turkey – 4 December 2008 [http://www2.irb-cisr.gc.ca/en/research/rir/index\\_e.htm?action=record.viewrec&gotorec=452164](http://www2.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=452164) (Accessed 224 June 2009)
  - g Turkey: Security and administrative procedures in place to guard against the issuance of fraudulent Turkish passports or to guard against the issuance of Turkish passports by fraudulent means TUR43480.E, 28 April 2005 [http://www.irb-cisr.gc.ca/en/research/rir/index\\_e.htm?action=record.viewrec&gotorec=444440](http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=444440) (Accessed 6 January 2009)
  - h Turkey: Procedures that must be followed by, and documents that must be provided to, Turkish airport and land border authorities for a Turkish citizen and/or foreign national to be allowed to enter or leave Turkey; the security/law enforcement personnel present; action taken in cases where a person is wanted by the Turkish authorities 29 April 2005 <http://www.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=444429> (Accessed 5 January 2009)



- i Turkey: The treatment of sexual minorities, particularly lesbians, homosexuals and transsexuals, by state and non-state agents, including the police; protection available to sexual minorities who have been victimized. 15 September 2004 <http://www.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=444488>  
(Accessed 10 December 2008)
- j Treatment of gay, lesbian and transgender people by Turkish society; treatment by authorities; legislation, protection and services available, 11 June 2007 VIA  
<http://www.unhcr.org/refworld/country...QUERYRESPONSE,TUR,4562d8cf2,46fa537428,0.html>  
(Accessed 18 August 2008)
- k Treatment of homosexuals in the military; process to establish that a man is gay; consequence of refusing to undergo this process (2005 - 2007) 5 April 2007 [http://www2.irb-cisr.gc.ca/en/research/rir/index\\_e.htm?action=record.viewrec&gotorec=451126](http://www2.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=451126)  
(Accessed 18 August 2008)
- l Turkey: Whether a Turkish citizen who is the subject of an arrest warrant can obtain a passport legitimately or through bribery or any other fraudulent means. October 2004 <http://www.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=444477>  
(Accessed 26 August 2008)
- m Turkey: Prison conditions and the treatment of prisoners in civilian and F-type prisons, including the prevalence of torture and the state response to it. 07 June 2007 <http://www.cisr-irb.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451312>  
(Accessed 7 January 2009)
- n Turkey: Situation of Kurds in western cities such as Ankara, Istanbul, Izmir, Konya and Mersin; resettlement to these cities 29 May 2008 <http://www2.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451931>  
(Accessed 1 December 2008)

[8] **The Swiss Organisation for Refugees**  
'Turkey – The current situation' p40-42, June 2003

- [9] **Human Rights Watch** <http://www.hrw.org>
- a Parliamentary Assembly of the Council of Europe (PACE) debate on the state of human rights in Europe – 24 June 2009  
<http://www.hrw.org/en/news/2009/06/24/parliamentary-assembly-council-europe-pace-debate-state-human-rights-europe>  
(Accessed 17 July 2009)
  - b World Report 2009 – Turkey published 14 January 2009  
<http://www.hrw.org/en/world-report/2009/turkey?print>  
(accessed 30 January 2009)
  - c Closing Ranks against Accountability Barriers to Tackling Police Violence in Turkey – December 2008  
<http://www.hrw.org/sites/default/files/reports/turkey1208web.pdf>  
(Accessed 9 December 2008)
  - d Turkey: "We Need a Law for Liberation", May 2008  
<http://hrw.org/reports/2008/turkey0508/turkey0508web.pdf>  
(Accessed 22 August 2008)



- [10] **International Helsinki Federation for Human Rights**
- a Human Rights in the OSCE Region: Europe, Central Asia and North America, Report 2007 (Events of 2006) Turkey, 27 March 2007 [http://www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=4387](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4387) (Accessed 4 June 2007)
  - b A Minority Policy of Systematic Negation – October 2006 [http://www.ihf-hr.org/viewbinary/viewdocument.php?download=1&doc\\_id=7081](http://www.ihf-hr.org/viewbinary/viewdocument.php?download=1&doc_id=7081) (Accessed 15 December 2008)
- [11] **Reporters sans frontières** [www.reporteres-sans-frontieres.org](http://www.reporteres-sans-frontieres.org)
- a Worldwide Press Freedom Index 2008: [http://www.rsf.org/article.php3?id\\_article=29033](http://www.rsf.org/article.php3?id_article=29033) (Accessed 12 January 2009)
  - b Woman journalist held for past five weeks on baseless charge of link to armed group – 2 June 2009 <http://www.rsf.org/Woman-journalist-held-for-past.html> (Accessed 23 June 2009)
- [12] **Amnesty International** <http://web.amnesty.org>
- a Stranded: Refugees in Turkey denied protection, 22 April 2009 <http://www.amnesty.org/en/library/asset/EUR44/001/2009/en/0f217291-cae8-4093-bda9-485588e245d8/eur440012009en.pdf> (Accessed 8 July 2009)
  - b Stop Violence Against Women “Turkey: Shelters Not Cemeteries” <http://www.amnesty.ca/amnestynews/upload/turkeyappeal1.pdf> (Accessed 26 September 2006)
  - c Amnesty International report 2009 – covering events from January to December 2008 <http://report2009.amnesty.org/en/regions/europe-central-asia/turkey> (Accessed 12 June 2009)
  - d Turkey: Justice for victim tortured to death in custody 15 January 2009 <http://www.amnesty.org/en/for-media/press-releases/turkey-justice-victim-tortured-death-custody-20090115> (Accessed 15 May 2009)
  - e Amnesty International Annual Report 2008 – covering events from January to December 2007 <http://thereport.amnesty.org/eng/regions/europe-and-central-asia/turkey> (Accessed 6 August 2008)
- Return to contents  
Go to list of sources
- [13] **Council of Europe Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)**
- a Report to the Turkish Government on the visit to Turkey carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 7 to 14 December 2005 (6 September 2006) <http://www.cpt.coe.int/documents/tur/2006-09-06-eng.htm> (Accessed 6 September 2006)
- [14] **The International Institute for Strategic Studies (IISS)** (Subscription required)  
Armed Conflict Database Turkey (PKK) - Military & Security Developments

[http://acd.iiss.org/armedconflict/MainPages/dsp\\_ConflictWeapons.asp?ConflictID=184&YearID=1129](http://acd.iiss.org/armedconflict/MainPages/dsp_ConflictWeapons.asp?ConflictID=184&YearID=1129)  
(Accessed 30 June 2009)

