



# General Assembly

Distr.: General  
17 June 2010

Original: English

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**Human Rights Council**  
**Fifteenth session**  
Agenda item 6  
**Universal Periodic Review**

## **Report of the Working Group on the Universal Periodic Review\***

### **Turkey**

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\* Previously issued under document symbol A/HRC/WG.6/8/L.12. The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its eighth session from 3 to 14 May 2010. The review of Turkey was held at the 12th meeting, on 10 May 2010. The delegation of Turkey was headed by Mr. Cemil Çiçek, Deputy Prime Minister and Minister of State. At its 16th meeting, held on 12 May 2010, the Working Group adopted the report on Turkey.
2. On 7 September 2009, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Turkey: Angola, Cuba and Saudi Arabia.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Turkey:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/8/TUR/1 and A/HRC/WG.6/8/TUR/1/Corr.1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/8/TUR/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/8/TUR/3).
4. A list of questions prepared in advance by the Czech Republic, Cyprus, Denmark, Germany, Greece, Ireland, Liechtenstein, the Netherlands, Norway, Slovenia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Turkey through the troika. Those questions are available on the extranet of the universal periodic review.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. In the introductory statement, the head of the Turkish delegation noted the benefit of the present review for Turkey and thanked all stakeholders who had contributed to the process and those countries that had submitted written advance questions. In the preparation of the national report, civil society consultation had been given priority. Inputs received at a consultation meeting in December 2009 and through an appeal on the webpage of the Ministry of Foreign Affairs had been decisive in determining the report's priorities. It was intended that that cooperation would continue. New developments had occurred since the submission of the report owing to the dynamic human rights reform agenda in Turkey.
6. Turkey considers the protection and promotion of human rights as a political priority. An extensive reform process, which included two constitutional amendments (2001, 2004), nine reform packages and new Civil and Penal Codes, was undertaken while struggling against terrorism. The Reform Monitoring Group, composed of several ministers, played a leading role in the process.
7. Turkey has adopted universal standards in amending legislation, accelerated the ratification of international conventions and intensified the training of law enforcement personnel and other civil servants, which has resulted in a complete change in mindset. Accession negotiations with the European Union started in 2005. In 2009, Turkey applied to become an observer of the European Fundamental Rights Agency.

8. Article 90 of the amended Constitution stipulates that, in the event of conflict between the provisions of national legislation and international agreements, the latter will prevail.

9. Capital punishment, which had not been applied since 1984, was totally abolished in 2004.

10. In 1987, Turkish citizens were granted the right to individual application to the European Court of Human Rights. Its compulsory jurisdiction was recognized in 1990. Judgements are translated and distributed to relevant institutions, their impact and results are assessed, the necessary preventive measures are taken and, once they are final, compensation is paid to the relevant parties.

11. New constitutional amendments in May 2010 included positive discrimination for children, the elderly, persons with disabilities and relatives of martyrs; personal data protection; the obligation to take all measures to prevent child abuse; the establishment of an ombudsman institution; the granting of the right to individual application to the Constitutional Court; the introduction of collective bargaining rights for civil servants and public employees; and the introduction of judicial scrutiny of decisions of the Supreme Military Council and the Supreme Council of Judges and Prosecutors.

12. The judicial reform strategy and related action plan, finalized in August 2009, are aimed at enhancing the independence of the judiciary, its neutrality, productivity, efficiency and professional competency. An important element was the introduction of intermediary courts of appeal in civil and administrative justice.

13. A national human rights institution in line with the Paris Principles, which will concurrently serve as the national preventive mechanism under OPCAT, will be established. Constitutional obstacles on the Ombudsman Law have been removed. A draft law on a new law enforcement agency independent complaint mechanism is under way.

14. A draft law on a non-discrimination and equality board, based on international standards, has been prepared. The grounds of non-discrimination include, inter alia, sexual identity, disability and ethnic origin.

15. Turkey is a State party to the anti-corruption conventions of the United Nations, the Council of Europe and OECD, and actively participates in GRECO of the Council of Europe. A national anti-corruption strategy and its action plan were adopted in 2010.

16. The delegation emphasized that important steps in the protection of human rights had been taken over the past decade and, while noting the need for further legal and administrative measures, expressed its determination and its political will to pursue its efforts.

## **B. Interactive dialogue and responses by the State under review**

17. During the interactive dialogue, 54 delegations made statements. A number of delegations expressed appreciation for the comprehensive presentation of the national report and for answers to advance questions. Additional statements that could not be delivered during the interactive dialogue owing to time constraints will be posted on the extranet of the universal periodic review when available<sup>1</sup>. Recommendations made during the dialogue are found in section II of the present report.

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<sup>1</sup> Slovenia, Hungary, Nepal, New Zealand, the Republic of Korea, Finland, the United Kingdom of Great Britain and Northern Ireland, Djibouti, Kazakhstan, Poland, Oman, China, Viet Nam, Maldives,

18. Saudi Arabia noted Turkey's comprehensive human rights reform, including constitutional amendments and plans to establish a national human rights institution. It acknowledged measures to operationalize the right to education, including through the Ninth Strategic Development Plan, also aimed at increasing girls' enrolment, particularly in rural areas. It made recommendations.

19. Greece commended Government's efforts to improve the level of human rights protection and noted recently adopted constitutional amendments. Greece made recommendations.

20. Algeria mentioned the historical links it had shared for centuries with Turkey. It acknowledged civil society participation in the preparation of the national report. It emphasized progress achieved in basic education and legislative measures to improve women's conditions. It noted the persistence of high levels of maternal and infant mortality. It made recommendations.

21. Brazil commended the abolition of the death penalty and highlighted the remarkable decline in child labour. It expressed concern about persisting hostility towards ethnic and religious minorities and violence against women. Brazil asked if Turkey might revise its legislation to consider racist motives as an aggravating factor, and asked which were the punishable offenses committed through the press. Brazil made recommendations.

22. Qatar commended the legislative reform process undertaken since 2001 to enhance human rights. It noted efforts to combat inequalities and discrimination as well as Turkey's attachment to improving education, which was compulsory and free for all.

23. Cyprus noted that the European Court of Human Rights has ruled repeatedly that Turkey is liable for violations of basic ECHR articles in Cyprus. The Court underlined that Turkey is accountable, due to its continuing military presence on the island, for such violations by its armed forces or by its subordinate local administration and has thus an obligation to secure all human rights in that area. Cyprus made recommendations.

24. Azerbaijan welcomed Turkey's "zero-tolerance policy" against torture and noted the establishment of the Commission for Equal Opportunity between Women and Men. Azerbaijan supported Turkey's efforts to eliminate the scourge of terrorism and commended measures to promote and protect human rights while countering terrorism. Azerbaijan made recommendations.

