



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

### Concluding observations on the combined fourth to sixth reports of Turkey

Addendum

### Information received from Turkey on follow-up to the concluding observations\*

[Date received: 26 January 2017]

**In respect of the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD) Turkey takes note of the positive aspects as well as the concerns and recommendations provided therein within the consideration of its fourth to sixth periodic reports covering the period from 2007 to 2013 inclusively. It should be noted that Turkey will sustain its full cooperation with CERD and take the latter's comments and recommendations into consideration with its longstanding commitment to combating racial discrimination.**

1. In that regard, Turkey will continue to duly prepare its periodic reports, taking into account the points raised in the concluding observations (CERD/C/TUR/CO/4-6) and respond in more detail to the concerns and recommendations, as appropriate.
2. On the other hand, notwithstanding detailed information provided by the national delegation during the interactive dialogue with the Committee, which has also been shared in written with the Secretariat, the State party regrets that some of the comments and recommendations draw from unfounded allegations, without due reference to the views provided by Turkey in detail in the process.
3. On another account, as a result of the ongoing comprehensive reform process in the field of human rights, democracy and the rule of law, a number of key legislation that were raised by the Committee have been recently enacted.

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\* The present document is being issued without formal editing.



4. Therefore, before submitting its upcoming periodic reports, Turkey would like to provide the Committee with the following initial comments on some of the concluding observations.

**The Committee has recommended “incorporate prohibited grounds for discrimination in the definition of racial discrimination contained in its anti-discrimination legislation in full compliance with article 1 of the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD)” (CERD/C/TUR/CO/4-6 para. 8) and that “speed up the adoption of the Anti-Discrimination and Equality Draft Law and ensure its full compliance with the provisions of the Convention. The Committee also recommends that the State party ensure that the Equality and Advisory bodies contemplated by this draft law are established and provided with adequate resources and independence to fulfil their mandate.” (CERD/C/TUR/CO/4-6 para. 10)**

5. It shall be recalled that Article 90 of the Turkish Constitution states that international agreements, once duly put into effect, bear the force of law. In this regard, international agreements ratified as such directly become a part of domestic legislation. When approved by the Turkish Parliament on 16 October 2002 ICERD has become an integral part of our national legislation and the definition of racial discrimination laid down in the Convention is directly applicable in Turkey.

6. Moreover, Turkey has introduced several amendments to different laws with a view to prohibiting discrimination. There are several provisions in Turkish legislation, which prohibit racial discrimination, such as the Constitution (Art 10), the Penal Code (Art 3, 86, 122, 125, 152, 153, 216), the Labour Law (Art 5), the Civil Code (Art 8), the Basic Law on National Education (Art 4,8), the Law on Social Services and Child Protection (Art 4) and others.

7. On the other hand, taking into account the Concluding Observations of the Committee from the consideration of the initial to third periodic reports (CERD/C/TUR/CO/3), the relevant State party institutions drafted a comprehensive anti-discrimination legislation, which has subsequently been merged with the legislative work on the revision of the founding law on Turkish National Human Rights Institution. Accordingly, the Law on Turkish Human Rights and Equality Institution has entered into force as of 20 April 2016 (further information on the law shall follow in the upcoming section).

8. In the justification of the law, specific reference has been made to the Convention on the Elimination of All Forms of Racial Discrimination. According to the Law, “*discrimination on the grounds of sex, race, colour, language, religion, belief, sect, philosophical and political view, ethnic origin, wealth, birth, marital status, state of health, disability and age*” has been prohibited (Article 3).

9. It is also of relevance to note that the law specifies different types of discrimination under the titles of, “segregation”, “ordering discrimination and implementing such orders”, “multiple discrimination”, “direct discrimination”, “indirect discrimination”, “workplace mobbing”, “failing to make reasonable arrangements”, “harassment”, “discrimination based on assumptions”. Hence, direct as well as indirect forms of discrimination in the definition of racial discrimination have been included in the law.

10. Thus, the State party believes that with the entry into force of the Law on Turkish Human Rights and Equality Institution, which covers the prohibited grounds of

discrimination set out by Article 1 of the Convention, the abovementioned requirement referred by the recommendation of the Committee has been met.

**The Committee has also recommended revision of the Law on the Turkish National Human Rights Institution, in order to guarantee the independence of the institution in full compliance with the Paris Principles. (CERD/C/TUR/CO/4-6 para. 16)**

11. It shall be recalled that the Law on the Turkish National Human Rights Institution entered into force in June 2012 and the process of establishing the Turkish Human Rights Institution, in compliance with the UN Paris Principles, was initiated. By this Law, the Institution has been vested with a broad mandate as carrying out activities to protect and promote human rights; reviewing and investigating petitions and applications on allegations of human rights violations, and following-up their outcomes; carrying out research activities, in order to monitor and evaluate the developments taking place in the area of human rights; submitting opinions and recommendations; conducting activities for awareness-raising and training.

12. The Institution has also been designated as the “National Preventive Mechanism” on 28 January 2014, in order to perform tasks under the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

13. Within the framework of 64<sup>th</sup> Government Programme of action, increasing the efficiency of a number of institutions, including the Human Rights Institution of Turkey, as well as enhancing compliance with the international protection mechanisms for fundamental rights and freedoms in legislation and practice, were targeted. Accordingly, the possibilities of establishing an institution that would fulfil the duties of anti-discrimination and equality institutions or assigning of these duties to an existing institution were considered. As a result, in addition to the existing mandates of “National Human Rights Institution” and “National Preventive Mechanism”, “Anti-discrimination” duties have been assigned to the Human Rights Institution of Turkey. Thereby, the Law on the Human Rights and Equality Institution of Turkey has been enacted by the Parliament and entered into force on 20 April 2016, as mentioned in the previous section.

14. It shall be noted that with the abovementioned revision in the founding law of the Human Rights Institution of Turkey, independence and financial autonomy of the Institution has been reiterated. The Law on Turkish Human Rights and Equality Institution explicitly indicates that the Institution is *a public-law legal entity and has the administrative and financial autonomy* (Article 8). The Institution *executes the duties and exercises its authority independently, under its own responsibility. No other authority, organ or person shall give neither orders or instructions nor recommendations or suggestions to the Board on issues related to the jurisdiction of the Institution* (Article 10).

15. According to the Law that entered into force on 20 April 2016, the Law on Human Rights Institution of Turkey dated 2012 has been abolished. *Once the new Law enters into force, all kinds of records, documents, cash, vehicle, equipment etc. and the staff shall be transferred to the Human Rights and Equality Institution. Also, until the Human Rights and Equality Institution accomplishes its institutionalization, it executes its duty and power via current staff of the Human Rights Institution of Turkey.* It can be inferred from this provision that current Institution will continue to operate under a different name.

16. On the other hand, new regulations coming with the Law on Human Rights and Equality Institution of Turkey are hereby summarized:

17. **Member Selection Procedure:** According to new Law, members of the Human Rights Board are selected by the President of Republic (3) and Council of Ministers (8). Out of eight members selected by the Council of Ministers, one member is determined from two candidates among professors who work in the field of human rights and proposed by the Higher Education Board. The other seven members are determined from eligible candidates proposed by NGOs, unions, social and professional institutions, academics, lawyers, members of press and media and the experts who are working in the field of human rights or the ones who notify the membership requests in writing.

18. There are no changes in regulations regarding the total number of the members of the Human Rights Board (eleven members including one Head and one Deputy Head) and selection of the Head and Deputy Head by the Human Rights Board from among its members.

19. **Working Manner of the Human Rights Board Members:** With the new Law, all members of the Human Rights Board – the decision-making body of the Institution – shall work on a full time basis. Previously, full time work was foreseen for only the Head and the Deputy Head of the Institution, whilst the other members were working part-time.

20. **Staff:** According to the new Law 150 cadres shall be created for the Human Rights and Equality Institution of Turkey. Previously, 75 cadres were created for the Human Rights Institution of Turkey.

21. **Independence:** With respect to legal entity as well as the administrative and financial autonomy there has been no changes for the Institution after the revision of its founding law. Nevertheless, in reply to certain criticism levelled against the status of the Institution the State party would like to inform the Committee that Article 123 of the Constitution reads: “*The administration forms a whole with regard to its structure and functions, and shall be regulated by law*”. Under this principle, all public legal entities in Turkey have been established in some relation to a Ministry. Thus, Ministries in Turkey are composed of administrations under the categories “associated”, “related” and “affiliated” to the central organization (designating three different types of link, strong, medium or weak).

22. The concept of “affiliated administration” within the meaning of Turkish law denotes the loosest type of relation between the public administration in question and the relevant ministry. The previous and the existing Law on the Human Rights and Equality Institution of Turkey grants “affiliated administration” status to the institution. In light of the foregoing, this condition should not be interpreted as contradictory with the independence of the Institution. As mentioned above, independence, financial and administrative autonomy of the Institution is clearly set out in its founding law, despite procedural elements stemming from the requirements of Turkish legislation.

23. Finally, in respect of Committee’s recommendation, the State party also informs the Committee that the Institution has applied for accreditation to the International Coordinating Committee for National Human Rights Institutions (ICC) on 11 January 2016. Nevertheless, taking the revision in the Institution’s founding law into consideration, ICC has asked for a new application in the name of Human Rights and Equality Institution. The work on renewal of application is in progress.

**In paragraph 10 of the Concluding Observations, the Committee further recommended adoption of the “Draft Law on the Establishment of the Law Enforcement Monitoring Commission and Amendment of Certain Laws” (CERD/C/TUR/CO/4-6 para. 10).**

24. The State party is pleased to inform that the Law on the Establishment of the Law Enforcement Monitoring Commission has been published in the Official Gazette on 20 May 2016. The Law has thereby entered into force, with the exception of its Article 7 on the establishment of a central registry system that will enter into force one year later, following the adoption of regulatory framework by the Council of Ministers.

25. The Law aims at rendering the functioning of law enforcement complaint system more effective and swift, as well as enhancing its transparency and credibility. With the Law Enforcement Monitoring Commission, allegations of crimes that have been committed by law enforcement officers (from the Turkish National Police, the Gendarmerie, and the Turkish Coast Guard Command), or any act, attitude or behaviour which call for administrative disciplinary measure with respect to those officers shall be documented into a central registry system and be duly followed up (Article 1). Violations that are linked to the military duties of the Gendarmerie, and the Turkish Coast Guard Command personnel are beyond the scope of the Law (Article 1/3).

