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CIVIL SOCIETY ORGANISATIONS IN TÜRKİYE:

FREEDOM OF ASSOCIATION AND RIGHT TO PARTICIPATION

CHAPTER II THE RIGHT TO PARTICIPATION

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THE RIGHT TO
PARTICIPATION**

Civil Society Organizations in Türkiye: Freedom of Association and the Right to Participation Chapter II: The Right to Participation

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Abbreviations

AI:	Amnesty International	NUTS:	European Union Nomenclature of Territorial Units for Statistics
CC:	Constitutional Court	OECD:	Organization for Economic Cooperation and Development
ÇİMER:	Communication Centre of the Presidency of the Republic of Türkiye	OHAL:	State of Emergency
CoE:	The Council of Europe	OSCE:	Organization for Security and Cooperation in Europe
Conference of INGOs:	Conference of International Non-Governmental Organizations of the Council of Europe	SASF Foundation:	Social Assistance and Solidarity Foundations
CSO:	Civil Society Organisation	SBB:	Presidency Department of Strategy and Budget
ÇED:	Environmental Impact Assessment	STGM:	Association of Civil Society Development Centre
DERBİS:	Associations Information System	STİGM:	General Directorate of Civil Society Relations
ECHR:	European Convention on Human Rights.	TBB:	Union of Turkish Bar Associations
EU:	European Union	TİHV:	Human Rights Foundation of Türkiye
EU Guidelines:	Directorate-General for Neighbourhood and Enlargement Negotiations Guidelines for EU Support to Civil Society in the Enlargement Region 2021 - 2027	TMMOB:	Union of Chambers of Turkish Engineers and Architects
ATF:	Financial Action Task Force	TTB:	Turkish Medical Association
Field Research 2022:	Field Research on Freedom of Association in Türkiye 2022	TURKSTAT:	Turkish Statistical Institute
GNAT:	Grand National Assembly of Türkiye	TÜSEV:	Third Sector Foundation of Türkiye
Guidelines:	Organization for Security and Cooperation in Europe and Venice Commission Guidelines on Freedom of Association	TÜSİAD:	Turkish Industry and Business Association
HRA:	Human Rights Association	UN:	United Nations
HRFT:	Human Rights and Equality Institution of Türkiye	UNHRC:	UN Human Rights Committee
IGOs:	Inter-Governmental Organizations	UN-OHCHR:	UN Office of the High Commissioner for Human Rights
LGBTI+:	Lesbian, Gay, Bisexual, Transgender, Intersex +	VBYS:	Foundations Information Management System
MASAK:	Financial Crimes Investigation Board of the Ministry of Treasury and Finance of the Republic of Türkiye	VGM:	General Directorate of Foundations
MÜSİAD:	Independent Industrialists' and Businessmen's Association	Venice Commission:	European Commission for Democracy through Law of the Council of Europe

Key Concepts

- Public authority:** Any executive, legislative or administrative body at national, regional or local level, including individuals, exercising executive power or administrative functions.¹
- Decision making process:** The development, adoption, implementation, evaluation and reformulation of a policy document, a strategy, a law or a regulation at national, regional or local level, or any process where a decision is made that affects the public, or a segment thereof, by a public authority invested with the power to do so.² In addition, General Comment No. 25 of the UN Human Rights Committee states that participation in decision-making processes is not limited to the elections, and that implementing public affairs is a broad concept which encompasses all aspects of public administration and creation and implementation of policies on international, national, regional and local levels. In addition, participation in public affairs may be carried out by public discussions, dialogues with elected representatives or right holders creating an impact by their self organisation capacities. According to the General Comment of the UN Committee, citizens also participate in public affairs by exerting influence through public debate and dialogue with their representatives or their capacity to organise themselves. The right to participation is supported by ensuring freedom of expression, assembly and association.³
- Civil participation:** According to the Committee of Ministers of the Council of Europe, the engagement of individuals, NGOs and civil society at large in decision-making processes by public authorities. Civil participation in political decision-making is distinct from political activities in terms of direct engagement with political parties and from lobbying in relation to business interests.⁴

¹ Guidelines for civil participation in political decision making, CM(2017)83-final, Adopted by the Committee of Ministers on 27 September 2017 at the 1295th meeting of the Ministers' Deputies, the Council of Europe, https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016807509dd

² Guidelines for civil participation in political decision making, CM(2017)83-final, a.g.e.; UN Human Rights Committee General Comment No. 25 Article 25: Right to Participation in, to Vote and be Elected in Public Administration (1996), para: 5-8, https://insanhaklarimerkezi.bilgi.edu.tr/media/uploads/2016/05/05/BMde_Insan_Haklari_Yorumlari_1981_2006.pdf

³ Guidelines for civil participation in political decision making, CM(2017)83-final, a.g.e

⁴ Guidelines for civil participation in political decision making, CM(2017)83-final, a.g.e

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Foreword

In 2024, we will celebrate the 20th anniversary of the Association of Civil Society Development Center (STGM). While STGM has been working for a strong and democratic civil society for twenty years, it defines the defense of freedom of association for a pluralistic democratic society as one of its main missions. In this context, we continue to monitor and publish reports on the improvement of freedom of association in Türkiye. In the 20th year of our existence, we are pleased to publish the report **“Civil Society Organisations in Türkiye: Freedom of Association and the Right to Participation”**.

In the monitoring report, we have tried to consider freedom of association and the right to participation as fundamental rights that complement each other and to present the situation in Türkiye.

The recognition and protection of freedom of association as a fundamental human right and the existence of strong civil society organizations are indispensable for a democratic society and essential for the creation of balancing and control mechanisms and the protection of democracy. A robust civil society is essential for solving social problems and strengthening social solidarity. However, we note with regret that the decline of democracy in our country is also reflected in the area of civil society and that there are still problems in the area of freedom of association. In the context of the right to participation, we can say that there are significant deficits in the participation of civil society in decision-making processes.

However, we can state that the profile of a civil society organization, small in number but remarkable in terms of impact, remains vibrant and strong despite all the problems and shortcomings. Rights-based organizations constitute the most dynamic segment of our country’s civil society with the advocacy work they do, the activities they undertake, the resources they create, the collaborations they build at the international level and their efforts to influence decision-making processes despite all the difficulties. This dynamic keeps our faith and hope in our country alive.

The **“Civil Society Organisations in Türkiye: Freedom of Association and the Right to Participation”** report, which was prepared within the framework of our Monitoring Freedom of Association project supported by the European Union and carried out jointly with TÜSEV, is based on the data we obtained during a long monitoring study and field research.

I would like to thank the EU Delegation to Türkiye, our project team, civil society organizations that contributed to the research process and all our stakeholders who contributed to the preparation of this report.

We hope that this report, in which we try to show the situation of civil society, which is the driving force of democracy in our country, will be useful to all our friends working on the ground in their advocacy work and will make a modest contribution to the reform steps that need to be taken in the field of civil society.

Dr. Yakup Levent Korkut
Head of Board

Methodology of the Monitoring Report

The right to participate in decision-making processes was the focus of the second part of the “Civil Society Organizations in Türkiye: Freedom of Association and Right to Participation” Report. The same method used for the first part, which focused on Freedom of Association, was also used for the second part. In addition, the following documents were placed at the center of the monitoring framework for the functioning of the right to participation in Türkiye, which plays “an important role in improving democratic governance, the rule of law, social inclusion and economic development”.⁵

- UN International Covenant on Civil and Political Rights article 25
- UN Human Rights Committee General Comment No 25, article 25: The Right to Participation in Public Administration, to Vote and to be Elected
- UN Guidelines for States on the effective implementation of the right to participate in public affairs - OHCHR (UN Right to Participation Guide)
- Guidelines for civil participation in political decision making, CM(2017)83-final, Adopted by the Committee of Ministers of the Council of Europe)
- European Human Rights Convention article 11 and the Decisions of European Court of Human Rights
- Code of Good Practice for Civil Participation in the Decision-Making Process (Code of Good Practice for Civil Participation- Reviewed Version)
- Freedom of Association Guide, Participation in Decision Making Process prepared by Organisation for Security and Cooperation in Europe and Venice Commission of the Council of Europe
- Recommendations of Organization for Security and Cooperation in Europe Regarding Improving Participation of the Association in the Public Decision Making Processes
- DG NEAR Guidelines for EU support to Civil Society in the Enlargement Region 2021 – 2027 (“Eu Guide 2021 -27 hereinafter); Special Target 2

⁵ OHCHR, OHCHR and equal participation in political and public affairs, <https://www.ohchr.org/en/equal-participation>

The Right to Participation has three dimensions: The first dimension is free, regular and just elections. The second dimension is related to the participation of civil society in decision-making processes for issues that concern the public during periods in non-electoral context. The third dimension involves using public services equally and participating in these services. The second part of the “Civil Society Organizations in Türkiye: Freedom of Association and the Right to Participation” report is focused on the second dimension of the Right to Participation, this is to say, monitoring processes of the civil participation during the periods in non-electoral context.

In addition, the monitoring process focussed on the participation of CSOs in the decision-making processes during non-election context rather than on general citizen participation. However, broad citizen participation on issues such as the Public Participation Meeting in “Environmental Impact Assessment (EIA-ÇED) processes and children’s participation in related decision-making processes were also included in the monitoring process and reflected in the report. Monitoring is also about the participation of CSOs in the Executive Mechanisms and GNAT. The participation of civil society organisations in decision-making process of the local administrations or the municipalities was not monitored.

Civil society’s participation in decision-making processes has been defined as “the basic requirement for a healthy and democratic society,” according to The European Court of Human Rights (ECHR).⁶ The five main indicators below have been monitored in the monitoring process in the scope of the effective and meaningful participation of CSOs in Türkiye to the decision making processes during periods in a non-electoral context:

- Enabling environment
- Effectiveness of participation
- Transparency, openness and access to information
- Equality in participation processes
- Access to justice

⁶ AİHM decisions: Vides Aizsardzibas Klubs (V.A.K) v. Latvia, Reference no. 57829/00, 27.5.2004; Steel and Morris v. UK, Reference no. 68416/01, para. 89, 15.05.2005

Answers to the following questions related to the participation of civil society in the decision-making processes of executive mechanisms and GNAT were sought, depending on these indicators in the monitoring process:

- To what extent does the civil society tradition exist regarding participation in decision-making processes?
- Does the enabling environment exist for the participation of civil society in the decision-making processes?
- Is the participation of civil society in the decision-making processes carried out based on equality and without discrimination?
- Is the participation of civil society in the decision-making processes meaningful and effective?
- Is the participation of civil society in the decision-making processes based on clear and transparent principles? What level is access to information possible?
- Can legal action be taken regarding the participation of civil society in decision-making processes?

Qualitative and quantitative data, obtained in Field Research 2022 have been used to find the answers to these indicators and questions. In addition, references were made to the administration to obtain information. The list of the referenced regulations to get information can be found in the appendices. **(Annex-1 Regulations which are the subject of the request for information)** The legislation regulating the right to participation in Türkiye and the related mechanisms were mapped through desk research.⁷ The results of the mapping have also been reflected in the monitoring report.

In the qualitative research part of the field research, for conducting factor analyses, two factors were created that relate to the right to participation and the perception of participation. Both factors were then analyzed using the data obtained from the qualitative research.

⁷ Conducted mapping will also be published in the katilimhakki.org.tr web site

Factor Analysis for Participation

The factor analysis for participation was designed to understand the extent to which the civil society organisations that participated in the field research collaborate with the public sector and participate in decision-making processes, and how they differ in this regard. As a result of the analysis, three groups emerged that act similarly in themselves but differ from the others. These groups were labelled “low”, “medium” and “high” to indicate their level of participation. The following issues have been focused on in this scope:

- Public-CSO cooperation
- Level of public institutions to take the views of CSOs into consideration
- Participation of CSOs in the legislation and policy development processes
- Their opinion regarding public officials in legislation and policy development processes

Factor Analysis for the Perception of Participation

In Field Research 2022, the actual participation of CSOs in decision-making processes and their perception of these processes was investigated. In order to understand which civil society organisations collaborate and which differ, a factor for the perception of participation was created.

As a result of the factor analysis, three groups emerged that act similarly in themselves but differ from the others. These groups were labelled “low”, “medium” and “high” to indicate their level of participation. The participation perception factor included the same questions and topics as the participation factors. However, the responses to the questions were formulated to measure ‘perception’.

Factor Analysis for Rights Based Approach

The factor analysis of the rights-based approach is also the theme of the report “Right to Participation”, as in the first part of the report, namely “Freedom of Association”. In addition to the problems that have arisen in the areas of capacity and freedom of association, participation in decision-making processes and the perception of participation were examined within the framework of the rights-based approach. Within this framework, the following topics were examined, taking into account only those civil society organisations that have chosen the rights-based approach:

- Their cooperation with public institutions
- Their participation in decision-making and consultation processes
- Their engagement in the drafting of laws
- Cooperation protocols they have concluded with public institutions

1. Outlook of Mechanisms of Participation in Decision-Making Processes in the Executive Mechanism and the GNAT

The participation of civil society in decision-making processes in a non-electoral context is a relatively new phenomenon in Türkiye. Apart from Article 13 of the Municipality Law,⁸ which refers to the fellow townsman law that regulates the participation of citizens in local administrations, participation in decision-making processes was largely reduced to elections until the second half of the 1990s. The 1996 Habitat Conference helped to put the issue on the agenda. Regulations (Regulation on the Procedures and Principles of Legislation Preparation, dated February 17, 2006; Regulation Regarding Establishing City Councils of 8 October 2006) enabling civil society participation were also brought to life in the context of EU reforms, symbolized by the “EU harmonization packages”⁹

launched with the official granting of candidate status to Türkiye at the 1999 Helsinki Summit. However, the participation of civil society in the decision-making processes has not changed significantly, as the EU negotiation process has largely come to a standstill and the EU reforms have paused.

Türkiye does not have a good status in some respected indexes regarding the participation of civil society in decision-making processes. Although Türkiye’s grade for the civil society’s participation in political participation processes, including elections, is generally medium, it is way below the general average for participation in decision-making processes in a non-electoral context.

	Democracy Ranking	Political Participation Ranking
The Economist Intelligence Unit 2022	Ranks 103 rd with 4,35 points out of total of 10 points among 167 countries	Ranks 90 th with 5.56 points out of total of 10 points among 167 countries
V-Dem Democracy Report 2023	Ranks 141 st with 0,12 points out of total of 1 point among 179 countries in Liberal Democracy Index Report	Ranks 126 th with 0.42 points out of total of 1 point among 179 countries in the Participant Component Index Ranking
	Ranks 138 th with 0,28 points out of total of 1 point among 179 countries in Electoral Democracy Index.	Ranks 163 rd with 0.17 points out of a total of 1 point in the Negotiation Component Index Ranking
Bertelsmann Transformation Index¹⁰ 2022 Report	Ranks 74 th with 4,8 points out of total of 10 points among 137 countries in Democracy Status Index	5,8 Points out of a total of 10 points in the Democracy Index Political Participation.
	Ranks 97 th with 3,98 points out of total of 10 points among 137 countries in Governance Index	Governance Index Civil Participation Point is 2 points out of total of 10 points.

Table 1 Participation in decision making processes in Türkiye in international indexes

⁸ The article on the law of fellow citizenship has been fixed in Article 13 since the 1930 first Municipality Law of the Republic No. 1580. Citizen law is also included in Article 13 of the Municipal Law No. 5393 dated 2005. It has been improved in accordance with current conditions

⁹ Political Reforms in Türkiye, Directorate for EU Affairs, Ankara – 2007, <https://www.ab.gov.tr/files/pub/tsr.pdf>

¹⁰ European countries and North American countries are not included in this index

In parallel, **30% of the CSOs that participated in the Field Research 2022 stated that they agree with the statement “Public decisions are based on the recommendations and contributions of CSOs’ and 27% stated that they disagree.**

35,1% of CSOs stated that they neither agree nor disagree. The foundations were more negative than the associations. While the proportion of foundations that disagreed with this statement was 41%, this figure was 28% for the associations.

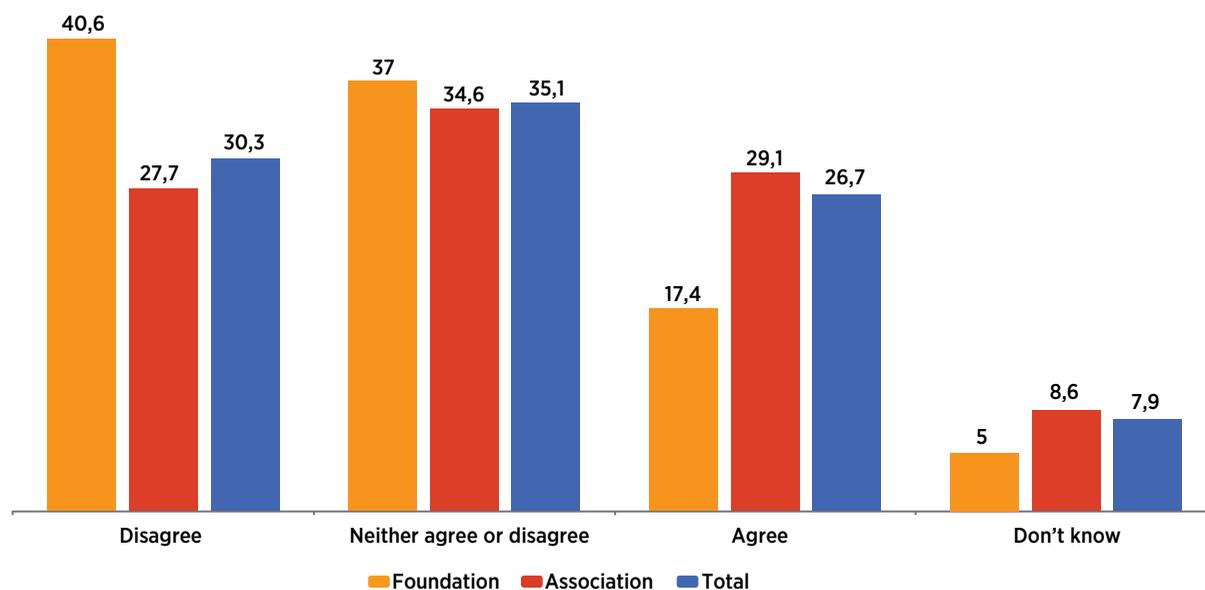
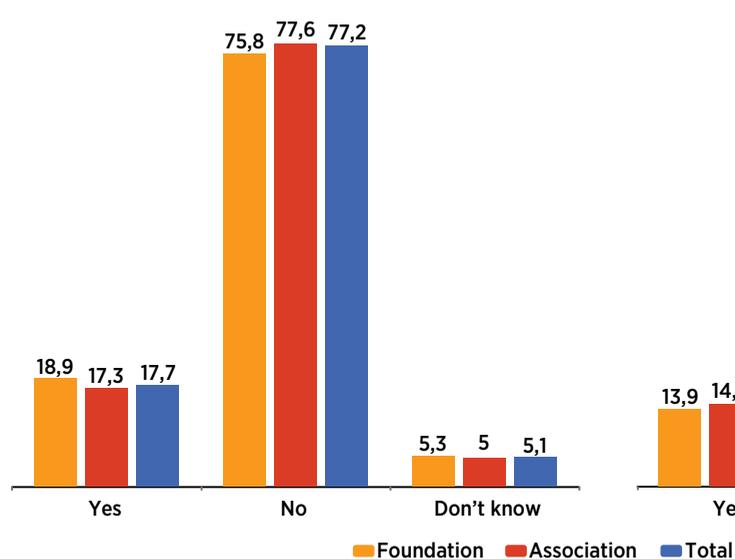


Figure 1 Rate of agreement with the statement “Decisions of public institutions are based on recommendations and contributions of CSOs,” based on the experience of CSOs who participated in the Research

According to Field Research 2022 data, **72,2% of CSOs that participated in the research stated that they did not attend the meetings that took place in the context of legislation and policy development in 2020 or 2021.** The proportion of CSOs that have participated in meetings organized by public institutions is 18% and the proportion of those that have expressed their opinion in

writing is 15%. **While 41% of CSOs stated that they did not participate in the meetings because they “were not informed”, the proportion of CSOs that stated that they were not invited was 30%.** No differences were found between the associations and foundations with regard to participation in the meetings organized by the public institutions.

In 2020 or 2021, did you participate in meetings related to legislation and policy development processes?



In 2020 or 2021, did you submit your views in writing during the legislation and policy development processes?

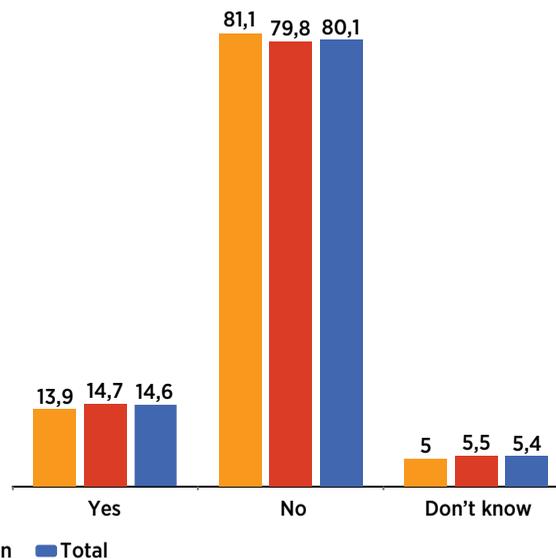


Figure 2 Rate of consulting to and requesting written views of CSOs, which participated in the Research in the legislation and policy development processes in 2020 and 2021

Problems with the provision of information about meetings organised by public bodies

According to the results of Field Research 2022, the proportion of those who do not attend meetings and do not express their opinions is quite high. Moreover, the reasons for not attending the meetings show that there are serious problems in “participation in decision-making processes”.

It is noteworthy that the main reason why CSOs do not attend meetings of public institutions is that they are not properly informed about the meetings or are not invited.

This also shows that there is a serious problem with the provision of information,¹¹ which is the first stage of participation in decision-making processes in all relevant standards. The provision of information is not only the first stage of participation in decision-making processes, but also a prerequisite for it. It is important to emphasize that access to information at this point is associated with considerable problems. Corresponding data can be found in the monitoring results relating to acquiring information references.

The second reason given for not attending meetings in the context of legislative and policy development processes of public institutions and organizations was “not being invited”. Not being invited also raises the question of clarity and transparency. This also raises the question of whether there is discrimination among CSOs. It must also be emphasized that the non-invitation is mainly expressed by LGBTI+ organizations. However, at this point, it should be underlined that proving the discrimination claim requires separate effort and care.

According to the qualitative data of Field Research 2022, large-scale or publicly known organisations carrying out rights-based work stated that they were

invited to some meetings, but these meetings were not as productive as in previous periods and that their views were not sufficiently communicated. It can be observed that CSOs that provide training to public institutions or collaborate with the public institutions while conducting empowerment activities for children or youth are more engaged in the participation mechanisms of the public institutions than others. However, the case is different for LGBTI+ organizations. Representatives of LGBTI+ organizations who were involved in the qualitative research expressed that LGBTI+ organizations were not engaged in any way in the existing participation mechanisms and they started to abandon efforts to be included as a result of this process.

¹¹ Hakan Ataman, Politik Karar Verme Süreçlerine Etkili ve Anlamli Katilim Hakki ve Mekanizmalar Bilgi Kitapçığı, STGM, Ankara, 2022. <https://www.stgm.org.tr/sites/default/files/2022-08/politik-karar-verme-sureclerine-etkili-ve-anlamli-katilim-hakki-ve-mekanizmalar-bilgi-kitapcigi.pdf>

Rights advocacy organizations answered the same question in the **Field Research 2022 qualitative data** as follows:

To what extent is civil society in Türkiye engaged in policy development and decision-making processes at local and national level?

Rights based organisations

Participant from an association: There are some things that are gradually being narrowed down. We used to be able to go to Parliament. We used to be able to go to the commissions where the laws of Parliament were negotiated and listen to them. That no longer exists today. They only invite academicians.

Participant from an association: We do not have anything on a cooperation level; we do not have such tangible cooperation. There was one from AKP. (...) There was CHP, HDP. (...) but I mean, we are not in such an environment anymore. Finding an interlocutor or a listener from the AKP is very difficult right now.

Participant from an association: Weak. Weak in this sense: As a matter of fact, this is not a problem arising from civil society. As I previously stated, there is a wall the state constructed after 2010. The state is more distant from exchanging views with civil society now.

Participant from an association: Not engaged. (...) It even turned into something like this: When we said "This regulation is antidemocratic, does not conform to the law, do not do it," they began to turn it into law. Unfortunately, this is to say, it is very demoralising for us.

Participant from an association: Sometimes I see on social media that, let's say, meetings about projects and grants are held by the provincial directorate of relations with civil society. When I look at the associations and CSOs that participate there, I see that the associations and CSOs that have a similar stance like ours or, let's say, opposition to the government, are not invited there. What can I say more? I see on social media that CSOs close to the government are attending those meetings. In that sense, I don't think it is distributed very fairly.

Participant from an association: This is needed very much during the period when the political and social participation channels become restricted in Türkiye. This is to say, there is no country in the world where society is governed by an administration from the center that does only politics anymore. Let's take Germany as an example of civil society and other countries. In Germany, civil society and ministries are in close cooperation. There is nothing like this in Türkiye.