25. Belarus recognized Turkey's tradition and experience in carrying out reform. It noted the Government's policy of zero tolerance aimed at rooting out torture. It commended efforts to enforce the rights of the child, achieve gender equality and eradicate the trafficking in persons. It made recommendations.

26. Indonesia noted efforts made by Turkey to align the national human rights legislation with international standards and highlighted the fact that Turkey was party to the core international instruments. It emphasized the enhancement of the national education system and the Government's commitment to eradicating both torture and the trafficking in persons. It made recommendations.

27. Tunisia noted several constitutional amendments to guarantee human rights and align domestic legislation with international standards. It welcomed efforts to promote women's rights, including Turkey's withdrawal of reservations to CEDAW, and

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Sri Lanka, Yemen, Afghanistan, Colombia, Equatorial Guinea, Malaysia, Nigeria, Portugal, Slovakia, the Syrian Arab Republic, Ghana, Burkina Faso and Albania.

highlighted the life sentence for “honour crimes” now included in the law. Tunisia made a recommendation.

28. Switzerland acknowledged that the Turkish delegation had addressed questions sent in advance. It mentioned that allegations of torture and other ill treatment remained frequent. Articles 301 and 318 of the Penal Code legitimized acts of harassment and persecution of human rights defenders. It made recommendations.

29. Lebanon underscored Turkey’s decision to issue a standing invitation to special procedures and noted Criminal Code reforms, exemplifying a strategy for improving the judicial system. Lebanon asked about measures to create an independent human rights institution and highlighted efforts to promote women’s rights and address domestic violence.

30. Italy commended efforts to reform the legal system, including the abolition of the death penalty, and encouraged continuing the zero-tolerance policy against torture and the promotion of women’s rights. Italy welcomed Turkey’s pledges and commitments regarding freedom of religion. It made a recommendation.

31. Bahrain welcomed the legal reform undertaken since 2001 to adjust national legislation to international human rights law. It noted recent steps taken to establish an independent national human rights institution. Bahrain expressed its will to benefit from Turkish experience in the area of human rights. It made a recommendation.

32. Denmark inquired how Turkey planned to prevent acts of torture and ill treatment, which remained frequent despite efforts to the contrary, and requested further information about measures taken to ensure the rights of ethnic and religious groups, in particular non-Muslim religious communities. Denmark made recommendations.

33. Kyrgyzstan acknowledged Turkey’s contribution in promoting security and safety in the region. Kyrgyzstan highlighted its robust policies to combat child labour and the attention devoted to education, the protection of children, gender equality and women’s rights. Kyrgyzstan made recommendations.

34. Somalia acknowledged the inclusive consultative process carried out during the preparation of the national report and the priority placed by the Government on human rights since 2001. It mentioned several national plans as examples and encouraged the development of the road map on asylum and migration. It recognized the Government of Turkey for having hosted the international conference on Somalia from 21 to 23 May 2010.

35. Responding to questions, Turkey noted the constitutional safeguards regarding the prohibition of discrimination, which were construed to include lesbian, gay, bisexual and transgender persons. The right to freedom of assembly for such persons was confirmed by case law of supreme courts, and all hate crimes were considered unacceptable, including those on grounds of sexual identity.

36. In order to ensure equality in practice, Turkey collaborated with representatives of, inter alia, the Alevi and the Roma, and was reviewing the curriculums in order to eliminate any discriminatory items.

37. Various dialects and languages traditionally used were taught in private courses and at newly founded university departments, and broadcasts in languages such as Kurdish and Arabic were available.

38. With the Lausanne Peace Treaty, Turkey had assumed responsibility for the protection of non-Muslim citizens as minorities. Any ethnic, racial, linguistic or other groups were not recognized as such. Minorities benefited from positive discrimination, including teaching in mother tongue in minority schools. The new Law on Foundations had

brought about important progress for foundations in acquiring property, engaging in international activities and obtaining financial aid.

39. Gender equality before the law was a constitutional principle. Honour killings were punished by aggravated life sentences, and initiatives to protect women from violence were ongoing. The Inter-ministerial Monitoring Committee on Violence against Women and the Women and Men Equal Opportunity Parliamentary Commission had been established in 2005 and 2009, respectively. Training on the issue of domestic violence and the reinforced legislative framework on gender equality were provided for law enforcement officers, health personnel, judges, prosecutors and soldiers, and would soon begin for religious leaders.

40. Polygamy and mere religious marriages and genital examinations were prohibited. Shelters for women subjected to violence were available, and more were planned.

41. A parliamentary committee had been founded in 2009 to monitor the implementation of the Convention on the Rights of the Child. In 2005, the Law on the Protection of the Child had entered into force. The Law against Terrorism would be amended to ensure that all children suspects, without distinction as to age, would be tried under the same regime in the relevant juvenile courts. A significant reduction of child labour had occurred since 1997, and the worst forms of child labour would be eliminated by 2015. ILO considered Turkey to be among the countries most effectively combating child labour.

42. A new justice system based on the protection of children had been developed. Juvenile suspects could not be interrogated or investigated without the presence of a lawyer, and the provision of legal counsel was compulsory. Judges must receive expertise in child psychology and social services, and juvenile suspect trials were closed hearings. Law enforcement officers dealing with child delinquency received special training in psychology and did not wear uniforms. The use of handcuffs was prohibited.

43. Turkey had signed the European Convention for the Protection of Children against Sexual Abuse and Exploitation. A "183" helpline was available for children and women who faced abuse. There were 38 Child and Youth Centres providing social services for children living or working in the streets.

44. Turkey was determined to ensure full accessibility for persons with disabilities to education, training, employment, property and services.

45. Freedom of religion and belief and freedom of assembly were guaranteed for all. The indication of information on religion in family registries was voluntary. Unfortunate isolated attacks against people belonging to different religions had been witnessed in the past. Turkey stated that it deplored all hate crimes and noted that the 2007 circular issued by the Ministry of Interior contained instructions for preventing such incidents and promoting a culture of coexistence and peace.

46. The Philippines noted Turkey's plans to establish a national human rights institution and commended the abolition of the death penalty and the withdrawal of CEDAW reservations. Philippines commended increased primary education enrolment for girls, Turkey's partnership with non-governmental organizations to assist victims of trafficking, and human rights education for public officials. The Philippines made recommendations.

47. Bulgaria highlighted the fact that between 1908 and 1945, hundreds of thousands of persons of Bulgarian identity from Eastern Thrace had been forced to leave their homes and had found asylum in Bulgaria. It stressed that there were pending issues regarding their right to housing, land and property, and inquired about the state of implementation of the Law on Foundations. Bulgaria made recommendations.