26. The Commission shall function as a permanent Board within the Ministry of Interior. The Law stipulates necessary funding to be allocated annually to the budget of the Ministry for the functioning of and requirements by the Commission (Article 5/2).

27. In addition to the mandates linked to disciplinary investigations, the Law specifies additional mandates for the Commission, including preparation of annual reports that would be submitted to the Human Rights Inquiry Commission of the Turkish Grand National Assembly as well as the Prime Ministry; monitoring the implementation of law enforcement ethical guidelines; making public surveys in order to assess public confidence in the law enforcement monitoring system, making recommendations for the training Programmes of the law enforcement units. Moreover, the Commission is tasked with devising statistics from data available in the central registry system, establishing a data-base in that regard, analysing the available data and making recommendations on the implementation and with a view to determining strategies.

28. The Commission will start functioning pursuant to adoption of necessary By-Laws. Preparatory work on the secondary regulative framework is in progress.

29. In light of the foregoing, the State party believes that the recommendation of the Committee has been duly fulfilled.

**The Committee has extended encouragement to ensure that such bodies cooperate and complement each other, and that their roles and responsibilities are clear, with sufficient resources to ensure their effectiveness (CERD/C/TUR/CO/4-6 para. 20).**

30. As it was underlined during the interactive dialogue by the national delegation which held a broad representation from various governmental institutions, effective cooperation between various Ministries and institutions is among the priorities of Turkey. The State party upholds that the diversity of mechanisms available remains a reflection of importance attached to combat discrimination at all levels.

31. With this understanding, the State party underlines that due attention is paid to avoid duplication in the work of various institutions that may stem from legislation or

implementation. Recent legislative work attest to this trend. For instance, in the justification of the Law on the Establishment of the Law Enforcement Monitoring Commission (please refer to section 4 above), specific reference has been made to the aim of ensuring uniformity between the various law enforcement bodies in the registration of complaints against law enforcement officers. The justification of the Law underlines the targets of “ensuring uniformity in the implementation of issues related to law enforcement complaint system between the Turkish National Police, the Gendarmerie, and the Turkish Coast Guard Command; contributing to forward-looking policies with the data-base to be established; as well as increasing accountability, effectiveness and transparency of law enforcement, as well as the public confidence for the law enforcers.”

32. Similarly, within the framework of the revision of the Law on Turkish Human Rights and Equality Institution (please refer to section 3 above), due consideration has been paid for complementarity with the work of Ombudsman Institution. In that regard, before the revision of its founding law, the Institution had the duty and power to investigate all kinds of human rights violations upon application or ex officio. According to the new Law, the re-established Institution shall have the duty and power to investigate the human rights violations regarding the anti-discrimination and National Preventive Mechanism duties, upon application or ex officio. On the other hand in terms of general human rights violations, the re-established Institution shall have the duty and power to investigate human rights violation only ex officio. As stated in the preamble of the Law on Turkish Human Rights and Equality Institution, general applications regarding human rights violations has been appropriated to be investigated by the Ombudsman Institution.

**With respect to the citizens of Roma origin in Turkey, the Committee has made a number of recommendations in paragraph 28 of the Concluding Observations (CERD/C/TUR/CO/4-6).**

33. The State party is pleased to note that the National Strategy Document for Roma Citizens, preparations of which started in 2013 has been recently finalized and thus “the National Strategy Document for Social Integration of Roma Citizens (2016-2021)” and 1<sup>st</sup> Term Action Plan (2016-2018) has been published in the Official Gazette on 30 April 2016.

34. The Strategy Document has been prepared by the Ministry of Family and Social Policy in consultation with non-governmental organizations and in cooperation with other public institutions such as the Ministry of Labour and Social Security, the Ministry of Education, the Ministry of Interior and the Ministry of Health.

35. The National Strategy will be implemented by three-year action plans in the periods covering 2016-2018 and 2019-2021; with a number of strategic goals to be implemented in the fields of education, employment, health, housing, social assistance and social support services.

36. The National Strategy, inter alia, aims to increase the effectiveness of social inclusion policies, to enhance access to general public services, to combat discrimination and to prevent hate crimes and to ensure social participation with strengthened civil society. Basic implementation principles such as anti-discrimination, equal treatment, participation of civil society, regional policy approach are also set forth as the strategic targets.

37. Targets include, ensuring all Roma children to access qualified education services and equal opportunities in education area and to complete compulsory education at the least (education), increasing employment in secure jobs and facilitating access to labour market for Roma citizens (employment); enhancing access to adequate housing opportunities in disadvantaged areas and providing healthy, habitable environment with transportation opportunities and functioning infrastructure by also taking the beneficiaries’ demands and

social lives into consideration (housing) and enabling Roma citizens to utilise from health services more effectively (health).

38. Moreover, as recommended by the Committee, sensitizing citizens with Roma origin and raising awareness on the necessity of possessing identity documents, realizing registration of new-borns as well as those lacking identity documents is among the targets of the 1st Term Action Plan (2016-2018).

39. It is also noteworthy that in order to monitor the implementation of the policies in the National Strategy Document Monitoring and Evaluation Board will be established. Half of the members of the Board will be composed of the representatives from the relevant Ministries and other public institutions and agencies, and the rest will consist of representatives of other stakeholders such as NGOs, academics and professional organisations.

40. Funds for the implementation of the projects under the framework of the Strategy and Action Plan will be provided by each governmental institutions' own budget.

41. In addition, the State party undertakes targeted projects in cooperation with international organizations. "Promoting Social Inclusion in Densely Roma Populated Areas Project (SIROMA)" in cooperation with the EU has been initiated on 9 November 2015. The Project addresses objectives of the Strategy Document for Roma People 2016-2021.

42. The activities implemented under the project "Technical Assistance for Promoting Social Inclusion in Densely Roma Populated Areas" promote the functioning and coordination among the institutions and mechanisms in the field of labour market and social protection particularly in order to facilitate the integration of Roma and further disadvantaged groups. Project activities is being implemented in 12 provinces of Turkey: Adana, Ankara, Balıkesir, Edirne, Eskişehir, Hatay, İstanbul, İzmir, Kırklareli, Manisa, Mersin, and Tekirdağ. Target results of the project include;

- Improved service provision capacity to support Roma and other disadvantaged groups,
- Increased awareness, dialogue and communication among stakeholder agencies and public in general,
- Improved access to primary and pre-school education and better success levels,
- Improved health behaviour and access to health care,
- Improved employability of Roma and other disadvantaged groups.

43. Furthermore, with a view to delivering better quality and coordinated services in the fields education, health, social services and employment, 20 'Social Service Coordination Units' (SSCU) have been established in the abovementioned 12 provinces. In this context, the project provides consultancy to the beneficiaries on institutional capacity building and the establishment of a new Local Social Services Model covering all aspects necessary for integration of the target groups.

44. In light of the foregoing, the State party is pleased to convey that issues raised by the Committee's recommendations in paragraph 28 have been effectively addressed.

**The Committee has inter alia recommended amendment of article 216 of the Penal Code to ensure that it covers acts of racial discrimination or incitement to racist hatred in accordance with article 4 of the Convention (CERD/C/TUR/CO/4-6 para. 22).**

45. The State party would like to stress that the implementation of the above-mentioned legal provisions has been effectively carried out by relevant authorities on concrete cases. The first paragraph of article 216 of the Turkish Penal Code regulates the limits of the freedom of expression with a view to preventing incitement to social, racial, religious or regional enmity or hatred. This article aims to strike a balance between high standards of freedom of expression, while effectively addressing the problem of incitement to hatred on the above-mentioned grounds.

46. Turkey upholds that ability to express thoughts in a free environment is a sine qua non for a democratic society. The definition of the offence described is made in the light of this approach. In order for an act to be considered within the scope of the Art 216 (1), it must be conducted in such a manner that it endangers public security in concrete terms. The danger of disruption of public safety should be based on concrete elements. Speeches delivered and thoughts expressed can be prohibited, so long as they constitute a “clear and present danger” to the society. Unless the existence of such a danger is established on a concrete and explicit basis, no punishment can be enforced.

**The Committee expresses concern that “in the context of the fight against terrorism, the enforcement of anti-terror legislation and security-oriented policies have reportedly resulted in 'racial profiling of members of the Kurdish community” (CERD/C/TUR/CO/4-6 para. 29). The Committee has also made a number of recommendations with respect to citizens of Kurdish origin, including “ensure that its anti-terror legislation does not result in racial profiling or violations of the rights of freedom of expression or association or other rights protected by the Convention” (CERD/C/TUR/CO/4-6 para. 30).**

47. In accordance with the statements of the national delegation during the interactive dialogue and in line with Article 10 of the Constitution which explicitly guarantees the equality of all individuals without discrimination before the law, irrespective of language, race, colour, gender, political opinion, philosophical belief, religion and sect, or any such consideration, the State party reiterates that domestic criminal procedure has been applied without any discrimination. No difference has been made in treatment to crimes of terrorism.

48. The State Party further reiterates that while dealing with terrorism, utmost attention is paid to maintain the balance between security needs and fundamental freedoms, including freedom of expression or association.

49. The State party stresses that all claims of violation have been duly investigated by the relevant administrative authorities and the judiciary, as appropriate. Legal remedies are available within the judicial system, including the right to individual application to the Constitutional Court.

50. Moreover, national judicial purview remains always open for any laws and regulations which would be in contradiction with the principles of equality and non-discrimination as guaranteed by the Constitution.

51. On the other hand, in the absence of verifiable evidence such comments remain as mere speculations. The State party stands ready to further investigate any act, action or attitude that might have resulted in violation of the Convention on a case by case basis, with a view to preventing, prohibiting and eradicating all practices of this nature, given that concrete information on such acts are provided.

52. Thus, the State party regrets and strongly rejects unsubstantiated allegations on “racial profiling.” Contrary to allegations, the criminal procedure is not discriminatory within the meaning of international conventions to which Turkey is a party.

53. On a different note, in line with the priorities of the Turkish state in the field of human rights, democracy and the rule of law, constant and constructive cooperation is maintained with the relevant UN human rights bodies, including on issues related to counter-terrorism efforts. In that respect, comprehensive information on counter terrorism operations in Turkey has also been shared with relevant UN mandate holders on different occasions pursuant to the consideration of fourth to sixth periodic report of Turkey with the Committee.