CSOs working in the areas of women, environment, youth and children also commented negatively on participation in executive mechanisms in the **qualitative data from Field Research 2022**.

In the qualitative research, only one representative of a CSO stated that they participate in all participatory processes and can even influence legislative process.

To what extent is civil society in Türkiye engaged in policy development and decision-making processes at local and national level?

CSOs working in the field of children, youth and women

Participant from an association: For one thing, they do not have a rights-based approach. I think that they encourage the participation of their followers more. This is to say, I do not think that they give the right to speak to those who are against their follower group.

Association - Children

Participant from an association: For example, the Ministry of Family meets with the civil society very much. But I do not see much that it has an impact or any enforcement. **Association - Children**

Participant from a foundation: In my opinion, civil society has reached a point where it is unfortunately only marginally involved in participation and decision-making processes. Therefore, no matter how much campaigning civil society actors and people working in civil society do, this may come to light in another project supported by the public. However, progress could be made more quickly if we had a seat at the table from the outset and if CSOs were included in the political decision-making processes and participation mechanisms. Therefore, I see this as an area for further development.

Foundation - Youth

Participant from an association: The state does not consult, but some political parties do, for example. There is usually no direct consultation with the associations, for example, they only ask EŞİK because EŞİK (The Women's Platform for Equality) is the largest women's organisation. Therefore, especially female MPs of some parties go to such a consultation to get EŞİK's opinion.

Association - Woman

Participant from an association: For now, such a thing is not in question; they do not implement a participative process. They may be inviting some women's organizations, such as KADEM (The Women and Democracy Association). The same cannot be said for other women's organizations.

Association - Woman

Participant from an association: Almost zero. (...) So, of course, there has been a very serious change in the last ten years. At least in 10 years. We are having trouble even accessing anything, policies or decisions. Let alone participating, for example, a wetland management plan is being prepared. While we are an institution that should be automatically invited, we are not included anyway. **Association - Environment**

In the quantitative part of the Field Research 2022, the CSOs involving in the research were asked why they did not engage in the meetings during the legislative and policy development processes.

The answers to the question, which was only posed to CSOs that did not engage in the legislative and policy development process meetings, are as follows:

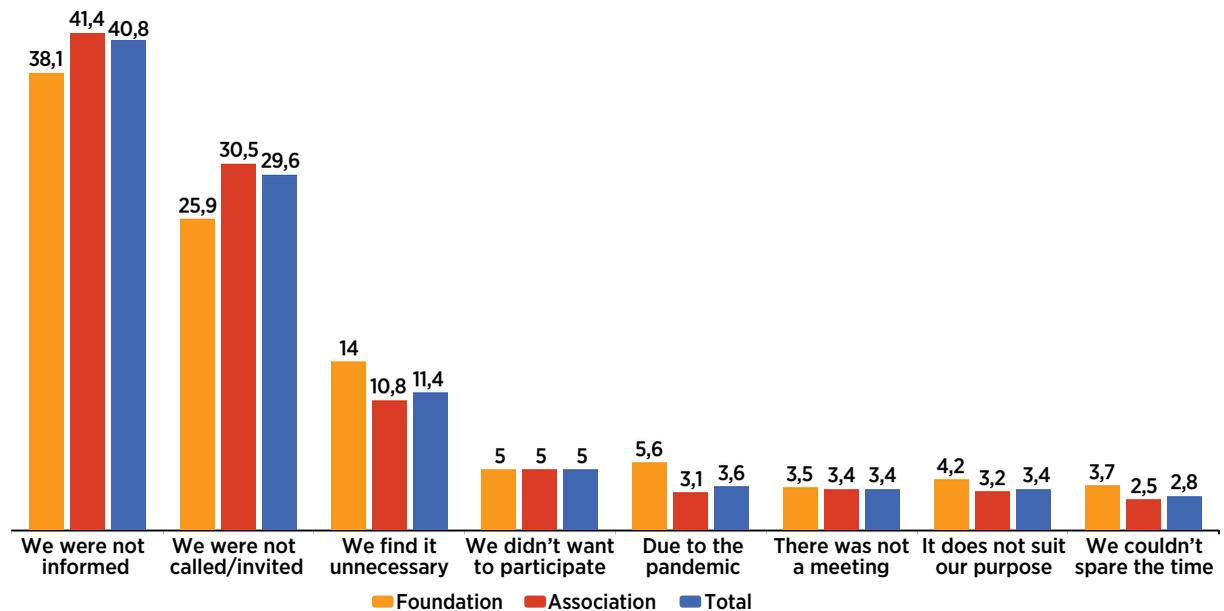


Figure 3 Reasons of CSOs involved in the Research for not engaging in the meetings in the legislation and policy development processes (Answers of only those who did not engage in the meetings)

Considering the above data, **the reluctance of civil society organisations to engage in the meetings of public institutions in the context of legislation and policy development is also remarkable.**

The percentage of those who considered it unnecessary or did not want to participate in the meetings is 16,4%, with the exception of reasons such as pandemic, not suitable for the purpose or no time.

The vast majority answered “no” and the proportion of those who did not submit proposals is relatively high to the question: “Has your institution been consulted on legislation and policy development in 2020 or 2021? Did you submit written comments?”

Regardless of whether they attended meetings or submitted comments in 2020 or 2021, the proportion of CSOs who felt that their recommendations and contributions were taken into account by the authorities in the context of legislation and policy development was 24%.

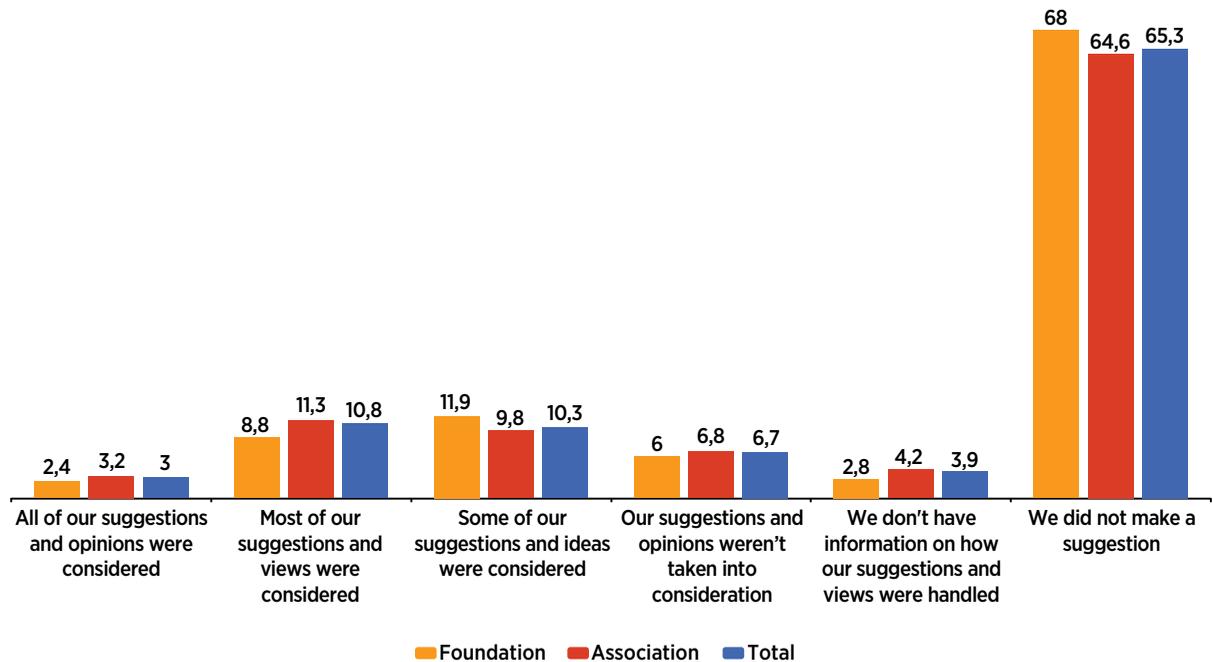


Figure 4 Official authorities consider the recommendations and contributions of the CSOs who were involved in the Research in the legislation and policy development processes

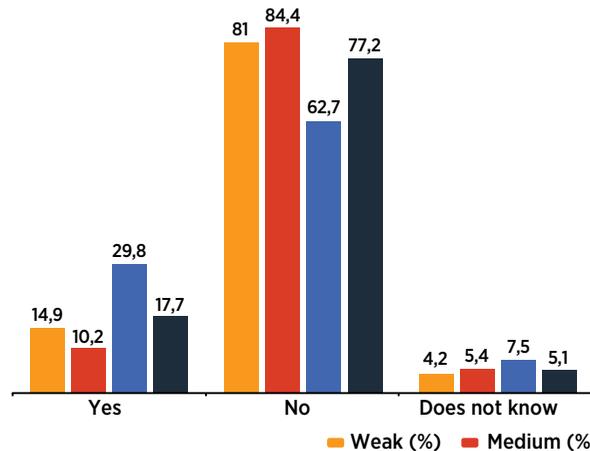
Quantitative data regarding participation in the decision-making processes in Field Research 2022 have been subjected to a separate factor analysis.

Considering the factor analysis on “rights-based approach”, CSOs with a strong rights-based approach are more active in cooperation with public institutions than those with a low and medium level.

Similarly, organizations with a strong rights-based approach are more active than other organizations when it comes to participating in legislative and policy development meetings and communicating their views in writing.

However, as the rights-based approach takes hold, support for the view that public organisations’ decisions are based on the recommendations and input of civil society organisations declines at the perceptual level. While 42% of institutions with a strong rights-based approach disagree with this proposition, this percentage drops to 32 for institutions with a medium approach and 26 for institutions with a weak approach.

Was your institution consulted in the legislation and policy development processes in 2020 or 2021? Did you participate in the relevant meetings?



Was your institution consulted in the legislation and policy development processes in 2020 or 2021? Did you submit your views in writing?

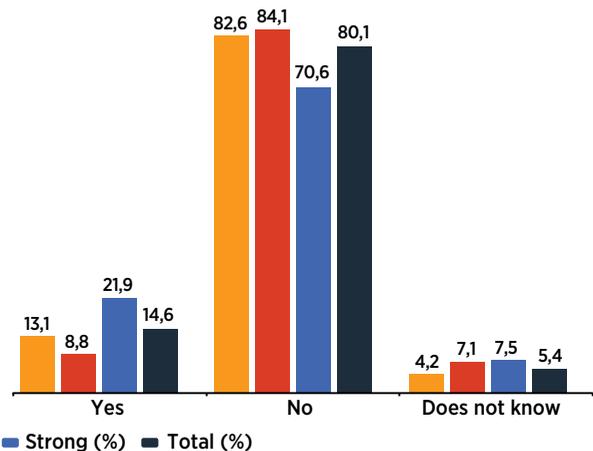


Figure 5 Factor analysis/rights-based legislation development processes

When CSOs were asked why they did not engage in meetings as part of the legislative and policy development process, the institutions with a strong rights-based approach most often stated that “they were not invited” (41%), while the other two groups often gave the reason that they did not know about such a meeting (around 45%).

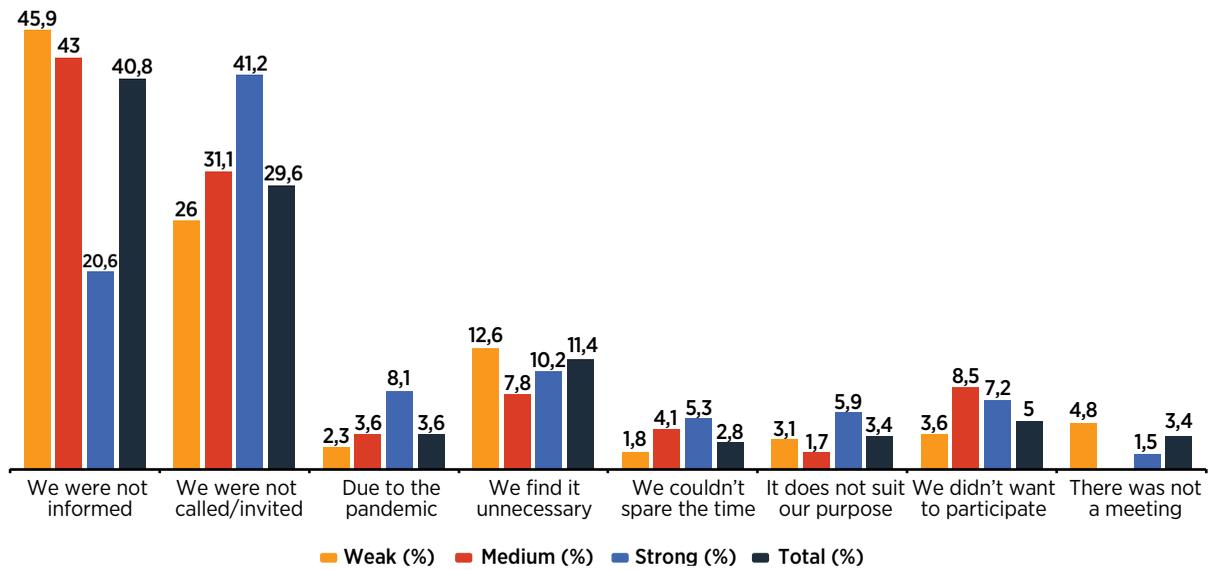


Figure 6 Reason for not engaging in meetings in the factor analysis/right-based legislation and policy development processes

42% of CSOs that were involved in the Field Research 2022 **indicated that CSOs were engaged in the process of drafting legislation. When comparing this percentage with the question above, it can be said that this indicates a perception that goes beyond a directly experienced idea.** The difference between what is experienced and what is perceived can also be easily observed in the announcements of the consultation meetings.

While the main reason for “not attending meetings as part of the legislative and policy development process” was not being informed, around one in two civil society organizations stated that the consultation meetings were announced at least one week in advance and that there was sufficient time to prepare statements.

CSOs are engaged with the initial stages of the legislation development process.

The announcement of the consultation meetings is made at least one week in advance.

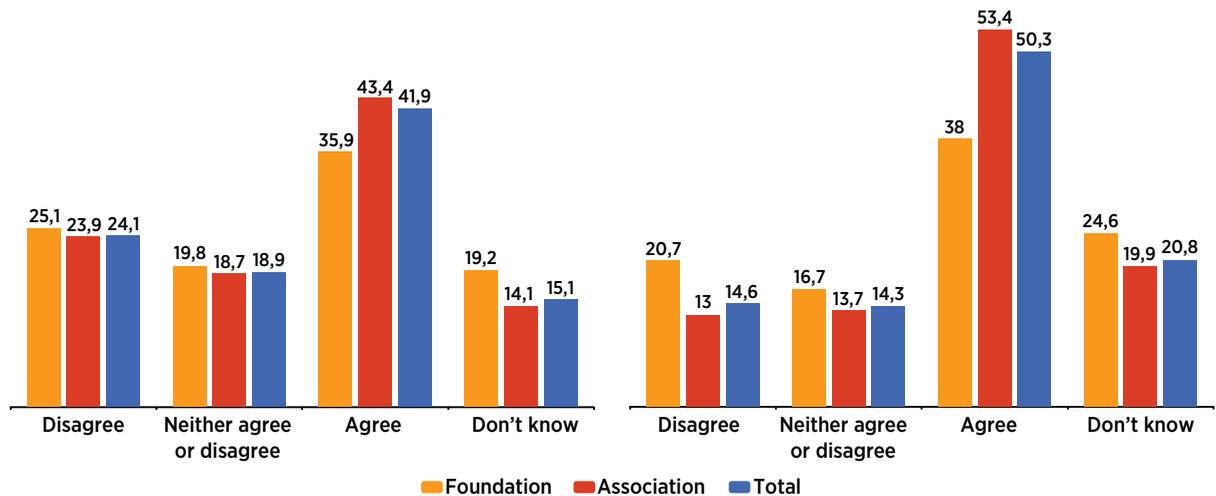


Figure 7a Perception of the CSOs who were involved in the Research about the legislation and policy development processes

A similar percentage of CSOs stated that they were given access to the relevant information and documents. While the percentages in question appear to be high for the associations, they are apparently much lower for the foundations. **The percentage of CSOs who think that they were engaged with the process of drafting legislation from the beginning is 43,4% for associations and 35,9% for foundations.**

The percentage of associations that believe that consultation meetings were announced at least one week in advance is 53,4% and the percentage of foundations is 38%; the percentage of associations that believe that there was sufficient time to prepare views is 50,3% and the percentage of foundations is 36,4%; the percentage of associations that believe that they had access to adequate information and documents is 46,1% and the percentage of foundations is 35%.

Sufficient time is provided for the preparation and submission of opinions, for example 15-20 days.

We are given the opportunity to access information and documents related to the subject before the consultations.

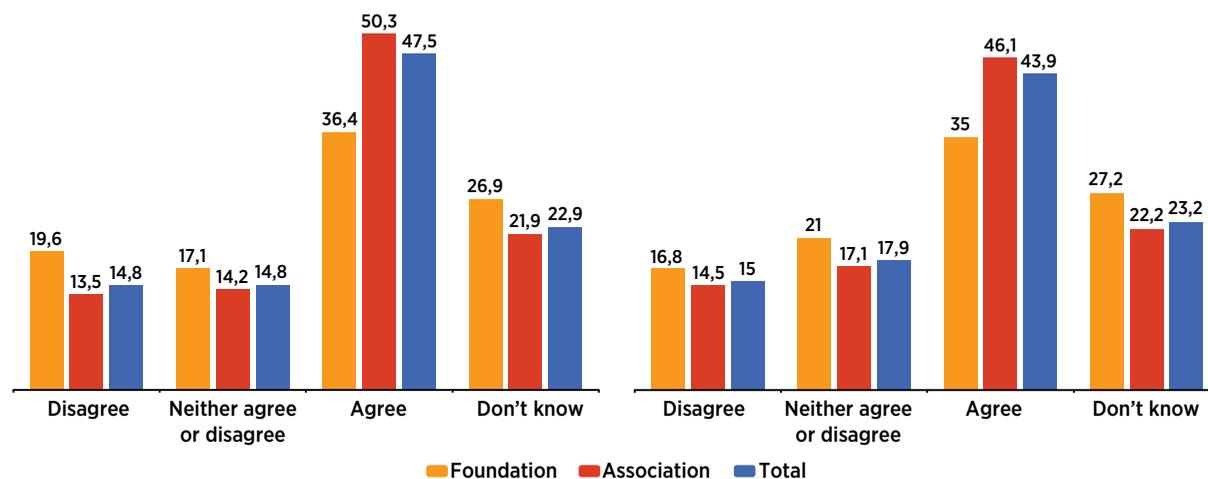
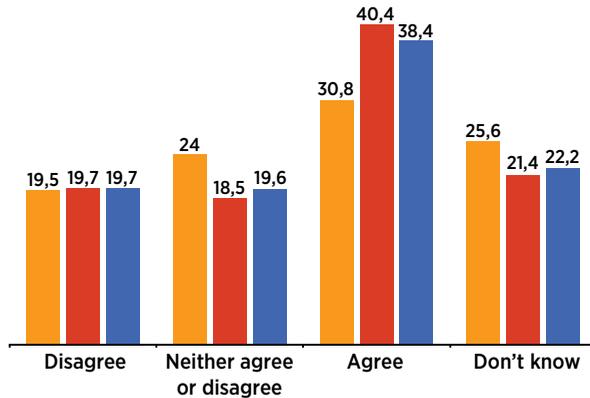


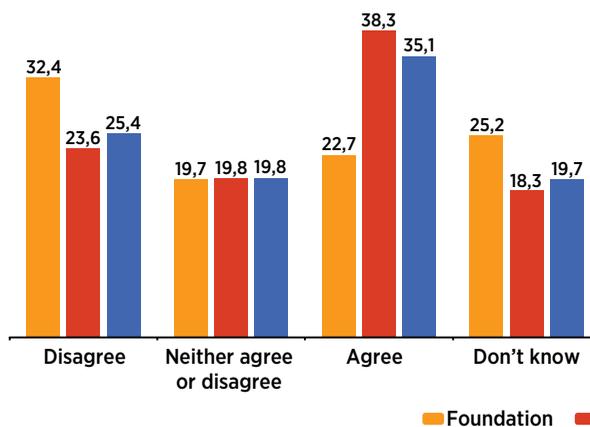
Figure 7b Perception of the CSOs who were involved in the Research about the legislation and policy development processes

The public personnel in charge have sufficient capacity to engage CSOs in the legislation development process.



38% of CSOs that participated in Field Research 2022 found the public personnel are capable of managing these processes. The percentage of those who do not think that the representatives of the consultation, negotiation and study groups are determined objectively and transparently is 18%. The percentage of those who stated that it was not explained why the proposals of CSOs were not taken into account is 25%. In general, the number of those who answer “I do not know” to the questions in this section and those who are undecided is quite high.

Why some of the CSO proposals are not taken into account is explained.



The representatives of the advisory, consultative, and working groups are determined objectively and transparently.

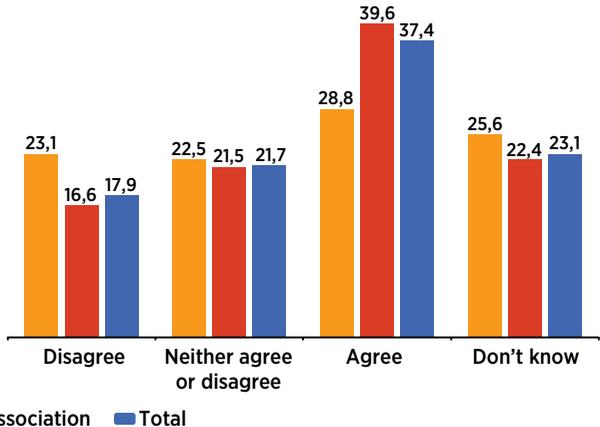


Figure 8 Views of the CSOs who were involved in the Research in the legislation and policy development processes in public personnel working in legislation and policy development processes

However, when the topic is assessed using the factor analysis for the “rights-based approach”, the perception of CSOs with a strong rights-based approach is negative and shows parallel results to the qualitative results. At this stage, the group with a low rights-based approach in particular stands out from the other groups. For example, while the percentage of institutions with a low rights-based approach that stated that CSOs were involved in the initial stages of law development is

45,5%, this percentage drops to 34,5% for CSOs with a medium approach and 36% for CSOs with a strong approach. The ability of public officials to engage CSOs in these processes also varies widely (43%, 30% and 31%). While 39% of CSOs with a low rights-based approach felt that the reasons for not considering CSO proposals were explained, this percentage drops to 28% for institutions with a strong approach.

CSOs are engaged in the first stages of the legislation development process.

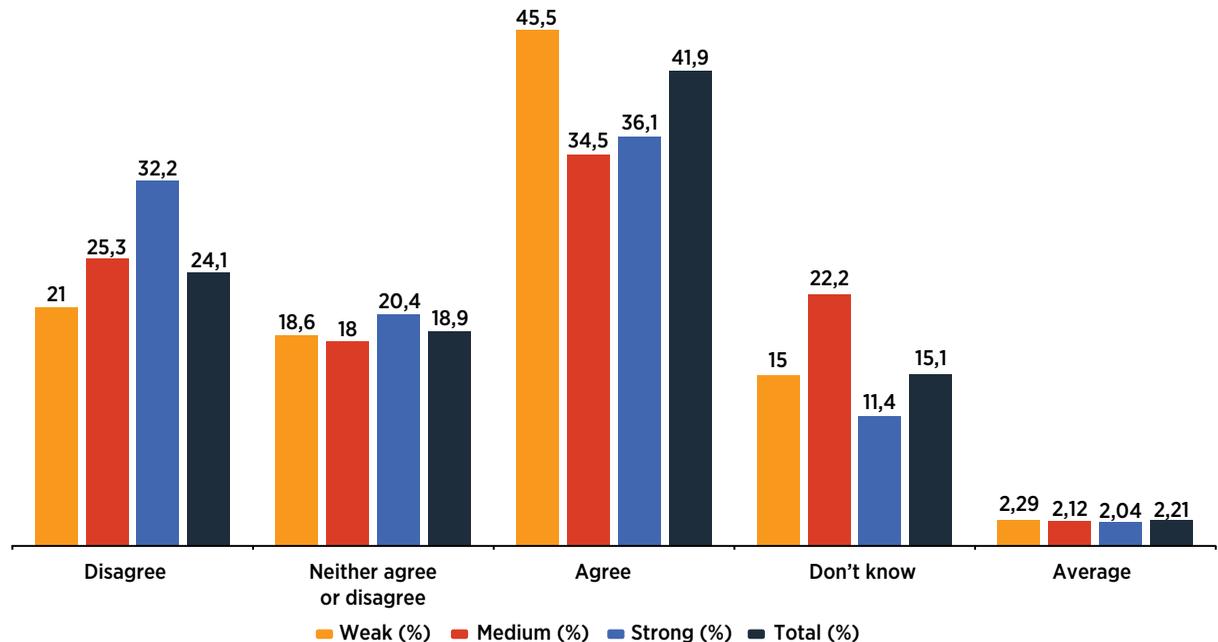
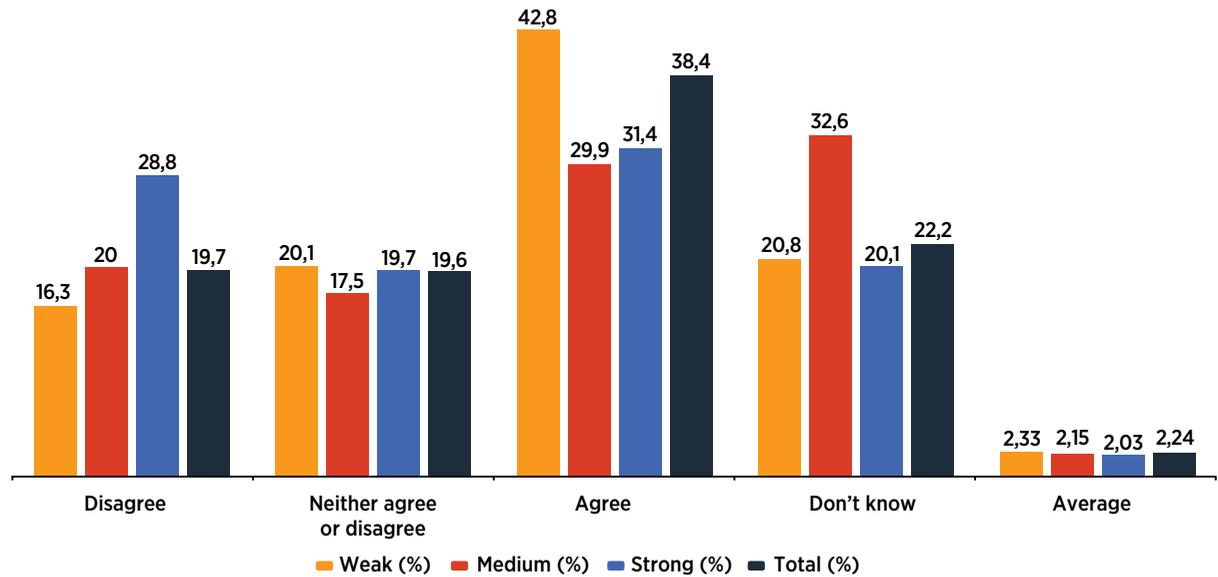


Figure 9a Factor analysis/rights-based Engagement in the early stages of the legislation development process

Assigned public personnel have the sufficient capacity to engage CSOs in the legislation development processes.