- [15] **Cumhuriyet Newspaper-** <http://www.cumhuriyet.com/eCumhuriyet/w/Karakollar> – Grand National Assembly’s Commission for Inspection of Human Rights 2009 report - Translation of article in Cumhuriyet 6 January 2009 page 17 (hard copy available on request)
- [16] **Norwegian Country of Origin Information Centre – “LANDINFO” (Utlendingsforvaltningens fagenhet for landinformasjon).** Report of fact-finding mission to Turkey (7-17 October 2004)’ made public in February 2005 [http://www.landinfo.no/asset/163/1/163\\_1.pdf](http://www.landinfo.no/asset/163/1/163_1.pdf)  
(Accessed 13 August 2008)
- [17] **Republic of Turkey, Ministry of Interior, Turkish National Police, Department of Anti-smuggling and Organised Crime.** Report on GBTS system (September 2003)
- [18] **Republic of Turkey, Turkish Embassy Washington DC**  
<http://www.turkishembassy.org/index.php>  
(Accessed 24 August 2009) (Now only accessible via)  
<http://web.archive.org/web/20040402051301/www.turkishembassy.org/start.html>
- a Judicial Branch  
<http://web.archive.org/web/20040417080307/www.turkishembassy.org/governmentpolitics/politicsjudiciary.htm>  
(Accessed 24 August 2009)
  - b Court System  
<http://web.archive.org/web/20040419032316/www.turkishembassy.org/governmentpolitics/politicsjdcourt.htm>  
(Accessed 24 August 2009)
- [19] **Focus Migration**  
Country Profile – Turkey April 2008 [http://www.focus-migration.de/uploads/tx\\_wilpubdb/CP\\_05\\_Turkey.pdf](http://www.focus-migration.de/uploads/tx_wilpubdb/CP_05_Turkey.pdf)  
(Accessed 12 January 2009)
- [20] **OHCHR Office of the High Commissioner for Human Rights**
- a Committee on the Rights of the Child: Consideration of reports submitted by states parties under Article 8, paragraph 1, of the optional protocol to the convention on the rights of the child on the involvement of children in armed conflict. 12 December 2007  
<http://www.unhcr.org/refworld/pdfid/478373e92.pdf>  
(Accessed 24 August 2008)
  - b UN Human Rights Council: Addendum to the Report of the Working Group on Arbitrary Detention, Mission to Turkey 2006 published 7 February 2007  
<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=search&docid=461f3bb82&skip=&query=military%20service%20turkey&querysi=turkey&searchin=title&display=10&sort=date>  
(Accessed 8 August 2008)

- c UN Report: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development, 2008 published 17 February 2008 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=search&docid=47cbbf262&skip=&query=military%20service%20turkey&querysi=turkey&searchin=title&display=10&sort=date>  
(Accessed 8 August 2008)
- d UN Human Rights Council: Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Mission to Turkey, 15 March 2006. <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=publisher&docid=45fea1812&skip=&publisher=UNHRC>  
(Accessed 24 August 2008)
- e UN Human Rights Council Arbitrary Detention conclude Fact Finding Mission to Turkey 2006  
<http://www.ohchr.org/EN/Countries/ENACARegion/Pages/TRIndex.aspx>  
(Accessed 15 August 2008)
- f Women's Economic Empowerment Urged – 31 October 2008 VIA  
<http://www.unhcr.org/refworld/country,COI,IWPR,,TUR,,4959de251e,0.html>  
(Accessed 29 June 2009)
- g Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women : 6th periodic report of States parties : Turkey 24 November 2008  
<http://www.unhcr.org/refworld/country,COI,CEDAW,,TUR,,49a7e7d22,0.html>  
(Accessed 18 June 2009)
- [21] The US Committee for Refugees and Immigrants (USCRI)**  
World Refugee Survey – 2009 Turkey country report  
<http://www.refugees.org/countryreports.aspx?VIEWSTATE=dDwtOTMxNDcwOTk7O2w8Q291bnRyeUREOkdvQnV0dG9uOz4%2BUwqzZxIYLl0SfZCZue2XtA0UFEQ%3D&cid=2368&subm=&ssm=&map=&searchtext=>  
(Accessed 29 June 2009)
- [22] Mental Health Economics European Network**  
Shifting care from hospital to the community in Europe: Economic challenges and opportunities, January 2008 via  
[http://www.lse.ac.uk/collections/PSSRU/pdf/MHEEN%20policy%20briefs\\_4%20Balance%20of%20care.pdf](http://www.lse.ac.uk/collections/PSSRU/pdf/MHEEN%20policy%20briefs_4%20Balance%20of%20care.pdf)  
(Accessed 28 August 2008)
- [23] “Turkish Daily News”** <http://www.turkishdailynews.com.tr/>
- a Soldier killed, eight injured in landmine attack, 19 August 2008  
<http://www.turkishdailynews.com.tr/article.php?enewsid=112946>  
(Accessed 19 August 2008)
- b DEHAP dissolves, 21 November 2005  
<http://www.turkishdailynews.com.tr/article.php?enewsid=36560>  
(Accessed 24 February 2006)
- c Penal code comes into force, 1 June 2005  
<http://www.turkishdailynews.com.tr/article.php?enewsid=14692>  
(Accessed 2 June 2005)
- d Turkey launches campaign to combat human trafficking 1 July 2008  
<http://www.turkishdailynews.com.tr/article.php?enewsid=108653>  
(Accessed 26 August 2008)

- e Amended criminal procedures law ushers in a new era, 27 May 2005  
<http://www.turkishdailynews.com.tr/article.php?enewsid=14267>  
 (Accessed 27 May 2005)
- f Health Ministry officially takes over SSK hospitals, 21 February 2005  
<http://www.turkishdailynews.com.tr/article.php?enewsid=6487>  
 (Accessed 21 February 2005)
- [24] Todayszaman.com**
- a 'Tuberculosis still a threat though it is curable, say experts', 8 January 2008  
<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=131115&bolum=101>  
 (Accessed 28 August 2008)
- b Forced marriage in Turkey under spotlight at İstanbul conference, 13 June 2008  
<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=144818&bolum=101>  
 (Accessed 18 December 2008)
- c Women made TL 50,000 monthly from human trafficking 20 June 2009  
<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=178616>  
 (Accessed 8 July 2009)
- d New Citizenship Laws (3) 8 June 2009  
<http://www.todayszaman.com/tz-web/columnists-177401-new-turkish-citizenship-law-3.html>  
 (Accessed 22 June 2009)
- e İHOP prepares anti-discrimination bill , 29 April 2009  
<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=173546#>  
 (Accessed 20 May 2009)
- f Rise in sexual abuse of minors in Turkey sets alarm bells ringing – 8 June 2008  
<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=144149>  
 (Accessed 15 June 2009)
- g Measures on women's political participation not part of agenda' 15 December 2008  
<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=161233>  
 (Accessed 22 June 2009)
- h New Turkish citizenship law (2) – 3 June 2009  
<http://www.todayszaman.com/tz-web/columnists-177038-new-turkish-citizenship-law-2.html>  
 (Accessed 22 June 2009)
- [25] Turkish Industrialists' and Businessmen's Association (TUSIAD) US branch**  
<http://www.tusiad.us/>  
 (Accessed 15 December 2008)
- [26] Secretariat General of the National Security Council**  
[http://www.mgk.gov.tr/Inqilizce/Anayasal%20Durum/anayasa\\_en.htm](http://www.mgk.gov.tr/Inqilizce/Anayasal%20Durum/anayasa_en.htm)  
 (Accessed 4 August 2008)
- [27] International Labour Organisation (ILO) update: 16 February 2007**  
<http://www.ilo.org/public/english/dialogue/ifpdial/index.htm>  
 Labour Act of Turkey, 22 May 2003  
<http://www.ilo.org/public/english/region/eurpro/ankara/legislation/law4857.htm>  
 m (Accessed 27 August 2008)