54. Therefore, for a better assessment of the context of the fight against terrorism as well as the enforcement of counter-terrorism legislation the State party believes that the terrorist attacks carried out in Turkey from July 2015 onwards must be given due consideration and particularly taken into account by the Committee.

To begin with;

55. PKK is a terrorist organization, listed as such by numerous countries and international organizations, including the United States, the EU, and NATO. Since its inception in 1984, more than 40 thousand people lost their lives because of PKK terrorism.

56. As from 20 July 2015, the number of the terrorist attacks has significantly increased in Turkey.

57. On 13 August 2015, PKK dared to declare so-called “autonomous administrations” in a number of cities and towns (Silopi, Cizre, Nusaybin and Şırnak). By declaring so-called “autonomous administrations” certain settlements located in Turkey’s southeast, PKK tried to intimidate and coerce the local population and to disrupt the maintenance of public security in the residential centers. PKK’s senior figures called the citizens of Kurdish origin and particularly the youngsters in Turkey to start violent acts against the state by use of force.

58. In this context, illegal actions of the terrorist organization were intensified in the district centers such as Silopi, Cizre, Sur and Yüksekova in which they stockpiled explosives. Prior to the operations of the security forces, hundreds of ditches had been dug, barricades had been constructed, explosives had been trapped in the mentioned district centers by the terrorist organization which wanted to cut off citizens’ access to public services and limited their fundamental rights and freedoms.

59. PKK has killed many teachers, damaged buildings of schools, clinics and hospitals in order to deprive the public from its rights to receive education and health services.

60. Intensive terrorist attacks by the terrorist organization PKK have claimed the lives of many civilians throughout Turkey.

61. The terrorist organization also tried to involve the civilians in its illegal activities by distributing arms to certain people through intimidation, supposedly assigning various responsibilities to specified persons including duties of vigils. This tactic of involving the civilians in the illegal acts is used by many terrorist organizations around the world, including DAESH.

62. In addition, PKK terrorist organization has been using civilians (especially children) as human shields against law enforcement units and has seized residents' houses by force of arms.

63. The circumstances fomented by PKK affected the living conditions of the citizens in the mentioned settlements negatively. Thus the governors' offices in the region requested help for protecting the lives and security of citizens and for maintaining the public order in line with the Prime Minister Office Directive and Article 11/D of the Code on Provincial Administration (Law No. 5442).

64. Under these conditions, restoration of the public order, removal of the barriers, closing of the ditches, defusing of the explosives that were planted in the barriers, ditches, roads and buildings and ensuring the security of life and the property of the public have been required.

65. To this end, intervention by the security forces by way of comprehensive operations has become compulsory. Thus the security forces have carried out counter terrorist operations, in order to stop these terror acts as well as to restore public order and to protect civilians whose fundamental rights have been severely infringed by the terrorist acts.

66. Within the context of counter terrorism operations;

- Utmost attention has been paid for the protection of human rights.
- Great sensitivity has been shown to differentiate terrorist from civilians.
- Multi-dimensional and comprehensive measures have been taken by high-tech equipped security forces in order to prevent any civilian casualties.
- All possible precautions have been taken so as to prevent civilian losses due to explosives planted by PKK terrorist organization.

67. Throughout the operations all emergency needs of our citizens are met. During the operations following measures have been taken for the protection of civilians and meeting their daily needs;

- Rapid and safe evacuation of the people who wished to leave the region by the civil authorities from the beginning of the operations,
- Ensuring that certain number of bakeries, markets and pharmacies in the district centers are kept open in order to supply the needs of the citizens who continue to reside in the region,
- Distribution of packages of daily needs in which food, milk and diapers can be found,
- Provision of electricity and water services to the citizens without disruption as before the operations.
- Individuals have access to all vital public services. 155 "Police Emergency Line" is operational to call ambulances or ask for food.

68. Moreover, there is a domestic remedy mechanism for victims of terrorism to obtain compensation from the state. Between 2004 and October 2016, compensations were paid for 203,269 applications, with a total amount of 3,6 billion TL (approximately 1,16 billion USD). Moreover, in order to compensate the losses of the people affected by terrorism, approximately 57 million USD has already been paid in 2016.

69. It should further be reminded that as is the case for any allegation on human rights violations all judicial remedies exist at the national level for those claims with respect to counter-terrorism operations. In addition to the right to individual application to the

Constitutional Court, Turkey also recognizes right to individual application to the European Court of Human Rights after exhausting domestic remedies.

70. By all means, the Turkish judicial system takes guidance from the articles of the relevant international agreements, including the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) the Convention against Torture (and Other Cruel, Inhuman or Degrading Treatment or Punishment), but also the European Convention on Human Rights, as well as the case law of the European Court of Human Rights, compulsory jurisdiction of which was recognized by Turkey in 1990.

71. In light of the above, Turkey clearly conducts its struggle against terrorism in accordance with national legislation and ECtHR case law.

72. It should further be underlined that Turkey is fighting against PKK terrorism, not against citizens of Kurdish origin who are integral part of the Republic of Turkey. Presentation of the counter-terrorism operations as acts against the citizens of Kurdish origin is biased and reflects the efforts of circles that serve for PKK propaganda. The point, which is of cardinal importance, is distinguishing between PKK terrorism and the possible legitimate expectations of the citizens of Kurdish origin in Turkey.

**Measures with respect to economic, social and cultural as well as intensified efforts to combat regional disparities and promoting teaching in the mother tongue:**

73. Pursuant to detailed information provided at the periodic report on education in languages other than Turkish, it should be noted that starting with the new 12-year education system launched back in 2012, the elective course “Living Languages and Dialects” have been offered to students at primary and secondary level schools. For the 2015-2016 education year, approximately 90 thousand students have chosen “Living Languages and Dialects” electives in the following languages: Kurmanji, Zazaki, Adige, Abkhaz, Laz and Georgian.

74. On the other hand, with reference to para. 30 of the Concluding Observations, which inter alia cites “disparities that exist between the Kurdish provinces and the rest of its territory” the State party would like to underline that none of the provinces in Turkey has homogenous ethnic or linguistic composition and it is misleading to make a differentiation between provinces in Turkey on the basis of ethnicity of the residents. It remains valid that people living in certain parts of the country may face harder economic challenges; however it should be noted that this situation stems from geographical and economic characteristics of these regions, not from the ethnic origins or religious or linguistic attributes of the local people. Thus, opting to singling out certain groups as being more prone to socio-economic difficulties does not reflect the reality.

75. Turkey remains committed to improving the socio-economic conditions of its citizens of Kurdish origin, just like any other citizens in the country. In this respect, extensive reforms undertaken by consecutive governments shall be taken into account.

76. As presented in the periodic report as well as during the interactive dialogue, several reform packages including comprehensive sets of constitutional amendments have been launched over the last decade, with a view to better responding to the democratic needs and aspirations of the citizens. Additional measures have been taken to promote economic, social and cultural rights. Moreover, socio-economic disparities among regions in Turkey have led the State party to devise targeted regional development strategies in its development plans.

77. These steps also address possible difficulties of citizens of Kurdish origin that the PKK terror organization tries to exploit. These improvements were hailed by many international human rights mechanisms, human rights observers and defenders as major

steps. Turkey is determined to continue the reform process aimed at further protection and promotion of human rights.

78. In this regard it shall be underlined that the Official Programme of the 65th Government, which was announced by Prime Minister on 24 May 2016, reiterates the commitment to furthering the reform process that would further enhance living standards of the citizens. Moreover, public investment, as an instrument for diminishing inter-regional differences in economic growth and social development is among the priority areas of the Government Programme. Within this perspective regional action plans, such as Action Plan for Southeast Anatolia Project (GAP), Action Plan for Eastern Anatolia Project (DAP), Eastern Black Sea Development Project (DOKAP) and Konya Plain Project (KOP) have been prioritized.

79. Furthermore, the State party devises special measures enhancing employment and access to labour. In that regard vocational courses specifically targeting women are organized as well. Among others, “Economic and Social Integration of the Displaced Individuals into City Life Project” continues in cooperation with the EU with a total project budget of 3.8 million Euro. The project aims at facilitating access to basic services and integration into the society for the internally displaced and improving their social conditions. Within the remit of the project trainings on entrepreneurship will be provided to 500 women, 500 women will take literacy trainings and 2300 people will receive vocational/IT trainings.

80. In addition, the State party continues with social support projects on social inclusion, culture, art and sports, for which, women, children, youngsters, migrants, disabled, unemployed, impoverished are among the specific target groups.

81. Further information on the extensive efforts of the State party, including special measures to eliminate regional differences (GAP, DAP, DOKAP, KOP, KÖYDES, BELDES and SUKAP); social support projects (SODES) on employment, social inclusion, culture, art and sports; the Village Infrastructure Support Project; the Return to Village and Rehabilitation Project that aimed facilitating the return of citizens of Kurdish origin who had migrated from their villages because of the terrorism phenomenon; compensation of the losses of victims of terrorism; as well as reforms and measures concerning the learning of and broadcasting in languages and dialects other than Turkish is presented at Annex I.

**The Committee expressed concern at “unclear status of minority schools” and “insufficient funding of minority schools” (CERD/C/TUR/CO/4-6, para. 31).**

The State party would like to underline that there exists no uncertainty with respect to the status of minority schools. As stated in the periodic report (CERD/C/TUR/4-6, para. 127) these institutions are regulated by the Law on Private Educational Institutions. In the 2015/16 educational year there are 60 institutions that operate with minority school status at the pre-primary, primary and secondary education level.

82. Within the context of financial incentives which have been granted to private schools, in accordance with the Law (6528) published in the Official Gazette on 03.14.2014, educational financial support have been released for students who are enrolled in private schools. Even though such financial incentives require quota regulations to be fulfilled for other private schools, minority schools are accorded exemptions from such requisites and continue to benefit from the private education support.

83. Furthermore, a legal amendment in 2012 enables guest students of foreign nationality to enroll in minority schools. On the other hand, the Greek primary school in

Gökçeada has been reopened in March 2013 and education has resumed. Furthermore, a secondary school for Gökçeada Greek Minority was opened. Upon the request of Syriac community, Mor Efrem Syriac Kindergarten was also opened in September 2014. The said kindergarten has started to enroll students as from 2014-2015 academic year.

84. With a general official letter dated 28.06.2015, the Ministry of National Education further simplified the enrollment to minority schools. Students can attend to minority schools with a declaration of their parents and the approval of the school administration.