Why some suggestions of CSOs are not taken into consideration is explained.

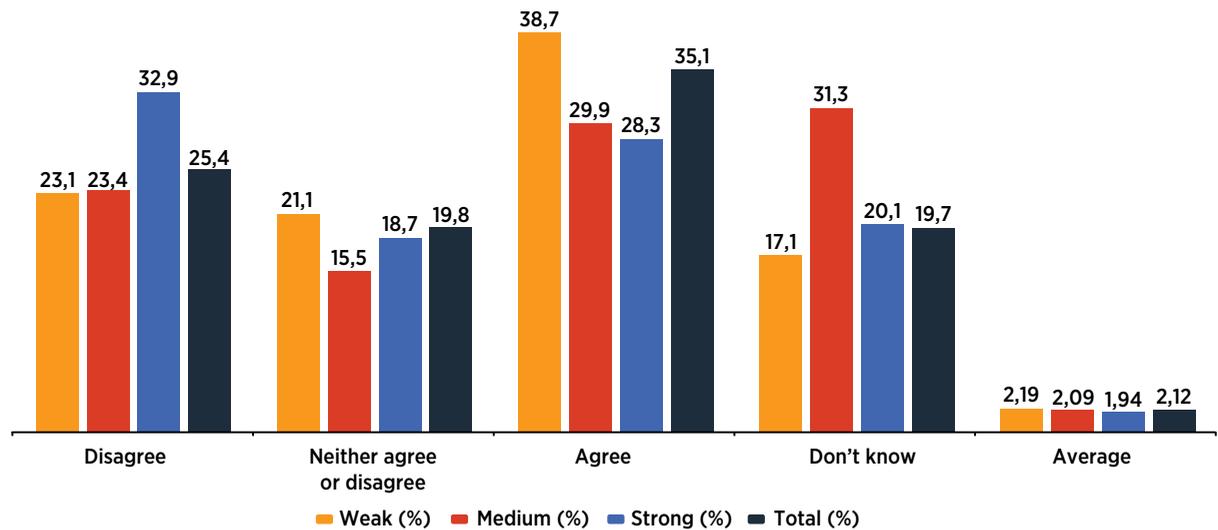


Figure 9b Factor analysis/rights-based legislative development process and public personnel

There is no framework provision in the Constitution and relevant laws of the Republic of Turkey that clearly and explicitly articulates civil society's participation in the executive's and GNAT's decision-making processes in a non-electoral context.

This has not gone unnoticed by CSOs. In the 2022 qualitative data, participants express the situation as follows:

Views of CSOs regarding the legislation that regulates the participation in the decision-making processes

Participant from a foundation: No legislation regulates the principles of participation in Türkiye. Steps of participation are well known by most of us, and even mentioned in our trainings. You go to a particular place, get informed, say OK and leave at the lowest step of participation. Have you participated in this meeting? You have participated somehow. Information is provided and then you leave. However, the participating parties' power, responsibility and rights are evident in the participation's highest steps. If you participated in something, how much influence you will have, how much will you be taken into account and at what level and limits are determined? There is no such cooperation based on a standard working principle. You are always very weak against the public. **Foundation – Women/Children**

Participant from a network: On the one hand, I think there is no mechanism in Türkiye. It is to say, some mechanisms are required to have an impact for a word you have created locally on this city and, therefore, this country. Such a participative mechanism does not exist.

Network/Platform - Ecology

Participant from an association: The inability to engage in dialogue with civil society organisations is a disease that has developed over the last ten years. The government used to view cooperation with CSOs as support and provision. That is why there used to be a dialogue. This approach has now, i.e. in the last ten years, changed significantly. On the one hand, participation in meetings at the political level is highly inadequate and only takes place sometimes.

Association - Rights of the Elderly

The Legislative Labyrinth and the Right to Participation

As it stands, legislation regarding civil society participation in decision-making processes is very scattered, and a substantial part of it is left to the initiative of the public authorities, both in executive mechanisms and in GNAT in the non-electoral context. The related participation mechanisms are also limited and dispersed.

The relevant legislation and the potential participation mechanisms developed through existing legislation were mapped as part of the Monitoring Freedom of Association project. The result of the study, which maps the legislation that regulates participation in the decision-making mechanisms of the executive branch, covers the Presidency and 15 ministries and maps the

number of mechanisms that regulate the participation of CSOs in the decision-making processes of public institutions and organizations in 2023. The legislation regulating the participation of CSOs includes terms such as “non-profit organization”, “voluntary body”, “institution, organization” and “expert” and is not uniform.

Distribution of the legislation that regulates the participation of public institutions in the decision-making mechanisms of the executive mechanisms is as follows:

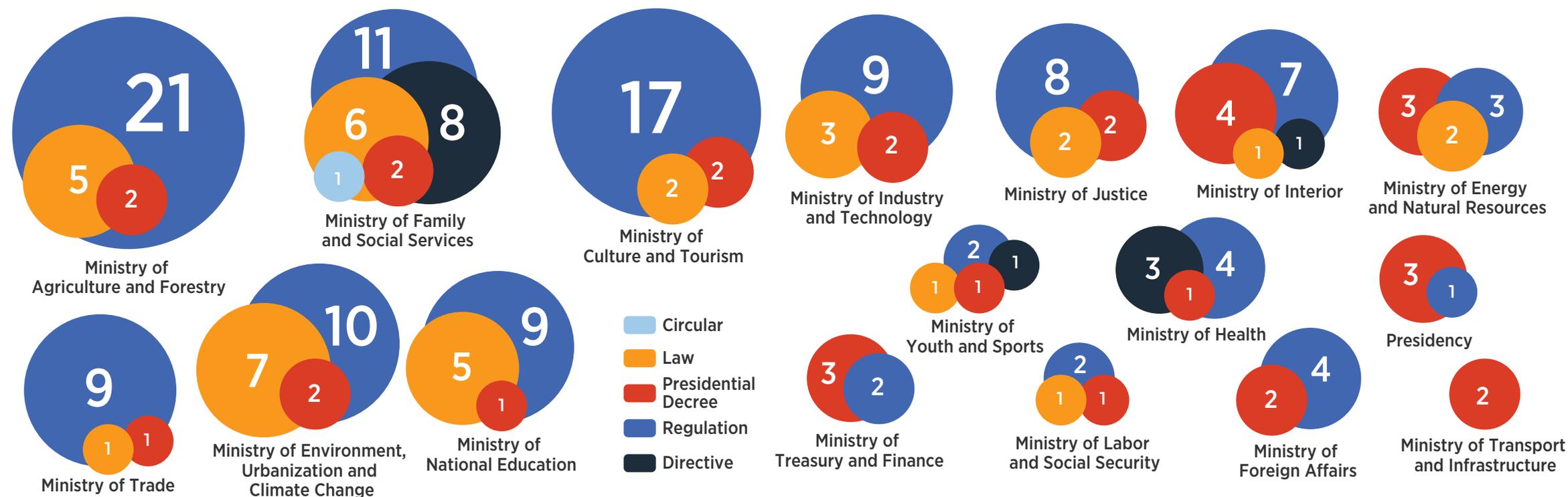


Figure 10 Legislation regulating the participation of the CSOs in the decision-making processes and its distribution according to the executive mechanisms

The regulation is the most frequently used legal provision to regulate the participation of CSOs in executive mechanisms. It is followed by laws and presidential decrees. In addition, there may be some references to participation in directives, circulars,

strategy documents, action plans and guidelines. Therefore, about 90% of the legislation that provides for the participation of CSOs in central decision-making mechanisms gives the administration a wide margin of discretion.

Assessment:

The legislation states that “their views may be used if deemed necessary” or “their views may be used”, mentioning the engagement of CSOs. The Regulation on Legislation Preparation Procedures and Principles, updated in 2022, states that *“the opinions of relevant local administrations, universities, trade unions, and professional organisations having the status of public*

institutions and civil society organisations shall also be used for the drafts, and the opinions of private sector stakeholders shall also be used for the drafts related to the business and investment environment” when mentioned CSOs.¹² However, it is worth noting that the legislation grants broad authority to the executive body regarding whether or not to consult CSOs.

As much as legislation regulates the participation of CSOs in the decision-making mechanisms of public institutions, the number and distribution of participation mechanisms that provide for the participation of CSOs in some form seem to be scattered and overcrowded.

The total number of participation mechanisms in the legislation in Türkiye is 309.

177 of the participation mechanisms consist of the units under the Presidency and the Ministries and provincial organizations of the respective ministries. 132 of them consist of a separate council, commission or working group. The mechanisms created by municipalities are not included in these figures.

¹² For a more comprehensive analysis see: “Mevzuat Hazırlama Usul ve Esasları Hakkında Yönetmelik” Değişikliği ve Sivil Toplum Örgütlerinin Karar Alma Süreçlerine Katılımı <https://www.stgm.org.tr/mevzuat-hazirlama-usul-esaslari-hakkinda-yonetmelik-degisikligi-sivil-toplum-orgutlerinin-karar>

The involvement of CSOs in decision-making processes is at the discretion of the administration

When it comes to the participation of CSOs in the decision-making processes of executive mechanisms, the organizations usually deal directly with the administration. The involvement of CSOs in the decision-making processes of the mechanisms that organize participation mechanisms as a separate council, commission or working group is not clearly regulated in all cases. Some of them take the form of temporary working groups.

The administration decides whether working groups can be established and whether civil society organizations can participate in these groups, even if they are established. There are also mechanisms where CSO participation is explicitly and clearly defined in the legislation, but which are not active, such as Türkiye Youth Council or the National Cultural Council.

CSO participation is explicitly and clearly regulated in **74** mechanisms, including those held as a separate council or committee for CSO participation. **53** of these mechanisms operate under the centre and **21** under the provincial organisation.

Assessment:

The three ministries with the most mechanisms are the Ministry of Agriculture and Forestry with 25 mechanisms including the provincial organization, the Ministry of Trade and the Ministry of Industry and Technology with 10 mechanisms each. The Ministry of Culture and Tourism follows these three large ministries with 8 mechanisms. Civil society participation in the mechanisms of the first three ministries includes associations or federations established by enterprises or professionals operating in the private sector in a specific field, which we can call sectoral associations. For example, “The Board of Advertisement” and the “Advertisement Council” of the Ministry of Trade; “National Hazelnut Council”, the “National Cotton

Council” and the “National Red Meat Council” of the Ministry of Agriculture and Forestry are mechanisms open to those working in the corresponding sectors. As a significant proportion of the founders of these organizations are private companies, membership is restricted to being involved in the relevant professional field. Although the participation of CSO in these mechanisms has been explicitly and clearly defined, the status of the structures participating in the mechanisms is controversial. There is a specific reference to sectoral associations/ organizations in which the participation of CSOs is generally mentioned.

Although restricted, the participation of CSOs in the central decision-making mechanisms is limited, it is evident in the preparatory processes of the action plans of the institutions under the Presidency and ministries. In the next part, we will look at the processes related to the preparation of the strategic and action plans in question.

As a result, the legislation regulating the participation of CSOs in decision-making mechanisms in Türkiye and the general distribution of participation mechanisms can be summarized as shown in the following table and figure:

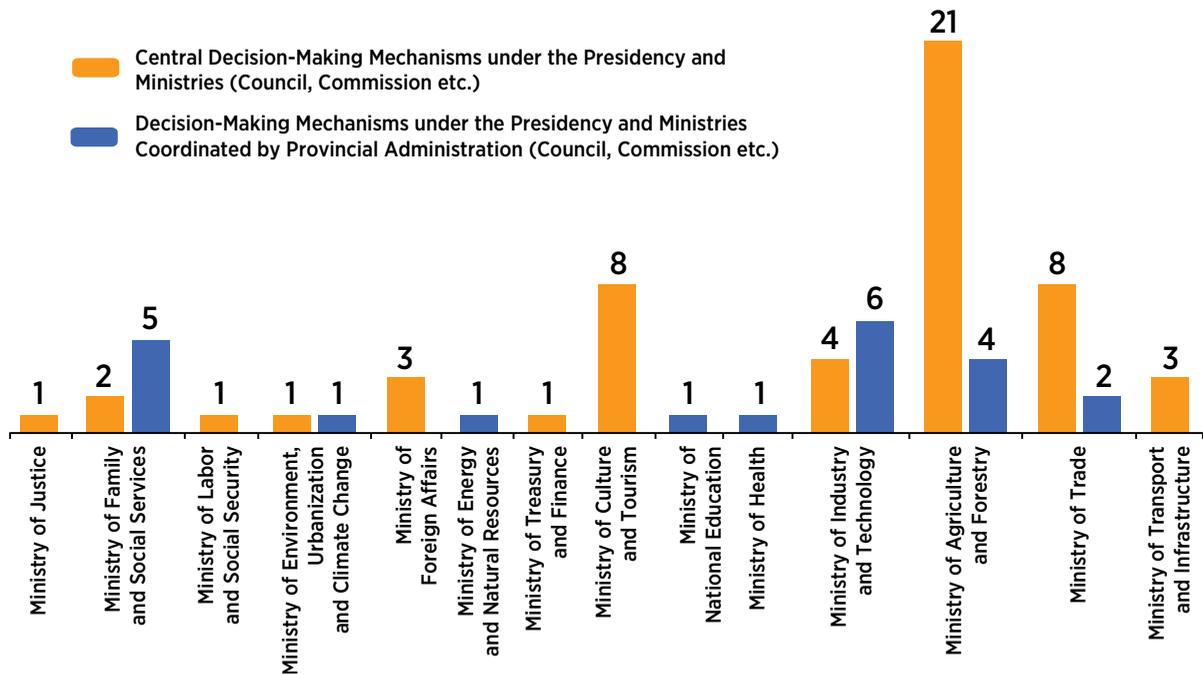


Figure 11 Participation mechanisms (Participation mechanisms established according to legislation and where civil society participation is clearly defined)

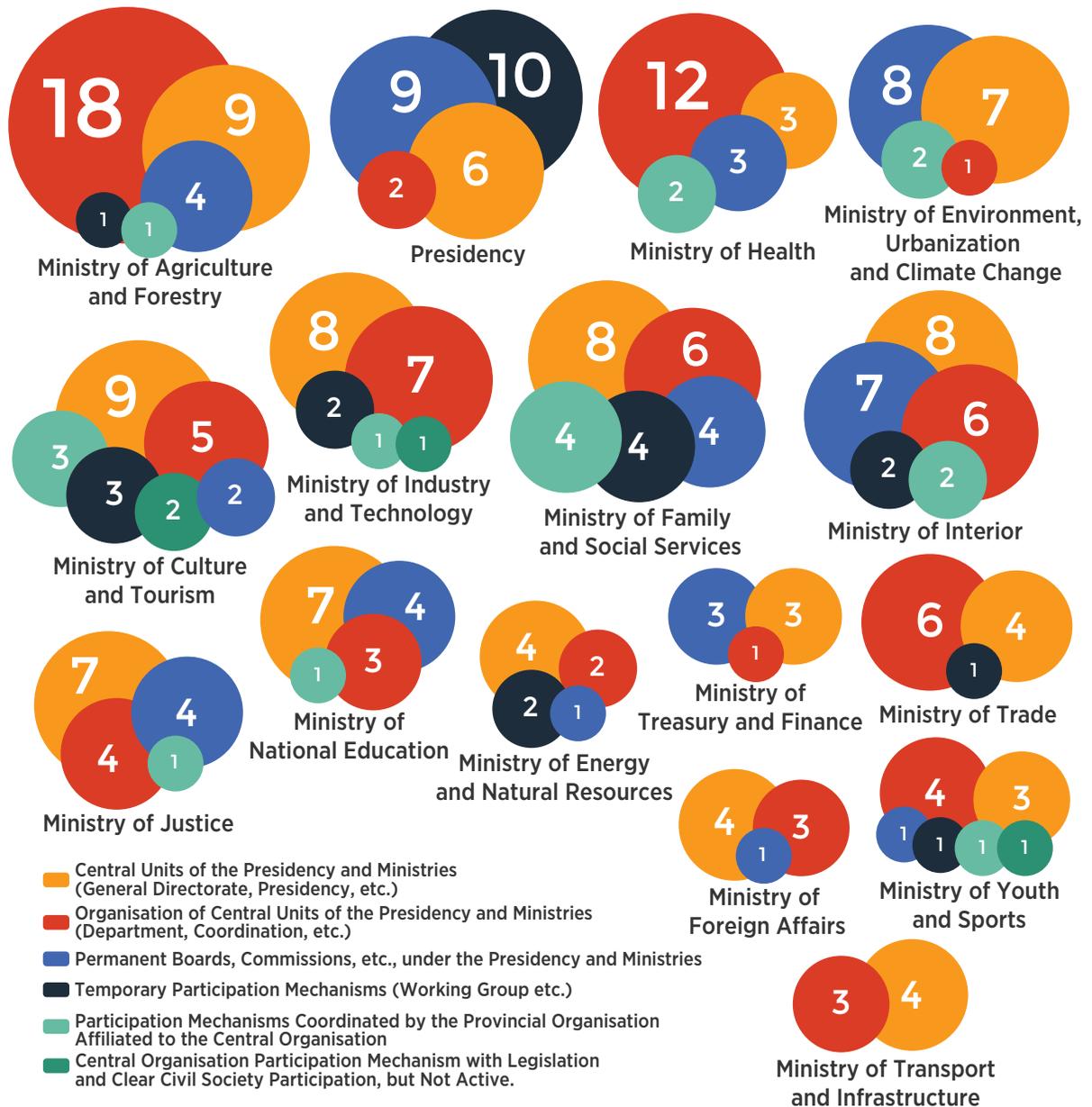


Figure 12 Participation mechanisms (Participation mechanisms that have been/can be set up in accordance with legislation, but in which the participation of civil society is at the initiative of the administration)

The chaos in the administration's decision-making mechanisms also affects the participation of CSOs in decision-making processes. From the 2022 quantitative data, the positive perception of CSOs in terms of participation in decision-making mainly concerns the municipalities and the city councils and then the

local administrations (governorships) and not the participation process at the central level. In Field Survey 2022, the CSOs that participated only in the activities of public institutions were asked in which meetings of the institutions they participated, and the answers are distributed as follows:

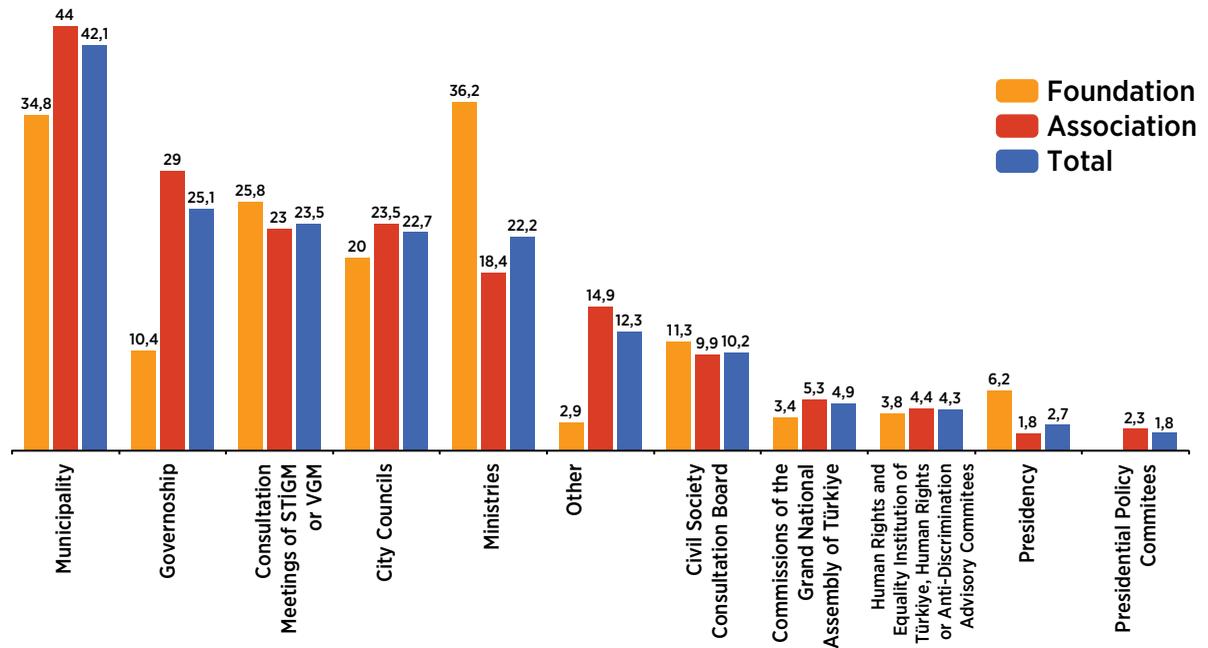


Figure 13 The institutions in which CSOs are involved in the decision-making process (only those who participated were interviewed)

When the above data is taken into account,

- **The percentage of CSOs that participated in consultations, negotiations or working groups established by public institutions in 2020 or 2021 is 13.**
- **Public institutions in whose meetings CSOs participate most frequently are the municipalities with 42%.** If we include city councils with a quota of 20%, the share of municipalities reaches 62%.

Governorships, the General Directorate of Relations with Civil Society and the Directorate General for Foundations and Ministries follow this with narrow percentages. The difference between associations and foundations in general participation rates at various meetings organized by public institutions is low.

However, a significant difference between associations and foundations can be observed when it comes to governorships and ministries. 29% of associations and 10,4% of foundations participate in meetings organized by governorships. This situation is reversed when it comes to ministries. While 18,4% of associations attend meetings of ministries, this percentage is 36,2 for associations.

Meetings and cooperation on local level are more common in relationships with public institutions

Without a Türkiye sampling claim, the results of the negotiations with the CSOs that participated in the Civil Voices Festival organized by STGM between September 30 and October 1 and the data obtained from the results of the “Freedom of Association Field Research” are consistent. 70% of the CSOs answered yes and 30% answered no to the question “Have you, as a CSO, been invited to a meeting by a public institution in the last year?”

during the survey of 61 CSO that agreed to present their views and are active in 11 different cities. Some 67% of respondents who answered yes said that these invitations were made at the local level, 14% said they were made at the central level, and 19% said they were invited by both sides. The views of CSOs regarding meetings with public institutions and requests for cooperation are as follows:

Did your CSO request a meeting or cooperation with the following public institutions?

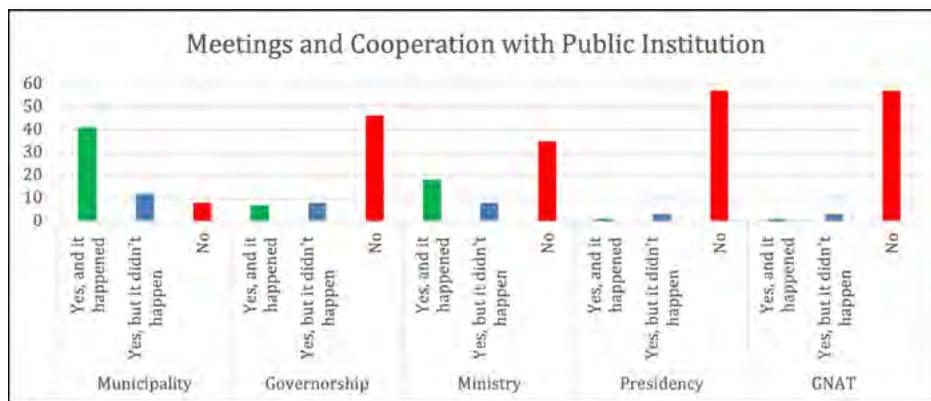


Figure 14 The answers of the CSOs that participated in the Civil Voices Festival to the question

While the data shows that the participation of CSOs in the decision-making processes of public institutions at the central level is low, the existing participation is realised in the local administration, especially at the municipal level, and not in the central administration. There is an inadequate relationship with the provincial organisations of the central administration, such as governorship or the provincial directorates.