48. Armenia stated that while certain advances were made in Turkey with regard to ensuring human rights, it deemed important to underline several measures that would help to bring Turkey's human rights record in line with its international obligations. It stated that persistence of violence against women and children was disconcerting and welcomed the adoption of the National Action Plan on Combating Human Trafficking. Armenia also welcomed changes occurred in the Turkish society toward enquiring into the past. Armenia made recommendations.

49. Palestine, referring to, inter alia, discrimination, gender equality and refugee protection, noted efforts to reform the judicial system, to establish a national human rights institution and to ratify international human rights instruments. Palestine acknowledged efforts to strengthen the dialogue between civilizations. It made a recommendation.

50. Norway appreciated the focus on the implementation of national reforms as suggested in the national report. It mentioned the visit carried out in 2004 by the Special Representative of the Secretary-General on the situation of human rights defenders. It noted reports on violations of the fundamental rights of lesbian, gay, bisexual and transgender persons. Norway made recommendations.

51. The Russian Federation noted with appreciation Turkey's efforts to bring legislation into line with international human rights standards. It noted progress in, inter alia, implementing economic, social and cultural rights and reducing the illiteracy rate. The Russian Federation noted the special attention devoted to combating the trafficking in human beings. It made recommendations.

52. Chile recognized Turkey's efforts to respect and promote human rights. Chile made recommendations.

53. Egypt noted efforts made in the areas of the right to education and the protection of the rights of women and children, in particular the fight against child labour, programmes aimed at enhancing gender equality and combating violence against women, and efforts to combat the trafficking in persons. Egypt made recommendations.

54. Pakistan noted measures to strengthen constitutional guarantees ensuring equality of treatment, non-discrimination and respect for human rights. A legal reform package had resulted in achievements regarding freedom of expression and association, religion, the judiciary and the fight against corruption. Pakistan sought information about the coordination of the work of human rights bodies and their interaction with State bodies. Pakistan made a recommendation.

55. Bangladesh recognized Turkey's efforts to reform its legal framework, including the criminal justice system, and the balance between addressing incitement to social, racial, religion or regional hatred and maintaining high standards of freedom of expression. Bangladesh highlighted progress in poverty alleviation and access to basic services. It made recommendations.

56. Spain recognized the crucial role played by Turkey in the dialogue and understanding among religions and cultures. It noted the Turkish decision to abolish the death penalty for all crimes and the possibility of the prompt ratification of OPCAT. Spain made recommendations.

57. Canada applauded Turkey's withdrawal of its reservations and declaration regarding CEDAW, as well as a parliamentary commission on gender equality. It noted concerns raised by regional organizations and mechanisms with respect to the restrictive interpretation of religious and ethnic minorities and to Turkish Internet law. Canada made recommendations.



58. The United Arab Emirates highlighted Turkey's achievements in the area of education, including making education free and compulsory for all children in public schools, and recognized endeavours to advance the educational system through a policy of equal opportunity. It made a recommendation.

59. Sweden welcomed efforts to improve prison conditions, voicing concerns about alleged torture, solitary confinement, inappropriate medical care and the holding of children in conditions not significantly different from those for adults, and requested further information in that regard. Referring to the reported detention of refugees and asylum-seekers, Sweden sought information about initiatives to address such concerns. Sweden made recommendations.

60. India highlighted Turkey's human rights reform process, including through nine constitutional reform packages, especially in the area of civil and political rights. India recalled UNCT's concerns about the restrictive definition of minorities and sought further information in that regard. It encouraged Turkey to accelerate the establishment of a national human rights institution.

61. Senegal noted progress in terms of the school enrolment of girls and within the framework of the institutional and legislative promotion and protection of human rights. Noting continued efforts to appropriately address the problem, it stated that violence against women remained of concern. Senegal made recommendations.

62. Venezuela (Bolivarian Republic of) recognized Turkey's efforts to guarantee the right to education, resulting in a 90 per cent primary school enrolment rate and drop-out rates below 1 per cent. Venezuela noted social subsidies provided to low-income families, conditioned on children's school attendance, and attention to the enrolment of girls, particularly in rural areas. Venezuela made a recommendation.

63. The delegation of Turkey referred to its struggle against PKK, a terrorist organization internationally recognized as such, which was involved in drug and human trafficking and had been responsible for the deaths of 40,000 people. Turkey had worked not to sacrifice human rights in its fight against terrorism. It noted that difficulties had resulted from the lack of an international definition of terrorism. Turkey was determined to fight against torture and ill treatment, with a zero-tolerance policy, and was cooperating with all international monitoring bodies. The recommendations of CPT and CAT had been taken into account. Turkey had published all CPT reports since 2001.

64. A judgement adopted by the Court of Cassation in 2002 recognized torture as crime against humanity, and statements extracted under torture were not recognized as evidence. In 2008 and 2009, 50,000 law enforcement officials had received human rights training. A handbook on human rights and the taking of statements had been prepared. Thirty new statement-taking rooms had been established in line with international standards.

65. An initiative on riot control and the prohibition of disproportionate use of force had been carried out in 2009, disciplinary sanctions had been implemented, and a project on prevention was planned for 2011.

66. Relatives of suspects in custody, including for alleged terrorist crimes, were notified of the arrest by public prosecutors. Suspects had the right to gain access to a lawyer. This freedom could only be restricted for 24 hours by a judge's decision for crimes of terrorism, and no statement could be taken without a lawyer's presence. In 2008 and 2009, anti-terror departments of the police departments had been equipped with audio-visual recording systems in 44 provinces. There were no other official custody areas other than those belonging to the law enforcement forces.

67. Freedom of expression was an integral part of Turkey's democratic order, and the relevant legislation was being harmonized with the case law of the ECHR and other international instruments. In order to eliminate some of the problems with its implementation, article 301 of the Penal Code had been amended. The Ministry of Justice had formed a working group to review certain articles found problematic by non-governmental organizations and international bodies.

68. Judges and prosecutors were trained at the justice academy on press freedom and freedom of expression. In 2007, the law on access to the Internet and on countering crimes committed through the Internet had been promulgated. Internet access could be restricted for only a limited number of crimes by a judge's decision, in accordance with the law.

69. To eliminate income disparities between regions, Turkey had been implementing development plans and strategies since the 1960s.

70. The voluntary return of internally displaced persons were facilitated through the Return to Village Project, implemented together with UNDP, which included comprehensive measures such as infrastructure investment and direct material and professional assistance. Furthermore, under Compensation Law 5233, damages caused to citizens as a result of terrorism were settled amicably.

71. The Netherlands welcomed the precedence of international agreements over domestic law, and improvements of prison conditions. Concerns remained regarding the suspension of the establishment of the ombudsman institution, the non-recognition of minorities other than non-Muslim ones mentioned in the Lausanne Peace Treaty, and a number of laws that might limit freedom of expression, including the anti-terrorism law and article 301 of the Penal Code, as amended in 2008. The Netherlands made recommendations.