**The Committee recommends that Turkey pursues its efforts and strengthens measures with a view to improving the reception conditions of Syrian and Iraqi refugees. The Committee, inter alia recommends effectively protecting Syrian and Iraqi refugees from racial discrimination including incitement to hatred; grant of work permits, as appropriate, to refugees under the Special Temporary programme set up by the State party; increasing efforts to ensure that all refugee children have access to education including in their mother tongue; strengthening fight against trafficking and violence against refugee women in camps; and ensuring the effective application of the new Law on Foreigners and international Protection (CERD/C/TUR/CO/4-6, para. 34).**

85. Detailed information as regards the situation of migrants, refugees and those under temporary protection in Turkey had been shared with the Committee during the interactive dialogue which has later been conveyed also in written form. In this respect, the State party deeply regrets that outstanding efforts of Turkey with a view to protecting fundamental rights and freedoms of Syrians in response to the Syrian humanitarian crisis, as well as its commendable work for the provision of comprehensive services including, health, education, psychological support and vocational training remain unobserved in the Concluding Observations of the Committee.

86. The State party upholds that such efforts undertaken by Turkey, despite the scale of burden created by the massive influx of irregular migrants, refugees and those fleeing from regional and political conflicts, shall be paid due consideration. Moreover, challenges and repercussions posed by these conditions which resulted in Turkey to host the largest number of refugees in the world according to the UNHCR data must be recognized.

87. Notwithstanding these challenges, Turkey continues to pursue an “open door” policy towards Syrians. The total number of Syrians under temporary protection in Turkey reached 2.7 million. (as of 23 November 2016, 2,744,475 registered), out of which 254 thousand are accommodated in 24 temporary protection centers.

88. The State party would like to also reiterate that fundamental rights and freedoms set forth in the Constitution do not lead to any distinction between Turkish citizens and foreigners. Fundamental rights and freedoms are recognized for everyone, regardless of citizenship in line with article 10 of the Constitution. Article 16 of the Constitution stipulates that the fundamental rights and freedoms of foreigners can only be limited by law in accordance with international law. Political rights (the right to vote and to be elected, the right to form political parties and to become their members) and the right to enter into public service are however solely vested with Turkish citizens.

89. It shall further be underlined that distinct nature of the existing circumstances has been acknowledged and duly responded by the Government and administration at various

levels, as well as the legislative authority. In addition to various governmental institutions, the Human Rights Inquiry Commission of Turkish Grand National Assembly decided on 17.12.2015 to establish a sub-committee to carry out research and analysis related to refugees, asylum seekers, immigrants and irregular migrants. The sub-committee assumed its meetings starting from January 2016.

90. With respect to specific points raised in the recommendation; the children of refugees and asylum-seekers are entitled to same rights as children of Turkish citizens with regard to compulsory primary education. Article 2 of the Law on Primary Education, (No: 222), states that “compulsory primary education covers children between the ages of 6-14. The education of all children between ages 6-14, regardless of their status, is compulsory.” Turkey firmly believes that there should be “no lost generation” and gives priority to the education of Syrian children. As of November 2016, there are 183 thousand Syrian children attending the public schools, in addition to approximately 247 thousand students at the camps and classrooms specially devised for Syrians in the cities. Turkey continues to spare no effort for the provision of education services to Syrian children. However, new schools, classroom and teachers are needed. In order to meet this huge challenge, collective efforts are required.

91. Concerning fight against trafficking and violence against women in temporary protection centers the State party reaffirms its determination to fight against trafficking in human beings and prevent irregular migrants, refugees and Syrians under temporary protection, most particularly women, children and other vulnerable groups, from being subjected to violence. In this respect, any allegation of violence acts in the temporary protection centers is rigorously addressed. Comprehensive efforts are launched in cooperation with relevant national institutions and international mechanisms. Among others, “Humanitarian Aid Programme for Eliminating and Responding to Gender-Based Violence” for the Syrian refugees has been conducted in cooperation with the United Nations Population Fund (UNFPA). Work on future training Programmes with the UNFPA continues. Moreover, the Working Group on Gender-Based Violence, which was founded in Turkey with regard to the conclusions of the “Regional Inter-Agency Gender-Based Violence Workshop” organized by the UN in Amman, convenes once a month for necessary assessments to be made with respect to the Syrian population and the temporary protection centers. In this context, it should also be recalled that the Special Representative of the United Nations Secretary-General on Sexual Violence in Conflict, Zainab Bangura also paid a visit to Turkey in April 2015 and met directly with Syrian women in the camps. Bangura expressed satisfaction with the measures taken by the Turkish authorities.

92. Regarding the access of refugees to the labour market, the State party would like to stress that refugees or temporary protection beneficiaries, upon being granted the status, may work independently or be employed. The identity document to be issued to a refugee or a temporary protection beneficiary shall also substitute for a work permit and this information shall be written on the document.

93. As regards work permits, the State party is pleased to inform the Committee that the “Regulation on Work Permit of Refugees Under Temporary Protection” came into force on 15 January 2016. With this by-Law, which allows access of Syrians to the labour market in Turkey, foreigners under temporary protection may apply for a work permit after a period of six months from the date of registration for temporary protection. The applications for work permits are made by employers who would like to employ foreigners under temporary protection. Those foreigners who are entitled to independent work permits may apply on their own behalf. Foreigners who will work in seasonal agricultural or farming jobs are exempted from work permit.

94. In light of the foregoing, the State party considers that recommendation on the grant of work permits have been duly satisfied.

95. Finally, it shall be noted that Turkey has so far spent 12 billion US Dollars (25 billion USD, including Turkish NGOs) for the needs of the Syrians, whereas the total contribution received from the international community is only 514 million USD.

96. There is an urgent need for all partners to share the responsibility and burden with Syrian-hosting countries. Turkey has already assumed more than the fair-share of its responsibility, mobilized all possible resources and capabilities to provide for the needs of Syrians, in particular to ensure children receive schooling, on behalf of the international community, in the absence of a meaningful support of the latter.

97. Solemnly reiterating urgent need for international solidarity and burden-sharing, further information on the comprehensive work that has been undertaken for Syrians and Iraqis in Turkey including;

- Legal framework of temporary protection.
- Measures to implement more effectively the Law on Foreigners and International Protection.
- Measures to ensure registration of Syrians under temporary protection.
- Specific measures for Iraqi nationals that seek international protection.
- Access to health care services.
- The right to work.
- Prevention of trafficking in human beings.
- Efforts for eliminating and responding to gender-based violence for the Syrians.
- Measures for improving the conditions of removal centers.
- Education services and training activities carried out for persons under temporary protection in Turkey.

is presented at Annex II.

## Annex I

### Action Plan for Southeast Anatolia Project - GAP

1. Within the framework of special measures to eliminate regional differences and thus any unintended inequality in economic status among citizens, Southeast Anatolia Project (GAP), was launched with a view to bridging the gap in the level of development between the Southeast and other parts of Turkey and overcoming regional socio-economic disparities (CERD/C/TUR/4-6, para.63).
2. In this respect the revised Action Plan for GAP has been launched for the period 2014-2018. The plan is comprised of 5 pillars, namely, acceleration of economic growth, strengthening social development, improving living conditions in the cities, enhancing infrastructure and increasing institutional capacity. The revised action plan includes 115 projects, with an overall financial estimation of 9,1 billion USD.
3. Furthermore, in the area of regional development and regional competitiveness, institutional bodies have been established at the central and local level and various Programmes have been implemented. In this context, at the central level, Supreme Regional Development Council and Regional Development Committee have been formed. At the local level, Development Agencies in 26 regions and investment support offices within the body of development agencies in 81 provinces have been put into operation. Accordingly, regional development plans have been prepared and started to be implemented countrywide.
4. Thus, in addition to GAP three new regional development administrations were established. Namely; Eastern Anatolia Project (DAP), Eastern Black Sea Development Project (DOKAP) and Konya Plain Project (KOP) regional development administrations.
5. Moreover, regional dimension of investment incentive system was strengthened; growth poles Programme, Village Infrastructure Support Project (KÖYDES), Municipal Infrastructure Support Project (BELDES), Water and Sewerage Infrastructure Programme (SUKAP), SODES Programmes for priority provinces in terms of social development were implemented; and Works on development of legal and institutional infrastructure of clustering supports were finalized.

### SODES (Social Support Programme)

6. In addition to abovementioned regional Programmes, social support projects have been implemented.
7. For instance, SODES (Social Support Programme) is a Programme funded by the Ministry of Development with the aim of supporting projects conducted by public institutions and nongovernmental organizations in favour of disadvantaged groups of the society.
8. SODES entails projects in three focus areas: employment; social inclusion; culture, art and sports. These projects are being prepared and implemented at the local level with the coordination of Governorship offices and broadly authorized local actors.
9. Individuals and groups within the scope of the Programme are particularly the people who live in poverty and who are struggling with difficulties in accessing social opportunities, such as; women, children, youngsters, migrants, disabled, unemployed, impoverished and people who live in slum areas. In this context, between 2008 and 2015, SODES supported 7.977 projects with an approximate budget of 1.378 million TL, approximately 475 thousand USD.

10. SODES has been initially operated in 2008 in Southeast Anatolia Region (GAP Region). In 2010 Eastern Anatolia Region (DAP Region) cities were included in the Programme and the number of cities involved in the Programme increased to 25. In 2011, with the inclusion of 5 more cities in the Programme as pilot scheme cities, SODES became a Programme covering 30 cities. In 2013, 4 more cities were included in the Programme, so SODES currently covers 34 cities in total.

#### **The Village Infrastructure Support Project (VISP)**

11. Moreover, the Village Infrastructure Support Project (VISP) is implemented throughout the country with the aim of providing citizens living in rural areas with access to basic infrastructure services such as road, drinking water and sanitation as well as facilitating and supporting settlement in rural areas. The project is monitored on a regular basis with a focus on the East and Southeast Anatolian Regions of Turkey that are most affected by terrorism.

#### **The Return to Village and Rehabilitation Project (RVRP)**

12. The Return to Village and Rehabilitation Project (RVRP) has been launched with the aim of facilitating the return of citizens of Kurdish origin who had migrated from their villages because of the terrorism phenomenon in the Eastern and Southeast Anatolian Regions in the past. It also targeted solving the problems of reintegration in the migration-receiving places via social support projects carried out by public institutions and organizations in the field of counter-terrorism and ensuring coordination for these projects.