- [28] **The International Deaf Children's Society (IDCS)**  
Resources for the Deaf in Turkey March 2004  
[http://www.idcs.info/docs/Resources\\_for\\_Deaf\\_people\\_in\\_Turkey.pdf](http://www.idcs.info/docs/Resources_for_Deaf_people_in_Turkey.pdf)  
(Accessed 28 September 2007)
- [29] **Haldane Society of Socialist Lawyers**  
a 'Conditions of Detention in Turkey: Blocking Admission to the EU' February 2009  
[http://www.tooks.co.uk/library/haldane\\_society\\_conditions\\_of\\_detention\\_booklet.pdf](http://www.tooks.co.uk/library/haldane_society_conditions_of_detention_booklet.pdf) (Accessed 8 July 2009)
- [30] **Anatolia News Agency, Ankara**  
a Turkish Kurd ex-MPs announce new organisation, 7 January 2005 (via BBC Monitoring/FCO)  
b Turkish court commutes rebel Kurd leader's death sentence, 3 October 2002
- [31] **Consulate General for the Republic of Turkey in London**  
<http://www.turkishconsulate.org.uk/en/index.htm>  
(Accessed 11 October 2006)  
a Letter to the Home Office Country of Origin Information Service:11 Jan 2006
- [32] **Globalgayz.com** - <http://www.globalgayz.com/>  
Turkey country report - <http://www.globalgayz.com/country/Turkey/TUR>  
(Accessed 23 June 2009)
- [33] **International Observatory on End of Life Care**  
Current Services in Turkey – Palliation in Turkey 2005 [http://www.eolc-observatory.net/global\\_analysis/turkey\\_current\\_services.htm](http://www.eolc-observatory.net/global_analysis/turkey_current_services.htm)  
(Accessed 5 October 2006)
- [34] **INTERPOL** <http://www.interpol.int/default.asp>  
a European police and judicial systems - Turkey  
<http://www.interpol.int/public/Region/Europe/pjsystems/turkey.asp>  
(Accessed 1 September 2009)
- [35] **United Nations Development Programme**  
a Human Development Report 2007/2008, Country Fact Sheets - 2005, Turkey (undated)  
[http://hdrstats.undp.org/countries/country\\_fact\\_sheets/cty\\_fs\\_TUR.html](http://hdrstats.undp.org/countries/country_fact_sheets/cty_fs_TUR.html)  
(Accessed 12 January 2009)  
b Youth of Turkey 2008  
[http://www.undp.org.tr/publicationsDocuments/NHDR\\_En.pdf](http://www.undp.org.tr/publicationsDocuments/NHDR_En.pdf)  
(Accessed 24 August 2008)
- [36] **The Office of the Prime Minister of Turkey:** <http://www.byegm.gov.tr>  
a Turkey Interactive 2008 Directorate General of Press and Information of the Prime Minister – Internal Security (pg166)  
<http://www.byegm.gov.tr/YAYINLARIMIZ/kitaplar/turkiye2008/english/giris.htm>  
(Accessed 15 May 2009)  
b The Amendments to the Turkish Civil Code VIA  
<http://www.wwhr.org/constitution.php>

(Accessed 24 August 2008)

- c The Constitution of the Republic of Turkey article 10 and article 17 (As amended on May 22, 2004), VIA  
[http://www.anayasa.gov.tr/images/loaded/pdf\\_dosyalari/THE\\_CONSTITUTION\\_OF\\_THE\\_REPUBLIC\\_OF\\_TURKEY.pdf](http://www.anayasa.gov.tr/images/loaded/pdf_dosyalari/THE_CONSTITUTION_OF_THE_REPUBLIC_OF_TURKEY.pdf)  
 (Accessed 22 June 2009)

**[37] World Health Organisation**

- a 'Mental Health Atlas 2005. Country Profile: Turkey' (updated)  
<http://www.cvdinfobase.ca/mh-atlas/> -  
[http://www.who.int/mental\\_health/evidence/atlas/Profiles/Profiles\\_Countries\\_T\\_Z.pdf](http://www.who.int/mental_health/evidence/atlas/Profiles/Profiles_Countries_T_Z.pdf)  
 (Accessed 17 June 2005)
- b The Impact of Cancer –Turkey, 2005  
[http://www.who.int/ncd\\_surveillance/infobase/web/InfoBasePolicyMaker/reports/ReporterFullView.aspx?id=5](http://www.who.int/ncd_surveillance/infobase/web/InfoBasePolicyMaker/reports/ReporterFullView.aspx?id=5)  
 (Accessed 27 September 2007)
- c Tuberculosis <http://www.who.int/tb/en/> - Country profile-Turkey 2005  
[http://www.who.int/tb/country/global\\_tb\\_database/en/index2.html](http://www.who.int/tb/country/global_tb_database/en/index2.html)  
 (Accessed 27 September 2007)
- d European health for all database (HFA-DB) – World Health Organization – Regional Office for Europe, updated: July 2008  
<http://data.euro.who.int/hfad/>  
 (Accessed 27 August 2008)
- e Strengthening cervical cancer prevention in Europe, May 2007  
<http://www.euro.who.int/document/e90992.pdf>  
 (Accessed 28 August 2008)

**[38] "The Guardian"** <http://www.guardian.co.uk>

- a When wrong boyfriends or clothes lead daughters to kill themselves, 23 August 2007 <http://www.guardian.co.uk/world/2007/aug/23/turkey.gender>  
 (Accessed 25 August 2008)

**[39] United Nations Programme on HIV/AIDS** <http://www.unaids.org>

- a UNAIDS Country Progress Report, January 2008  
[http://data.unaids.org/pub/Report/2008/turkey\\_2008\\_country\\_progress\\_report\\_en.pdf](http://data.unaids.org/pub/Report/2008/turkey_2008_country_progress_report_en.pdf)  
 (Accessed 28 August 2008)