72. Bosnia and Herzegovina welcomed Turkey's ratification of a number of treaties, but noted reservations to some others. It highlighted the Criminal Code reform, the Disability Act and the Child Protection Law. It expressed concern over the lack of implementation of strategies for combating violence against women and of the establishment of an ombudsman institution in accordance with the Paris Principles.

73. Jordan noted with appreciation the human rights reform process, which was aimed at, inter alia, aligning the legal framework with international human rights standards. Jordan highlighted the abolition of the death penalty and the progress made in combating torture and corruption and in promoting the independence of the judiciary. Jordan made recommendations.

74. Mexico highlighted Turkey's efforts and the reform process carried out since 2001. It noted Turkey's commitment to human rights, demonstrated in the ratification of a number of treaties and its cooperation with the Council's mechanisms. It made recommendations.

75. The Czech Republic appreciated Turkey's national report and acknowledged its signature of OP-CAT. It made recommendations.

76. The United States of America commended Turkey for progress in political reforms and for efforts to seek consensus on constitutional reform and implement its National Unity and Friendship Initiative. It recognized the decrease in prosecutions under article 301 of the Penal Code and efforts to curb the abuse of authority by security forces, but expressed concern about other provisions of the Code, including article 318 and parts of the anti-terror law. It requested further details regarding the work of the working group to examine articles on freedom of expression. It made recommendations.

77. The Sudan commended Turkey's educational policy, including the electronic school database to identify non-enrolment and drop-out cases. The Sudan looked forward to the implementation of a joint project aimed at reducing illiteracy among women. It welcomed the Child Protection Act, which had entered into force in 2005. It made a recommendation.

78. Uruguay highlighted the abolition of the death penalty and welcomed the recent ratification of CRPD and the signature of the Optional Protocol thereto. It took note of training activities for judges and prosecutors regarding the application of the Penal Code and welcomed initiatives to promote the rights of children in cooperation with United Nations agencies. It made recommendations.

79. Argentina commended Turkey's achievements in harmonizing domestic laws with international standards. Argentina made recommendations.

80. Kuwait welcomed measures to strengthen cooperation with international human rights institutions and efforts to overcome human rights challenges. It referred to reforms related to combating torture, the prison system, and freedom of expression and association. It also commended measures in the area of children's rights. Kuwait made recommendations.

81. Austria welcomed the civil society involvement in Turkey's report and its standing invitation to special procedures. It expressed concern about reservations to human rights treaties and its constitutional definition of "minorities". It asked about Turkey's plan for "democratic opening". It welcomed constitutional reform and the establishment of an ombudsman, but expressed concern over juvenile justice. It made recommendations.

82. The Libyan Arab Jamahiriya noted Turkey's improvements in its human rights situation and requested information about training programmes for people addressing human rights issues, plans to include human rights education in school curriculums and bilateral programmes and projects for institutional strengthening. It made recommendations.

83. Australia welcomed Turkey's public awareness campaign on non-discrimination and expressed concern at ongoing restrictions on freedom of expression, including minority-language broadcasting. Australia pointed to the possibility that broad anti-terror law interpretations might potentially lead to further prosecutions and disproportionate prison sentences. It echoed concerns about violence against women and the need for their political empowerment. Australia made recommendations.

84. France welcomed Turkey's commitment to developing anti-discrimination legislation and asked about measures to ensure that all communities enjoyed the rights recognized for all Turkish citizens. France noted with concern that access to 3,700 websites was denied. France asked whether Turkey would consider signing CED and about obstacles to its ratification. It made recommendations.

85. Morocco commended Turkey's efforts to encourage dialogue among peoples, cultures and civilizations, and welcomed the priority placed on human rights education and training in the national strategy on human rights awareness. Morocco made recommendations.

86. Japan welcomed Turkey's comprehensive human rights reform process and positive developments regarding freedom of expression, and recognized its more liberal approach in parallel with European Union accession efforts. Despite efforts, Japan noted persisting challenges regarding women's rights and the harassment and prosecution of human rights defenders. Japan made recommendations.

87. Germany welcomed the penalization of 'excessive physical punishment', but referred to human rights lawyers who had reportedly been subjected to administrative and

criminal prosecution, despite amendments to article 301 of the Penal Code with respect to the “denigration of Turkishness”. It sought information about Turkey’s response and related efforts. Germany made recommendations.

88. Iraq welcomed Turkey’s progress in the implementation of the national strategy to abolish the death penalty, the establishment of an ombudsman’s office in 2006 and the decision to allow citizens to use minority languages, including Kurdish and Arabic. Iraq made a recommendation.

89. Ireland commended the National Action Plans on Combating Domestic Violence against Women and Gender Equality, welcomed reforms concerning the situation of the Kurdish minority and encouraged further steps to fully recognize minority rights. Ireland made recommendations.

90. Ukraine commended Turkey for its efforts in combating and preventing the trafficking in human beings, sought information about cooperation with civil society and welcomed related awareness-raising campaigns. Discrimination against women and the pervasiveness of domestic violence, as well as the abuse and ill treatment of women and children, remained of concern. Ukraine made recommendations.

91. The delegation of Turkey stated that those asylum-seekers without refugee status whose lives were under threat in their own countries were allowed to temporarily stay in Turkey and that their educational, social and medical needs were covered. Since March 2010, refugees had been exempted from paying residence fees and granted the right to asylum until the date of their deportation.

92. Relevant legislation was being aligned with international standards, and Turkey was working on a new asylum law. Turkey was also trying to improve the accommodation conditions of irregular migrants, who, according to a new Ministry of Interior circular issued in March 2010, were kept in removal centres and not placed in detention centres.

93. Equal rights were provided for refugees and asylum-seekers from the east of Turkey. They benefited from health services and eight years of primary education, and could reside in Turkey until resettled in a third country by UNHCR. Removal centres had been established in 33 provinces, and 6 more were planned.

94. Turkey was determined to combat human trafficking. In March 2009, it had signed the European Convention against Human Trafficking and established a taskforce to review its legislation. Trafficking had been recognized as a crime in 2002, and the definition in the new Turkish Penal Code was in line with the Palermo Protocol. The concept of forced prostitution had been added to the definition in 2006. Redrafting was under way in order to overcome the implementation problems experienced with article 79 of TPC, so that an attempt to traffic would be sufficient for penalizing such acts.

95. The National Action Plan to combat human trafficking envisaged extensive measures for the rehabilitation of victims, such as providing shelters for their treatment and care, ensuring their safe and voluntary return to their countries, training law enforcement officers and protecting witnesses. The second national action plan to combat trafficking had been approved in 2009.