However, according to the qualitative data of Field Research 2022, this is also not at the desired level. In addition to the positive opinions, civil society organisations are also highly critical of the processes. A major part of the criticism is that the term “participation” is often used by local institutions, but mostly just “for show”.

Views of CSOs about their participation in the decision-making processes of municipalities in the Qualitative Research

Participant from an association: There is. (...) My wife is a member of the advisory board of the city council. Of course, legislation and policies take place here. They provide guidance. We are still watching and seeing how much they realize. But our ideas are taken. **Foundation – Food/ Agriculture**

Participant from an association: As I said now, we are on the side that almost writes the policies of the Metropolitan municipalities or provide feedback. **Association – Youth**

Participant from a foundation: No, it is not possible (central administration). We began to see it at the municipality level. İstanbul Metropolitan Municipality, Ankara City Council, works very actively. Many proposals come from them. İstanbul Planning Agency is also under İBB. They were trying to create a text called Youth Policy in İstanbul. They invited representatives there. **Foundation – Youth**

Participant from an association: Yes, we sent the results of case monitoring of the parliament and the ministry. But we never received any response. (...) For local authorities there have been some changes now; you know, many municipalities do not belong to the government. For example,

in 16 big cities, municipalities have gone to the opposition. We are very cautious about negotiations or cooperation with political parties and do not do this as our general policy.

Association – Advocacy

Participant 1 from a foundation: None, zero (central administration).

Participant 2 from a Foundation: It is awful locally and so low nationally that it can be considered non-existent. **Foundation - Women**

Participant 1 from a foundation: It’s funny, we are invited, but we do not know why we are invited, we are just invited. Some commissions are organised at the local level. I have observed this very closely this year. For example, we were invited to the provincial coordination board for the prevention of violence against women in all 21 provinces. The reason is that we have tried to get in there in the past. We have tried. We joined in 5–10 provinces, but when there were many reactions to the İstanbul Convention, there were also many reactions in our region. Suddenly the governors invited us to these meetings. The girls went there. They all also contributed to making action plans to prevent violence against women. Afterwards, we gave them all the information we had and told them what

needed to be done. We thought they would take us seriously and that something would happen. Two months later, they asked for a report on what we had done with what we had said. It's very funny. I think they will report it on an international level.

Foundation – Women

Participant from an association: That is the only example. We did it last week. I did not say it because you said 2020-2021, but it is our only example. In the İzmir Metropolitan Municipality, there is an Urban Justice and Equality Department that has similar goals to ours. We had a Roma workshop with them in İzmir.

Association – Rights Based

Participant from an association: We have not initiated any cooperation with public institutions, even if they have financed projects. Because that is not in line with our vision and mission. We are not on the same page. There is İzmir Metropolitan Municipality when we think of the public and only want to cooperate with them, but we share common opinions and know each other.

Association – Environment

Participant from a foundation: From our point of view, only a few things have changed, but municipalities of CHP (opposition party) are making a big difference. They use the word participation more often. The Istanbul Metropolitan Municipality, for example, has introduced participatory budgeting. We are represented on their advisory board. They want it to look a bit more like participation. But to be honest, I have not seen marginal associations in small places in the country suddenly being welcomed by public institutions.

Foundation – Thought Institution

Participant from an association: Now there are some attempts by municipalities. There is no such culture in Türkiye. Democracy is not yet fully established, but we can observe some participatory processes in municipalities in recent years,

especially in metropolitan municipalities, etc. Not just asking for opinions, consulting organizations, (...) but consulting every organization. We can see it, but there is not really an open area when we think about the state. **Foundation – Women**

Participant from an association: The last event we attended was organised by the municipality. For example, we are invited to almost all meetings of the municipalities' strategic plans. We go along, take part and give our opinion. For example, there were the preparatory meetings for the 11th development plan. We took part in this at the highest level. In a series of meetings that lasted 3 to 4 days, we presented our views on local government civil society organisations. Were they implemented? No. But they should be on the record. The report was prepared but not implemented. Moderator: Ok. Have you started any dialog process with any public institution for long-term cooperation, related to participation processes?

Participant from an association: No. We did not.

Moderator: But we can say that you have a long-term cooperation with Çankaya Municipality.

Participant from an association: If we think of it as a municipality; yes. Since Çankaya is within our boundaries, I mean, even if the municipality changes, we continue with the municipality in the same manner. **Association – Local**

Participant from an association: In addition, for example, there is city council. The city council is open to both CSOs and individual participation. In fact, other district municipalities also have city councils as well but not as much as Metropolitan Municipality. For example, metropolitan municipalities are open for cooperation. If there is work you want to perform, you can think of it. İzmir Metropolitan Municipality does it but there is a process that works rather slowly there as well.

Association – Local

The few CSOs that can get in touch with the provincial organizations affiliated to the ministries at the local level state that such activities are carried out without notice and that communication activities cannot be carried out because the ministry at the central level, if it finds out about it, could prevent the process.

Results of qualitative research on participation in decision-making processes at provincial level

Participant from an association: It's because we push our personal relationships and never communicate it. It does not attract much attention from Ankara and then they would prevent it from Ankara. It goes on almost in secret. We do this without reflecting it, for example, in the media, in the social media, as much as possible when we can participate in the decision-making processes, and it is always like that.

Association - Environment

The last issue regarding CSO participation in decision-making processes in central mechanisms is participation in the decision-making processes of GNAT as the legislative organ. The mechanism in which CSOs can participate directly is the GNAT's Standing Committees. Although they are not decision-making mechanisms, there are two more mechanisms, where the CSOs can participate directly and submit their views. These are the Committees of Inquiry established by the GNAT, and group meetings of the political parties with groups in GNAT. Other than these, CSOs have the means to conduct one-on-one contact with the members of the parliament to submit their views and suggestions to GNAT. However, there have not been any explicit or clear provisions governing CSO participation in the GNAT Standing Committees.

The only regulation in this regard is Article 30 of the GNAT's Rule of Procedures, which deals with the representation of the executive in committees and the invitation of "experts":¹³

"Vice Presidents, ministers, deputy ministers and senior public administrators may also participate in the committee meetings. Standing Committees have the power to invite experts to receive their views."

The expression "expert" can sometimes be construed to include the CSOs by the committee's chairman and CSOs may be invited to committees. However, it should be noted that CSO participation in the committees is totally up to the discretion of the committee's chairman. The same thing is valid for the committee of Inquiry.

¹³ Among the Standing Committees established by law, only the Law of the Commission on Equal Opportunities for Women and Men (Law No: 5840) includes the term "civil society organisation" in Article 4(2). In the laws of the other commissions established by law, the term "expert" is used, as in the GNAT's Rule of Procedures.

According to Field Research 2022 qualitative research data, the participation of CSOs in the GNAT also seems to be problematic:

Findings of qualitative research for participation in decision making processes of GNAT

Participant from an association: If some things come to commissions, yes, we can access them through the deputies in those commissions. But now, many things are enacted into law without even coming to the commission. Therefore, even that isn't easy after a certain point. In addition, some things can happen at midnight. That is difficult as well. Or MPs cannot participate sufficiently in the commissions. In other words, if the opposition is absent, especially if no MPs are present, that is also a problem. That is if we are going to talk about laws and legislation.

Association- Women

Participant from an association: They have invited us to Parliament; we have been invited to the Committee on Aging and so on, but these are very formal things. On many issues, you send something to the other side and you don't get a response, and you don't see it being discussed or a process being carried out.

Association - Rights of the Elderly

The participation of CSOs in the parliamentary group meetings of political parties with a group in GNAT is entirely at the discretion of the parties that have a group in GNAT.

The contact of civil society organisations with MPs is at the discretion of the MPs and their view of the issue.

Another critical point that needs to be expressed in the context of CSO participation is the fact that there is a relationship between the participation of CSOs in the decision-making processes of executive mechanisms and the capacity of CSOs. Thus, when the analysis of the “capacity” factor is closely examined;

- Organisations with high capacity cooperate more with official institutions.

- While slightly less than half of high capacity organisations stated that they had such collaboration in 2020 or 2021, this proportion drops to 17% for medium capacity organisations and 8% for low capacity organisations.
- A similar result emerges for the number of collaborations carried out (low 2,6, medium 3,1 and high 5,3).

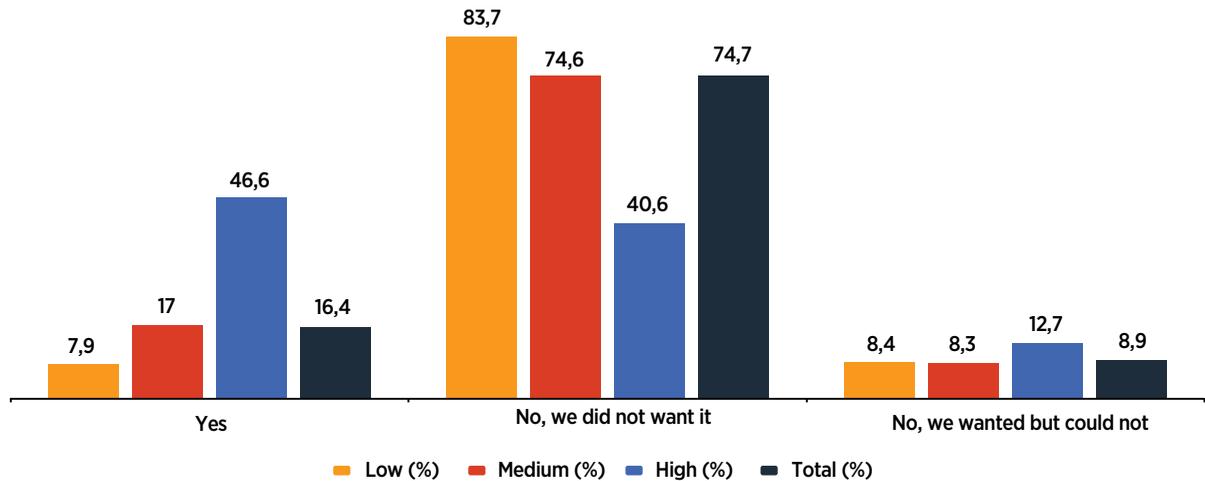


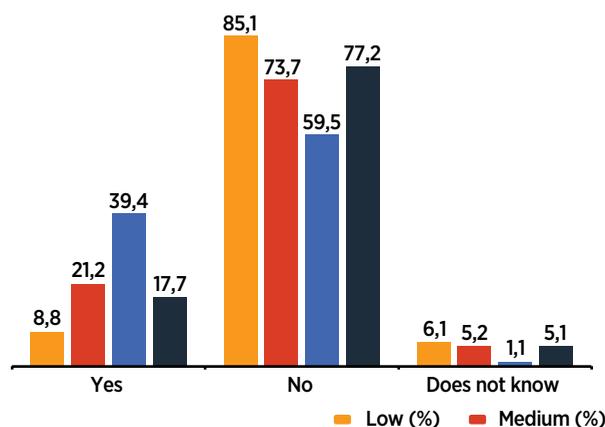
Figure 15 Factor Analysis/Capacity

CSOs who cooperated with a government agency in 2020 and 2021 (ministry, municipality, etc.) and their capacity levels

Similarly, civil society organisations, which have more capacity, are more involved in legislation and policy development. For example, while 39% of CSOs with stronger capacities indicated that they have participated in these meetings, this proportion is 21% for CSOs with medium capacity and only 9% for CSOs with low capacity. CSOs with a stronger capacity cited “not invited” as 49% of the reasons for not attending

such meetings. The main reason for not attending such meetings for low and medium capacity CSOs is that they did not know about such meetings (51% and 34% respectively). **CSOs with a stronger capacity are more active in communicating their views in writing. The percentage of high capacity CSOs is 29, the percentage of medium capacity CSOs is 18 and the percentage of low capacity CSOs is 8.**

Was your institution consulted on legislation and policy development processes in 2020 or 2021? Did you participate in the relevant meetings?



Was your institution consulted on legislation and policy development processes in 2020 or 2021? Did you submit your views in writing?

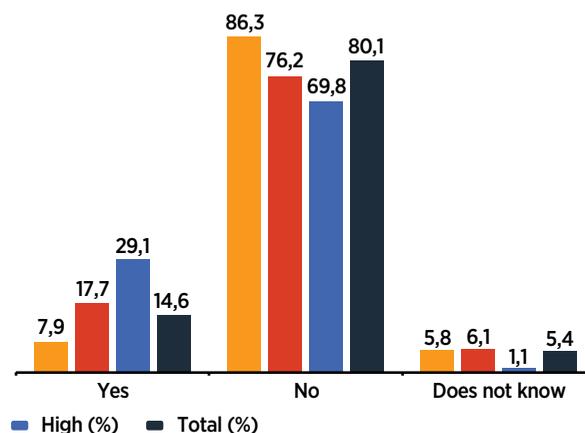


Figure 16 Factor Analysis/Capacity

CSOs who participated in the Research and legislation development processes and their capacity levels

Another noteworthy point on this topic is that while powerful civil society organisations, which have more capacity, are much more involved in the legislative and policy development processes, they are the group that feels most negatively about their advice and input being considered in these processes. **While the percentage of high capacity CSOs stating that their views were taken**

into account at all is 14%, this percentage is around 6% for medium and low capacity CSOs. The percentage of those stating that only some of their views were taken into account is 23% for high capacity organisations. This percentage is lower for the other groups: 11% for medium-capacity CSOs and 6% for low-capacity CSOs.

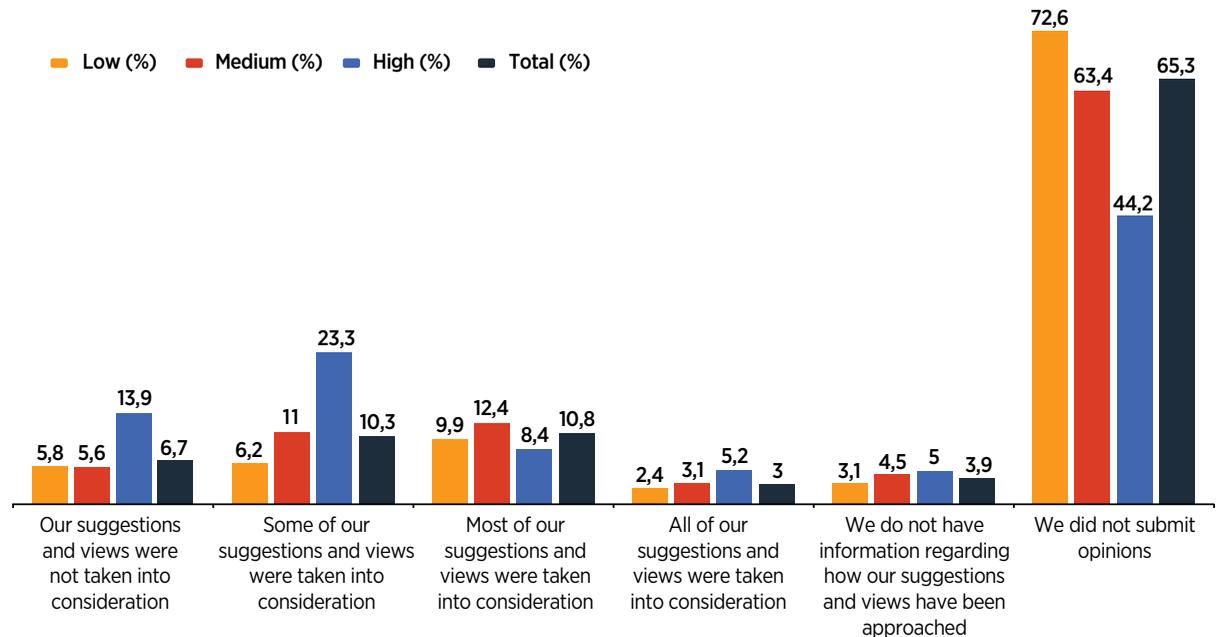


Figure 17 Factor Analysis/Capacity

The recommendations and contributions of the CSOs that participated in the research that were taken into account by the official authorities and their capacities

At the perception level, it is noticeable that high-capacity CSOs, which are closer to the public and have a high level of interaction, are less likely than other organizations to agree that the decisions of public institutions are based on the recommendations and contributions of CSOs.

For high-capacity CSOs, this proportion is around 51%. For medium-capacity CSOs, this proportion is 30% and for low-capacity CSOs it is 25%.

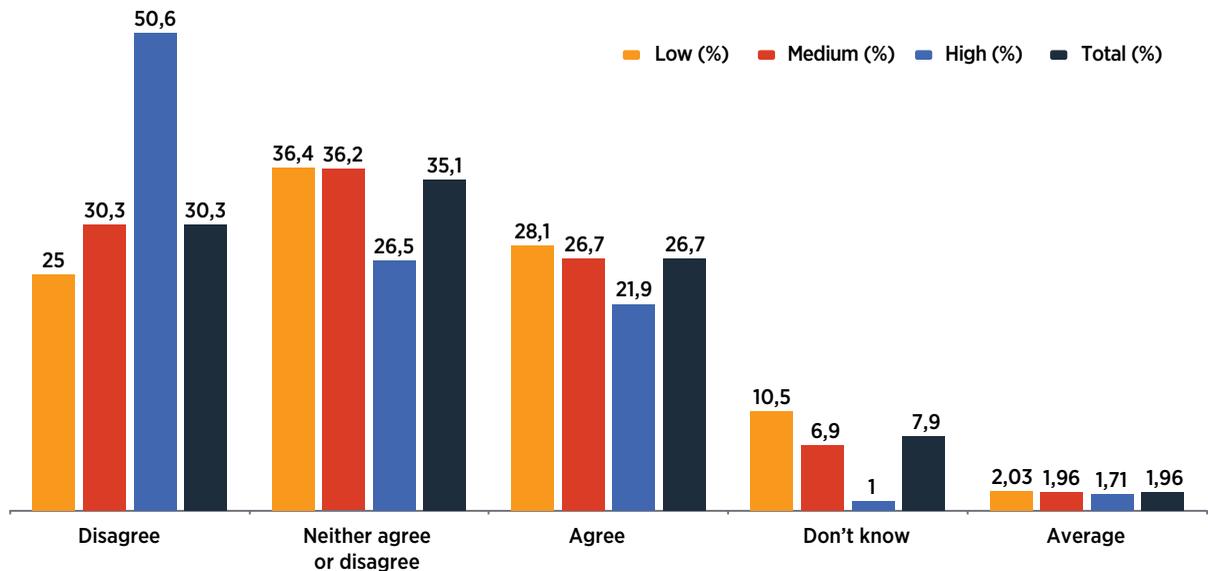


Figure 18 Factor Analysis/Capacity

Rates of the CSOs who participated in the Research agree with the statement "Decisions of public institutions are based on recommendations and contributions of CSO"

The negative perception of consultation processes increases with increasing capacity. 21% of high capacity CSOs believe that consultation meetings were not announced at least one week in advance. This percentage is 11% of low capacity CSOs and 16% of medium capacity CSOs. 23% of high-capacity CSOs stated that access to information and documents was not provided prior to consultations. This percentage is 13 for low-capacity CSOs and 15 for medium-capacity CSOs.

One third of high capacity CSOs stated that public staff did not have sufficient capacity. This percentage is 17% for low-capacity CSOs and 18% for medium-capacity CSOs. In addition, a quarter of the high capacity CSOs stated that the representatives are not determined objectively and 40% of them believe that the reason why the proposals submitted by CSOs are not considered is not explained. The percentage of low and medium capacity CSOs that think that the representatives are not objectively determined is 16. The percentage of low capacity CSOs that think that the proposals submitted by CSOs are not considered and not explained is about 21%, and this percentage is about 26% for medium capacity CSOs.

Public personnel have the sufficient capacity to include the CSOs in the legislation development processes.

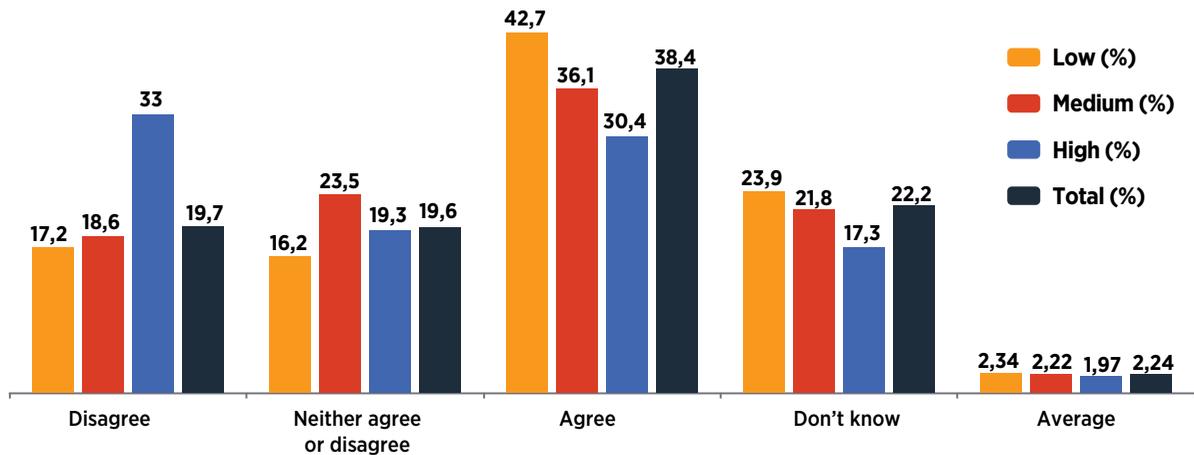
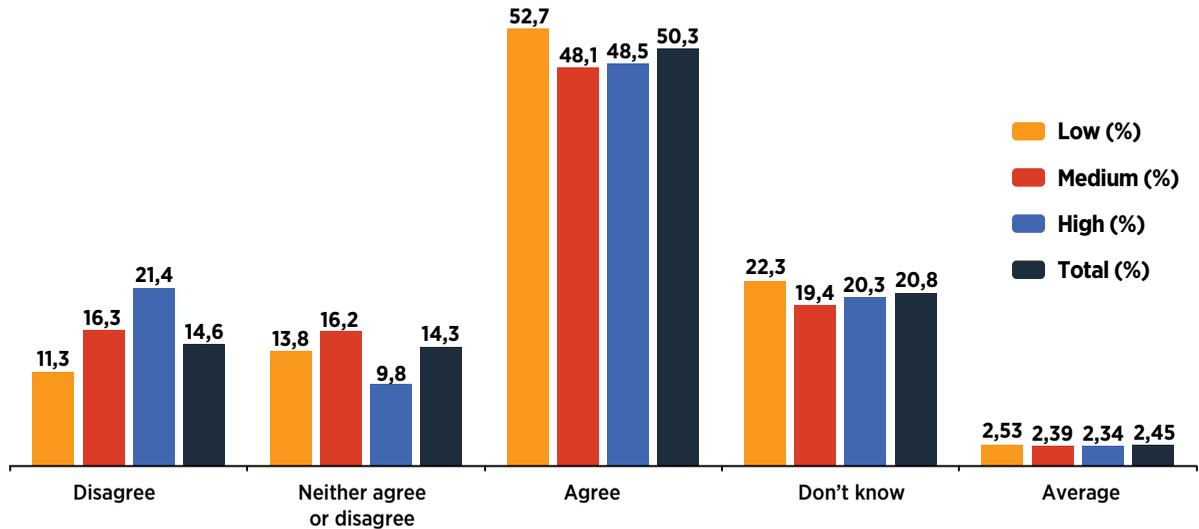


Figure 19a Factor Analysis/Capacity
Views of CSOs who participated in the Research on the consultation processes views about announcement, information, document and public personnel

Consultation meetings are announced at least one week in advance.



We can access the information and documents related to the issue before the consultations.