**[40] Coalition to Stop the Use of Child Soldiers** <http://www.child-soldiers.org/>

- Child Soldiers Global Report 2008 Turkey [http://www.child-soldiers.org/library/global-reports?root\\_id=159&directory\\_id=216](http://www.child-soldiers.org/library/global-reports?root_id=159&directory_id=216)  
 (Accessed 10 June 2009)

**[41] HANDS OFF CAINS**

TURKEY - Abolitionist

<http://www.handsoffcain.info/bancadati/schedastato.php?idcontinente=20&nome=turkey>  
 (Accessed 23 June 2009)

**[42] EURASIANET** - <http://www.eurasianet.org/index.shtml>



- a TURKEY: FEMALE WORKER'S FIVE-MONTH SIT-IN SHEDS LIGHT ON WORKERS' RIGHTS – 1 December 2008  
<http://www.eurasianet.org/departments/insightb/articles/eav120108b.shtml>  
(Accessed 16 December 2008)
- b TURKEY: EUROPEAN UNION COURT RULING COULD EXPAND WOMEN'S RIGHTS – 17 June 2009  
<http://www.eurasianet.org/departments/insightb/articles/eav061709a.shtml>  
(Accessed 7 July 2009)
- [43] **GlobalPost News**  
Turkey's shocking domestic violence statistics – 20 February 2009  
<http://www.globalpost.com/dispatch/turkey/090219/turkeys-shocking-domestic-violence-statistics>  
(Accessed 22 June 2009)
- [44] **Lambda Istanbul** - <http://www.lambdaistanbul.org/php/main.php?menuID=26>  
and <http://www.qrd.org/qrd/www/world/europe/turkey/>
- [45] **Turkish Weekly**  
a The Politics of Child Abuse in Turkey - December 4, 2008  
<http://www.turkishweekly.net/op-ed/2433/the-politics-of-child-abuse-in-turkey.html>  
(Accessed 18 June 2009)
- [46] **The Encyclopedia of the World's Minorities 2005**  
Volume 1 A-F (p313-316) Editor - Carl Skutsch
- [47] **Public Sector Workers Union Confederation (KESK)** <http://www.kesk.org.tr/>  
Establishment and AIMS of KESK  
[http://www.kesk.org.tr/index.php?option=com\\_content&task=view&id=526&Itemid=132](http://www.kesk.org.tr/index.php?option=com_content&task=view&id=526&Itemid=132)  
(Accessed 27 August 2008)
- [48] **CIPU, IND, Home Office**  
"Report of fact-finding mission to Turkey" (2001) hard copy available on request
- [49] **HAK-IS** <http://hakis.org.tr/>  
Trade Union Confederation [http://hakis.org.tr/tanitim/hakis\\_eng.htm](http://hakis.org.tr/tanitim/hakis_eng.htm)  
(Accessed 27 August 2008)
- [50] **Globaldialysis centres in Turkey**  
<http://www.globaldialysis.com/centres/country/eurasia-and-central-asia/turkey.html> (Accessed 23 February 2009)
- [51] **Channel 4 news**  
Unreported World - Turkey: Killing for Honour , 27 March 2009  
<http://www.channel4.com/programmes/unreported-world/episode-guide/series-2009/episode-3>  
(Accessed 8 July 2009)



- [52] **“Leftist Parties of the World” (Turkey)**
- a Family Tree of the Turkish Radical Left last updated 31 August 2004 (Nico Biver) [www.broadleft.org/tr.htm](http://www.broadleft.org/tr.htm) (Accessed 26 January 2005)
  - b Turkey Leftist and 'Progressive' Links updated 4 October 2006 [www.broadleft.org/asiaocea.htm](http://www.broadleft.org/asiaocea.htm) (Accessed 29 October 2007)
- [53] **War Resisters International**
- a Refusing to bear arms: a world survey of conscription and conscientious objection to military service Turkey: 2005 revision (undated) <http://www.wri-irg.org/co/rtba/turkey.htm> (Accessed 27 July 2005)
  - b 2005 revised Turkey – updated 2008 <http://www.wri-irg.org/system/files/Rrtk-update-2008-Turkey.pdf> (Accessed 5 October 2009)
- [54] **International Lesbian, Gay, Bisexual, Transgender and Intersex Association (ILGA)** <http://www.ilga.org/>
- a State-sponsored Homophobia – May 2009 [http://www.ilga.org/statehomophobia/ILGA State Sponsored Homophobia 2009.pdf](http://www.ilga.org/statehomophobia/ILGA_State_Sponsored_Homophobia_2009.pdf) (Accessed 15 October 2009)
- [55] **Transparency International**
- a Corruption Perceptions Index 2008 last modified: 11/03/2009 [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2008](http://www.transparency.org/policy_research/surveys_indices/cpi/2008) (Accessed 8 December 2008)
- [56] **Global Security Organisation - Milli Istihbarat Teskilati – MIT** <http://www.globalsecurity.org/intell/world/turkey/mit.htm> (Accessed 19 January 2007)
- [57] **Minority Rights Group International -** <http://www.minorityrights.org/620/homepage/homepage.html>
- a “World Directory of Minorities” (1997)
  - b State of the World Minorities 2008, 11 March 2008 <http://www.minorityrights.org/?lid=6138> (Accessed 15 August 2008)
  - c State of the World’s Minorities and Indigenous Peoples 2009, 16 July 2009 <http://www.minorityrights.org/7948/state-of-the-worlds-minorities/state-of-the-worlds-minorities-and-indigenous-peoples-2009.html> (Accessed 13 August 2009)
  - d Forgotten or Assimilated? Minorities in the Education System of Turkey – 16 March 2009 <http://www.minorityrights.org/7732/reports/forgotten-or-assimilated-minorities-in-the-education-system-of-turkey.html> (Accessed 13 August 2009)
- [58] **Jonathan Rugman and Roger Hutchings**  
“Atatürk’s Children” (1996)