96. Turkey had issued a standing invitation to special procedures in 2001 and closely cooperated with international and regional human rights mechanisms.

97. The delegation noted that legislative work aimed at the harmonization of trade union legislation with ILO and European Union standards was continuing with the cooperation of the social partners. Restrictions on the right to freedom of assembly and to strike had been removed, and Turkey had signed the Decent Work Country Programme with ILO in 2009. Labour law provided for the prohibition of all forms of discrimination in employer-

employee relations, including discrimination regarding gender and pregnancy. For women employees, a social security employer premium could be paid out of the unemployment fund for five years. Certain products manufactured by women were exempted from the income tax, and positive results had been obtained through microcredit projects. Sexual harassment in the workplace was a crime punishable by two years of imprisonment and gave the worker the right to revoke her or his work contract.

98. The Turkish delegation reiterated its well-known position with regard to the Cyprus question; referred to document A/HRC/13/G/4 that had been circulated; recalled that Turkey did not recognize Republic of Cyprus; reaffirmed that legitimate presence of Turkey on the island was the result of its obligations and rights stemming from the Treaties of 1960; noted that negotiations between the two parties on the island were ongoing under the auspices of the United Nations.

99. In conclusion, the head of the Turkish delegation thanked all participants in the dialogue and emphasized that all questions and recommendations would be carefully assessed. He stated that the review had given Turkey an opportunity for an extensive evaluation of the human rights situation and indicated that the recommendations would lend greater impetus to the reforms. Turkey would submit a voluntary interim report and pursue its efforts.

## II. Conclusions and/or recommendations

100. **The recommendations formulated during the interactive dialogue and listed below have been examined by Turkey and enjoy its support:**

100.1. **Consider ratifying OP-CAT and the Rome Statute of the International Criminal Court (Brazil, Chile);**

100.2. **Ratify the Optional Protocol to CAT and, in line with its provisions, establish an independent national institution which will operate as the national preventive mechanism for the prevention of torture (Uruguay);**

100.3. **Successfully conclude the process of ratification of the Optional Protocol of the Convention against Torture (Belarus);**

100.4. **Consider ratifying OPCAT in the near future (Denmark);**

100.5. **The early ratification and implementation of OP-CAT (Czech Republic);**

100.6. **Consider adhering to the Rome Statute (Uruguay);**

100.7. **Continue efforts to increase awareness of the culture of human rights and establish an institutional culture which respects human rights in the country (Bahrain);**

100.8. **Successfully conclude the second stage of reform in the human rights sphere, in particular the application and practice of the new legislative basis (Russian Federation);**

100.9. **Continue its efforts aimed at promoting and protecting all human rights and to continue its cooperation with human rights mechanisms, and to work towards the establishment of the national human rights institution and the implementation of national actions plans, in particular regarding equality between the two sexes (Palestine);**

- 100.10. Incorporate the views of civil society in transparent, democratic reform processes; (United States);
- 100.11. Continue its cooperation with civil society organizations in follow-up to this review (Austria);
- 100.12. Continue its close collaboration with civil society in its follow-up and implementation of UPR recommendations (Norway);
- 100.13. Continue efforts to implement strategies aimed at establishing more human rights institutions, including speeding up the process to establish the national human rights institution (Saudi Arabia);
- 100.14. Expedite the preparatory work to establish a national human rights institution and an ombudsman, and provide the country with such institutions (Algeria);
- 100.15. Expedite progress in preparing the legal framework for a national human rights institution (Indonesia);
- 100.16. Continue its efforts to establish a national human rights institution in line with the UN Paris Principles (Bulgaria);
- 100.17. Implement the Government's intention to establish an independent national human rights institution in conformity with the Paris Principles (Russian Federation);
- 100.18. Accelerate steps towards finalizing the legal framework for the establishment of a national human rights institution in line with the Paris Principles (Egypt);
- 100.19. Consider establishing a national human rights institution in line with the Paris Principles (Pakistan);
- 100.20. Align the national human rights institution with the Paris Principles and adopt a national human rights plan encompassing all agencies of the public administration, with short-term strategies and goals (Spain);
- 100.21. Continue the process of establishing a national human rights institution (Senegal);
- 100.22. Give high priority to the creation of an independent national human rights institution in accordance with the Paris Principles and the establishment of an Ombudsman institution; (Netherlands);
- 100.23. Finalize the process of establishing a national human rights institution in accordance with the Paris Principles as soon as possible (Jordan);
- 100.24. Speed up the finalization of the preparatory work of the legal framework for the establishment of the national human rights institution (Libyan Arab Jamahiriya);
- 100.25. Consider inviting the United Nations Special Rapporteur for Human Rights Defenders to visit the country in the near future (Norway);
- 100.26. Strengthen the existing cooperation with the United Nations and the human rights mechanisms, so as to ensure further promotion of human rights (Libyan Arab Jamahiriya);
- 100.27. Continue efforts with a view to adopting a comprehensive anti-discrimination legislation as part of its ongoing human rights reforms (Brazil);

- 100.28. **Implement the Government's plan to have a comprehensive legislation against discrimination (Belarus);**
- 100.29. **Strengthen anti-discrimination laws, and their implementation, to enhance tolerance and promote inclusiveness in Turkey (Australia);**
- 100.30. **Continue its efforts in promoting women's and children's rights, in particular combating child labour and violence against both women and children (Egypt);**
- 100.31. **Redouble efforts and undertake efficient measures to implement CRPD, in particular as regards accessibility to public premises and the labour market (Morocco);**
- 100.32. **Continue efforts aimed at completing the programme to prevent discrimination based on disabilities (Sudan);**
- 100.33. **Ensure non-discrimination on the basis of sexual orientation and gender identity (Norway);**
- 100.34. **Further improve the human rights situation of women and girls (Jordan);**
- 100.35. **Work to further increase women's participation in political and public life, including at the decision-making level (Algeria);**
- 100.36. **Continue to further promote women's rights and increase their participation in all fields of society (Azerbaijan);**
- 100.37. **Strengthen efforts to achieve full equality in the enjoyment of all human rights by women, including by elaborating and implementing strategies to encourage greater participation by women in Turkey's political and economic life (Canada);**
- 100.38. **Pursue its efforts in the field of promoting gender equality so that the rights of women are a reality in our Muslim world (Tunisia);**
- 100.39. **Continue and strengthen its efforts, including through the allocation of sufficient resources, to tackle remaining challenges in the field of women's rights (Norway);**
- 100.40. **Continue to promote participation of women in social, economic and political life (Bangladesh);**
- 100.41. **Step up necessary measures to promote equality between men and women, strengthen the ongoing efforts in prevention of domestic violence, and ensure the adequate representation of women in high-level policy and decision-making institutions (Ukraine);**
- 100.42. **Continue strengthening the promotion and protection of the rights of the child (Kuwait);**
- 100.43. **Ensure the protection of religious minorities in accordance with international human rights standards and obligations, and eliminate discrimination based on religious affiliation (Austria);**
- 100.44. **Engage to resolutely and impartially investigate – and if necessary prosecute - the authors of violations of all human rights, in particular the members of the security services, in order to guarantee a better combat against impunity (Switzerland);**