13. The activities carried out within the scope of the Project that is implemented by the governorates in provinces under the auspices of the Ministry of Interior.

14. Between 1999-2015, a total budget of **208.6 million TL (approximately 72 million USD)** has been transferred in the framework of the Project. Moreover, a total of 270 projects within the RVRP received 197.8 million TL (**approximately 68 million USD**). In 14 cities within the scope of the Project, out of the 386.360 citizens who had left their villages because of security concerns, **187.861 citizens have returned** to their home.

#### **Compensation of the Losses of Victims of Terrorism**

15. On the other hand, in order to remedy the losses of citizens who suffer as a result of terrorism and counter terrorism activities in a speedy, efficient and fair manner, “the Law on Compensating Losses Due to Terrorism and Counter-Terrorism” became effective in 2004. Within the framework of this law, losses from death, injury and disability, damaged real estate and assets, adversely affected agricultural and animal breeding activities, as well as losses suffered by our citizens who had to migrate because of terror and therefore cannot access their assets shall be compensated.

16. Within this framework, the losses incurred from deaths, injuries and disablement, losses of movables and immovables, damages related to agriculture and stockbreeding and the losses of citizens not being able to reach their assets after being forced to migrate have been compensated. Loss Determination Commissions were established in provinces under the chairmanship of deputy governors in order to compensate for the losses in accordance with this Law. Currently there are 35 commissions in service throughout the country. And 53 commissions have completed their work. In total, 395,249 applications were made to loss determination commissions from the date of entry of the Law in 2004 until October 2016. Compensations were paid for 203,269 applications, with a total amount of 3,601,660,572 TL (Approximately 1,16 billion USD).

After the enactment of this law, the ECtHR, in its decision *İçler v Turkey* (12 January 2006) has ruled that this new law forms an effective domestic remedy and the applications

regarding evacuation of villages are inadmissible. This ruling also referred the applicants to the commissions set up to determine the losses.

**Reforms and measures concerning the learning of and broadcasting in languages and dialects other than Turkish:**

17. In 2009 state-run TRT established a new channel 'TRT-6' which broadcast in the Kurmanji and Sorani dialects of the Kurdish language and in the Zaza language 24 hours a day. From 2015, the channel is called TRT-Kurdi.

18. The "Institute of Living Languages in Turkey" was set up to carry out academic research on various languages and dialects spoken by our citizens in their daily lives (Official Gazette: 03/07/2011, 27983).

19. Furthermore, "Zazaki Language and Literature", "Kurmanji Language and Literature" and "Arabic Language and Literature" departments were opened up in December 2011 within Tunceli University upon the approval from the Council of Higher Education.

20. Furthermore, the Sub-Commission on Examination of Human Rights Violations committed during Terrorist and Violent Incidents" was established on 13th October 2011 under the Human Rights Commission in TGNA with a view to identifying problems faced during the fight against terrorism particularly during a state of emergency and state of martial law.

21. The "Law Amending Primary Education and Training Law and Some Laws paved the way for choosing "Living Languages and Dialects" elective courses which allow languages other than Turkish to be taught at primary and secondary level schools. Starting from 2012-2013 education year, elective courses are offered and course materials has been prepared (Law No: 6287 dated 30/3/2012, Official Gazette: 11/4/2012, 28261). For the 2015-2016 education year, approximately 90 thousand students have chosen Living Languages and Dialects" electives in the following languages: Kurmanji, Zazaki, Adige, Abkhaz, Laz and Georgian.

22. Kurdish Language and Literature Departments: The "Kurdish Language and Literature Department" was opened up within Dicle University in Diyarbakır in June 2012 upon the approval of the Council of Higher Education.

23. Employment of "Mele" (Local Clergymen) by the State party: People, who are known as "Mele" (local clergymen) and considered to be "religious leaders" in their regions, are employed as "religious personnel" (Based on the provision added into Provisional Article 16 of the Law No: 633 dated 22/6/1965 with Article 13 of the Decree Law No: 653).

24. TRT started broadcasting a Kurdish news site in 2012 called 'TRT XEBER'/'TRT NUCE', which can be accessible through the address 'www.trtnuce.com'.

25. Enabling the accused to have defence in the language in which they can better express themselves: An amendment has been made to the existing legislation granting a defendant the right to defend him/herself "in a language that s/he has stated to express himself/herself in a better manner" (Amendment made to the law dated 24/1/2012, numbered 6411 and to the Turkish Penal Code numbered 5271, Article 202, Official Gazette: 31/1/2013, 28545).

26. Establishment of the Living Languages Institute under the Rectorship of Siirt University (The decision of the Ministers Board dated 6/6/2013, Official Gazette: 25/6/2013, 28688).

27. Anatolia Agency (AA), which is the official news agency of the State party has started broadcasting in Kurmanji and Sorani dialects as of September 2013.

28. Changing the Name of Aydınlar District as “Tillo”: The name of the district of Siirt province which was changed as “Aydınlar” within the scope of the change of the names of the settlements in 1964 has been restored as the former name “Tillo” through a legal arrangement after 49 years. This change on the names of settlements, which is one of the most important pillars of the bridge to our cultural heritage, constitutes a good example to indicate that people can give names to the places they live in within the framework of their culture and language (Official Gazette:7/11/2013, 28814).

29. Establishment of Kurdology Library: A rich Kurdology Library was established within the Institute of Living Languages of Mardin Artuklu University by compiling manuscript collection and archives that are within or outside the country (19/02/2014).

30. Significant arrangements are brought in the following areas within the scope of “The Law Amending Certain Laws to Promote Rights and Freedoms” numbered 6529 wherein the majority of legal steps included in the 4th Democratization Package announced on 30 September 2013 are realized:

- It is ensured that any kind of propaganda to be carried out by the political parties and candidates can be made in different languages and dialects as well as in Turkish. With this amendment, political parties and candidates are enabled to make propaganda in languages and dialects other than Turkish.
- Private schools can be opened to provide education and training in different languages and dialects that are traditionally used by the citizens in their daily lives.
- The crime of discrimination is reformulated to cover hate crimes as well and the amount of penalty foreseen in the article is increased.
- The provision leading ex officio altering of village names is abolished, thereby paving the way for restoring the former names of villages. Therefore restoration of Kurdish village names is rendered possible.
- Article 222 of Turkish Penal Code No. 5237 is abolished and the criminal sanctions imposed on the use of letters ‘X’, ‘Q’ and ‘W’ which are not Turkish has been rendered invalid. (Law dated 02/03/2014 and numbered 6529, Official Gazette: 13/03/2014, 28940).

31. The Turkish-Kurdish section of the bilingual dictionary published by the Turkish Language Association includes more than 12 thousand entries while the Kurdish-Turkish section includes more than 13 thousand entries (22/05/2014). Feqiye Teyran Divan has been published in Turkish and Kurdish by the Ministry of Culture and Tourism (30/08/2014).

## Annex II

### Measures taken for persons under temporary protection in Turkey

1. Turkey is home to more than 2,7 million Syrians (2,744,475 as of 23 November 2016). 256,812 Syrians and 5,917 Iraqis are provided with food, non-food items, health and education services as well as psychological support, vocational training and social activities in 24 temporary protection centers. 2,487,663 Syrians living outside these centers are also under our protection and benefit from free medical services. Further information on the existing legal framework and steps taken for foreigners in Turkey, among which those under temporary protection form the overwhelming majority, is herewith provided:

### Legal Framework of Temporary Protection

2. Foreigners within the scope of the By-Law on the Temporary Protection, which entered into force on 22 October 2014, are issued with "Temporary Protection Identity Card". This identity card:

- Enables the foreigner to legally stay in Turkey,
- Requires no fee or payment,
- Includes the foreigner identification number.

Foreigners, with the foreign identification number issued under Law on Population Services (dated 25.04.2006) can carry out their social and legal transactions.

3. The above-mentioned By-Law regulates in detail the services provided to foreigners, related particularly to health, education, access to the labour market, social benefits, interpreting etc.

4. The best interests of the child are taken into account and priority is given to those with special needs, particularly to unaccompanied minors under this By-Law; all kinds of assistance and support are provided within the available means and free of charge particularly in health services, psychosocial support and rehabilitation.

5. Necessary measures are being taken for foreigners, who are within the scope of the By-Law and are suspected to be victims of trafficking in human beings, in accordance with the relevant legislation.

6. Foreigners under this By-Law are required to notify their addresses. They have the right to benefit from basic services and other social services provided that they live in their places of residence.

7. Foreigners, who have temporary protection identification card, can apply to the Ministry of Labour and Social Security to get work permits in the sectors, branches and geographic areas to be determined by the Council of Ministers.

8. Foreigners, who have been issued with foreigner identification card under this By-Law, are entitled to sign subscription contracts for services including electronic communication.

9. Their personal data are collected by the General Directorate and governorates, in line with the procedures and principles set by the General Directorate of Migration Administration conforming to the relevant legislation and international agreements, to which Turkey is a party.

**Measures to implement more effectively the Law on Foreigners and International Protection:**

- A by-law has been prepared for the implementation of the Law.
- By-Law on Temporary Protection, By-Law on Admission, Shelter and Removal centers, By-Law on Foreign Students Studying in Turkey have entered into force.
- The “Circular on the Provision of Services to the Foreigners under Temporary Protection” dated 18.12.2014 and numbered 2014/4 was put into effect. The Circular includes articles concerning "Health Services", "Education Services", “Services related to Work”, “Social Assistance”, “Interpreting Services”, “Information Planning and Resources Management”, “Financial Provisions”, “Reporting and Monitoring”, “Coordination on the Service Areas”.
- Circulars have been prepared and sent to all provinces to implement effectively the Law in the procedures of deportation and the management of international protection process.
- Trainings related to the implementation of the Law have been organized for the personnel of the General Directorate and provincial organizations as well as the public institutions and organizations.
- Workshops have been held to explain the implementation of the Law and the work of the newly established General Directorate to judicial bodies and other public institutions and organizations
- The principles related to the services such as establishment of temporary protection centres, standards of containers, tents and other equipment in temporary protection centres, management of temporary protection centres, staff to be assigned in temporary protection centres, security of temporary protection centres and services in temporary protection centres such as healthcare, education, sports, translation, cleaning, environmental health, logistics, storage and issue, religion, information systems and communication, accounting and purchasing, fire brigade, private security, psychosocial and editorial services are regulated by the “Directive on the Establishment, Management and Operation of Temporary Protection Centres” dated 04/11/2015 and numbered 23796.