- [59] **UK Border Agency (UKBA)**  
[http://www.homeoffice.gov.uk/rds/country\\_reports.html#countries](http://www.homeoffice.gov.uk/rds/country_reports.html#countries)  
Report of Fact Finding Mission to Turkey 11 – 20 February 2008, 23 July 2008  
(The second source number refers to the source reference in the FFM report) via <http://www.homeoffice.gov.uk/rds/pdfs08/turkey-ffm-060808.doc>
- [60] **Ministry of Foreign Affairs, Republic of Turkey**  
a Information on the monitoring of human rights provided by the Turkish Embassy London (August 2004)  
b For the Victims of Trafficking update 10 July 2008  
<http://www.mfa.gov.tr/turkey-on-trafficking-in-human-beings.en.mfa>  
(Accessed 26 August 2008)
- [61] **Eren Özalay**  
Minorities in Turkey The identity of the Alevis in Accordance with the EU Legislation 2006 <http://www.euroculturemaster.org/pdf/Oezalay.pdf>  
(Accessed 15 August 2008)
- [62] **Freedom House** - <http://www.freedomhouse.org/template.cfm?page=1>  
a Freedom in the World-Turkey 2009: published 16 July 2009  
[http://www.freedomhouse.org/inc/content/pubs/fiw/inc\\_country\\_detail.cfm?year=2008&country=7508&pf](http://www.freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?year=2008&country=7508&pf)  
(Accessed 5 August 2009)  
b Table of Global Press Freedom Rankings 2008  
<http://www.freedomhouse.org/uploads/fop08/FOTP2008Tables.pdf>  
(Accessed 13 August 2008)  
c Freedom on the Net: Global Assessment of Internet and Digital Media 30 March 2009  
<http://www.freedomhouse.org/template.cfm?page=384&key=212&parent=19&report=79>  
(Accessed 15 May 2009)
- [63] **MIPT Terrorism Knowledge Base**  
a Terrorist Group Profile – Updated 10 September 2007  
<http://www.tkb.org/GroupRegionModule.jsp?countryid=TU&pagemode=group&regionid=1>
- [64] **Tuğrul Ansay and Don Wallace**  
“Introduction to Turkish Law” (1996)
- [65] **Turkish Institute for Police Studies (TIPS) – Updated 23 January 2007**  
Terrorism in the World and in Turkey  
[http://www.tipsonline.org/index.php?option=com\\_content&task=view&id=193](http://www.tipsonline.org/index.php?option=com_content&task=view&id=193)  
(Accessed 4 April 2008)
- [66] **British Broadcasting Corporation** <http://news.bbc.co.uk>  
BBC Market Data  
[http://newsvote.bbc.co.uk/1/shared/fds/hi/business/market\\_data/currency/11/11679/default.stm](http://newsvote.bbc.co.uk/1/shared/fds/hi/business/market_data/currency/11/11679/default.stm)  
(Accessed 7 July 2006)  
a Timeline: Turkey A chronology of key events, July 2009  
<http://news.bbc.co.uk/1/hi/world/europe/1023189.stm>

- (Accessed 20 July 2009)
- b Turkish hijacking ends peacefully 18 August 2007  
<http://news.bbc.co.uk/1/hi/world/europe/6952594.stm>  
(Accessed 23 August 2007)
  - c Turkey bans Kurdish party, 13 March 2003  
<http://news.bbc.co.uk/1/hi/world/europe/2846513.stm>  
(Accessed 5 March 2005)
  - d Second Turkish 'plot' trial opens, 20 July 2009  
<http://news.bbc.co.uk/1/hi/world/europe/8159127.stm>  
(Accessed 23 August 2009)
- [67] **MUSIAD** <http://www.musiad.org.tr/english/about/identity.asp>  
Musiad UK - <http://www.musiad.co.uk/> (Accessed 27 August 2008)
- [68] **Council of Europe**
- a 14th report on the implementation of the European Social Charter submitted by the Government of Turkey - (for the period 01/06/04 to 31/05/06)  
[http://www.coe.int/t/dghl/monitoring/socialcharter/Reporting/StateReports/Turkey14\\_fr.pdf](http://www.coe.int/t/dghl/monitoring/socialcharter/Reporting/StateReports/Turkey14_fr.pdf)  
(Accessed 1 December 2008)
  - b Post-monitoring dialogue with Turkey - Information note on the fact-finding visit to Turkey by the Chair of the Committee (24-26 November 2008) 7 April 2009  
[http://assembly.coe.int/CommitteeDocs/2009/20090407\\_ amondoc35rev\\_2008.pdf](http://assembly.coe.int/CommitteeDocs/2009/20090407_ amondoc35rev_2008.pdf)  
(Accessed 15 May 2009)
- [69] **TurkishPress.com**  
Turkey's main Kurdish party re-elects chairman (13 January 2005)  
<http://www.turkishpress.com/news.asp?ID=35998>  
(Accessed 28 January 2005)
- [70] **The Hurriyet News**
- a Turkey to increase per capita income in 2008  
<http://www.hurriyet.com.tr/english/finance/9841640.asp>  
(Accessed 30 June 2009)
  - b TURKEY: Stone-throwing kids face 23 years 14 November 2008  
<http://www.hurriyet.com.tr/english/domestic/10353543.asp?qid=244>  
(Accessed 15 December 2008)
  - c EU top official urges Turkey to set up child courts – 11 March 2008  
<http://www.hurriyet.com.tr/english/domestic/10259985.asp?scr=1>  
(Accessed 15 June 2009)
- [71] **European Commission** [http://ec.europa.eu/enlargement/index\\_en.htm](http://ec.europa.eu/enlargement/index_en.htm)
- a Turkey 2006 Progress Report published (8 November 2006)  
[http://ec.europa.eu/enlargement/pdf/key\\_documents/2006/nov/tr\\_sec\\_1390\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2006/nov/tr_sec_1390_en.pdf)  
(Accessed 9 April 2008)
  - b Turkey 2005 Progress Report, published (9 November 2005)  
[http://ec.europa.eu/enlargement/archives/pdf/key\\_documents/2005/package/sec\\_1426\\_final\\_progress\\_report\\_tr\\_en.pdf](http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/package/sec_1426_final_progress_report_tr_en.pdf)  
(Accessed 11 July 2006)