- 100.45. Ensure prompt, independent and thorough investigations of all allegations of torture and ill treatment allegedly committed by law enforcement officials and punish those responsible (Denmark);
- 100.46. Strengthen the system of accountability of all this personnel (members of the police, military, prison and detention staff and judiciary) in order to ensure effective, independent and impartial investigation of any violations of human rights by them (Czech Republic);
- 100.47. Address the perceived climate of impunity by ensuring that any allegations of abuse are thoroughly investigated and effectively prosecuted (United States);
- 100.48. Take necessary steps to intensify the judicial prosecution of all cases of alleged torture (Germany);
- 100.49. Ensure enforcement of domestic legislation and international standards concerning torture and ill treatment, including by appropriately punishing the perpetrators and that evidence elicited through torture or ill treatment be excluded at trial in all cases (Ireland);
- 100.50. Pursue its efforts to root out any cases of violations of women's rights and domestic violence (Kyrgyzstan);
- 100.51. Enhance measures aimed at combating violence against women (Philippines);
- 100.52. Adopt measures to eliminate all forms of violence and discrimination against women (Chile);
- 100.53. Pursue their efforts to seek appropriate responses to violence against women, in particular through the reinforcement of awareness-raising and prevention activities (Senegal);
- 100.54. Further improve the protection of women and girls against violence and discrimination (Germany);
- 100.55. Establish a system of support for its victims and potential victims, including a network of shelters, use awareness-raising campaigns to uproot societal acceptability of violence against women, and ensure strict punishment of all its perpetrators, in particular in cases of so-called honour crimes (Czech Republic);
- 100.56. Reinforce measures aimed at eradicating gender-based violence and labour discrimination against women (Argentina);
- 100.57. Reinforce the awareness-raising system to prevent and combat the scourge which is violence against women (Morocco);
- 100.58. Intensify its effort to prevent and combat problems, such as honor killings and domestic violence as well as early and forced marriages, so that there are no implementation gaps between plans and actions (Japan);
- 100.59. Pursue its active participation in the international cooperation efforts to fight the trafficking against human beings (Belarus);
- 100.60. Strengthen its efforts in fully implementing the National Plan of Action on Combating Trafficking in Human Beings (Indonesia);
- 100.61. Further its efforts focused on combating trafficking in human beings, particularly women and children (Kyrgyzstan);



- 100.62. Strengthen efforts to prevent and punish human trafficking, as well as to protect trafficking victims through effective assistance provision, elimination of their stigmatization and cooperation with countries of origin (Armenia);
- 100.63. Implement effectively plans and strategies to combat human trafficking and provide the necessary care and support to victims, including through rehabilitation and social integration (Egypt);
- 100.64. Strengthen efforts to combat trafficking in human beings with full cooperation of countries in source, transit and destination (Bangladesh);
- 100.65. Continue its efforts to combat trafficking in human beings and prosecute traffickers (Ukraine);
- 100.66. Ensure the independence and impartiality of the judiciary, and independent and impartial investigations of all allegations of human rights violations (Australia);
- 100.67. Take all necessary measures to comply with the pertinent international norms and principles in the area of juvenile justice (Switzerland);
- 100.68. To take additional measures to improve the situation in prisons, including for juveniles (Sweden);
- 100.69. Continue to improve the juvenile justice system (Kuwait);
- 100.70. Step up efforts to reduce impunity for human rights violations (Germany);
- 100.71. Guarantee freedom of expression and opinion, especially for journalists, writers and editors (Chile);
- 100.72. Investigate all complaints of harassment and persecution against human rights defenders and non-governmental organizations, and sanction those responsible (Chile);
- 100.73. Take further measures to ensure an end to violations of the right to freedom of opinion and expression and to create conditions to prevent such violations (Japan);
- 100.74. Support interfaith dialogue as a means to enhance mutual understanding, peace and tolerance among different religious, ethnic and linguistic communities (Philippines);
- 100.75. Continue efforts through the Alliance of Civilizations and other initiatives (Azerbaijan);
- 100.76. Continue with its strategies aimed at expanding the coverage of the right to education (Saudi Arabia);
- 100.77. Spread a human rights culture through school *curricula* (Saudi Arabia);
- 100.78. Continue and intensify measures for illiteracy reduction and for the access of girls and women to all levels of education and teaching (Algeria);
- 100.79. Continue its efforts aimed at promoting education in rural areas, in particular for women, as contained in the Ninth Strategic Development Plan, as well as extending this plan if necessary (United Arab Emirates);

- 100.80. **Maintain education and training in human rights in those programmes for different persons working in the civil service and administration and the population as a whole (Senegal);**
- 100.81. **Continue to strengthen its successful educational policy, with a view to achieving full school inclusion for all sectors of the country and, in this way, advance towards achieving the greatest social welfare of its people (Bolivarian Republic of Venezuela);**
- 100.82. **Use all the means available to raise the level of human rights awareness (Libyan Arab Jamahiriya);**
- 100.83. **Strengthen the combat against traditional practices such as early marriage, forced marriage or polygamy, which persist despite dispositions existing in the Civil Code (France);**
- 100.84. **Increase access to health establishments and care by trained personnel, in particular in rural areas and regarding post-natal care (Algeria);**
- 100.85. **Continue to provide health care services, focusing particularly on maternal and child health in the remote and rural areas (Bangladesh);**
- 100.86. **Harmonize efforts and coordinate the roles and tasks of stakeholders involved in managing access to drinking water and sanitation to ensure provision of drinking water, in particular for rural populations (Morocco);**
- 100.87. **Apply the standards of CRC to all cases that involve the investigation, the prosecution and the deprivation of liberty of boys and girls, especially in the context of the enforcement of antiterrorist laws (Argentina).**
101. **The following recommendations enjoy the support of Turkey, which considers that they are already implemented or in the process of implementation:**
- 101.1. **Undertake effective efforts and policies to eliminate discriminatory practices, dissemination of hate speech, including threats on resorting to forceful means such as deportation, to stop persistent hostile attitudes on the part of the general public, including attacks towards Roma, Kurds and non-Muslim minorities, also by taking demonstrable steps to prevent and combat such attitudes through information campaigns, awareness-raising and education, among others (Armenia);**
- 101.2. **Take steps to prevent and combat hostile attitudes against persons belonging to non-Muslim minorities, by putting in place awareness-raising campaigns as well as education and training programmes for judges and law enforcement agents (Greece);**
- 101.3. **Undertake effective steps to fully ensure all political, economic, social and cultural rights of minorities, including Armenians in Turkey, inter alia, by taking all necessary measures to ensure preservation of their national identity and cultural heritage (Armenia);**
- 101.4. **Take legislative and practical measures at preventing and combating violence against women and children, including prohibition of corporal punishment (Armenia);**
- 101.5. **Adjust the Penal Code to fully comply with international standards of freedom of expression, and ensure that restrictions imposed in the name of security comply with the character of necessity and proportionality (Switzerland);**