**Moreover,**

- Community centers are planned to be established in order to serve Syrians under Temporary Protection in Turkey and to support their integration with Turkish society.
- ‘MUYU’, a cartoon character, with whom children can identify themselves, has been designed. This character is intended to facilitate the integration of Syrian children into Turkey and Turkish society.
- During the review of the primary, secondary, and high school curricula of the Ministry of National Education, it has been decided to include issues such as "Migration, Immigration, Refugee, Foreigner, Compliance, etc." in the curricula to reflect the current conditions.

**Measures to ensure registration of Syrians under temporary protection:**

10. Issues related to identification and registration procedures of Syrians coming to Turkey since April 2011 have been undertaken by relevant Turkish authorities in detail. In this respect, particular attention has been paid to encouragement of registration, access of

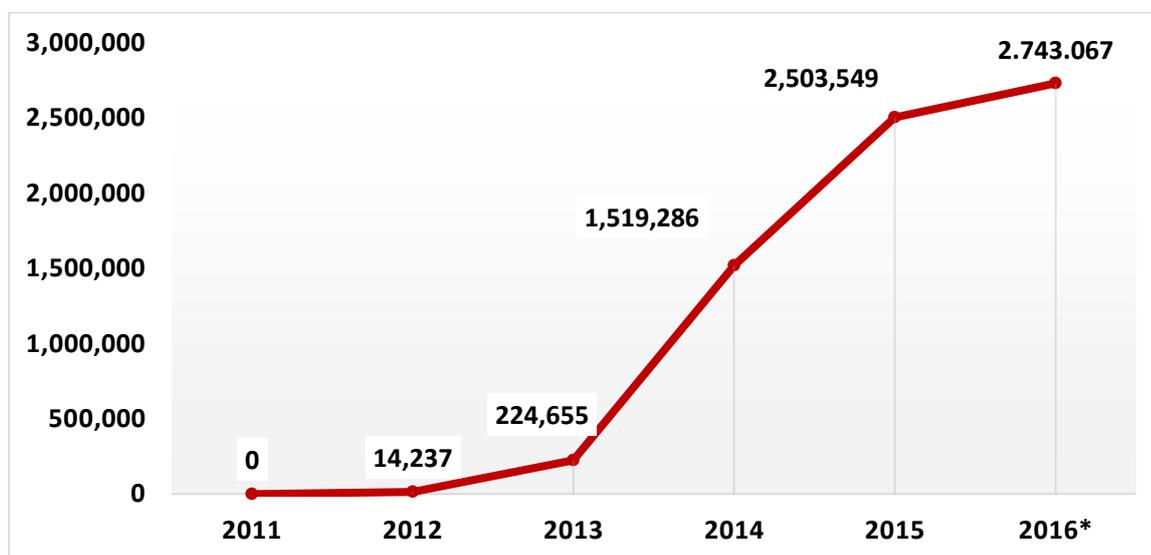
those registered to certain services in the provinces of residence, requests for change of residence and procedures for those who want to voluntarily leave Turkey.

11. In order to complete the registration procedures, high-level informational meetings were held with the provincial governorates, particularly in provinces where large number of Syrians reside. More than 600 thousand "information sheets" have been distributed by the provincial governorates in order to encourage Syrians under temporary protection for registration procedures and to inform them about their rights and obligations.

12. As a result of such efforts, number of registered Syrians, which was **478,479** until **29.04.2014**, reached **2 million 774 thousand** as of **November 2016**.

13. Projects such as "Support for Turkey in Providing Assistance to Syrians under Temporary Protection", "Registration of Syrians Living outside of Camps" and "Individual Measure on Mitigating the Impact of Syrian Refugee Crisis in Turkey" are in progress.

**Number of Syrians under temporary protection per year\***



\*As of 06.10.2016

**Specific measures for Iraqi nationals that seek international protection**

14. Thousands of Iraqis have been displaced as a result of the attacks perpetrated against Mosul and on Shingal by terrorist organization DAESH in 2014, whereas, a high number of Iraqis had to migrate further to the north of Iraq.

15. Moreover, thousands of Iraqis (approximately 54 thousand) have sought refuge in Turkey from Northern Iraq as the crowded population concentrated in this region had restricted access to basic needs and that region was also under threat of attack. Majority of these foreigners entered Turkey from Habur border gate with their passports and thousands of others entered without passports in an irregular way from Uludere region.

16. Since it was not possible to accept them on an individual basis by evaluating their international protection status, the Ministry of Interior, with the Circular No. 2014/23 and dated 21 August 2014, issued "**Foreigner Identification Cards**" to the Iraqis under this categories, granted them permission to stay in Turkey and suspended their international protection applications.

17. As the mass influx to Turkey has started to decline, the Ministry of Interior published another Circular (No. 2015/1), dated 12 February 2015 on “**Procedures for Iraqi Nationals**” and thus the Circular numbered 2014/23 has been repealed.

18. The latter Circular (No. 2015/1) stipulates that three different procedures can be applied to those seeking refuge from Iraq to Turkey:

1. Providing the necessary facilities to those who want to return voluntarily to their home country,

2. Issuing “humanitarian residence permits”, as regulated by Law on Foreigners and International Protection to those who cannot return to their home countries,

3. Accepting applications of those who ask international protection (conditional refugees) as regulated in Law on Foreigners and International Protection.

19. Since Iraqi nationals, whose individual international protection applications have been suspended from May 2014 until February 2015, chose to apply for international protection within the scope of the new Circular within a short period of time, a sudden increase has been observed in the statistics of Iraqi nationals, who applied for international protection in Turkey from February 2015/June 2015.

#### **Access to health care services**

20. Turkish social security scheme has been reformed with the Law on Social Insurance and Universal Health Insurance in 2008. According to article 60 of the Law, irrespective of their nationality, workers, self-employed persons and civil servants are insured under the coverage of Universal Health Insurance. In additions to these groups;

- Foreigners who are resident in Turkey for at least 1 year,
- Refugees and stateless persons

are also deemed to be universal health insurance holders.

21. The term “refugees” has been amended by Law on Foreigners and International Protection as follows: “Persons who applied for international protection and who are under the international protection”. By this amendment, **applicants** (a person who made an international protection claim and a final decision regarding whose application is pending), **conditional refugees, refugees, those who have temporary protection status** and **others who applied for international protection** in Turkey have been covered by Universal Health Insurance.

22. Social Security Institution of Turkey determines amount of the health insurance contributions according to income criteria. In case the income is below the minimum level settled by the State party the person does not pay health insurance contributions. Persons under temporary protection, applicants, refugees, conditional refugees, persons who are under temporary protection and stateless persons do not pay any health insurance contributions. Health insurance contributions for all these groups shall be paid by the State party. They benefit all kinds of medical care provided under universal health insurance under the same conditions with others and free of charge.

23. As far as undocumented migrants and members of their families are concerned, they are not covered by universal health insurance scheme. However they have the right to access to medical care free of charge in case of emergency situations.

24. With respect to foreigners under temporary protection, the mandate to coordinate all activities in the field of health has been assigned to the Ministry of Health. In this context, rules and procedures are regulated with the “Circular on the Implementation of Health Services of Foreigners under Temporary Protection” dated 12.10.2015. Moreover, "Migrant

Health Services Coordination Unit", established within the Department of Disaster and Emergency Management, General Directorate of Emergency Medical Services carries out coordination of activities related to health.

### **The right to work**

25. The Ministry of Labour and Social Security of Turkey is the competent authority for processing the work permit applications, granting, extending, restricting or cancelling the work permits.

26. The rules and principles stipulated in the Law on Work Permits of Foreigners are applicable to the foreigners working dependently or independently in Turkey. The term "foreigner" in general refers to a person who is not a Turkish citizen under the Turkish Citizenship Law.

27. Certain professions are reserved only for Turkish citizens. Different legal instruments in Turkey, prohibits foreigners to work either dependently or independently in certain professions and occupations. Foreigners are *not allowed* to work; (i) as attorney (ii) as notary public (iii) as security guard at private or public institutions (iv) as customs broker and assistant customs broker (v) as dentist, midwife and nurse (vi) as pharmacist (vii) as veterinarian (viii) as director in private hospitals (ix) within Turkish continental waters the right to catch or obtain fish, oysters, mussels, sponges, pearls, etc. shall belong exclusively to Turkish nationals.

28. After taking several economic and demographic factors in the Turkish labour market into account, the Ministry of Labour and Social Security may issue work permit for a definite period of time to the applicants. Work Permit with definite period of time provides the holders with the right to work in an appointed profession, in a definite geographical zone, to an appointed employer within the specific time frame. By law, the work permits with definite period of time is valid at most one year. At the end of one year term, the work permit may be extended up to two years to work in the same job for the same employer. At the end of two years extension, the work permit may be extended at most three more years to work in the same job for the same employer.

29. A foreigner may be eligible for work permit for indefinite period of time, if meets one of the following criteria;

- Foreigner should be residing in Turkey legally and interruptedly for 8 years (with valid residence permit)
- Foreigner should have a total legal working period of 6 years in Turkey (with valid work permit).

30. The work permit with indefinite period of time is granted without taking the status of the business market into consideration. Moreover it is not restricted for a certain operation, profession, civil or geographical area.

31. A foreigner who shall work independently on his/her own behalf and account may be granted with independent work permit if the person has legally and uninterruptedly resided in Turkey for at least five years.

### *Positive discrimination (Minimum Wage Criteria)*

32. According to competence and the position level, Turkish legislation sets a minimum amount of salary to be paid to the foreign personnel. In this regard,

- 6.5 times the minimum wage amount for senior executives and pilots as well as engineers and architects requesting preliminary permit.

- 4 times the minimum wage amount for unit or branch manager as well as engineers and architects.
- 3 times the minimum wage amount for foreigners to be employed for the jobs requiring expertise and proficiency as well as teachers.
- 2 times the minimum wage amount for foreigners to be employed tourism-animation organization firms as an acrobat or in similar position as well as masseur, masseuse and SPA therapist.
- 1.5 times the minimum wage amount for foreigners to be employed in other occupations.
- Minimum wage amount for foreigners to be employed in home service sector.