- c Turkey 2008 Progress report published 5 November 2008  
[http://ec.europa.eu/enlargement/pdf/press\\_corner/key-documents/reports\\_nov\\_2008/turkey\\_progress\\_report\\_en.pdf](http://ec.europa.eu/enlargement/pdf/press_corner/key-documents/reports_nov_2008/turkey_progress_report_en.pdf)  
(Accessed 24 November 2008)
- [72] **International Federation for Human Rights (FIDH)**
- a FIDH mission in Turkey - Summary report 13 February 2008  
<http://www.fidh.org/spip.php?article5204>  
(Accessed 26 August 2008)
- b The International Federation for Human Rights (FIDH) and The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation against Torture (OMCT) launches its Annual Report 2009- Western Europe  
<http://www.fidh.org/IMG/pdf/EUR-UK.pdf>  
(Accessed 23 June 2009)
- [73] **Human Rights Association of Turkey (Insan Haklari Derneği)**  
<http://www.ihd.org.tr/english/>
- a 1999 – 2008 Comparrative Summary table  
[http://www.ihd.org.tr/images/pdf/IHD\\_1999\\_2008\\_Comparative\\_Balance\\_Sheet.pdf](http://www.ihd.org.tr/images/pdf/IHD_1999_2008_Comparative_Balance_Sheet.pdf)  
(Accessed 15 May 2009)
- b 2008 Summary Table for Human Rights Violations in Turkey  
[http://www.ihd.org.tr/images/pdf/IHD\\_2008\\_Turkey\\_Human\\_Rights\\_Violations\\_Balance\\_Sheet.pdf](http://www.ihd.org.tr/images/pdf/IHD_2008_Turkey_Human_Rights_Violations_Balance_Sheet.pdf)  
(Accessed 15 May 2009)
- c Human rights violations in Adana in January, February and March 2009  
[http://www.ihd.org.tr/english/index.php?option=com\\_content&view=article&catid=17:special-reports&id=495:human-rights-violations-in-adana-in-january-february-and-march-2009-monitoring-report-by-the-adana-branch-of-the-human-rights-association](http://www.ihd.org.tr/english/index.php?option=com_content&view=article&catid=17:special-reports&id=495:human-rights-violations-in-adana-in-january-february-and-march-2009-monitoring-report-by-the-adana-branch-of-the-human-rights-association)  
(Accessed 12 June 2009)
- d To the press and public opinion: Children were imprisoned in Adana - 3 June 2009  
[http://www.ihd.org.tr/english/index.php?option=com\\_content&view=article&id=528:to-the-press-and-public-opinion-children-were-imprisoned-in-adana&catid=14:joint-press-releases&Itemid=30](http://www.ihd.org.tr/english/index.php?option=com_content&view=article&id=528:to-the-press-and-public-opinion-children-were-imprisoned-in-adana&catid=14:joint-press-releases&Itemid=30)  
(Accessed 15 June 2009)
- [74] **Ethnologue Languages of the World**  
Languages of Turkey (Asia)  
[http://www.ethnologue.com/show\\_country.asp?name=TRA](http://www.ethnologue.com/show_country.asp?name=TRA)  
(Accessed 17 April 2008)
- [75] **Pharmaceutical Pricing and Reimbursement Information**  
Pharma Profile – Turkey, June 2007  
[http://ppri.oebig.at/Downloads/Results/Turkey\\_PPRI\\_2007.pdf](http://ppri.oebig.at/Downloads/Results/Turkey_PPRI_2007.pdf)  
(Accessed 27 August 2008)
- [76] **Jamestown Foundation**

- Turkey Debates the Village Guard System, 11 May 2009  
[http://www.jamestown.org/single/?no\\_cache=1&tx\\_ttnews%5Btt\\_news%5D=34976](http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=34976)  
 (Accessed 20 May 2009)
- [77] **The UN Secretary-General's database on violence against women**  
<http://webapps01.un.org/vawdatabase/searchDetail.action?measureId=6608&baseHREF=country&baseHREFId=1326>  
 (Accessed 18 June 2009)
- [78] **International Centre for Prison Studies – World Prison Brief**  
 Prison Brief for Turkey (updated 1 September 2008)  
[http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb\\_country.php?country=119](http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=119)  
 (Accessed 7 July 2009)
- [79] **Republic of Turkey Prime Ministry Human Rights Presidency**  
<http://www.ihb.gov.tr/english.htm>  
 a Organisational Table - [http://www.ihb.gov.tr/ENGLISH/about\\_us.htm](http://www.ihb.gov.tr/ENGLISH/about_us.htm)  
 (Accessed 13 May 2009)  
 b Regulation on the Establishment, Duties and Working Principles of Provincial and Sub-provincial Human Rights Boards  
<http://www.ihb.gov.tr/ENGLISH/legislation.htm>  
 (Accessed 13 May 2009)
- [80] **Child Information Network in Turkey**  
 a Ankara Child Rights Initiative – April 2006  
<http://www.crin.org/docs/OPSC%20NGO%20Report-Turkey.pdf>  
 (Accessed 25 August 2008)
- [81] **Jane Sentinel Security Assessment – subscription required**  
 a Security Assessment - Eastern Mediterranean – 11 May 2009  
[http://www4.janes.com/subscribe/sentinel/EMEDS\\_doc\\_view.jsp?Sent\\_Country=Turkey&Prod\\_Name=EMEDS&K2DocKey=/content1/janesdata/sent/emedsu/turks100.htm@current](http://www4.janes.com/subscribe/sentinel/EMEDS_doc_view.jsp?Sent_Country=Turkey&Prod_Name=EMEDS&K2DocKey=/content1/janesdata/sent/emedsu/turks100.htm@current)  
 (Accessed 15 May 2009)  
 b Political Leadership – last updated 26-Feb-2008  
[http://www4.janes.com/subscribe/sentinel/EMEDS\\_doc\\_view.jsp?Sent\\_Country=Turkey&Prod\\_Name=EMEDS&K2DocKey=/content1/janesdata/sent/emedsu/turks020.htm@current](http://www4.janes.com/subscribe/sentinel/EMEDS_doc_view.jsp?Sent_Country=Turkey&Prod_Name=EMEDS&K2DocKey=/content1/janesdata/sent/emedsu/turks020.htm@current)  
 (Accessed 24 July 2008)  
 c Security Assessment – last updated 11 August 2009  
[http://www4.janes.com/subscribe/sentinel/EMEDS\\_doc\\_view.jsp?Sent\\_Country=Turkey&Prod\\_Name=EMEDS&K2DocKey=/content1/janesdata/sent/emedsu/meda005.htm@current](http://www4.janes.com/subscribe/sentinel/EMEDS_doc_view.jsp?Sent_Country=Turkey&Prod_Name=EMEDS&K2DocKey=/content1/janesdata/sent/emedsu/meda005.htm@current)  
 (Accessed 21 August 2009)
- [82] **The Yellowpages.com – Pharmacies**  
[http://www.yellowpages.com.tr/search\\_results.php?yp=c2VhcmNoX2tleXdvcmRzPSZzZWYy2hfZGlyPUFsbCZjaXR5X2lkPUFsbCZhcmVhX2lkPUFsbCZkaXN0cmlljdF9pZD0mc2VhcmNoX2xhbmd1YWdlPSZzZWYy2hfbW9kdWxIPWNhdGVnb3J5JmFjdGlvbj1zaG93bGlzdCZzdGFydD0wJmNvbXBvbmVudF9pZD0yO TA1JmxldHRlcj1h](http://www.yellowpages.com.tr/search_results.php?yp=c2VhcmNoX2tleXdvcmRzPSZzZWYy2hfZGlyPUFsbCZjaXR5X2lkPUFsbCZhcmVhX2lkPUFsbCZkaXN0cmlljdF9pZD0mc2VhcmNoX2xhbmd1YWdlPSZzZWYy2hfbW9kdWxIPWNhdGVnb3J5JmFjdGlvbj1zaG93bGlzdCZzdGFydD0wJmNvbXBvbmVudF9pZD0yO TA1JmxldHRlcj1h)

(Accessed 3 February 2009)