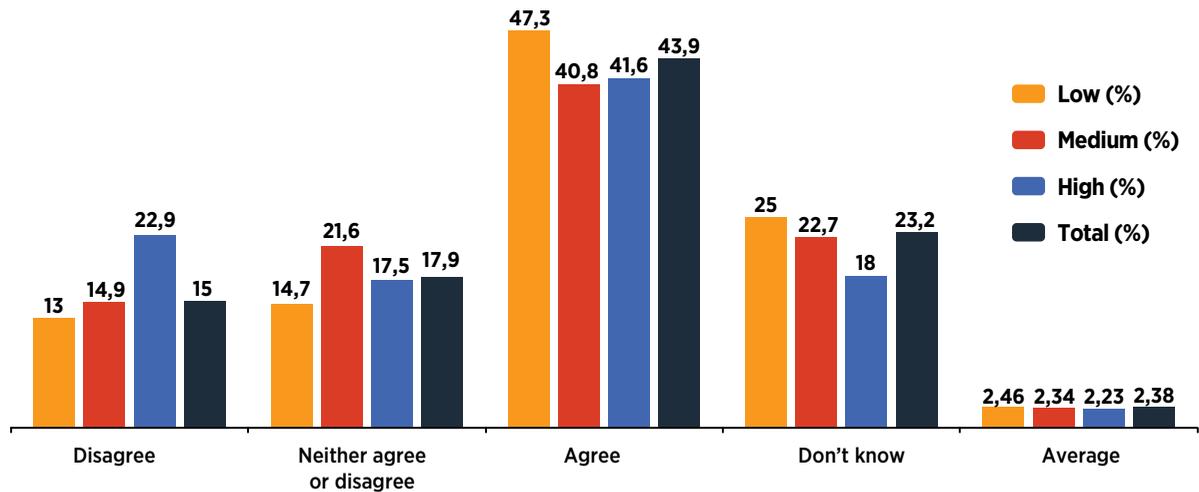
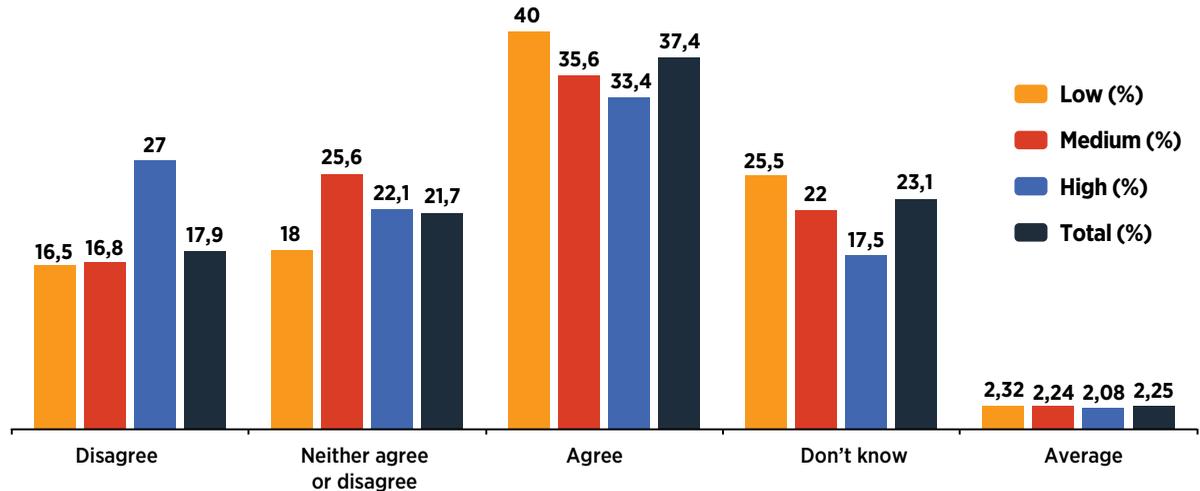


Figure 19b Factor Analysis/Capacity

Views of CSOs who participated in the Research on the consultation processes views about announcement, information, document and public personnel

Consultation, negotiation and working group representatives are determined objectively and transparently.



Why some suggestions of CSOs are not taken into consideration is explained.

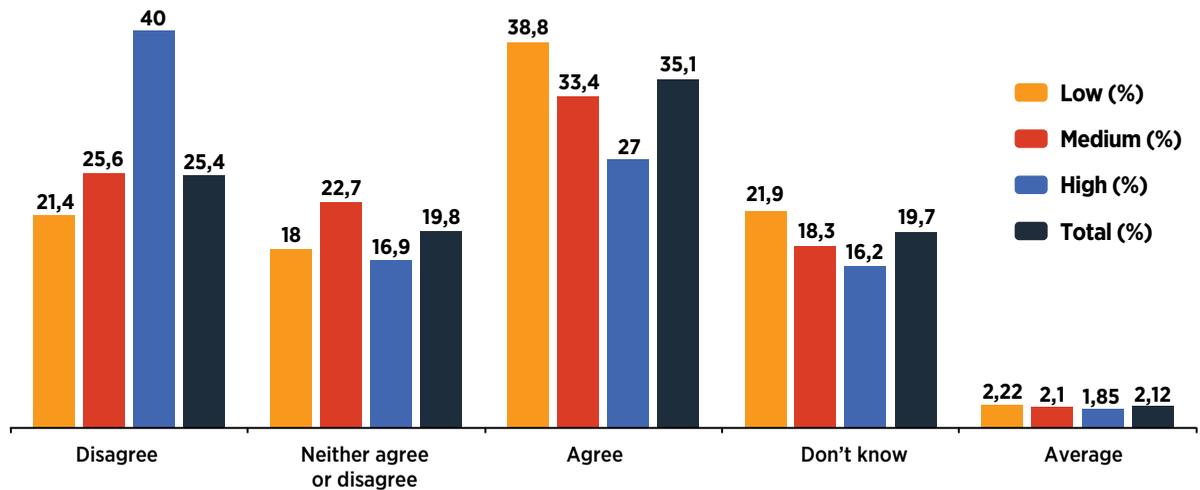


Figure 20 Factor Analysis/Capacity

Views of the CSOs who participated in the Research regarding objectivity and transparency of consultation processes and feedbacks

High-capacity CSOs participated more in the consultation and negotiation process and in the working groups set up by the official authorities, rather than just attending meetings or submitting their views in writing.

While almost every second high-capacity CSOs states that they participated in these meetings in 2020 or 2021, this percentage is 10% for medium-capacity organisations and 5% for low-capacity organisations.

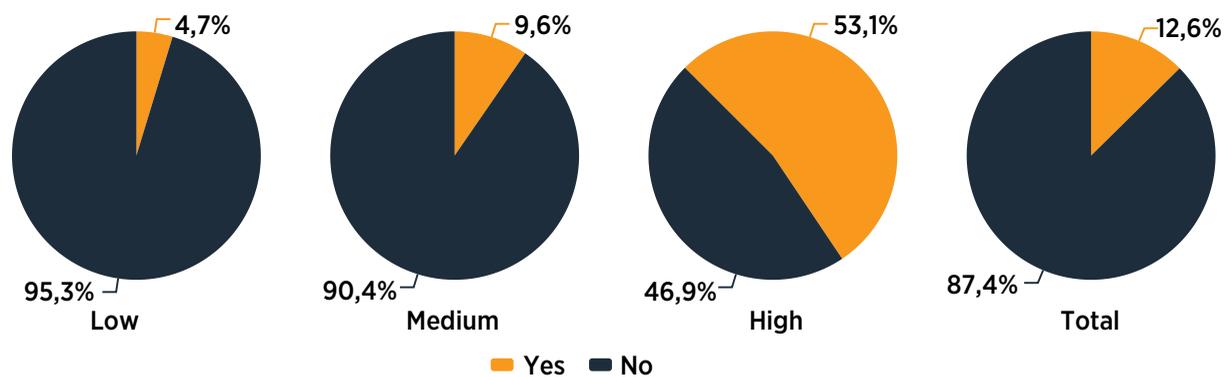


Figure 21 Factor Analysis/Capacity

Participation of the CSOs in the activities of any counselling, consultation, or working groups, created by official authorities in 2020 or 2021

2. Participation of Civil Society in Decision-Making Processes in the GNAT and the Executive Mechanisms

In discussing the participation of civil society in the decision-making processes of the legislature and the central administration, we first examined the participation of civil society in the legislative processes of the GNAT. The period for monitoring civil society participation in the legislative processes extends from 2021 to 2022. Below is a detailed overview of the laws passed by the GNAT. However, civil society had limited participation in the legislative process, as it was only involved in the drafting of laws that directly affected it. In addition, only one request for access to information was made for the legislative process. The monitoring of the legislative process was based on the minutes of the standing committee for the laws adopted by the GNAT in 2021-2022.

The minutes were first subjected to a content analysis to determine how many of them contained CSO involvement. The minutes of the Main Committees are the ones monitored to track civil society participation in the legislative process. The examination also included the thematic reports of the specialised commissions that began their work between 2021 and 2022, but were not published until 2023. As the reports produced were extremely limited, all thematic reports produced by the Standing Committees were included in the scope of the monitoring. Another topic that was monitored as part of participation in legislative procedures was the establishment of Committees of Inquiry, which serve as part of parliamentary scrutiny of the Executive function. As no Committee of Investigation was set up during the monitoring period, it was not included in the monitoring process.

The monitoring also included the assessment of civil society participation in the processes of executive mechanisms for drafting legislation and strategic planning. The participation of civil society in the boards and commissions coordinated by the provincial organisations of the executive mechanisms was also monitored. Detailed information on the government's legislative processes is provided below. Legislation governing the internal functioning of the government and municipalities was excluded from monitoring in this context.

The monitoring process in 2021 and 2022 focused on legislation and strategic planning prepared by the government that directly affect civil society participation. The questions were addressed directly to the provincial organisation for institutions and commissions, which are coordinated by the provincial organisation of the executive administration. The main focus was on the provincial organisation of the Ministry of Family and Social Services and the Ministry of Environment, Urbanization, and Climate Change in connection with public participation meetings in EIA (ÇED-Environmental Impact Assessment) procedures.

2.1 Civil Society Participation in Decision-Making Processes of the GNAT

As already mentioned, the participation of civil society in the GNAT was analysed in three separate sections. Firstly, the law-making processes, secondly, the reports of the Standing Committees, and thirdly, the reports of the Committees of Inquiry within the context of the Parliamentary Oversight of the executive administration by the GNAT.

2.1.1. CSO Participation in Law-Making Processes at the GNAT

In the period 2021-2022, 163 laws were passed and enacted in the GNAT, of which 87 were passed in 2021 and 76 in 2022.

A significant number of the laws passed by the GNAT in 2021 related to bilateral treaties signed with various states. The number of laws adopted in this way is 49. Another category of laws of a similar nature are laws regulating the adoption of international treaties and cooperation with intergovernmental organisations. The number of such laws adopted is 12. The number of omnibus laws adopted by the GNAT in 2021, amending several laws at the same time, is 20. The number of fundamental laws adopted is 6.

The laws passed by the GNAT in 2022 show a similar picture to those of 2021. 41 of the laws passed relate to bilateral treaties with foreign countries and 3 to the ratification of international conventions and agreements with intergovernmental organisations. Another category that falls into this category is the 2 laws regulating cooperation in relation to the A400M military aircraft. The number of omnibus laws that amend more than one law at the same time is 14, while the number of fundamental laws adopted is 16.

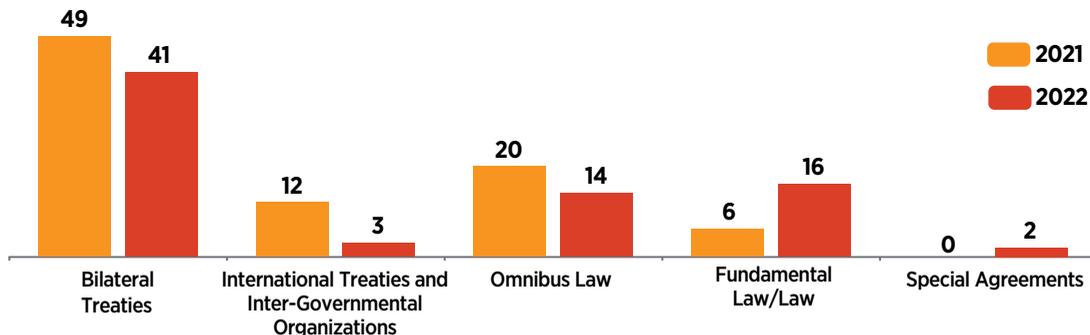


Figure 22 Breakdown of laws enacted by the GNAT in 2021-22

What are the fundamental law and the omnibus law?

Fundamental Law/Law: In the drafting phase of the legislative process, the “Main Committee” is where the kitchen of work takes place. The “General Assembly” is the final decision-making body within the legislature and works on the basis of the text developed in the commission and is referred to as the “ordinal number”. During the deliberations of the draft law and the proposal in committee, the contributions of expert Members or Non-Members of the Parliament and, where appropriate, the opinions of relevant civil society organisations are taken into account.

Omnibus Law: The word “omnibus”, which precedes the word “law”, is an adjective that refers on the one hand to the “carrying function” and on the other hand to uncertainty, since the provisions of the law that are to be included in it are not always predictable. However, it is a characterization that is never used in formal statutory language. In short, “omnibus laws” refer to laws that are thematically unrelated but supplement and amend numerous other laws. One of the most important indicators of whether or not a law is an omnibus law is its title. The title of an omnibus bill must generally begin with the phrase “in various laws” because its content affects more than one applicable law.¹⁴

Among the laws adopted by the GNAT, laws authorising cooperation with foreign countries, ratification of international treaties, and cooperation with intergovernmental organisations were not included in the scope of monitoring. Similarly, 2 laws on cooperation regarding the A400M military aircraft and laws concerning the armed forces were excluded from monitoring. The scope of monitoring included

omnibus bills and fundamental laws/laws that are of primary importance for the participation of civil society organisations. In the minutes of the Standing Committee of the GNAT, an examination was conducted to determine if civil society was involved in the process and, if so, the number of CSOs that participated. The laws monitored in this manner are as follows:

¹⁴ Assoc. Prof. Dr. Şeref İBA - “Omnibus Bill” and “Fundamental Law” Applications in Our Country, 2011 / 1 Journal of the Ankara Bar Association, p. 197, 199, <https://dergipark.org.tr/tr/download/article-file/397802>

2021 – The Number of Laws Monitored is 8 / The Process with CSO Participation is 1

Name of the Law - By date of enactment	Law No.	Date	Official Gazette Date/No.	Related Standing Committee	CSO Participation
Law on Security Investigation and Archive Research	7315	7/4 2021	12.4.2021 /31457	Committee on Internal Affairs	No CSO Participation
Law on the Amendment of the Law on the Execution of Penal and Security Measures and Some Other Laws	7328	17/6 2021	25.6.2021 /31522	Committee on Justice	No CSO Participation
Law Amending the Law on Penal Procedure and Some Other Laws	7331	8/7 2021	14.7.2021 /31541	Committee on Justice	No CSO Participation. Professional Org. Participation Exists
Law Amending the Law on the Protection of Animals and the Turkish Penal Code	7332	9/7 2021	14.7.2021 /31541	Committee on Agriculture, Forest and Rural Affairs	CSO Participation Exists
Law Amending the Law on Encouragement of Tourism and Some Other Laws	7334	18/7 2021	28.7.2021 /31551	Committee on Settlement, Development, Transport, and Tourism	No CSO Participation
Law Amending Some Other Laws and Decree Laws	7333	18/7 2021	28.7.2021 /31551	Committee on Plan and Budget	No CSO Participation
Law Amending the Law on the Establishment and Duties of the Turkish Exporters Assembly and Exporters Associations and Some Other Laws	7341	4/11 2021	6.11.2022	Committee on Industry, Trade, Energy, Natural Resources, Information and Technology	No CSO Participation. Professional Org. Participation Exists
Law Amending Some Other Laws	7346	21/12 2021	25.12.2021 /31700	Committee on Industry, Trade, Energy, Natural Resources, Information and Technology	No CSO Participation. Professional Org. Participation Exists
Central Government Budget Law for 2022	7344	17/12 2021	31.12.2021 /7344	Committee on Planning and Budget	No CSO Participation

Table 2 The number of laws monitored and CSO participation in 2021

Law on Security Investigation and Archive Research

Law No. 7315 on Security Investigation and Archive Research is directly related to the “right to inviolability of private and family life” and the protecting personal data protected by international human rights treaties. This law repealed the “Law on Security Investigations, Restitution of Rights of Public Personnel Dismissed for Certain Reasons and Those Not Recruited for Public Office, and Amendments to Martial Law No. 1402”. The law is, therefore, closely linked to fundamental rights and freedoms. In this case, it is expected that at least the Union of Turkish Bar Associations, as a professional organisation, and ideally rights organisations, would be invited to the GNAT’s Committee on Internal Affairs during the discussion of the Law. However, a review of the minutes of the deliberations of the GNAT’s Committee on Internal Affairs on the Law shows that no professional or rights based organisation was invited to the meetings and did not submit a statement to the Committee. As a matter of fact, during the Committee on Internal Affairs, the 27th-term Member of Parliament from Gaziantep, Mr. Mahmut Tođrul, made the following statement:

Which civil society did you work with in this case? The security investigation and the archive search are situations that affect all citizens. They affect all citizens. Who was involved in this process and how did you prepare it? Unfortunately, it all takes place behind closed doors, which means that the opportunity to pass high- quality laws in the Parliament is no longer there. This is due to the lack of participation, because people think: “I have the majority, I can do what I want, the opposition is already vicious, as I said before, there is no need to listen to the opposition, they will be vicious in

any case.” Now the OHAL KHKs declared on July 20 will indeed be legalised to support the current government’s ongoing efforts to ensure its own survival.¹⁵

Similarly, the 27th term Member of Parliament from Ankara, Mr. Nihat Yeşil, addressed the Committee on Internal Affairs as follows:

Mr. Ramazan, now you say, for example: “We have done these things.” But if these things were discussed in the Committee on the Constitution, in the Committee on Justice, if this information was received from civil society organisations, bar associations, academics, and universities, if the right decisions were made...¹⁶

The minutes show that the Committee on Internal Affairs continued to discuss the same law at its meeting on 25 June 2021. The minutes do not mention participation of civil society or professional organisations.¹⁷

¹⁵ Journal of the Minutes of the Committee on Internal Affairs of the GNAT, 4th Meeting, 24 June 2020 Wednesday, p. 32, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2552

¹⁶ Journal of the Minutes of the Committee on Internal Affairs of the GNAT, o.c., p. 41

¹⁷ Journal of the Minutes of the Committee on Internal Affairs Commission of the GNAT, 5th Meeting, 25 June 2020 Thursday, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2554

Law Amending on the Law on the Execution of Penal and Security Measures and Some Other Laws

Law No. 7328 on the Execution of Penal and Security Measures is another important law on fundamental rights and freedoms. It regulates issues such as Monitoring Boards of Penal Institutions and Detention Houses and probation. Therefore, the law is directly related to the right to “personal liberty and security” guaranteed in the International Convention on Human Rights. However, CSOs were not involved in the drafting of the law. It is understood that only one person representing the Union of Turkish Bar Associations attended the meeting. However, the name of the representative who participated in the meeting on behalf of the Union of Turkish Bar Associations was mentioned in the introductory speech of Yılmaz Tunç, the Chairman of the Committee, at the opening of the meeting. It was understood that the representative did not participate in any discussions or express his opinion during the Committee meeting. However, the name of a CSO is not mentioned in the minutes. The 27th-term Member of Parliament from Aydın, Mr. Süleyman Bülbül, addressed the Committee on Justice as follows:

Are there any representatives of human rights organisations present? No family members of prisoners, no human rights defenders.¹⁸

Yılmaz Tunç, Chairman of the Committee on Justice, responded to Süleyman Bülbül’s question as follows:

Please wait a moment, I will tell you the institutions we have written about. We had announced the time as 15:00 but then the situation changed when we changed the time. We have invited the Ombudsman Institution; they will attend our meeting in the

afternoon. We have invited the Board of Directors of the Human Rights and Equality Institution of Türkiye; we have invited the Ministry of Interior, we have invited the Presidency of Strategy and Budget.¹⁹

As can be seen from the above statements, all the institutions summoned are public institutions and organisations and do not include CSOs. After Yılmaz Tunç, the Chairman of the Justice Commission, the 27th-term Member of Parliament from İstanbul, Mr. İbrahim Özden Kaboğlu, stated the following:

Our guests are present here in terms of our findings, the criticisms we will make, and their consideration; we hope that civil society organisations and other stakeholders will also come later on.²⁰

However, the minutes of the Committee’s later meeting did not contain any information about the involvement of CSOs.

¹⁸ Journal of the Minutes of the Committee on Justice of the GNAT, 5th Meeting, 27 May 2021 Thursday, p. 16, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2740

¹⁹ Journal of the Minutes of the Committee on Justice of the GNAT, o.c., p. 16

²⁰ Journal of the Minutes of the Committee on Justice of the GNAT, o.c., p. 16

Law Amending the Law on Penal Procedure and Some Other Laws

Law No. 7331 amended administrative procedures and the Turkish Penal Code. Accordingly, there are provisions for a person's arrest, apprehension, and judicial control of a person. The Law is, therefore, closely linked to issues such as "violence against women" and "rights of the child." The law also contains provisions on "terror crimes". As such, the law is closely related to the right to a "fair trial," which is guaranteed in international conventions, as well as to "personal liberty and security" and the "right to life". A lawyer attended the commission meeting where the Law was discussed on behalf of the Union of Turkish Bar Associations and expressed his opinion.

However, the record does not mention that a CSO was called or consulted. The 27th-term Member of Parliament from Ağrı, Mr. Abdullah Koç, addressed the Committee on Justice Commission as follows:

We declare that this should somehow be withdrawn and presented to this Committee with a new regulation that is much more inclusive and truly preventive, by international conventions, criteria and with the participation of existing civil society and women's organisations, and we ask that it be withdrawn in this form.²¹

Law Amending the Law on the Protection of Animals and the Turkish Penal Code

Law No. 7332 is directly related to the protection of animal rights and is one of the few laws that CSOs have been involved in drafting. As can be seen, the Confederation for the Rights of Animals to Life, the Association of Unification Movement for Animal Rights, the Animal Rights Legislative Monitoring Delegation, the Association for the Protection, Animal Protection, Rescue, and Survival Association (HAYKURDER), the Solidarity Animal Rights Federation, and the Marmara Animal Rights Federation participated in the first meeting of the Committee on Agriculture, Forest and Rural Affairs on 6 July 2021, and actively expressed their opinions.

It is understood that there were sometimes heated discussions between Yunus Kılıç, the Chairman of the Committee on Agriculture, Forest and Rural Affairs, and some committee members.²² It can be observed that the Chairman of the Committee made some changes after the discussions so that the participation of CSOs was effective in some places. However, it was also observed that there were discussions in the meetings where the views of CSOs were not taken into account.²³

²¹ Journal of the Minutes of the Committee on Justice Commission of the GNAT, 8th Meeting, 23 June 2021 Wednesday, p. 18, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=27811

²² Journal of the Minutes of the Committee on the Agriculture, Forest and Rural Affairs of the GNAT, 1st Meeting, 6 July 2021 Tuesday, p. 29, 46, 56, 58, 78-79

²³ Journal of the Minutes of the Committee on Agriculture, Forest and Rural Affairs of the GNAT, o.c., p. 22, 125-12

Law Amending the Law on the Encouragement of Tourism and Some Other Laws

Law No. 7334 on the Law on the Encouragement of Tourism and Certain Laws focuses primarily on the encouragement of tourism, but also contains many provisions on the environment and culture. However, it should be noted that civil society organisations, including professional organisations, were not involved in the drafting process of the law. The 27th-term Member of Parliament from Istanbul, Mr. Gökhan Zeybek, addressed the Committee on Settlement, Development, Transport, and Tourism as follows:

*Well, the villagers in this region, the people who live in this region, the civil society organisations, the environmental organisations, the municipalities, the mayors, the metropolitan mayors in this province who were elected with the votes of the people... Çeşme is a particular example, but we can continue with it. If people cannot express their opinion about the Karaburun fault line passing through here, about the dead faults or the live faults in this region, if the institutions are not able to conduct studies here, what kind of plan understanding will we have?*²⁴

Similarly, the 27th-term Member of Parliament from Muğla, Mr. Burak Erbay, stated that the Committee on Settlement, Development, Transport, and Tourism should spread the law-making process over time by consulting the opinions of civil society organisations:

*Therefore, if the work of the committee is not compressed into a narrow timeframe and if the contributions of the people of the region, civil society organisations, and relevant chambers are included in the work of the commission, healthier and more effective laws can be made for the benefit of this country. It is essential that new issues are not introduced to the agenda in the middle of the night and that the views of people living in the region for a long time are taken into account.*²⁵

Similarly, the 27th-term Member of Parliament from Muğla, Mr. Mürsel Alban, addressed the Committee on Settlement, Development, Transport, and Tourism as follows:

*Say this by taking the opinion of local administrations and civil society organisations there so that we know. Our aim is not to say that it will not come. But infrastructure here means roads. These are places with centuries-old trees. You see, there are monumental trees here. It means the destruction of these trees. How will transportation be ensured here? That needs to be examined in detail.*²⁶

At this point, no civil society organisation attended the committee meeting and did not submit a statement.

²⁴ Journal of the Minutes of the Committee on Settlement, Development, Transport, and Tourism of the GNAT, 4th Meeting, 6 April 2021 Tuesday, p. 11, https://www.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2695

²⁵ Journal of the Minutes of the Committee on Settlement, Development, Transport, and Tourism of the GNAT, o.c., p. 39.

²⁶ Journal of the Minutes of the Committee on Settlement, Development, Transport, and Tourism of the GNAT, o.c., p. 76

Law Amending Some Other Laws and Decree Law

Law No. 7333 contains numerous regulations ranging from the minimum wage to disability law, health institutions, trade, and customs. It would have made sense to at least consult the views of CSOs acting in areas such as the rights of people with disabilities and the right to health, which are guaranteed in international conventions. However, no civil society organisations were invited to the meeting of the Committee on Plan and Budget. As a matter of fact, the following dialog took place between the 27th-term Member of Parliament from Diyarbakır, Mr. Garo Paylan, and the chairman of the session, the Member of Parliament from İstanbul, Mr. Şirin Ünal:

Garo Paylan (Diyarbakır) - Thank you, Mr. Chairman. Mr. Chairman, are there parties to the issue here? the Union of Municipalities here? They should inform us about this. Can we know which municipality has fulfilled its obligations and to what extent? Is there any information here? Secondly, were people from the Federation of Disabled Persons or associations, or civil society organisations invited?