*Rules for applicants (a person who made an international protection claim and a final decision regarding whose application is pending), conditional refugees, refugees, those who have temporary protection status, those who are under temporary protection:*

(a) **An applicant or a conditional refugee** may apply for a work permit after six months following the lodging date of an international protection claim.

(b) **The refugee or the temporary protection beneficiary**, upon being granted the status, may work independently or be employed, without prejudice to the provisions stipulated in other legislation restricting foreigners to engage in certain jobs and professions. The identity document to be issued to a refugee or a temporary protection beneficiary shall also substitute for a work permit and this information shall be written on the document.

33. Access of the refugee and the temporary protection beneficiary to the labour market may be restricted for a given period, where the situation of the labour market and developments in the working life as well as sectorial and economic conditions regarding employment necessitate, in agriculture, industry or service sectors or a certain profession, line of business or administrative and geographical areas. However, such restrictions shall not apply to refugees and temporary protection beneficiaries who have been residing in Turkey for three years; are married to Turkish citizens; or, have children with Turkish citizenship.

*Issuance of work permits to refugees within the framework of the Special Transitional Programme established by the State Party with appropriate conditions*

34. **Holders of a refugee or temporary protection status** can work in Turkey, as employees or as self-employed after obtaining this status. **The applicants or conditional refugees**, in order to work in Turkey, must apply for a work permit six months after the date of registration for international protection.

35. For the foreigners under temporary protection, the Council of Ministers has approved the By-Law on Work Permits of Foreigners under Temporary Protection on 01.11.2016. The By-Law (numbered **2016/8375**) duly entered into force on 15.01.2016, with its publication in the Official Gazette.

36. Foreigners granted with temporary protection under this By-Law can apply for a work permit six months after the date of registration for temporary protection. Applications for work permit are submitted by employers who will employ these foreigners under temporary protection.

37. Foreigners under temporary protection, who are entitled to self-employment may apply on their own behalf. Foreigners under temporary protection, who wish to work in

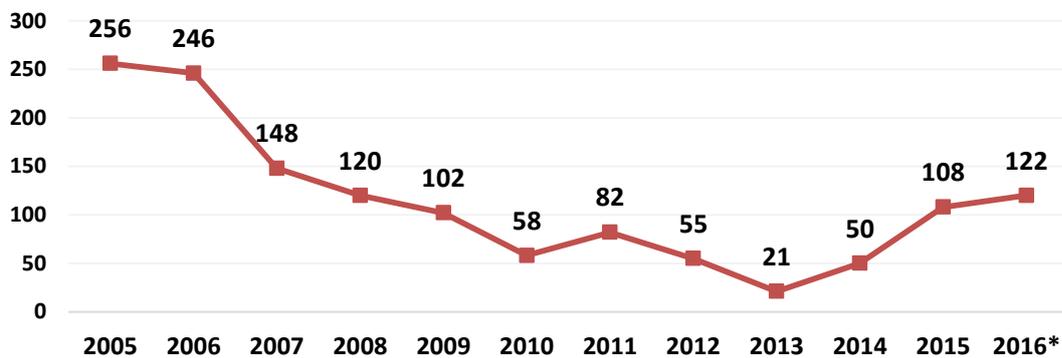
seasonal jobs in agriculture and livestock, are exempted from work permit requirement. As of September 2016, 6,214 Syrians were granted work permits.

38. It is considered that with the entry into force of the By-Law on Work Permits of Foreigners under Temporary Protection, the recommendation of Committee on the Elimination of Racial Discrimination has duly been satisfied.

**Prevention of trafficking in human beings**

39. Law enforcement units and judicial authorities are carrying out the necessary efforts related to the suspected cases and reports on trafficking in human beings.

**Number of Victims of Trafficking in Human Beings Per Year\***



\*As of 06.10.2016.

40. Pursuant to the entry into force of Law on Foreigners and International Protection, the coordination responsibility of “The National Task Force on Combating Trafficking in Human Beings”, which was established in 2002 and meets regularly with the participation of relevant institutions, has been given to the Directorate General of Migration Management. The National Task Force is a structure where relevant institutions responsible for the prevention of trafficking in human beings come together and create a strategy.

41. Within the context of efforts to combat trafficking in human beings and protection of victims, particular attention is paid to the protection of women, children and the vulnerable groups. In this respect, Provincial Directorates of Migration and law enforcement authorities are notified of suspected cases of trafficking in human beings both inside and outside of the temporary protection centers. Persons suspected of having been exposed to trafficking in human beings are identified pursuant to interviews by specialists. All cases that may be associated with trafficking in human beings are carefully examined individually by the Directorate General of Migration Management as well as the provincial authorities.

42. Furthermore, in respect of persons sent to Removal Centers by law enforcement officials due to offenses that may be associated with trafficking in human beings, assessments continue for identification of victims of trafficking in human beings. Identified victims are provided with assistance in order to mitigate the effects of their experiences and to reintegrate into the society.

43. Besides, within the context of the fight against trafficking in human beings, the allegations set forth in the mass media as well as those reported by NGOs are investigated

meticulously by the Directorate General of Migration Management. A board of inspectors has been tasked with the approval of the Minister of Interior in 2014 to investigate the allegations in areas where Syrians and Iraqis with temporary protection status are largely concentrated.

44. Moreover, the Law on Foreigners and International Protection has specific provisions for *issuance of residence permits for the victims of human trafficking*. Accordingly, a residence permit valid for thirty days shall be granted to foreigners who are victims of human trafficking or where there is strong circumstantial evidence that they might be victims with a view to allow them to break from the impact of their [negative] experience and reflect on whether to cooperate with the competent authorities. Conditions attached to other types of residence permits are not sought while issuing these residence permits (Article 48). The residence permit granted to the victims of human trafficking in order to allow for their recovery and reflection may be renewed for six months periods (with a total duration of three years) for reasons of safety, health or special circumstances of the victim (Article 49). Thus, the Law regulates the extension, cancellation of the residence permits; ensures that victims are not deported and their residence permits are exempted from any fees.

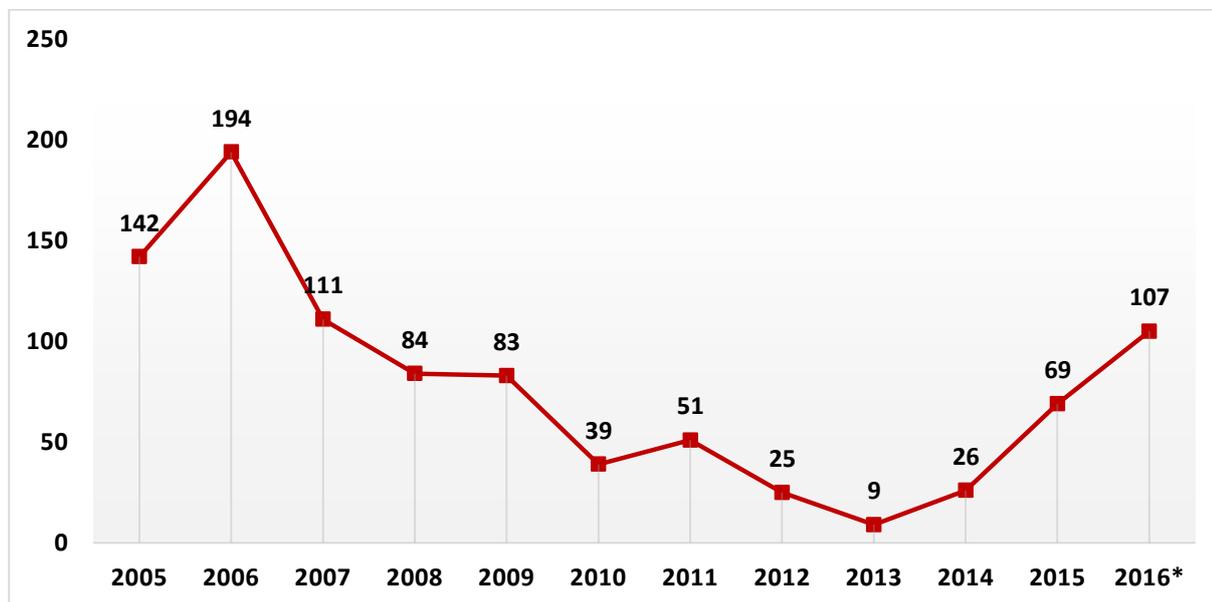
45. In addition, *Department for Protection for the Victims of Trafficking in Human Beings* has been established with Article 108 of Law on Foreigners and International Protection within the Directorate General of Migration Management. The Department is tasked with carrying out the procedures in the field of combating trafficking in human beings and protection of victims; implementing projects in this field and establishing help lines.

46. Furthermore, "*By-Law on Combating Trafficking in human beings and the Protection of Victims*" was drafted in line with the EU directives and international conventions and protocols to which Turkey is a party, in order to enhance the applicability of Law on Foreigners and International Protection, to ensure cooperation and coordination between responsible institutions in the field of trafficking in human beings and to raise awareness about trafficking in human beings. Issues such as identification of victims of trafficking in human beings, health, education, benefitting from legal services and access to labour market are regulated with the By-Law. In addition, with a view to enabling the victims of trafficking in human beings to benefit from support services, the By-Law denotes that provisions related to victims of trafficking in human beings shall also be applied as regards those suspected to be or likely to be victims among the persons that applied for international protection or holders of this status as well as the persons under temporary protection and other foreigners. In the same line, Article 48 of the By-Law on Temporary Protection stipulates that the relevant regulation will be applied to those who are within the scope of the regulation and the victims of trafficking in human beings.

47. In addition to legal instruments, efforts will be exerted to inform the public and raise awareness both within and outside the temporary protection centers by particularly taking into account the vulnerable conditions of Syrian citizens under temporary protection in Turkey.

48. Currently, there are four shelters functioning exclusively for the victims of human trafficking (1 established by the Directorate General of Migration Management and 3 supported by the NGOs). Furthermore, women victims of human trafficking can also benefit from other services which are offered within the context of combating violence against women as well as the non-specialized shelters.

Number of Persons staying in the Shelters for the victims of Thb\*



\*As of 06.10.2016

#### Efforts for eliminating and responding to gender-based violence for the Syrians

49. Due to its critical position in the region, Turkey makes efforts regarding the issue in order to ensure, most particularly, the security of women who have fled from the conflicts taking place in the region. Efforts are also made in order to prevent the Syrian women refugees in Turkey from being subjected to violence again.