- [83] **World Organisation Against Torture (OMCT)**  
<http://www.omct.org/index.php?&lang=eng>  
Violence against Women in Turkey - 2003  
[http://www.omct.org/pdf/VAW/Publications/2003/Eng\\_2003\\_09\\_Turkey.pdf](http://www.omct.org/pdf/VAW/Publications/2003/Eng_2003_09_Turkey.pdf)  
(Accessed 22 June 2009)
- [84] **Directorate General for Population and Citizenship Affairs**  
[http://www.nvi.gov.tr/English,En\\_Html.html](http://www.nvi.gov.tr/English,En_Html.html)
- a The Identity Information Sharing System (abbreviated KPS in Turkish)  
[http://www.nvi.gov.tr/English/KPS\\_EN,KPS\\_EN.html](http://www.nvi.gov.tr/English/KPS_EN,KPS_EN.html)  
(Accessed 8 July 2009)
- b Address Registration System (AKS)  
[http://www.nvi.gov.tr/English/Address\\_EN,Address\\_Registration\\_System.html](http://www.nvi.gov.tr/English/Address_EN,Address_Registration_System.html)  
(Accessed 8 July 2009)
- c TR Identity Number  
[http://www.nvi.gov.tr/English/Mernis\\_EN,Mernis\\_En.html?pageindex=1](http://www.nvi.gov.tr/English/Mernis_EN,Mernis_En.html?pageindex=1)  
(Accessed 8 July 2009)
- [85] **RUETERS Alertnet**  
Turkey's wedding massacre puts militias in spotlight, 6 May 2009  
<http://www.alertnet.org/thenews/newsdesk/L6549346.htm>  
(Accessed 20 May 2009)
- [86] **IOM – International Organisation for Migration [www.iom.int](http://www.iom.int)**
- a Migration in Turkey Country profile October 2008  
[http://publications.iom.int/bookstore/free/Turkey\\_Profile2008.pdf](http://publications.iom.int/bookstore/free/Turkey_Profile2008.pdf)  
(Accessed 8 July 2009)
- [87] **SABAH newspaper English edition - <http://english.sabah.com.tr/>**
- a Combat in Tunceli – 20 June 2009  
<http://english.sabah.com.tr/> (Accessed 22 June 2009)
- [88] **Women's Aid – <http://www.womensaid.org.uk/default.asp>**  
What is Domestic violence?  
<http://www.womensaid.org.uk/domestic-violence-articles.asp?section=00010001002200410001&itemid=1272&itemTitle=What+is+domestic+violence>  
(Accessed 22 June 2009)
- [89] **Turkish Statistical Institute**
- a Turkey's Statistical Yearbook 2008  
[http://www.turkstat.gov.tr/yillik/stat\\_yearbook.pdf](http://www.turkstat.gov.tr/yillik/stat_yearbook.pdf)  
(Accessed 18 June 2009)
- b Wages and Earnings in Second Quarter 2007 (28 September 2007)  
<http://www.turkstat.gov.tr/PreHaberBultenleri.do?id=579>  
(Accessed 29 September 2007)
- c Population, Demography, Housing and Gender - Gender life and Family – Gender indicators – Marriage.  
<http://www.turkstat.gov.tr/OncekiHB.do>  
(accessed 29 June 2009)



- d Marriage and divorce statistics for the year of 2008  
<http://www.turkstat.gov.tr/PreHaberBultenleri.do?id=4077>  
 (Accessed 29 June 2009)
- [90] **Mental Disability Rights International (MDRI)** <http://www.mdri.org/>  
 Behind Closed Doors: Human Rights Abuses in the Psychiatric Facilities, Orphanages and Rehabilitation Centers of Turkey: 28 September 2005  
<http://www.mdri.org/projects/turkey/turkey%20final%2009-26-05.pdf>
- [91] **UNICEF**-[www.unicef.org/turkey/hm/hm1.html](http://www.unicef.org/turkey/hm/hm1.html)
- a Programmes 2006–2010: Early Childhood Care and Learning Overview  
[http://www.unicef.org/turkey/pr\\_2010/hm3a\\_2010.html](http://www.unicef.org/turkey/pr_2010/hm3a_2010.html)  
 (Accessed 19 June 2009)
- b UNICEF in Turkey: Country Profile  
[http://www.unicef.org/turkey/ut/ut2\\_2010.html](http://www.unicef.org/turkey/ut/ut2_2010.html)  
 (Accessed 9 June 2009)
- c Convention on the Rights of the Child ((1989) Article 7, 32)  
[http://www.unicef.org/protection/index\\_22426.html](http://www.unicef.org/protection/index_22426.html)  
 (Accessed 26 August 2008)
- d The State of the World's Children 2009  
<http://www.unicef.org/sowc09/docs/SOWC09-FullReport-EN.pdf>  
 (Accessed 19 June 2009)
- e Turkey – Background (website accessed 11 June 2009)  
<http://www.unicef.org/infobycountry/Turkey.html>  
 (Accessed 11 June 2009)
- f Country Programme Action Plan 2006–2010  
[http://www.unicef.org/turkey/ut/ut4\\_2010.html](http://www.unicef.org/turkey/ut/ut4_2010.html)  
 (Accessed 12 June 2009)
- [92] **United States Commission on International Religious Freedom, (USCIRF)**  
[http://www.uscirt.gov/index.php?option=com\\_frontpage&Itemid=1](http://www.uscirt.gov/index.php?option=com_frontpage&Itemid=1)  
 Annual Report 2009 -The Commission's Watch List: Turkey, 1May 2009  
<http://www.uscirt.gov/images/AR2009/turkey.pdf>  
 (Accessed 23 June 2009)
- [93] **KurdishMedia** <http://www.kurdmedia.com/>
- a DEHAP to dissolve, join new Kurdish political movement: 17 August 2005  
<http://www.kurdmedia.com/news.asp?id=7530>  
 (Accessed 19 September 2005)
- b Layla Zana and former Kurdish MPS set up a new Party: 10 November 2005  
<http://www.kurdmedia.com/news.asp?id=10544>  
 (Accessed 10 March 2006)
- [94] **COUNTER TRAFFICKING.ORG**– <http://www.countertrafficking.org/default.html>  
 EC Project Bulletin March 2009  
[http://www.countertrafficking.org/about\\_pro.html](http://www.countertrafficking.org/about_pro.html) (Accessed 8 July 2009)
- [95] **Women for Women's Human Rights (WWHR)–New Ways**  
<http://www.wwhr.org/>
- a LIST OF CRITICAL ISSUES ON TURKEY - for submission to the CEDAW  
 32nd Session, January 2005  
[http://www.wwhr.org/files/WWHRNewWaysCritical\\_IssuesTurkey.pdf](http://www.wwhr.org/files/WWHRNewWaysCritical_IssuesTurkey.pdf)  
 (Accessed 6 September 2007)



