

ADVANCE QUESTIONS TO TURKEY – ADD.1

CZECH REPUBLIC

- Could the government of Turkey elaborate on the experience with the Ombudsman's Office functioning as national preventive mechanism according to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment? Has its work led to any concrete improvements in the practice of the facilities it oversees? Does the Government plan to further strengthen its position?
- How does the Government ensure protection of human rights defenders and journalists against misuse of provisions of the Criminal Code on libel and defamation? Does the Government plan to review the Internet Law so that the powers of the authorities to block or remove its content are in line with international standards on freedom of expression?
- Could the Government elaborate on measures to strengthen protection against all forms of discrimination including on grounds of ethnicity, religion, sexual orientation and gender identity?
- Could the Government of Turkey elaborate on steps to eliminate discriminatory provisions in Criminal and Civil Codes and to eliminate violence against women, including honour crimes, and to uproot the societal acceptability of such violence?
- According to the reports of international human rights organisations, judiciary and prosecution in Turkey are significantly influenced by the interests of the executive branch. Could you please elaborate on how does the government of Turkey intend to strengthen the independence and stability of judiciary and prosecution and how it intends to ensure that the democratic division of powers is secured?
- What measures does the Government of Turkey adopt or prepare to prevent cases of excessive use of force and abuse of power by the law-enforcement personnel? What steps does it intend to take to ensure that such cases are properly investigated and offenders prosecuted?

GERMANY

- In view of recent judgments by the European Court of Human Rights (ECHR) with regard to the rights of Alevis, what measures is the State of Turkey taking to ensure the implementation of ECHR judgments?
- In view of recent positive developments toward religious groups in Turkey, i.e. the restitution of numerous properties, among others to Mor Gabriel, the opening of a Greek Orthodox secondary school in Gökceada or the announcement by Prime Minister Davutoglu permitting the construction of a new church for the Turkish Syriac community, when will the State of Turkey grant the right to acquire legal personality to religious or belief communities?
- In light of the recently passed 7th judicial package what measures is the State of Turkey taking to protect and promote the freedom of assembly, including protecting

protestors from being subjected to ill-treatment or excessive use of force by police authorities? How will the State of Turkey ensure that its fight against the so called "parallel state" will remain transparent and within the limits of the Turkish constitutional rights and freedoms?

- What measures is the State of Turkey taking in line with Article 3 of ECHR to protect the right to health and right to release of hundreds of sick and terminally ill inmates?
- What measures is the State of Turkey taking in order to implement the concluding observations of the UN Human Rights Committee and the verdicts of the ECHR with regard to conscientious objection?
- Given the reports by Freedom House ("Press: not free") and Reporters without borders, where Turkey ranks 154: Which concrete steps does the Turkish Republic want to take in order to guarantee independence and freedom of media?

NORWAY

- **Institutionalization:** How does Turkey work to ensure the independence and impartiality of its National Human Rights institutions?
- **Freedom of Speech and Assembly:** How will Turkey ensure and improve its citizens' right to free expression in all forms, as well as their right to association and peaceful assembly? Which measures are taken to guarantee just and impartial trials for those convicted after the Gezi protests and following demonstrations – civilians, media persons and police? How will Turkey work to reduce state censorship and self-censorship of the media due to threats and hate speech often instigated by officials?
- **Women's rights:** What is Turkey's strategy to provide a nation-wide implementation of recent legal reforms strengthening women's rights? In particular, how will the Government work to meet its commitments from the Convention on preventing and combating violence against women and domestic violence, which entered into force in August last year?

SPAIN

- The punitive system of the Turkish Army considers that homosexuality is unnatural and foresees the expulsion of personnel morally indecent. Medical norms within the military domain refer to homosexuality and transsexualism as diseases. Is Turkey going to change these kinds of norms?
- There is a mention in your National Report at the efforts made to guarantee access to inclusive education for persons with disabilities. Could you specify which measures

have been adopted with this aim? What specific measures have been adopted to guarantee access to education to the children of temporary workers in agriculture and to Roma children?

SWEDEN

- What is Turkey's comment to the allegations by major human rights organizations regarding a strongly restraining mass media policy?
- How does the Turkish Government foresee the proper implementation of the international commitments entered into regarding gender equality?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- We welcome the Judicial Reform Packages adopted by Parliament and note the legislative amendments to the Turkish Penal Code referred to in your National Report. Can Turkey explain how it plans to implement fully new legislation and ensure that specific provisions of the Turkish Penal Code, including Articles 301 - Denigrating the Turkish Nation, 215 - Praising a crime or a criminal and 125 - Criminal defamation, protect rights to freedom of expression, including in the media?
- We welcome new institutions and mechanisms which strengthen citizens' rights e.g. Human Rights institution, Ombudsman, and the individual right to petition the Constitutional Court. Can you tell us how you will ensure that mechanisms are independent and transparent and that institutions consistently adhere to the Paris Principles? Does Turkey have a strategy on how it plans to inform civil society and the public on courses of action available to them and how to use and access these institutions?
- What does Turkey intend to do to strengthen rights for persons belonging to religious communities which are not supported by the Diyanet?
- Can Turkey explain how it intends to address concerns about use of tear gas and police force that have been raised during the Gezi protests? How can it ensure that the right to freedom of assembly is respected?
- How does Turkey intend to implement fully laws to protect health and safety and the right to life in the workplace, as contained in Turkey's domestic laws and in the International Labour Organisation (ILO) conventions no. 167 and 176? How will Turkey ensure accountability for accidents in the workplace?