- 101.6. Ensure that the implementation of all articles of the Penal Code and other laws be in conformity with the international standards on the right to freedom of expression (Uruguay);
- 101.7. Align all articles of the Penal Code and other laws with international standards, particularly with regard to freedom of expression (Australia);
- 101.8. Re-examine laws on strikes to allow greater flexibility (United States).
102. The following recommendations will be examined by Turkey, which will provide responses in due course, but no later than the fifteenth session of the Human Rights Council, in September 2010:
- 102.1. Become a State party to the following international instruments: OP-CAT, OP-CRPD and CED (Argentina);
- 102.2. Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France, Spain, Uruguay);
- 102.3. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Uruguay);
- 102.4. Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and continue its efforts towards ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Spain);
- 102.5. Consider withdrawing reservations to core international human rights instruments, in particular ICCPR, ICERD and CRC (Brazil);
- 102.6. Consider lifting geographic limitations to the 1951 Refugee Convention (Brazil);
- 102.7. Consider withdrawing its reservations to articles 17, 29 and 30 of the Convention on the Rights of the Child, and amend its anti-terrorist law so that children are not tried as adults (Uruguay);
- 102.8. Consider replying favourably to the requests for a visit of the Special Rapporteur on the independence of judges and lawyers and the Independent Expert on minority issues (Greece);
- 102.9. Enact comprehensive anti-discrimination legislation and uphold minority rights with a view to fully aligning law and practice with international human rights standards (Denmark);
- 102.10. Review compliance of its national legislation with the principle of non-discrimination, in particular with regard to women and persons of minority ethnicity, sexual orientation and gender identity, to adopt a comprehensive antidiscrimination legal framework specifically protecting against discrimination on these grounds, and lead long-term awareness-raising campaign on these issues among the public (Czech Republic);
- 102.11. Take steps to eliminate any discrimination in the enjoyment of all human rights by lesbian, gay, bisexual and transgendered (LGBT) individuals, including by ensuring that their right to freedom of association is fully respected (Canada);
- 102.12. Revise laws still containing discriminatory provisions, enact comprehensive anti-discrimination legislation and expressly include the prohibition of discrimination on the grounds of sexual orientation or gender identity in such legislation (Netherlands);

- 102.13. **Develop comprehensive anti-discrimination legislation including a clear definition of discrimination against women and racial discrimination in its legislation as well as prohibiting discrimination on the basis of sexual orientation and gender identity (Ireland);**
- 102.14. **Adopt a specific law against discrimination consistent with article 1 of the Convention on the Elimination of All Forms of Discrimination against Women (Spain);**
- 102.15. **Revive initiatives for minorities for developing measures to remove the restrictions on the use of languages other than Turkish in political and public life, and provide possibilities for the teaching of minorities languages (Austria);**
- 102.16. **Bring its legal framework on political parties into line with the recommendations of the Venice Commission of the Council of Europe and the relevant provisions of the European Convention of Human Rights (Ireland);**
- 102.17. **Adopt a comprehensive and clear definition of racial discrimination into domestic law, further revise article 301 of the Penal Code to fully ensure freedom of expression and non persecution on those grounds or motivated by it (Armenia);**
- 102.18. **Amend articles 301 and 318 of its Penal Code with a view of decriminalizing the explicitly non-violent exercise of freedom of expression (Spain);**
- 102.19. **Make further efforts to ensure respect for the right to freedom of opinion and expression, both by revising Law 5651, and by ensuring that government statements and actions fully respect this right (Canada);**
- 102.20. **Ensure that the application of legislation that may limit freedom of expression is in line with relevant international standards and that lawful restrictions on the exercise of the right of freedom of expression on grounds such as national security and public order are necessary and proportional (Netherlands);**
- 102.21. **Review the legislation on defamation and slander so that these are not subject to criminal sanctions but only liable to a civil action (Mexico);**
- 102.22. **Lift all restrictions regarding the use of Internet by adopting the necessary measures, in particular by reforming its legislation (France);**
- 102.23. **Continue with the reform of its Penal Code, including article 301, in order to suppress all restrictions to freedom of expression and freedom of the press (France);**
- 102.24. **Make the necessary legal amendments to guarantee freedom of association in accordance with article 22 of the ICCPR (Ireland);**
- 102.25. **Take all necessary measures to find a solution to a number of problems the non-Muslim communities are facing, such as difficulties in training the clergy and difficulties in enjoying their property rights (Greece);**
- 102.26. **Allow for the functioning of non-Muslim religious communities, especially the ones that are already recognized as minorities, without undue constraints, in line with the European Convention on Human Rights and the case law of the European Court of Human Rights (Greece);**
- 102.27. **Consider the possibility of re-establishing the Church of Saint Paul in Tarsus, currently functioning as a museum, as a place of worship (Italy);**

- 102.28. Fully respect the right to choose and express religious beliefs freely, including for members of both recognized and unrecognized religious minorities (United States);
- 102.29. Take steps to combat religious intolerance, as exemplified by the characterization in textbooks of missionary activities as a national threat (United States);
- 102.30. Work constructively with all religious communities to address undue constraints on designated places of worship, training of clergy, and lack of legal personality (Australia);
- 102.31. Allow children of Greek citizens working in Istanbul to attend the Greek minority schools. So far, only children of employees of the Consulate of Greece are allowed (Greece);
- 102.32. Develop human rights education and training to members of the police, military, prison and detention staff and judiciary in order to include specific focus on the protection of the rights of women, children and persons of minority ethnicity or sexual orientation and gender identity (Czech Republic);
- 102.33. Pursue its efforts for swift implementation of the Law on Foundations, and commit itself to undertake all necessary reforms in order to address the property-rights claims of non-Muslim Foundations (Bulgaria);
- 102.34. Improve the structures surrounding the situation for refugees, towards ensuring full respect in accordance with Turkey's obligations under international human rights and refugee law for the right of all persons to seek asylum as well as for the enjoyment of other rights of persons seeking asylum (Sweden);
- 102.35. Take the necessary measures to avoid the return of refugee and asylum-seeker children who have been recruited or involved in hostilities (Mexico);
- 102.36. Establish a formal system for granting asylum or otherwise recognizing refugee status, and remove the present geographic limitation (United States);
- 102.37. Ensure that refugees and asylum-seekers are dealt with as defined under international law and standards (Iraq);
- 102.38. Establish a mechanism to review the legislation to combat terrorism to guarantee, to the same extent, due protection to human rights and fundamental freedoms (Mexico);
- 102.39. That Penal Code articles 301 and 318 and the Anti-Terror Law be revised or abolished (United States).
103. The recommendations below did not enjoy the support of Turkey:
- 103.1. Lift the reservation to article 22 of ICERD as well as the two declarations on the implementation and the territorial applicability of the convention (Greece);
- 103.2. Withdraw its reservation to article 27 of ICCPR on minority rights, and ratify the Council of Europe Framework Convention for the Protection of National Minorities (Netherlands, Austria);
- 103.3. Engage in open-ended consultations with the full range of ethnic and religious minority groups on measures to improve respect for all human rights of persons belonging to minorities (Canada);