- b The Civil Code (No 4721) [http://www.wwhr.org/turkish\\_civilcode.php](http://www.wwhr.org/turkish_civilcode.php)  
(Accessed 26 September 2006)
- [96] **KAOS GL** <http://www.kaosgl.com>  
<http://www.kaosgl.com/english/brochure.php>  
(Accessed 1 October 2005)
- a LGBT Turkey repory to the European Charter March 2008  
<http://news.kaosgl.com/item/186>  
(Accessed 23 August 2008)
- b LGBT TURKEY REPORT TO THE EUROPEAN SOCIAL CHARTER-March  
2008 <http://news.kaosgl.com/item/186>  
(Accessed 20 May 2009)
- [97] **Stop Violence against Women**  
[http://www.stopvaw.org/Stop\\_Violence\\_Against\\_Women.html](http://www.stopvaw.org/Stop_Violence_Against_Women.html)
- a What Is a Non-Governmental Organization? Website accessed 17 June  
2009 [http://www.stopvaw.org/What\\_Is\\_Non-Governmental\\_Organization.html](http://www.stopvaw.org/What_Is_Non-Governmental_Organization.html) (Accessed 17 June 2009)
- b Women's NGOs – website accessed 17 June 2009  
[http://www.stopvaw.org/Women\\_s\\_NGOs29.html?page=all](http://www.stopvaw.org/Women_s_NGOs29.html?page=all)  
(Accessed 17 June 2009)
- c Trafficking - Legal framework in Turkey – Penal Code  
<http://www.stopvaw.org/Trafficking2.html> (Accessed 17 June 2009)
- [98] The Minority report affair 2007 - Prime Ministry's Human Rights Advisory Board  
<http://baskinoran.oran.name/baskin/Oran%20PDF.pdf>  
(Accessed 15 May 2009)
- [99] **The Sabanci University**  
A Nationwide Survey 'Violence against women in Turkey' 2008  
[http://research.sabanciuniv.edu/11418/1/Violence\\_Against\\_Women\\_in\\_Turkey.pdf](http://research.sabanciuniv.edu/11418/1/Violence_Against_Women_in_Turkey.pdf)  
(Accessed 30 June 2009)
- [100] **Voice of America – News**
- a European Groups Call for Action Against Forced Marriage – 16 June 2008  
<http://www.voanews.com/english/archive/2008-06/2008-06-16-voa47.cfm?moddate=2008-06-16> (Accessed 30 June 2009)
- [101] **Home Office** <http://www.homeoffice.gov.uk>  
List of Proscribed international groups under the Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2005: undated  
<http://www.homeoffice.gov.uk/security/terrorism-and-the-law/terrorism-act/proscribed-groups>  
(Accessed on 13 February 2006)
- [102] **BIA News Center** <http://www.bianet.org/english>
- a Children's Situation in Diyarbakir Prison is Desperate – 19 May 2009  
<http://bianet.org/english/children/114600-childrens-situation-in-diyarbakir-prison-is-desperate> (accessed 22 May 2009)

- b Compulsory Religious Education is Hypocritical Violation of Rights 11 May 2008  
<http://www.bianet.org/english/kategori/english/105486/compulsory-religious-education-is-hypocritical-violation-of-rights>  
(Accessed 26 August 2008)
- c Protection Of The Violent Police Officers Continue – 11 December 2008  
<http://www.bianet.org/english/kategori/english/111312/protection-of-the-violent-police-officers-continue>  
(Accessed on 22 December 2008)
- d How Turkey Deals with Police Violence, 13 April 2009  
<http://bianet.org/english/health/113772-how-turkey-deals-with-police-violence>  
(Accessed on 15 May 2009)
- e Virginity Test In A Student Dormitory – 27 November 2008  
<http://www.bianet.org/english/kategori/english/111120/virginity-test-in-a-student-dormitory>  
(Accessed on 19 December 2008)
- f Sexual Violence In Detention 27 November 2008  
<http://www.bianet.org/english/kategori/english/111118/sexual-violence-in-detention>  
(Accessed 6 January 2009)
- g Human Rights Watch Leaves The Meeting With The Human Rights Minister Unsatisfied – 10 December 2008  
<http://www.bianet.org/english/kategori/english/111310/human-rights-watch-leaves-the-meeting-with-the-human-rights-minister-unsatisfied>  
(Accessed on 23 December 2008)
- h BIA Media Monitoring Report For The Third Quarter of 2008- 1 December 2008  
<http://www.bianet.org/english/kategori/english/111179/bia-media-monitoring-report-for-the-third-quarter-of-2008-full-text>  
(Accessed on 7 January 2009)
- i Purple Roof Celebrates 18th Year –March 2008  
<http://www.bianet.org/english/kategori/english/105752/purple-roof-celebrates-18th-year>  
(Accessed on 7 January 2009)
- j Turkey Ratifies the Convention for the Rights of the Disabled – 4 December 2008  
<http://www.bianet.org/english/kategori/english/111258/turkey-ratifies-the-convention-for-the-rights-of-the-disabled>  
(Accessed on 15 December 2008)
- k 2920 HIV/AIDS Cases Since 1985 – 1 December 2008  
<http://www.bianet.org/english/kategori/english/111189/2920-hiv-aids-cases-since-1985>  
(Accessed on 30 December 2008)

[103] **CIA World Factbook – Turkey** updated 9 June 2009  
<https://www.cia.gov/library/publications/the-world-factbook/geos/tu.html>  
(Accessed on 9 June 2009)

[104] **Gendarmerie Human Rights Violations' Investigation and Evaluation Center (JIHIDEM)** [http://www.jandarma.gov.tr/jihidem/jihidem\\_eng/home\\_page.htm](http://www.jandarma.gov.tr/jihidem/jihidem_eng/home_page.htm)  
(accessed on 21 March 2006)

- [105] **The Middle East Review of International Affairs (MEDIA)**  
“The Alevi of Anatolia” by David Zeidan  
<http://meria.idc.ac.il/journal/1999/issue4/jv3n4a5.html>  
(Accessed 25 September 2006)
- [106] **Buzzle.com website**  
Young Girls Forced Into Living Nightmares – website accessed 30 June 2009  
<http://www.buzzle.com/articles/young-girls-forced-into-living-nightmares.html>  
(Accessed 30 June 2009)
- [107] **Economist Intelligence Unit (EIU) – subscription required**  
<http://www.eiu.com/?rf=0>  
Turkey Country report August 2009 (hard copy available)  
(Accessed 1 August 2009)
- [108] **ElectionGuide.org** <http://www.electionguide.org/country.php?ID=218>  
(Accessed 24 May 2007)
- [109] **Turkish Grand National Assembly** <http://www.tbmm.gov.tr/english/english.htm>  
(Accessed 6 July 2009)

[Return to contents](#)  
[Go to list of sources](#)