Chairperson Şirin Ünal – Mr. Paylan, they were invited but didn't come.

Garo Paylan (Diyarbakır) - Did you call the Union of Persons with Disabilities, civil society organisation?

Chairperson Şirin Ünal – The Union of Municipalities was called, but they didn't come.

Garo Paylan (Diyarbakır) – No, I'm also asking for the other one too, sir.

Chairperson Şirin Ünal – I don't know about that. We didn't invite them.

Garo Paylan (Diyarbakır) – If we did not invite them, we made a mistake, Mr. Chairman, I think we should invite them.

Chairperson Şirin Ünal – There are so many civil society organisations.

Garo Paylan (Diyarbakır) – You are right, but this has a flip side. In other words, persons with disabilities are the victims of this issue, so if a city...²⁷

There was no CSO participation in the drafting process of Law No. 733.

²⁷ Journal of the Minutes of the Committee on Plan and Budget of the GNAT, 35th Meeting, 13 July 2021 Tuesday, p.103-104, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2808

Law Amending the Law on the Establishment and Duties of the Turkish Exporters Assembly and Exporters' Associations and Some Other Laws

Law No. 7341 regulates the Establishment and Duties of the Turkish Exporters Assembly and Exporters' Associations. Naturally, the Turkish Exporters Assembly was invited to the meeting of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology and actively participated in the meeting. However, the CSO status of the Turkish Exporters Assembly is controversial. But, it has been actively involved in the process as a professional organisation.²⁸

In discussing the general outlook of participation of CSOs in the decision-making process of ministries, we noted that one of the ministries with the most participation mechanisms is the Ministry of Trade. However, we have also underlined that these mechanisms are generally open to the participation of sectoral organisations. One of these mechanisms is the Turkish Exporters Assembly (TEA).²⁹

Law Amending Some Other Laws

Law No. 7346 regulates the energy market, forestry law, intellectual and artistic works and the salaries of employees of the Turkish Maarif Foundation, the Yunus Emre Foundation, the Turkish Red Crescent Society, the Green Crescent Society, and the Green Crescent Foundation. Although the Committee's meeting focused mainly on the energy market, the changes introduced by the law are also closely linked to environmental, intellectual, and artistic organisations. At the meeting the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology Commission on Law, the Committee's Chairman, Mr. Ziya Altunyalđız, stated in his opening speech: *"We also have participants from public institutions and civil society organisations."*³⁰ but it is understood that the Union of Chambers and

Commodity Exchanges of Türkiye and the Confederation of Tradesmen and Artisans are the ones being referred to.³¹

Both institutions are semi-public professional organisations. The only organisation with the legal status of an association is the Oil Industry Association (PETDER).³² Although PETDER had the legal status of an association when it was founded, the status of a CSO authorized by legislation on issues such as waste oil is controversial.³³ As a result, no consumer or environmental CSOs participated in the committee meeting, which professional organisations less actively attended.

²⁸ Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology of the GNAT, 3rd Meeting, 20 October 2021, Wednesday, p. 27-35, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2833

²⁹ TİM, <https://tim.org.tr/default>

³⁰ Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology of the GNAT, 6th Meeting, 16 December 2021 Thursday, p. 6, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2894

³¹ Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology Commission of the GNAT, o.c., p. 95

³² Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology of the GNAT, o.c., p. 86

³³ PETDER, <https://www.petder.org.tr>

Central Administration Budget Law for 2022

Law 7344 approves the budget of central administration and related public institutions. The link to civil society is the “right to budget” principle, which goes back almost 800 years to the Magna Carta Libertatum (Great Charter of Freedoms). This right is essentially given to the parliament, the Grand National Assembly of Türkiye (GNAT). It provides for the budget to be monitored by members of parliament representing the people. Therefore, CSOs should always be consulted when the Budget Law is discussed in the Committee on Plan and Budget.

The Vice-President at the time, Mr. Fuat Oktay, made the following statement when addressing the Committee:

I believe that it is our responsibility to all of us to strengthen democracy, freedoms, peace, prosperity, and stability in Türkiye. As the executive authority, we complete our budget preparations with a participatory approach that involves civil society organisations and professional associations, reflects the impact of domestic and macroeconomic developments, and closely monitors global trends.³⁴

Although Mr. Fuat Oktay mentions the participation of civil society, nowhere in the committee record is there any indication of any active participation of CSOs during the discussion of the Central Government Budget Law 2022. In short, CSO participation did not take place.

³⁴ Journal of the Minutes of the Committee on Plan and Budget of the GNAT, 24th Meeting, 26 November 2021 Friday, p. 131, https://www5.tbmm.gov.tr/develop/owa/komision_tutanaklari.goruntule?pTutanakId=2885

2022 – The Number of Laws Monitored is 10 / The CSO Participation is 1

Name of the Law - By date of enactment	Law No.	Date	Official Gazette Date/No.	Related Standing Committee	CSO Participation
Law on Teaching Profession	7354	3/2 2022	14.2.2022 /31750	Committee on National Education, Culture, Youth and Sports	CSO Participation Partially Exists
Law on Nuclear Regulation	7381	5/3 2022	8.3.2022 /31772	Committee on Industry, Trade, Energy, Natural Resources, Information and Technology	No CSO Participation
Law Amending the Law on Consumer Protection and Condominium Ownership Law	7392	24/3 2022	1.4.2022 /31796	Committee on Industry, Trade, Energy, Natural Resources, Information and Technology	CSO Participation Exists
Law Amending the Parliamentary Election and Some Other Laws	7393	31/3 2022	6.4.2022 /31801	Committee on Constitution	No CSO Participation
Law on Sports Clubs and Sports Federations	7405	22/4 2022	26.4.2022 /31821	Committee on National Education, Culture, Youth and Sports	No CSO Participation
Law Amending the Turkish Penal Code and Some Other Laws	7406	12/5 2022	27.5.2022 /31848	Committee on Justice	No CSO Participation
Law Amending the Environmental Law and Some Other Laws	7410	10/6 2022	15.6.2022 /31867	Committee on Settlement, Development, Transport, and Tourism	No CSO Participation
Law Amending the Law on Judges and Prosecutors and Some Other Laws	7413	23/6 2022	28.6.2022 /31880	Committee on Justice	No CSO Participation
Law on Amending the Press Law and Some Other Laws	7418	13/10 2022	18.10.2022 /31987	Committee on Justice	No CSO Participation. Professional Org. Participation Exists.
Central Government Budget Law for 2023	7427	16/12 2022	31.12.2022 /32060 (Repeated)	Committee on Plan and Budget	No CSO Participation

Table 3 The number of laws monitored and CSO participation in 2022

Law On Teaching Profession

Law No. 7354 on Teaching Profession is a law that covers the definition of the teaching profession, the qualifications and selection of teachers, teacher candidates, and career steps, and is thus directly related to the right to education guaranteed in the international human rights conventions. Although the 27th term Member of Parliament from Sinop, Mr. Nazım Maviş, mentioned civil society organisations in his introductory speech to the Committee on National Education, Culture, Youth and Sports,³⁵ participation in the discussions on Law No. 7354 seems to have been limited to the presence of trade unions acting in the field of education. The 27th term Member of Parliament from Ankara, Mr. Yıldırım Kaya, addressing the Committee on National Education, Culture, Youth and Sports, stated the following:

Mr. Chairman, distinguished members, we are now discussing a severe issue. The issue we are discussing here concerns not only the members of this Committee or the members of Parliament but also the entire National Education community, the parents who entrust their children to the National Education community, the trade unions, and the components of education. We do not consider it right to discuss this issue as a fait accompli. You see, our draft law, which we prepared on 23 November 2018 with the opinions of all components of the education system from EĞİTİM BİR-SEN to TÜRK EĞİTİM SEN, from SETA

Foundation to the Inspectors' Union, from EĞİTİM İŞ to EĞİTİM SEN, from EĞİT DER to TEDMEM and with the opinions of the teachers we can reach, has been in the Grand National Assembly of Türkiye since 23 November 2018.³⁶

The minutes show that EĞİTİM BİR SEN, EĞİTİM İŞ, TÜRK EĞİTİM SEN, EĞİTİM SEN, Anatolian Education Union, Private Sector Teachers' Union actively participated in the discussions on the law and shared their views.³⁷ Furthermore, it is understood from the speech addressed to the Commission by the 27th-term Member of Parliament from Antalya, Mr. Kemal Bülbül, that the Federation of Rehabilitation Teachers Association submitted a written opinion.³⁸ The Social Media and Digital Security Education and Research Center (SODİMER) is also mentioned in the minutes.³⁹ However, the record does not contain any information that a participant spoke on behalf of SODİMER or that a report was submitted on behalf of the association.

As a result, trade unions in the education sector were involved in the commission's meetings, but the participation of CSOs was indirect and limited. Parents' organisations acting in the field of education, expert units of universities, and CSOs working in the field of education and training were not directly involved.

³⁵ Journal of the Minutes of the National Education, Culture, Youth and Sports Commission of the Grand National Assembly of Türkiye, 1st Meeting, 10 January 2022 Monday, p. 6-9, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2901

³⁶ Journal of the Minutes of the Committee on National Education, Culture, Youth and Sports of the GNAT, o.c., p. 21

³⁷ Journal of the Minutes of the Committee on National Education, Culture, Youth and Sports Commission of the GNAT, o.c., p.36, 85-86, 88, 91-92

³⁸ Journal of the Minutes of the Committee on National Education, Culture, Youth and Sports Commission of the GNAT, o.c., p. 175

³⁹ Journal of the Minutes of the Committee on National Education, Culture, Youth and Sports Commission of the GNAT, o.c., p. 55

Law on Nuclear Regulation

Law No. 7381 on the Regulation of Nuclear Energy and the Presidential Decree on the Organisation and Tasks of the Nuclear Regulatory Authority entered into force upon publication in the Official Gazette on 8 March 2022 and numbered 31772. Law No. 7381 regulates the legal responsibilities related to the harmful effects that may arise from the use of nuclear energy “based on the principle of peaceful use”, as stated in Article 1, which defines its purpose. It is therefore an extremely important law, both for public health and for environmental protection.

Resources, Information and Technology, CSOs were not involved in the law-making process. The 27th-term Member of Parliament from Van, Ms Muazzez Orhan Işık, has submitted a written motion to the Committee requesting “the establishment of a sub-commission to allow civil society organisations to be heard”.⁴⁰ However, the Committee did not accept the written motion. The Committee minutes record the following dialogue between the Chairperson of Committee Mr. Ziya Altunyaldız, and the Member of Parliament from İstanbul, Mr. Ali Kenanoğlu:

Ali Kenanoğlu (İstanbul)- (...) *Mr. Chairman, is there, for example, a civil society organisation that has representation at a social level on this issue at this stage where we are discussing this law here in this hall or at this stage where we have gathered to discuss this law? Did you call them or reach out to any civil society organisation?*

Chairperson Ziya Altunyaldız – *Academics have been called in.*

Ali Kenanoğlu (İstanbul) – *Yes. In other words, at the moment, chambers, civil society organisations, environmental organisations, and the Anti-Nuclear platform - a very active civil society organisation, there is one in Mersin, one in Sinop, in areas where nuclear power plants have been built - are also expressing their opinions on these issues from their perspectives. I mean, positive, negative, we like it, we don't like it, that's another thing, but some people think about this and who have international experience in these matters; they do studies, they collect statistics, they collect data. Now they have to come and be present in this Committee. In this Committee, they have not been at the moment, which shows that.⁴¹*

Mr. Alparslan Bayraktar, Minister of Energy and Natural Resources, stated that he referred to the Climate Council held in Konya between February 21 and 25 2022 and noted that the opinions of the CSOs had been received.⁴² However, in the following sections of the records, there was a discussion about inviting the CSOs to the Committee meeting and presenting their views.⁴³

At this point, the Committee adopted the draft law without consulting the CSOs.

⁴⁰ Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology of the GNAT, 7th Meeting, 28 February 2022 Monday, p. 14, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2920

⁴¹ Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology of the GNAT, o.c., p. 15

⁴² Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology of the GNAT, o.c., p. 21.

⁴³ Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology of the GNAT, o.c., p. 16, 37, 51, 62, 65, 67-68, 73, 137, 151, 166, 168, 183-184.

Law Amending the Property Ownership Law and Law on Consumer Protection

Law No. 7392 contains several important provisions for citizens, such as consumer protection, property rights, and the binding decisions of the Consumer Arbitration Tribunal. The minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology show that during the discussions on Law No. 7392, CSOs acting in consumer protection effectively participated in the commission's deliberations. The minutes of the Commission show that the draft text was sent for comments to the Insurance Association of Türkiye and the Federation of Consumer Association, the Consumer Protection Association, the Consumer Protection and Solidarity Union Association, the Consumer Rights Association, the Time-Share and Time-Share Vacation Investors and Marketers Association, the Association for Solidarity and Assistance for Thermal Victims and the Association for Solidarity for Time-Share Victims.⁴⁴

The minutes of the Committee also show that the Consumer Confederation, the Consumer Rights Association and the Turkish Consumer Protection and Education Foundation effectively participated in the Committee meetings during the discussion of the Law and presented their opinions.⁴⁵ In addition, three professional organisations, namely the Time-Share and Time-Share Vacation Investors and Marketers Association, the Union of Chambers and Commodity Exchanges of Türkiye, and the Insurance Association of Türkiye, also participated in the committee's deliberations.⁴⁶

It is understood that the views of the CSOs were consulted during the committee meeting when the law was being drafted.

⁴⁴ Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology of the GNAT, 8th Meeting, 9 March 2022 Wednesday, p. 37, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2926

⁴⁵ Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology of the GNAT, o.c., p. 42-43, 49, 51, 53, 60,70.

⁴⁶ Journal of the Minutes of the Committee on Industry, Trade, Energy, Natural Resources, Information and Technology of the GNAT, o.c., p. 44-45, 53, 59.

Law on Sports Clubs and Sports Federations

Law No. 7405 is one of the laws that profoundly impacted on freedom of association in Türkiye. As we mentioned in the section on freedom of association, the law has significantly changed the legal status of CSOs, particularly those acting in youth and sports. On the other hand, the minutes of the meeting of the Committee on National Education, Culture, Youth and Sports show that the CSOs did not effectively participate in the meeting. According to the minutes, the 27th-term Member of Parliament from Ankara, Mr. Yıldırım Kaya, addressed the Committee during the discussions and mentioned Fenerbahçe Sports Club, Beşiktaş Sports Club, and the lawyer in charge of sports law at the Ankara Bar Association.⁴⁷ The 27th-term Member of Parliament from Zonguldak, Mr. Ünal Demirtaş, addressed the Committee and said, “*Dear Members of Parliament, valuable Deputy Ministers and bureaucrats, valuable representatives of our clubs and civil society organisations; I greet you all with respect as I begin my speech.*”⁴⁸

However, there is no indication that any CSO participated in the process by addressing the committee. Even the sports clubs mentioned above and the lawyer responsible for sports law at the Ankara Bar Association have not expressed their opinion. As a result, there appears to have been no CSO involvement in the deliberations on Law No. 7405, which amends the Law on Associations and is particularly relevant to youth and sports associations.

⁴⁷ Journal of the Minutes of the Committee on National Education, Culture, Youth and Sports of the GNAT , 5th Meeting, 30 March 2022 Wednesday, p. 33, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2940

⁴⁸ Journal of the Minutes of the Committee on National Education, Culture, Youth and Sports of the GNAT, o.c., p. 44.

Law Amending the Law on Parliamentary Elections and Some Other Laws

Law No. 7393 introduced one of the most significant amendments to the law regulating the active participation of citizens in decision-making processes in Türkiye. The law regulates the right to vote and be elected, which is protected by international conventions and the Constitution of Türkiye, on the one hand, and the functioning of democracy in Türkiye, on the other, by making severe changes to the electoral system. For this reason, it would have been expected that the draft law would have been submitted to CSOs and citizens for general comments during the drafting process. Then, it would have been submitted to the Committee on Constitution of the GNAT at the end of a comprehensive information and consultation process. However, it is assumed that the draft law was not sufficiently discussed in public opinion before the proposal and that no CSOs were included in the debate on the draft law in the Committee on Constitution of the GNAT. As a matter of fact, during the discussions in the Committee on Constitution, the 27th-term Member of Parliament from Siirt, Mrs Meral Daniş Beştaş, addressed the Committee and stated the following:

Indeed, I would like to say something before presenting arguments on unconstitutionality. This proposal was discussed long before by only the alliance partners, it was presented to us - as you know and all the public knows - and it was presented to us as a text-only addressed by the alliance partners. Neither the political parties that are in parliament nor the political parties that are not in parliament were involved in the drafting of this electoral proposal. At the same time, civil society in Türkiye and all institutions, organisations, and platforms working on the elections are not being informed. We will submit our motion in a moment. For a fair discussion of sincere Committee work, bar associations, trade unions, and organisations that want to have a say in this area should, first of all, be represented on the Commission. For example, there are many activities related to electoral platforms. Platforms such as "Vote and Beyond" and "Platform for Election Security for Fair Elections" should be present here and get involved in these discussions.⁴⁹

⁴⁹ Journal of the Minutes of the Committee on Constitution of the GNAT, 2nd Meeting, 23 March 2022 Wednesday, p. 15 – 16, https://www.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2932

The 27th-term Member of Parliament from Antalya, Mr. Feridun Bahşi, the Member of Parliament from İstanbul, Mr. İbrahim Özden Kaboğlu, the Member of Parliament from Tekirdağ, Mrs. Candan Yüceer made similar statements about the lack of the participation of CSOs in the process.⁵⁰ The Member of Parliament from İstanbul, Mr. İbrahim Özden Kaboğlu, explicitly stated that civil society was excluded from the process in the minutes:

Of course, Mr Chairman, there are precious personalities among our guests, some of whom I know from other committees. Still, I wish there were also civil society representatives, voters, and citizens. Here there is no voter-citizen part as civil society. It's a little bit like this: We have been discussing the separation and union between the state and the political parties; this reflects that. Participation in this process has been a parallel structure, but we excluded civil society from this process. However, when discussing "elections", the civil society is essentially decisive.⁵¹

It should be noted that the Chairman of the Committee on Constitution, Mr. Yusuf Beyazit only invited representatives of public and judicial institutions to the Committee. However, the Committee members had called for CSOs to be included in the discussions.⁵² In short, CSOs were not involved in the preparatory phase of a law on the right to vote and stand for election, which is one of the most fundamental elements of civil society and participation in decision-making processes, nor was there any discussion prior to the proposed law through methods such as public information sessions, forums, open meetings, etc.

50 Journal of the Minutes of the Committee on Constitution of the GNAT, o.c., p. 19, 55, 144

51 Journal of the Minutes of the Committee on Constitution of the GNAT, o.c., p. 55.

52 Journal of the Minutes of the Committee on Constitution of the GNAT, o.c., p. 40

Law Amending the Turkish Penal Code and Some Other Laws

Law No. 7406 contains numerous amendments relating to violence against women, sexual assault, rights of the child, health services and health professionals. Law No. 7406 is therefore closely linked to civil society. However, it should be noted that only Prof. Dr. Olgun Değirmenci⁵³ participated in the meeting as an expert and 2 lawyers from the Turkish Medical Association⁵⁴ participated in the commission meeting on issues related to health services and health professionals. Apart from that, no CSOs from women's and children's rights organisations were engaged at the meetings. While addressing the members of the Commission, the 27th-term Member of Parliament from İstanbul, Mr. Turan Aydoğan, asked *"Do women's groups agree with the draft law you have introduced, have you ever asked them? How many civil society organisations have you involved here?"*⁵⁵, and the Member of Parliament from Denizli, Mrs. Gülizar Biçer Karaca, stated the following:

*It should, therefore, be made clear that this law is not intended to prevent violence against women or to combat violence against women. In drafting this law, the opinions of civil society organisations that have been fighting for women and their rights for years have not been considered, and the bar associations have not been consulted. Where is civil society in this law, what opinion has it expressed, and on which article has it been consulted? Unfortunately, none of them were consulted. It should also be stated here.*⁵⁶

In response, the 27th-term Member of Parliament from Malatya, Mrs. Öznur Çalık, stated the following:

About our friends who say that we have not met with civil society organisations, universities, or

anyone else, we have invited almost 100 people to our Committee, we have listened to everyone, including universities, bar associations, trade unions, women victims, including perpetrators in the places we have visited, and we have prepared a report by summarising the information, opinions, and comments we have received from a total of about 300 people, including those we have visited.

However, the report referred to by the 27th-term Member of Parliament from Malatya, Mrs. Öznur Çalık, is the "Report of the Committee of Inquiry on Investigate the Causes of the Violence Against Women" and not a report on the legislative activity, but on the oversight activity of the GNAT.⁵⁷ Indeed, 27th-term Member of Parliament, Mrs. Gamze Taşçier, addressed the Committee and stated the following:

*No, you said: "This proposal was not prepared in the Ministry of Justice or elsewhere. We, the Committee, prepared it by listening to the CSOs." I do not believe that the opinion of a CSO was sought. I ask you, I am very inquisitive, is there, for example, a single civil society organisation or women's association that you have requested: "We are introducing such a provision into the Penal Code as far as stalking is concerned in terms of punishment, is that appropriate?" No. Because you did not ask (...)*⁵⁸

As a result, during the deliberations on Law No. 7406, no CSOs acting in the field of women's or children's rights were invited to the Committee on Justice during the deliberations on Law No. 7406, and no CSO submitted an opinion on the Law.

⁵³ Journal of the Minutes of the Committee on Justice of the GNAT, 2nd Meeting, 29 March 2022 Tuesday, p. 11, 41-49, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2936

⁵⁴ Journal of the Minutes of the Committee on Justice of the GNAT, p. 11, 160-162

⁵⁵ Journal of the Minutes of the Committee on Justice of the GNAT, p. 18

⁵⁶ Journal of the Minutes of the Committee on Justice of the GNAT, p. 36.

⁵⁷ GNAT Committee of Inquiry on Investigate the Causes of Violence Against Women in All Its Aspects and to Determine the Measures to be Taken, 07/03/2022, <https://www.tbmm.gov.tr/Denetim/Meclis-Arastirmasi-Komisyonu-Detay/f72877d2-1444-037b-e050-007f01005610>

⁵⁸ Journal of the Minutes of the Committee on Justice of the GNAT, p. 85.

Law Amending the Environmental Law and Some Other Laws

Law No. 7410 amends the Environmental Law, the Cooperatives Law, and the Law on the Protection of Cultural and Natural Properties. Interestingly, the draft law was considered by the Committee on Settlement, Development, Transport, and Tourism and not by the Committee on Environment as the main committee. Although the 27th-term Member of Parliament from İstanbul, Mr. Mustafa Demir, concluded his speech to the Committee by saying, *“I would like to thank all the Committee members and civil society organisations who will make valuable contributions and give valuable opinions during the discussions on our draft law”*.⁵⁹

According to the Committee's minutes, no CSO spoke or presented any opinion.

It can be seen from this that the Member of Parliament from İstanbul, Mr. Mustafa Demir, prepared his speech in advance, assuming that CSO participation in the Committee meeting would occur. However, there was no CSO participation in the Committee meeting, and there is no indication that any cooperatives participated and expressed their views. Furthermore, none of the Committee members requested CSO participation. On the other hand, there were heated debates about fulfilling of some of the powers given to the Environment Agency of Türkiye by the CSOs.⁶⁰ It is also thought-provoking that discussions about CSOs are held in an environment where CSOs do not actively participate.

Law on Amendments to the Law on Judges and Prosecutors and Certain Laws

Law No. 7413 introduced amendments in areas such as the appointment and training of judges and prosecutors and the Notary Public Law. Although issues such as the training and appointment of judges and prosecutors may appear to be technical, they are closely linked to the independence of judges and prosecutors and thus to the right to a fair trial guaranteed by international conventions. However, no CSOs were invited to the discussions held in the Committee on Justice. Abdullah Koç, 27th term MP for Ağrı, addressed the Committee and stated the following:

(...) well, who did you ask? Did you really ask the judicial authorities, the bar associations,

*the opposition parties, or the civil society organizations? You didn't, Mr. Chairman.*⁶¹

It is understood that there was no CSO participation in the Committee meeting, and professional organizations established by judges and prosecutors did not take part in the Committee meeting. Prof. Dr. Şebnem Akipek Öcal attended the Committee as an expert.⁶² As professional organisations, the Union of Turkish Bar Associations and the Notaries Union of Türkiye participated in the meeting and presented their opinions.⁶³

⁵⁹ Journal of the Minutes of the Committee on Settlement, Development, Transport, and Tourism of the GNAT, 2nd Meeting, 30 May 2022 Monday, p. 32, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2964

⁶⁰ Journal of the Minutes of the Public Works, Reconstruction, Transportation and Tourism Commission of the Grand National Assembly of Türkiye, p. 15-35.