- 103.4. Consider reviewing the definition of national “minorities” in order to bring it into line with international standards, and take targeted measures to eliminate discrimination based on national and ethnic origin (Austria);
- 103.5. Implement further reforms to ensure full recognition of the rights of the Kurdish and other minorities, including by withdrawing its reservation to article 27 of the ICCPR (Ireland);
- 103.6. Create conditions for the realization of the right to the truth, which is the necessary precondition for the prevention, recognition and punishment of genocide (Armenia);
- 103.7. Implement the large number of European Court of Human Rights decisions like the one concerning the Orphanage on Prince Island, which belongs to the Orthodox Ecumenical Patriarchate, or the ones that have found that Turkey is liable for numerous violations of ECHR articles in Cyprus, namely in the occupied northern part (Greece);
- 103.8. Take all necessary measures to return properties to the members of the Greek minority in the islands of Gokceada and Bozcaada that were expropriated (Greece);
- 103.9. Undertake all necessary steps to ensure just and timely settlement of the property claims of displaced persons of Bulgarian identity from Eastern Thrace in conformity with the United Nations principles on Housing and Property Restitution for Refugees and Displaced Persons and the instruments of the Council of Europe related to the redress for loss of housing, land and property of refugees and displaced persons (Bulgaria);
104. The recommendation contained in paragraph 103, No. 7, did not enjoy the support of Turkey, as Turkey stressed that its presence in the island stems from the rights and obligations within international treaties.
105. The following recommendations did not enjoy the support of Turkey, as Turkey does neither recognize Republic of Cyprus nor accept its claims to represent the whole island:
- 105.1. Swiftly accede to the Rome Statute of the International Criminal Court (Cyprus);
- 105.2. Proceed promptly with the ratification of Additional Protocol I and II to the Geneva Conventions of 1949 (Cyprus);
- 105.3. Ensure impartial and thorough investigations of all allegations of human rights violations carried out by members of its military and security forces, both within its territory and in areas where it exercises effective controls (Cyprus);
- 105.4. Abolish articles 301 and 318 of the Penal Code, which limit freedom of expression (Cyprus);
- 105.5. Take effective measures to combat persisting hostile attitudes and discrimination towards the Roma, Kurds and persons belonging to non-Muslim minorities (Cyprus);
- 105.6. Abide by all relevant United Nations resolutions pertaining to human rights violations that concern Turkey implicitly or explicitly (Cyprus);

105.7. Promptly adopt measures, as the Council of Europe Commissioner for Human Rights recommends, that would effect the return of internally displaced persons in all areas where it exercises effective control (Cyprus);

105.8. Set a time frame within which restrictions with regard to, among others, the enforcement of property rights, training of the clergy, and deprivation of legal personality of non-Muslim minorities, including the Greek orthodox minority, will be lifted so that members of these minorities can fully enjoy their human rights (Cyprus);

105.9. Compliance with the pertinent judgments of the ECHR concerning violations of human rights in the area of Cyprus, which are under effective control of Turkey (Cyprus).

106. All conclusions and/or recommendations set out in the present report reflect the positions of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

### Composition of the delegation

The delegation of Turkey was headed by Mr. Cemil Çiçek, Deputy Prime Minister and Minister of State, and was composed of the following members:

- Mr. Ahmet Üzümcü, Ambassador, Permanent Representative of Turkey to the United Nations Office at Geneva;
- Mr. Mehmet Yılmaz Küçük, President, Human Rights Presidency, Prime Ministry, Ankara;
- Ms. Birnur Fertekligil, Ambassador, General Director for Multilateral Political Affairs, Ministry of Foreign Affairs, Ankara;
- Mr. Vasip Sahin, General Director of Provincial Administrations, Ministry of Interior, Ankara;
- Ms. Asligül Ügdül, Minister Counsellor, Deputy Permanent Representative, Permanent Mission of Turkey to the United Nations Office at Geneva;
- Mr. Özcan Kars, Deputy General Director, Social Services and Child Protection Institution, Ankara;
- Mr. Bilal Çaliskan, Deputy General Director for International Law and Foreign Relations, Ministry of Justice, Ankara;
- Mr. Erhan Polat, Deputy General Director for Prisons and Detention Centres, Ministry of Justice, Ankara;
- Mr. Abdurrahman Savas, Head of Department for European Union Coordination and Foreign Relations, Ministry of the Interior, Ankara;
- Mr. Hayati Sahin, Head of Department for Foreign Relations, General Directorate of Security, Ministry of the Interior, Ankara;
- Mr. Yahya Bilgiç, Head of Department for Foreigners Borders and Asylum, Ministry of the Interior, Ankara;
- Ms. Ela Görkem, Counsellor, Permanent Mission of Turkey to the United Nations Office at Geneva;
- Ms. Yonca Özçeri, Head of Human Rights Department, Ministry of Foreign Affairs, Ankara;
- Mr. Ali Onaner, Counsellor, Permanent Mission of Turkey to the United Nations Office at Geneva;
- Mr. Fatih Ulusoy, Counsellor, Permanent Mission of Turkey to the United Nations Office at Geneva;
- Ms. Tugba Sarayönlü Etensel, Legal Counsellor, Ministry of Foreign Affairs, Ankara;
- Ms. Gülsün Büker, Legal Adviser, Turkish General Directorate on the Status of Women, Prime Ministry, Ankara;
- Mr. Özkan Suat Özmen, Expert, Ministry of Labour and Social Security, Ankara;
- Ms. Ayse Sebnem Atasoy, Attaché, Ministry of Foreign Affairs, Ankara;



- Ms. Zeynep Bekdik, Interpreter
  - Ms. Belgin Dölay, Interpreter
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