50. In this respect, **“Humanitarian Aid Programme for Eliminating and Responding to Gender-Based Violence”** for the Syrian refugees has been conducted by the Ministry of Family and Social Policies in cooperation with the United Nations Population Fund. Some of the priorities and goals of the said Programme are as follows:

- The support provided by the current national services for addressing the needs of the increasing Syrian population in Turkey;
- Further development of the camp executives’ and service providers’ qualifications with respect to psychological/social needs of the Syrians in Turkey;
- Motivation of the Syrians on gender-based violence, and raising awareness on this issue;
- Prevention of violence against women and children.

51. Within the scope of the Programme, three-staged “Aid for Aiders” trainings have been organized. In this regard, meetings on a regular basis have been made with the Syrian women. A basic informative brochure regarding violence against women, marriage age, civil marriage, and women rights has also been prepared and distributed in the provinces where camps are located. 500.000 brochures in Arabic have been printed. The brochure clearly reads that;

- The age of civil marriage is 18,
- Civil marriage is compulsory;
- Marital rape, violence against women, and domestic violence are crimes;
- The application mechanisms for people who are subjected to violence or witnesses of such an incident.

52. Moreover, the Working Group on Gender-Based Violence, which was founded in Turkey with regard to the conclusions of the “Regional Inter-Agency Gender-Based Violence Workshop” organized by the UN in Amman, convenes once a month with the participation of the representatives of the Prime Ministry Disaster and Emergency Management Authority, Ministry of Family and Social Policies, Ministry of Interior, UNICEF, UNFPA, UNHCR, and International Organization for Migration, and assesses the latest developments with respect to the Syrian population and the camps. Thus, coordination between different units that provide psychological/social support for the Syrian population is ensured, and up-to-date information is shared.

53. The training Programmes will continue in the upcoming period, and preparation works of a guidebook for trainers are in progress, in cooperation with the UNFPA.

54. The Special Representative of the United Nations Secretary-General on Sexual Violence in Conflict, Zainab Bangura also paid a visit to Turkey in April 2015 and met directly with Syrian women in the camps. Bangura expressed satisfaction with the measures taken by the Turkish authorities.

55. In order to improve the living conditions of women and girls living in Temporary Accommodation Centers, “Working Group on Gender and Sexuality” convenes every month with the participation of representatives from the Disaster and Emergency Management Authority (AFAD), relevant State party agencies, NGOs as well the UN organizations.

#### **Measures to improve the conditions in Removal Centers**

56. Whereas the overall physical conditions of removal centers in Turkey are considered to be satisfactory, capacity increasing work is in progress. With the completion of the removal centers under construction, the capacity will increase significantly. As of **November 2016**, the total capacity of removal centers is 6810 people.

#### **Education Services and Training Activities Carried out for People under Temporary Protection in Turkey**

57. The children of refugees and asylum-seekers are entitled to same rights as children of Turkish citizens with regard to compulsory primary education. Article 2 of the Law on Primary Education, (No: 222), states that “*compulsory primary education covers children between the ages of 6-14. The education of all children between ages 6-14, regardless of their status, is compulsory.*”

58. As from April 2011, coordination of education and training needs for the Syrian nationals under temporary protection in Turkey is carried out by a commission. In this respect, the national legislation has also been updated to enhance the scope and capacity of the activities for the Syrian nationals. Within this framework, the Ministry of National Education issued the Circular 2014/21 on “Education and Training Services for the Foreigners” dated 23 October 2014. In addition, the obstacles for the Syrians to benefit from public educational activities have been eliminated through the revision of the By-Law on non-formal education institutions that are linked to the Ministry.

59. There are approximately 914 thousand Syrians (5-18 age) at school age, about 509 thousand of whom have been included in education. As of November 2016, there are 183 thousand Syrian children attending the public schools, in addition to 325 thousand students at the temporary protection centers and classrooms specially devised for Syrians in the cities.

60. The Ministry of National Education launches comprehensive efforts, in cooperation with all relevant stakeholders, in order to provide for educational needs of children under temporary protection in Turkey.

61. The Ministry carries out its activities through two main approaches for those under temporary protection in Turkey. First one is to ensure that the foreign nationals living all over Turkey have access to the services by getting involved in the current education system together with Turkish nationals. Within this framework, there is no obstacle for the students to continue their education with their Turkish peers from pre-school education to the 12<sup>th</sup> grade. In this respect, public and private schools continue to enrol the Syrian children alike.

62. As for the second approach, educational activities are carried out in the language of Syrians and with the support of their own teachers through a specially designed Programme in the cities where Syrians live intensely as well as the 24 temporary protection centres (camps) established for them. Within the scope of the Circular numbered 2014/21, temporary education centres are opened in temporary protection centres as well as in the regions where the Syrian and Iraqi intensely live.

63. Temporary education centres are composed of ferro-concrete, steel-constructed, prefabricated, containers or tents. The Disaster and Emergency Management Authority of the Prime Ministry has built more than 70 school buildings, about 150 school buildings of public and private schools have been allocated part-time for Syrians. Moreover, about 60 detached buildings have been turned into temporary education centres with the support of municipalities or non-governmental organizations.

Those Syrian students who attend public schools continue their education with Turkish curriculum. For the students in temporary education centres, a curriculum in their own language has been specially devised by the Board of Education and Discipline. In this respect, Turkish language courses have also been added into Arabic curriculum (five-hours per week) so that the students are able to learn Turkish.

64. Approximately 1,000 Turkish and 12,600 volunteer Syrian teachers serve in temporary education centres. Volunteer Syrian teachers are supported within the framework of the project carried out with UNICEF-as well as by non-governmental organizations-

65. Moreover, in cooperation with UNICEF, the Data Operating System for Foreign Students (YÖBİS) has been established in order to regularly undertake the enrolment, attendance, grade entry and certification procedures for the Syrian students under temporary protection.

66. In June 2015, the Ministry of National Education held the “Proficiency and Equivalence Exam for Foreign Students” with a view to certificate their education provided in Turkey. Around 8,500 candidates were accepted into the exam and successful students’ degrees have been approved by the Ministry. The successful graduates have been enrolled into various universities in Turkey.

67. As regards higher education, opportunities continue to be provided to the Syrian students who complete their secondary education in Turkey. Within this framework, the Higher Education Council and Presidency for Turks Abroad and Related Communities under the Prime Ministry enrol Syrian students into Turkish universities. The State party pay tuition fees of all of Syrian students who receive an acceptance from the universities. In addition, the Presidency for Turks Abroad and Related Communities provides full

scholarship to around 1.000 students including accommodation, nutrition, transportation and allowance. Although higher education opportunities that are at the disposal of Syrians in Turkey are unmatched by any other country in the world, the needs of Syrian nationals remain to be fully met. Further finance is required for the universities that received authorisation to start special Programmes for Syrians.

68. On the other hand, with a view to directing those Syrian children who have been kept away from education for a long time alternative education models are also being devised. The activities to be carried out in order to bring the Syrian children back into formal education are given below:

- To enhance the capacity of the central and provincial offices of the Ministry of National Education and to perform support works for school principals and teachers,
- Inform the Syrian families on opportunities of access to education and raise their awareness,
- Direct financial assistance to the families of the Syrian children in need with the condition of continuing their education,
- To build new school buildings
- To prepare and deliver education and training material and stationary supplies for all students that receive formal education,
- To launch education programmes, including Turkish language courses, with a view to facilitate adaptation to formal education,
- To complete maintenance and repair works,
- Monitoring, reporting and certification works.

69. Primary expenditure fields and their approximate costs per student have been calculated in order to systematically carry out the cost analysis of the education and training activities and the Ministry of National Education has prepared action plans for the Syrian children in formal education accordingly.

70. The Ministry of National Education continues formal as well as non-formal education activities for the Syrians. The Ministry provides courses for young and adult Syrians on a wide spectrum of fields, including vocational and hobby courses as well as Turkish language courses for foreigners through life-long education centres. Tens of thousands of the Syrians have participated in these courses and completed their education in the camps and public education centres up to now. Between January and October 2016 *per se*, 76,512 Syrians have participated in the courses. There are currently approximately 300 active courses for adults and 18,615 people are enrolled in vocational courses, whereas 97,563 benefit from general trainings.

71. The State party also exerts efforts for the Syrian nationals to gain vocational skills in cooperation with the relevant stakeholders especially in the scope of non-formal education and in the areas to be determined with project-based works. Non-formal education activities and vocational education are also seen as the most efficient tool to support young Syrians who are about to exceed school age and could not continue their education for a long time.

72. Furthermore, with a view to develop better strategies for teaching Turkish language to Syrians who may live in Turkey for a long time, the Ministry of National Education aims to launch a "Campaign for Teaching Turkish Language". The Ministry has defined the shortcomings in this area and decided to devise several measures within the framework of a project.

73. The Ministry of National Education will continue to work in cooperation with the UN Agencies, international and national non-governmental organizations, stakeholder public institutions, municipalities and other related stakeholders, and carry out the projects which are good examples for the international community. The Ministry also continues to improve the administrative capacity of central and provincial structures by increasing the number of staff to be assigned for the management of the operations.

74. The State party also attaches importance to maintain cooperation and consultations with relevant institutions, non-governmental organizations, universities as well as the Syrian teachers, school managers, students, local officials and international stakeholders, including UNICEF. With a view to contributing to future planning of activities by determining the needs of the Syrian students, a workshop was held with the Representation of UNICEF in Turkey on 8-11 December 2015 in Gaziantep. In the workshop, focus groups were formed for the needs of children, families and teachers which held direct meetings by visiting the camps, temporary education centres and schools.

75. The Ministry of National Education and the Representative of UNICEF in Turkey continue their consultations for the future efforts. Education and social needs of the Syrian children and psychosocial support Programmes for them have been determined as priority areas.

76. In cooperation with UNICEF, the Ministry of National Education arranged several training Programmes in order to support the Syrian teachers in temporary education centres established in accommodation centres as well as cities where a considerable number of Syrians under temporary protection reside. In line with demands and needs of the Syrian teachers participating in the trainings new education modules have been developed in question. Syrian teachers have been given trainings on issues such as “minimum standards of training in emergency”, “providing psychosocial support for the children affected from war in school environment”, “classroom management in crowded classrooms”, “preparation of basic teaching plan”, “reflective teacher model”, “basic principles and processes of developing Programme”, “skills to overcome trauma”.

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