⁶¹ GNAT Committee on Justice Journal of Minutes, 7th Meeting 8 June 2022 Wednesday, p. 24, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2977

⁶² GNAT Committee on Justice Journal of Minutes, *ibid.*, p. 71-72.

⁶³ GNAT Committee on Justice Journal of Minutes, *ibid.*, p.27, 51-53

Law on Amendments to the Press Law and Certain Laws

Law No. 7418, also known as the “Social Media Law” or the “Disinformation Law”, is, in essence, a law directly related to the freedom of expression protected by international conventions. The discussions regarding the Law within the Committee on Justice occurred on three separate dates. The first meeting was held on June 9, 2022, the second meeting on June 14, 2022, and the third meeting on June 15, 2022. Abdullah Güler, then Chairman of the Committee on Justice, described the institutions and organisations invited to the Committee meeting as follows:

Here I would like to describe the institutions we invited to the committee and the external associations and societies. The officials from the Directorate of Communications are here, those from Access Providers Association are present, and officials from the Information Technologies and Communications Authority are here. Press Advertisement Institution... Names are hard to read because you have to pronounce them word-for-word. I didn't want to go into too much detail, but they are at the level of directorates, presidencies, departments. Officials from the Press Advertisement Institution are here, those from the Court of Cassation are here, the Prosecutor's Office of the Court of Cassation, the Ministry of Justice, the Ministry of Interior, the Ministry of Transport and Infrastructure, the Ministry of Labour and Social Security, the Ministry of Family and Social Services, the Ministry of Treasury and Finance, the Personal Data Protection Authority, the Union of Bar Associations of Türkiye, the Confederation of Journalists of Türkiye, the Association of Journalists of Türkiye, the Parliamentary Reporters Association, the Federation of Internet Journalists, the Radio and Television Supreme Council, the

Internet Journalists Association of Türkiye, and officials from the Directorate of Strategy and Budget. If necessary, we will provide the necessary information with names and job titles.⁶⁴

Almost all CSOs listed above, including those with association status, are professional organizations. However, the Law introduces important amendments regarding broadcasts on the internet, thus directly affecting civil society organisations. For this reason, it is expected that CSOs engaged in the field of human rights and especially freedom of expression will also be present at the meeting. On the other hand, none of the CSOs active in human rights were engaged in the meeting.

In the current situation, the invited professional organisations were able to take the floor in the last session. These organisations are the Parliamentary Reporters Association, the Anatolian Newspaper Owners' Representative, the Confederation of Journalists of Türkiye, the Journalists' Association of Türkiye, the Association of Journalists, the Internet Journalism Association of Türkiye and the Federation of Internet Journalists.⁶⁵

It is understood that there was no CSO participation in the meeting held on 14 June 2022, where the draft law was discussed, and no professional organisations attended the first meeting held on 9 June 2022.⁶⁶

⁶⁴ GNAT Committee on Justice Journal of Minutes, 8th Meeting, Thursday, June 9, 2022, p. 17, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2982

⁶⁵ GNAT Committee on Justice Journal of Minutes, ibid., p. 100-107.

⁶⁶ GNAT Committee on Justice Journal of Minutes, 9th Meeting, Tuesday, June 14, 2022, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2987

It is seen that only the Union of Turkish Bar Associations was included in the meeting held on June 15, 2022 regarding the committee's law proposal as a professional organization.⁶⁷

Despite the reactions of many human rights organizations operating in the field of freedom of expression, the law came into force upon publication in the Official Gazette after the approval of the President, regardless of these reactions.⁶⁸

Central Government Budget Law for 2023

Law No. 7427 was adopted, as was the case with the Central Administration Budget Law for 2022, amidst fierce debates among MPs without involving any CSOs in the process. As in the case of adoption process of the previous Central Budget Law, the then Vice President Fuat Oktay addressed the Committee on Planning and Budget and said the following:

However, when you look at the entire minutes, it is not clear which civil society organization was thanked. Because there is no indication in the minutes that any CSO attended the meetings, took the floor or expressed any opinion. A similar situation also applies to professional organizations. In short, CSOs were absent during the Committee's preparation phase of the Law.

I would like to thank Mr. President for the perspective, leadership and support he provided throughout our budget work; the People's Alliance, with which we implemented structural reforms in consensus; the Directorate of Strategy and Budget, which carried out the budget work; all ministries, especially the Ministry of Treasury and Finance, which contributed to the formation of the budget proposal; all affiliated, related and associated institutions of the Presidency, all professional organisations and civil society organisations that contributed with their opinions and suggestions.⁶⁹

⁶⁷ GNAT Committee on Justice Journal of Minutes, 10th Meeting, Wednesday, June 15, 2022, p. 98, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=2991

⁶⁸ Our Opinion on the Law on Amendments to the Press Law and Certain Laws 23 June 2022, <https://www.ihd.org.tr/basin-kanunu-ile-bazi-kanunlarda-degisiklik-yapilmasi-hakinda-kanun-teklifine-iliskin-gorusumuz/>; P24, Freedom of Expression and Press Freedom Agenda OCTOBER - NOVEMBER - DECEMBER 2022, <https://expressioninterrupted.com/tr/uploader/uploader/ifade-ve-basin-ozgurlugu-gundemi-2022-4>; Türkiye: "Disinformation Law" tightens government control and curtails freedom of expression, 24 October 2022, <https://www.amnesty.org.tr/icerik/turkiye-dezenformasyon-yasasi-hukumetin-denetimini-sikilastiriyor-ve-ifade-ozgurlugunu-kisitliyor>; Disinformation Law to be Introduced, <https://www.mecliste.org/icerik/73/Dezenformasyon-Yasasi-Yolda>; Türkiye: Dangerous and Dystopian New Law Amendments, 14 October 2022, <https://www.article19.org/tr/resources/turkiye-dezenformasyon-yasasi-sansur/>; The Adventures with Disinformation Legislation in Türkiye and Europe, 28 December 2022, <https://www.mlsaturkey.com/tr/dezenformasyon-yasasinin-turkiye-macerasi-ve-avrupa-ulkeleri/>

⁶⁹ GNAT Committee on Plan and Budget Journal of Minutes, 24th Meeting Friday, November 25, 2022, p.134, https://www5.tbmm.gov.tr/develop/owa/komisyon_tutanaklari.goruntule?pTutanakId=3068

2.1.2. Relations of Standing Committees with CSOs

Regarding the GNAT legislative process, a request for information was made to the Bureau of the Assembly regarding the number of civil society organizations invited to GNAT Committee meetings in 2021 and 2022. However, in response to the request for information, the Directorate of Laws and Resolutions of GNAT did not provide any number of information, referring to the website of GNAT.⁷⁰

When the general activity reports of the Standing Committees of GNAT were analysed, it was observed that the websites of all but three committees were empty during the monitoring period. While these websites did not include any reports or statements, the websites of the GNAT Committee on Human Rights Inquiry, the GNAT Committee on Petition (as a Joint Committee with the Committee on Human Rights) and the GNAT Committee on Equal Opportunities for Women and Men included activity reports.

The latest activity report of the **GNAT Committee on Human Rights** covers the period between 25 June 2018 and 30 September 2020. An activity report for 2021-2022 is not available on the website of the GNAT Committee on Human Rights Inquiry.⁷¹ There is no information on the Committee's website that the Committee is holding meetings with CSOs.

GNAT Committee on Petition has not published its 2022 activity report as of June 2023. In the 2021 annual report, the GNAT Committee on Petition (as a Joint Committee with the Committee on Human Rights) discussed the activities of the Ombudsman Institution and its decisions.⁷² There is no information on the Committee's website that the Committee is holding meetings with CSOs.

GNAT Committee on Equal Opportunities for Women and Men has two reports within its field of activity. Two different subcommittees established at the Committee's meeting dated 08 July 2021 prepared both reports. One of the sub-committees established is the "Sub-Committee on Determining the Problems Encountered in Harmonising Women's Work and Family Lives and Suggesting Solutions" and the other is the "Sub-Committee on Identifying the Existing Problems and Suggesting Solutions within the Scope of Increasing Women's Employment, Strengthening and Supporting Women's Entrepreneurship and Cooperatives". Both committees submitted their reports in 2023.

⁷⁰ Directorate of Laws and Resolutions of GNAT, response to the request for information submitted via e-mail, 17 May 2023.

⁷¹ GNAT Committee on Human Rights Inquiry, Activity Reports, <https://www.tbmm.gov.tr/ihtisas-komisyonlari/icerik/ihtisaskomisyonlariinsanhaklari-faaliyet-raporlari/insan-haklarini-inceleme-komisyonu/f72877d1-b470-037b-e050-007f01005610>

⁷² GNAT Committee on Petition, Annual Reports, <https://www.tbmm.gov.tr/ihtisas-komisyonlari/icerik/ihtisaskomisyonlaridilekce-yillik-raporlar/dilekce-komisyonu/f72877d1-b46e-037b-e050-007f01005610>

Committee Report on Identification of Problems Encountered in Harmonization of Women’s Work and Family Lives and Suggesting Solutions

It is understood that the Sub-Committee held meetings with CSOs during the preparation of the report. The Committee held 15 meetings during its activities. Participants mainly from public institutions attended the 15 meetings held. However, it is understood from the report prepared by the Sub-Committee that meetings were also held with unions and some professional organizations. The only organization interviewed as an CSO was the Mother Child Education Foundation (AÇEV).⁷³ Apart from this, the Sub-Committee organized 5 working visits, two of which were held abroad (Germany and Spain). During the Sub-Committee’s visit to Istanbul between 06 and 08 March 2022, the “Summit on Women’s Employment and Work-Life Balance in the Sectors of the Future” was organised jointly

by the Committee on Equal Opportunities for Women and Men and Marmara University, and the Sub-Committee held meetings with the executives of Women Entrepreneurs Association (KAGİDER), Women and Democracy Association (KADEM) and Women on Board Association (YKDD).⁷⁴ Although it is stated in the report that the Sub-Committee held a meeting with CSOs during its working visit in Balıkesir between 13 and 14 May 2022, it is not stated which CSOs were interviewed. The Committee also visited the Nursery, Day Care Centre and Kindergarten of GNAT on 19 October 2022.⁷⁵

As a result, it appears that the Sub-Committee met with CSOs during one meeting and two working visits.

⁷³ Committee Report on Identification of Problems Encountered in Harmonization of Women’s Work and Family Lives and Suggesting Solutions, 2023, p. 12-17, https://www5.tbmm.gov.tr/ihitias_komisyonlari_dosyalari/Kadinlarin_IAY_Uyumlastirilmasi_Alt_Komisyon_Raporu.pdf

⁷⁴ Committee Report on Identification of Problems Encountered in Harmonization of Women’s Work and Family Lives and Suggesting Solutions, *ibid.*, p. 18.

⁷⁵ Committee Report on Identification of Problems Encountered in Harmonization of Women’s Work and Family Lives and Suggesting Solutions, *ibid.*, p. 20-21.

Committee Report on Identifying the Existing Problems and Suggesting Solutions for Increasing Women's Employment, Strengthening and Supporting Women's Entrepreneurship and Cooperatives

It is stated in the report that the Sub-Committee held 9 meetings and paid working visits to Sakarya on 19 February 2022, to Istanbul on 21 February 2022, to Italy between 26-29 June 2022, and to Portugal between 23-26 October 2022. In addition, three workshops were organised: two in Istanbul on 21 February 2022 with the participation of senior women executives (CEOs), board members, heads of human resources of women-friendly companies and women CSOs, and one in Ankara on 18 June 2022 with the participation of academics.

It is understood that the Sub-Committee held meetings with women's organisations such as Düşyeri, İKADDER, Business World and Sustainable Development Association (SKD), Women On Board Association, KADEM, Women's Solidarity Foundation, Foundation for the Support of Women's Work, KAGİDER, TİKAD, WISTA, New World Business Women Platform, Yeniden Biz Association, and Women On Board Association at the workshop held in Istanbul on 21 February 2022.⁷⁶

2.1.3. How Do CSOs Participate in the GNAT Oversight Processes?

As a legislative body, one of the most important functions of the Turkish Grand National Assembly, in addition to the law-making processes, is the oversight of executive function. The parliamentary oversight function of the GNAT is realised through written parliamentary questions submitted by MPs, parliamentary investigation motions and the investigation committee established accordingly,

parliamentary inquiry motions and the inquiry committees established accordingly, and parliamentary general debate motions and the general debates held in the GNAT accordingly. The scrutiny mechanism through which CSOs participate in the oversight functions of the GNAT is the inquiry committees established based on inquiry proposals.

⁷⁶ Committee Report on Identifying the Existing Problems and Suggesting Solutions within the Scope of Increasing Women's Employment, Strengthening and Supporting Women's Entrepreneurship and Cooperatives, 2023, p. xiv-xx, https://www5.tbmm.gov.tr/ihstas_komisyonlari_dosyolari/Istihdam_Girisimcilik_Kooperatifcilik.pdf

2.1.4. CSO Participation in GNAT Inquiry Committees

During the 27th term, between 25 June 2018 and 14 May 2023, 7221 inquiry motions were submitted to GNAT. However, the number of inquiry committees established in the 27th term is only 15. The number of inquiry committees established within the scope of the

monitoring period of the report is 9, and the number of inquiry committees that have completed their work is 8. In addition, although one of the committees submitted its report, it was not published. However, it is possible to access the reports of only 7 of them.

In this context, the following inquiry committees were established:

Period	Parliamentary Inquiry Committee	Latest Status	CSO Participation
27/6	Parliamentary Inquiry Committee Established to Inquire into the Problems Experienced in the Fisheries and Aquaculture Sector and to Determine the Measures to be Taken	Failed to Complete Work (null and void)	Report Not Available on Website ⁷⁷
27/6	Parliamentary Inquiry Committee Established to Inquire Into the Consequences of the Earthquakes Centred in Kahramanmaraş in All Aspects, to Determine the Measures to be Taken for Creating Earthquake Resistant Building Stock and Increasing the Efficiency of Urban Transformation Practices	Report Printed / Not Distributed (null and void)	Limited CSO participation. Certain levels of participation of professional organizations
27/6	Parliamentary Inquiry Committee Established to Inquire Into the Sexual Abuse of a Six-Year-Old Girl Under the Name of Marriage and to Determine the Measures to be Taken to Prevent Similar Incidents and to Prevent All Forms of Child Abuse	Report submitted / Not printed (null and void)	Report Not Available on Website ⁷⁸
27/6	Parliamentary Inquiry Committee Established to Inquire Into the Mining Accident in Amasra District of Bartın and to Determine Measures to Prevent Similar Accidents	The report was discussed	No CSO participation. However, meetings were held with professional organisations and trade unions

Table 4 Inquiry Committees established within GNAT in the 2021-2022 period and CSO participation (cont. in the next page)

⁷⁷ <https://www.tbmm.gov.tr/Denetim/Meclis-Arastirmasi-Komisyonu-Detay/83eb42e0-9e2e-4086-a7e7-0186ff2ae0af>

⁷⁸ <https://www.tbmm.gov.tr/Denetim/Meclis-Arastirmasi-Komisyonu-Detay/f72877d2-144e-037b-e050-007f01005610>

Period	Parliamentary Inquiry Committee	Latest Status	CSO Participation
27/5	Parliamentary Inquiry Committee Established to Inquire Into the Problems Experienced by the Elderly in Various Areas of Life and to Determine the Measures to be Taken	The report was discussed	Certain level of CSO participation
27/4	Parliamentary Inquiry Committee Established to Inquire Into the Causes of the Mucilage Problem in Turkish Seas, Especially in the Marmara Sea, and to Determine the Measures to be Taken	The report was discussed	Certain level of CSO participation
27/4	Parliamentary Inquiry Committee Established to Inquire Into the Causes of Violence against Women in All Aspects and to Determine the Measures to be Taken	The report was discussed	Certain level of CSO participation
27/4	Parliamentary Inquiry Committee Established to Determine the Measures to be Taken to Minimize the Effects of Global Climate Change, Combat Drought and Efficient Use of Water Resources	The report was discussed	Certain level of CSO participation
27/4	Parliamentary Inquiry Committee Established to Determine the Precautions that Can Be Taken Against Earthquakes and the Measures to be Taken to Minimize the Damages of Earthquakes	The report was discussed	Certain level of CSO participation

Table 4 Inquiry Committees established within GNAT in the 2021-2022 period and CSO participation (cont. from the previous page)

Parliamentary Inquiry Committee Established to Inquire Into the Consequences of the Earthquakes Centred in Kahramanmaraş in All Aspects, to Determine the Measures to be Taken for Creating Earthquake Resistant Building Stock and Increasing the Efficiency of Urban Transformation Practices

The Committee started its work on March 14, 2023. It seems that the Committee generally holds meetings with public institutions and professional organizations. Similarly, almost all of the opinions included in the report were received from public institutions, professional organizations and academics. In addition, it is understood that the Committee met with the Turkish Red Crescent and the IHH Humanitarian Relief Foundation. The IHH Humanitarian Relief Foundation also submitted a written opinion.⁷⁹

Parliamentary Inquiry Committee Established to Inquire Into the Mining Accident in Amasra District of Bartın and to Determine Measures to Prevent Similar Accidents

The Committee started its work with its first meeting on October 25, 2022, upon the call of the Bureau of the Assembly. It is understood from the Committee report that the Committee did not hold meetings with any CSOs and that the meetings were held with public institutions and organisations, trade unions and professional organisations.⁸⁰

Parliamentary Inquiry Committee Established to Inquire Into the Problems Experienced by the Elderly in Various Areas of Life and to Determine the Measures to be Taken

The Committee started its work on 01 June 2022. It is seen that CSOs such as the World Council on Aging, the Elderly Rights Association, and the Academic Geriatrics Association participate in the committee meetings.⁸¹ The Committee also organised an “International Elderly Welfare Workshop” on 06 December 2022 in cooperation with the Ministry of Family and Social Services and Ankara University Ageing Studies Application and Research Centre (YAŞAM). It was stated in the committee report that 37 people attended the workshop, including academics, representatives of CSOs and representatives from public institutions. However, it was not said which CSOs participated in the workshop.⁸²

⁷⁹ Report of Parliamentary Inquiry Committee Established to Inquire Into the Consequences of the Earthquakes Centred in Kahramanmaraş in All Aspects, to Determine the Measures to be Taken for Creating Earthquake Resistant Building Stock and Increasing the Efficiency of Urban Transformation Practices, May 2023, p. 163-183, <https://cdn.tbmm.gov.tr/KKBSPublicFile/D27/Y6/T10/DosyaKomisyonRaporunuVerdi/165734cc-0d4f-4030-863d-b278567c0a55.pdf>

⁸⁰ Parliamentary Inquiry Committee Established to Inquire Into the Mining Accident in Amasra District of Bartın and to Determine Measures to Prevent Similar Accidents, p. 35-48, March 2023, <https://cdn.tbmm.gov.tr/KKBSPublicFile/D27/Y6/T10/DosyaKomisyonRaporunuVerdi/53eb151d-1b13-426a-a8eb-b9e8542488ad.pdf>

⁸¹ Report of the Parliamentary Inquiry Committee Established to Inquire Into the Problems Experienced by the Elderly in Various Areas of Life and to Determine the Measures to be Taken, February 2023, p. 118-121, <https://cdn.tbmm.gov.tr/KKBSPublicFile/D27/Y5/T10/DosyaKomisyonRaporunuVerdi/224dd518-6a8d-41f1-93f9-8372aa49567b.pdf>

⁸² Report of the Parliamentary Inquiry Committee Established to Inquire Into the Problems Experienced by the Elderly in Various Areas of Life and to Determine the Measures to be Taken, *ibid.*, p. 134

Parliamentary Inquiry Committee Established to Inquire Into the Causes of the Mucilage Problem in Turkish Seas, Especially in the Marmara Sea, and to Determine the Measures to be Taken

The Committee started its work by holding its first meeting on July 07, 2021, upon the call of the Bureau of the Assembly. It is seen in the committee report that the Committee generally held meetings with public institutions and organizations, academics and professional organizations. However, the Committee also held meetings with CSOs, including Turkish Marine Environment Protection Association (TURMEPA), Economic Policy Research Foundation of Türkiye (TEPAV) and the Turkish Marine Research Foundation.⁸³

Parliamentary Inquiry Committee Established to Inquire Into the Causes of Violence against Women in All Aspects and to Determine the Measures to be Taken

The Committee started its work by holding its first meeting on April 21, 2021, upon the call of the Bureau of the Assembly. The Committee report states that 24 meetings were held during the Committee's work and discussions with 96 people, including relevant institution officials, CSO representatives and academics, were performed. According to the report, the CSOs discussed with were the following: Senarist Bir, Anadolu'dan Yeryüzüne CSO Foundation (AYSİT), Hazar Culture Education Solidarity Association, Women's Human Rights New Ways Association, Mor Çatı Women's Shelter Foundation, Association for Supporting Women Candidates (KADER), IKADDER-TÜRAP, Association for Women's Rights Against

Discrimination (AKDER), Wise Women's Research Centre (BİLKA), Association for Supporting Women Entrepreneurs (KAGİDER), Union of CSOs of the Islamic World, Association for Women and Democracy (KADEM), Association for Training and Solidarity of Women Health Professionals (KASAV).⁸⁴

Parliamentary Inquiry Committee Established to Determine the Measures to be Taken to Minimize the Effects of Global Climate Change, Combat Drought and Efficient Use of Water Resources

The Committee started its work by holding its first meeting on March 23, 2021, upon the call of the Bureau of the Assembly. It can be seen in the committee report that meetings were held with CSOs. Global Balance Association, Wildlife Conservation Foundation, Climate Change and Policy Research Association, Nature Research Association, Yolda Initiative, Nature Conservation Center are the CSOs interviewed.⁸⁵

Parliamentary Inquiry Committee Established to Determine the Precautions that Can Be Taken Against Earthquakes and the Measures to be Taken to Minimize the Damages of Earthquakes

The Committee started its work on 10 November 2020. It is understood from the committee report that meetings were held with the Turkish Red Crescent, Search and Rescue Association (AKUT), Turkish Earthquake Engineering Association, Turkish Earthquake Foundation and the Association for Assistance, Solidarity and Support for Refugees and Asylum Seekers (MSYD).⁸⁶

⁸³ Report of the Parliamentary Inquiry Committee Established to Inquire Into the Causes of the Mucilage Problem in Turkish Seas, Especially in the Marmara Sea, and to Determine the Measures to be Taken, p. April 2022, <https://cdn.tbmm.gov.tr/KKBSPublicFile/D27/Y4/T10/DosyaKomisyonRaporunuVerdi/5677b14e-01a8-43e2-bfe3-f55217715da7.pdf>

⁸⁴ Report of the Parliamentary Inquiry Committee Established to Inquire Into the Causes of Violence against Women in All Aspects and to Determine the Measures to be Taken, p. 139-147, March 2022, <https://cdn.tbmm.gov.tr/KKBSPublicFile/D27/Y4/T10/DosyaKomisyonRaporunuVerdi/10f9057a-0803-4bcf-beed-7a9233202a84.pdf>

⁸⁵ Parliamentary Inquiry Committee Established to Determine the Measures to be Taken to Minimize the Effects of Global Climate Change, Combat Drought and Efficient Use of Water Resources, p. 151-170, December 2021, <https://cdn.tbmm.gov.tr/KKBSPublicFile/D27/Y4/T10/DosyaKomisyonRaporunuVerdi/7a14931f-1786-4d2f-beef-175f01821935.pdf>

⁸⁶ Parliamentary Inquiry Committee Established to Determine the Precautions that Can Be Taken Against Earthquakes and the Measures to be Taken to Minimize the Damages of Earthquakes, p. 32-57, July 2021, <https://cdn.tbmm.gov.tr/KKBSPublicFile/D27/Y4/T10/DosyaKomisyonRaporunuVerdi/502ba724-5f63-48a3-935e-3caca0c33b83.pdf>

2.1.5. A General Evaluation of CSO Participation in GNAT

The legislative process for 2021 took place amid the difficulties caused by the Covid-19 pandemic. However, despite the Covid-19 pandemic, the GNAT passed more laws in 2021 than in 2022. Moreover, even under the conditions of a pandemic, it seems possible for civil society organisations to actively participate in legislation if due diligence is exercised. The most concrete example of this is the participation of civil society organisations in the discussion of the draft “Law No. 7332 amending the Animal Protection Law and the Turkish Penal Code”. However, the perception of CSOs by the GNAT’s standing committees seems to be extremely limited. The committees mainly consider professional organisations with the status of semi-governmental institutions and trade unions as CSOs. The participation of rights-based organisations in commissions is extremely limited.

It is assumed that the inquiry committees have more contact with CSOs compared to the standing committees. However, monitoring studies show that inquiry committees also prioritise professional organisations and trade unions. Despite this limited approach, committees of inquiry appear to communicate more with CSOs than the standing committees, particularly on environmental and women’s issues.

2.2 CSO Participation in the Decision-Making Processes of the Executive Mechanisms

The practice of executive mechanisms for participation in decision-making takes three forms. The first is participation in the preparation of relevant legislation by the ministries. This is the process of preparing secondary regulations (regulation, directive, circular, etc.). A second participation process is participation in the structures such as boards, committees, councils, etc. that play a role in legislation.

The third participation mechanism is involvement in the drafting of texts such as strategy, action plan, vision documents, etc. through workshops, consultation meetings, etc. The involvement of CSOs in this last participation mechanism is higher than in the other two mechanisms.

**CSO PARTICIPATION
IN THE
CENTRAL ADMINISTRATION**



**Secondary Legislation
Preparation Process**



**Board, Committee,
Council, Summit, etc.**



**Strategy and Action Plans,
Vision Documents, etc.**

2.2.1. CSO Participation in the Preparation Process of Secondary Regulations

CSO participation in the preparation process of the regulations by the presidency and 17 ministries was monitored. Although the data on the general distribution of the regulations prepared are given below, internal regulations such as disciplinary regulations, regulations of the Ministry of National Defence, regulations on municipalities and regulations on law enforcement agencies were not included in the monitoring process. The primary criteria for the monitored regulation preparation processes were determined as issues in which CSO participation is essential. Accordingly, information requests were made to 12 Ministries, including the Presidency, on 71 regulations prepared and adopted in 2021-22.

The general distribution of the regulations adopted by the Presidency and 17 Ministries in 2021 and 2022 is as follows:

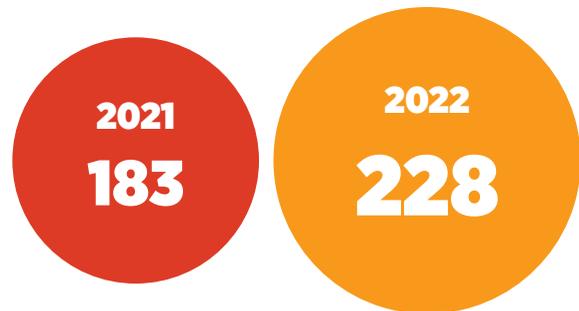


Figure 23 Number of regulations prepared by the Central Administration in 2021-2022

The distribution of the regulations by public institutions and organizations is as follows:

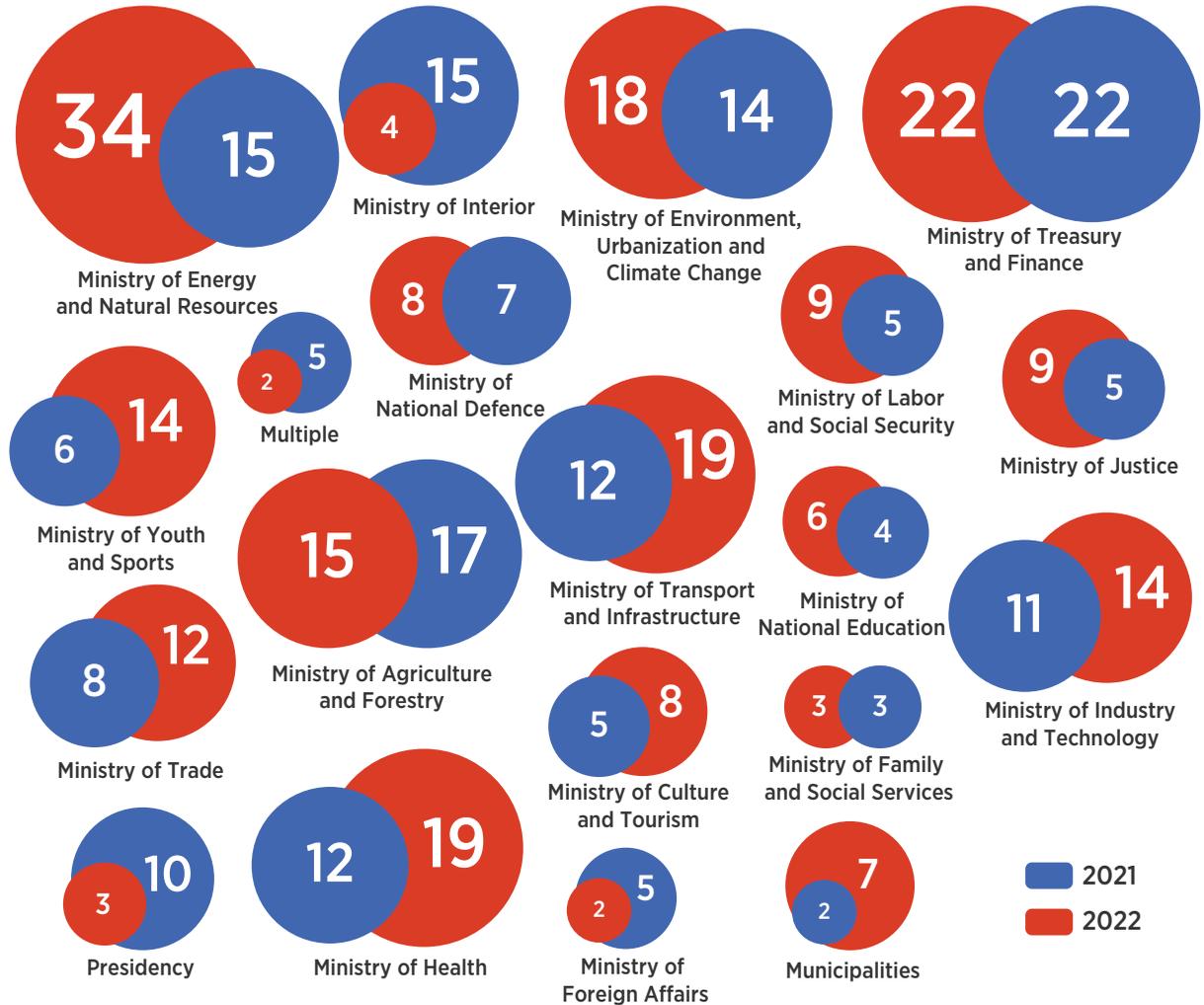


Figure 24 The distribution of the regulations prepared by the Turkish Presidency and Ministries according to institutions and years

The following table summarises the distribution of the institutions to which the requests for access to information were submitted, as well as the results we obtained following the requests for access to information in relation to the participation of civil society organisations in the preparatory process.

	Number of Regulations	Number of Responses to the Request for Information	Providing requested information	CSO Participation (In person)	Obtaining Written Opinions from CSOs and Professional Organizations	Professional Organization Participation (In person)	Union Participation
Turkish Presidency	12	0	0	-	-	-	-
Ministry of Justice	8	2	0	-	-	-	-
Ministry of Labour and Social Security	5	3	3	1	2	0	0
Ministry of Environment, Urbanization and Climate Change	13	1	1	1	0	0	0
Ministry of Foreign Affairs (Turkish National Agency)	1	1	1	0	0	0	0
Ministry of Energy and Natural Resources	6	6	6	2	3	1	0
Ministry of Youth and Sports	6	6	3	3 ⁸⁷	0	0	0
Ministry of Treasury and Finance	1	1	0	0	0	0	0
Ministry of Interior (Directorate of Migration Management)	1	1	1	0	0	0	0
Ministry of National Education	1	0	0	0	0	0	0
Ministry of Agriculture and Forestry	7	7	7	1	2	0	0
Ministry of Trade	7	2	1	1	1	1	0
Ministry of Transport and Infrastructure	3	3	3	0	2	1	0
TOTAL	71	33	26	9	10	3	0

Table 5 Regulations monitored in the 2021-2022 period and their distribution to central government institutions and CSO participation

⁸⁷ Only tax-exempt foundations, and associations with public benefit status.

The Presidency of the Republic of Türkiye

Within the scope of monitoring, an application was made to obtain information on the participation of CSOs in the preparation processes of 12 regulations published by the Turkish Presidency (See: **Annex-1 Regulations which are the subject of the request for information**). The Turkish Presidency did not respond to the request for information. There is no clear information that CSO participation was ensured while the regulations in

question were being prepared. Among the regulations designed by the Presidency, the “Regulation on the Procedures and Principles for Legislation Preparation” is essential, especially in regulating CSO participation in the legislation preparation processes. For a more detailed evaluation, see the explanatory note prepared by STGM.⁸⁸

Ministry of Justice

The Ministry of Justice was asked whether CSO participation was ensured in the preparation process of 8 regulations (See: **Annex-1 Regulations which are the subject of the request for information**). Only the General Directorate of Forensic Support and Victim Services of the Ministry of Justice responded negatively to the information requests based on Articles 25 and 7 of the Law No. 4982 on Right to Information regarding

two relevant regulations - the “Regulation on Forensic Support and Victim Services” and the “Regulation on the Execution of Judgements and Measure Decisions on Child Delivery and Establishment of Personal Relationship with the Child”. The Ministry of Justice did not respond to requests for information regarding other regulations.

Law No. 4982 on Right to Information

Article 7 - (...) The institutions may turn down the request for any information or document that requires separate or special work, research, examination, or analysis. (...)

Article 25 - The information and documents of the institutions that do not concern the public and are solely in connection with their personnel and the internal affairs, are out of the scope of the right to information. However, the employees of the institutions who are subject to the regulations have the right to such information.

⁸⁸ Amendment to the “Regulation on Procedures and Principles for Legislation Preparation” and Participation of Civil Society Organizations in Decision-Making Processes, 25.02.2022, <https://www.stgm.org.tr/mevzuat-hazirlama-usul-esaslari-hakkinda-yonetmelik-degisikligi-sivil-community-organizations-decision>

The purpose section of Article 1 of the Regulation on Judicial Support and Victim Services is as follows:
“(1) The purpose of this Regulation is to regulate the services to be provided to victims of crime and persons in need of judicial support in the judicial process and the duties, powers and responsibilities of the Chief Public Prosecutor’s Offices and courts regarding the fulfilment of the services to be provided and the procedures and

principles thereof.” As understood from this sentence, the regulation concerns the public and the public institution’s personnel and internal practices. In short, it is not just about the regulations regarding its personnel and in-house practices. In addition, it is unclear why information on whether CSO participation was ensured while preparing the regulation requires a “separate or special work, research, examination or analysis”.

Ministry of Family and Social Services

An application was made to the Ministry of Family and Social Services to obtain information on CSO participation in the preparation process of the regulations on “child protection services” and “examination practices for the disabled” (See: **Annex-1 Regulations which are the subject of the request for information**).

The General Directorate of Child Services responded regarding both regulations. It was stated in the reply that CSOs were consulted during the preparation of

the “Regulation on the Procedures and Principles for Planning Child Protection Services and Working Procedures and Principles for Childcare Institutions”,⁸⁹ but no information was provided on how many CSOs were consulted and by which method CSO participation was ensured. It was also informed that the work for the regulation on examination practices for persons with disabled by the General Directorate of Child Services was carried out under the coordination of the Council of Higher Education.

Ministry of Labour and Social Security

The Ministry of Labour and Social Security was asked whether CSO participation was ensured in the preparation of 5 regulations. (See: **Annex-1 Regulations which are the subject of the request for information**). The Ministry of Labour and Social Security provided information on three regulations. The General Directorate of Occupational Health and Safety of the Ministry of Labour and Social Security stated in its response that the written opinions of CSOs were sought during the preparation of the “Regulation on Market Surveillance and Inspection by the Ministry of Labour and Social Security”, but did not specify which CSOs were consulted.⁹⁰ The Social Security Institution

responded that the opinions of “medical speciality associations” were sought while preparing the “Regulation on the Determination Procedures for Disability and Incapacity to Work”.⁹¹ The General Directorate of International Labour Force of the Ministry of Labour and Social Security stated that the opinions of the International Investors Association (YASED), Turkish Industrialists’ and Businessmen’s Association (TÜSİAD), Turkish Exporters Assembly (TİM), and workers’ and employers’ unions were consulted during the preparation of the “Implementing Regulation on the International Labour Force Law”.⁹²

⁸⁹ Ministry of Family and Social Services General Directorate of Child Services, e-36420180-622.03-6358016-20.02.2023

⁹⁰ Ministry of Labor and Social Security, General Directorate of Occupational Health and Safety, E-35804503-622.03-217980-20.01.2023

⁹¹ Ministry of Labor and Social Security, General Directorate of Pension Services, E-89292141-115.99-62552909-24.01.2023

⁹² Ministry of Labour and Social Security, General Directorate of International Labour Force, E-14836613-622.03-219513-06.02.2023

Ministry of Environment, Urbanization and Climate Change

The Ministry of Environment, Urbanization and Climate Change was asked questions about CSO involvement in the drafting of 13 regulations, including the “Regulation on Environmental Impact Assessment”, which was adopted in 2022 and subsequently sued by environmental organisations for its annulment. (See: **Annex-1 Regulations which are the subject of the request for information**). Only the General Directorate of Environmental Impact Assessment, Permit and Inspection of the Ministry of Environment, Urbanization and Climate Change responded to the request for information. The provided information was

on the “Regulation on Environmental Management Services”. In its reply, the General Directorate stated that the opinions on the draft regulation were received from TMMOB Chambers of Environmental Engineers, Chemical Engineers, Mining Engineers, TOBB Maritime Assembly, Turkish Liquefied Petroleum Gas Assembly, Waste and Recycling Assembly, Biologists Solidarity Association, ÇEVİBİR, Union of Municipalities of Türkiye, TÜSİAD, MÜSİAD, TEMA Foundation, Wildlife Protection Foundation and Nature Association.⁹³ The Ministry of Environment, Urbanization and Climate Change did not respond to other regulations.

Ministry of Youth and Sports

A question was asked to the Ministry of Youth and Sports about the participation of CSOs in the preparation process of a total of 6 regulations (See: **Annex-1 Regulations which are the subject of the request for information**). The Social Relations and Communication Department of the Ministry of Youth and Sports responded that CSO opinions were received regarding the regulations for 2021. It is also stated that the invited CSOs are tax-exempt foundations and associations with public benefit status.⁹⁴

As for the regulations prepared in 2022, the General Directorate of Youth Services stated that the opinions of CSOs were received but did not provide information on how many CSOs were included in the process. In its response, the Ministry mostly provided information about the workshops organised.⁹⁵ In addition, the Social Relations Department of the Ministry of Youth and Sports stated that CSO opinions were received regarding the regulations adopted in 2022, meetings were held online due to the Covid-19 pandemic, and the opinions of sports federations were sought on sports related issues.⁹⁶

⁹³ Ministry of Environment, Urbanization and Climate Change General Directorate of Environmental Impact Assessment, Permit and Inspection, E-25838686-622.01-5685272-09.02.2023.

⁹⁴ Ministry of Youth and Sports, Department of Social Relations and Communication, E-25367561-622.03-4441863-14.03.2023

⁹⁵ Ministry of Youth and Sports, General Directorate of Youth Services, E-51829694-181.99-4151954-27.02.2023

⁹⁶ Ministry of Youth and Sports, Social Relations Department, E-25367561-622.03-4441863-14.03.2023.

Ministry of Interior

Within the scope of monitoring, the Directorate of Migration Management of the Ministry of Interior was asked whether CSOs operating in the field of migration and refugees were included in the preparation processes of the “Regulation on Alternative Obligations to Administrative Detention”. In its response, the General Directorate of Management Services under the

Directorate of Migration Management of the Ministry of Interior stated that a workshop was organised with the participation of 7 national and international organisations to exchange views while the regulation was being prepared. However they did not specify how many of these organisations were CSOs.⁹⁷

Ministry of Foreign Affairs

The Turkish National Agency under the Directorate for European Union Affairs of the Ministry of Foreign Affairs was asked whether CSO participation was ensured while preparing the “the Regulation on the Advisory Board of Turkish National Agency”. Indeed, the Article 4(1) of the regulation is as follows:

Article 4 -(1) The Board consists of representatives of public institutions and organisations, educational and training institutions, non-governmental organisations, youth organisations, professional organisations and private sector organisations operating in the fields related to the programmes.⁹⁸

Furthermore, Article 68(6) of the “Presidential Decree No. 4 on the Organisation of Institutions and Organisations Affiliated, Related and Associated to Ministries and Other Institutions and Organisations”, which is the primary basis of the regulation, contains the following statement:

Article 68 (6) An Advisory Board consisting of representatives of relevant public institutions and organisations, educational and training institutions, civil society organisations and voluntary

organisations, youth organisations, professional organisations and the private sector shall be established to seek ways to ensure that Türkiye makes maximum use of the European Union education and youth programmes. Which organizations will be represented in the Advisory Board shall be determined by the approval of the Director for EU Affairs. The Advisory Board shall convene once a year within the framework of the agenda determined by the Directorate. The decisions of this Board are advisory. Secretariat services shall be carried out by the National Agency.⁹⁹

The regulation in question creates a mechanism for CSO participation. Therefore, CSO participation in the preparation phase of the regulation is a very natural expectation. In its response, the National Agency repeated the relevant article of the Presidential Decree No. 4 and it stated that “As can be understood from the legislation above, there is no need to obtain an opinion for the Advisory Board Regulation. For this reason, the regulation was created without taking any opinion from any institution.”¹⁰⁰

⁹⁷ Ministry of Interior Directorate of Migration Management General Directorate of Management Services, E-89486870-622.03-154344-24.03.2023

⁹⁸ <https://www.mevzuat.gov.tr/File/GeneratePdf?mevzuatNo=38502&mevzuatTur=KurumVeKurulusYonetmeligi&mevzuatTertip=5>

⁹⁹ <https://www.mevzuat.gov.tr/mevzuatmetin/19.5.4.pdf>

¹⁰⁰ Turkish National Agency under the Directorate for European Union Affairs of the Ministry of Foreign Affairs, E-17079378-010.03-58573-04.01.2023

Ministry of Energy and Natural Resources

The Ministry of Energy and Natural Resources was asked about CSO participation in 6 regulations. In its response to the application, the General Directorate of Legal Services of the Ministry of Energy and Natural Resources stated the following:

- No opinion was received from any CSO about the Mining Regulation published in the Official Gazette No. 32040 of December 11, 2022;
- During the preparation of the Nuclear Assurance Regulation published in the Official Gazette No. 32018 of 19th December 2022, no CSO opinion was obtained, but the draft regulation, which was opened for external opinion within the scope of the third paragraph of Article 13 of the Procedures and Principles for the Preparation of Secondary Regulations, was published on the website of the Ministry, indicating the deadline for comments;
- An opinion was requested from the TMMOB Chamber of Environmental Engineers on the draft regulation regarding the “Regulation on the Authorization of Environmental Remediation Activities of Areas Exposed to Radioactive Pollution” published in the Official Gazette No. 31922 of August 13, 2022;
- Written opinions were requested from the Ship Conversion Industrialists Association and the Turkish Steel Producers Association, and 10 private companies regarding the Regulation on National Radiation Monitoring, and Radiation Control published in the Official Gazette No. 31921 of 12 August 2022;
- For the “Regulation on Authorisations, and Safety Principles for Radioactive Waste Facilities” published in the Official Gazette No. 31889 of 07 July 2022, and for the “Regulation on Management System in Nuclear Facilities, Radiation Facilities and Radioactive Waste Facilities” published in the Official Gazette No. 31822 of 27 April 022, it was stated that no consultation process was carried out for CSOs. However they noted the draft regulation, which was opened for comments outside the Agency within the scope of the third paragraph of Article 13 of the Procedures and Principles for the Preparation of Secondary Regulations, was published on the website of the Agency, indicating the deadline for comments.¹⁰¹

Ministry of Treasury and Finance

Financial Crimes Investigation Board (MASAK) of the Ministry of Treasury and Finance was asked whether CSO participation was ensured in the preparation processes of the implementing regulation of the Law No. 7262 on the Prevention of Financing the Proliferation of Weapons of Mass Destruction, which

brought significant amendments to the Law No. 5253 on Associations and Law No. 2860 on Charity Collection in Türkiye. However, MASAK refused to answer the issue, stating that it does not have any duty or authority regarding CSOs.¹⁰²

¹⁰¹ Ministry of Energy and Natural Resources General Directorate of Legal Services, E-50875018-622.03-169749-30.01.2023

¹⁰² Ministry of Treasury and Finance Financial Crimes Investigation Board, E-81683147-622.03.[01]-37308-06.01.2023

Ministry of National Education

The Ministry of National Education was only asked whether CSO participation was ensured during the “Regulation on Private Accommodation Services for Higher Education” preparation process.

However, the Ministry did not respond to the request for information.

Ministry of Agriculture and Forestry

The Ministry of Agriculture and Forestry was asked whether CSO participation was ensured in the preparation process of 7 regulations within the scope of the monitoring process. Directorate of Strategy Development under The Ministry of Agriculture and Forestry stated the following in its response:

- Since the Regulation on the Establishment and Working Procedures and Principles of Zoos and Natural Life Parks requires a technical and scientific study, universities and public institutions were consulted, and the opinions of CSOs were not obtained
- Written opinions were received from breeder associations and federations for the Regulation on the Identification and Registration of Bee Colonies
- Opinions were obtained from relevant ministries regarding the Regulation on the Implementation of Article 18 of the Forest Law, but no CSO opinions were sought
- Opinions were received from relevant ministries for the Regulation on the Implementation of the Third Paragraph of Article 17 of the Forest Law, but no CSO opinions were obtained
- To collect opinions on the Turkish Food Codex Regulation on Maximum Residue Limits of Pesticides, the draft regulation was published on the Ministry’s website and remained there for 1 month, an official letter was sent to 16 CSOs requesting their opinions, and the collected opinions were evaluated by a sub-commission and forwarded to the National Food Codex Commission
- Opinions were received from public institutions and organizations and the private sector for the Regulation on Market Surveillance and Control of Fertilizers Used in Agriculture, and the Association of Fertilizer Manufacturers Importers and Exporters (GÜİD) were also consulted
- For the Regulation on the Duties, Working Procedures and Principles of the Central Hunting Commission, Provincial and District Hunting Commissions, the number of members for the Central Hunting Commission was increased with Article 3 of the Terrestrial Hunting Law No. 4915. With this regulation, the number of members for environmental and nature volunteer associations and scientists was increased from 1 to 3. The number of commission members was increased to 25. However, no information was provided that CSOs were consulted during the preparation of the regulation.

Ministry of Trade

The Ministry of Trade was asked to obtain information on 7 regulations (See: Annex-1 Regulations which are the subject of the request for information) and asked whether CSO participation was ensured in the preparation processes. The Ministry of Trade provided information about only 2 of the regulations in question.

The Ministry responded to the Regulation on Consumer Arbitration Committees and Market Surveillance and Management via CİMER. It stated that relevant institutions and organizations were consulted through an official letter during the preparation.¹⁰³ The second Regulation for which an answer was given was the “Regulation on General Product Safety”. In the reply provided by the Department of EU Technical Legislation of the General Directorate of Product Safety and Inspection under the Ministry of Trade, it was stated that during the preparation process of the regulation,

the Turkish Exporters Assembly, the Union of Chambers and Commodity Exchanges of Türkiye, the Federation of Consumer Associations, the Turkish Industrialists’ and Businessmen’s Association, the Independent Industrialists’ and Businessmen’s Association, the All Industrialists’ and Businessmen’s Association, International Investors Association, Federation of Consumer Organisations, Small and Medium Enterprises Development and Support Administration, General Secretariat of Turkish Accreditation Agency, Turkish Standards Institute, Halal Accreditation Agency, Conformity Assessment Association were requested to submit their opinions in writing to the Ministry within thirty days. Again, the general directorate stated in the answer that the regulation was made available for public comment on the Ministry’s website during the said period.

Ministry of Transport and Infrastructure

An application was made to the Ministry of Transport and Infrastructure to request information on CSO participation in the preparation processes of 3 regulations (See: Annex-1 Regulations which are the subject of the request for information). Two of them are on road transport of dangerous goods and safety consultancy for hazardous goods. Directorate General for Regulation of Transport Services under the Ministry of Transport and Infrastructure stated that both regulations were prepared within the scope of the “Agreement on the International Carriage of Dangerous Goods by Road” (ADR)¹⁰⁴ and that a call was made on

the website of the Directorate General in order to receive opinions electronically or in writing about the draft and that the views obtained accordingly were evaluated in the legislative works.¹⁰⁵

The General Directorate of Shipyards and Coastal Structures of the Ministry of Transport and Infrastructure stated in its response regarding the Regulation on Degassing in Ships and Watercraft that opinions were received from public institutions and organizations, unions and professional organizations with public institution status.¹⁰⁶

¹⁰³ Answer given to the application No. CİMER 2300271534 of 13.03.2023

¹⁰⁴ For the agreement within the scope of the United Nations Economic Commission for Europe (UNECE), see: <https://www.resmigazete.gov.tr/eskiler/2009/10/20091030M1-1.htm>

¹⁰⁵ Ministry of Transport and Infrastructure Directorate General for Regulation of Transport Services, E-14511534-399-926669-24.01.2023

¹⁰⁶ Ministry of Transport and Infrastructure General Directorate of Shipyards and Coastal Structures, E-39895534-622.03-951591-09.02.2023

2.2.2. CSO Participation in Boards, Committees, Councils, Summits, etc.

CSO participation in the decision-making mechanisms of the executive mechanisms can also be realised through structures such as boards, committees, councils, summits, etc. These mechanisms work via institutions and organizations affiliated with the Turkish Presidency and ministries.

The following mechanisms were monitored and evaluated: Presidential Offices and Policy Boards; Human Rights and Equality Institution of Türkiye; Public Participation in Climate Council and Environmental Impact Assessment (ÇED) Processes within the Ministry of Environment, Urbanisation and Climate Change; Civil Society Advisory Board under the Ministry of Interior; and National Education Council under the Ministry of National Education.

The Presidency of the Republic of Türkiye

Participation in presidential decision-making can be realised in three ways.

1. Presidential offices stipulated in Presidential Decrees to cooperate with CSOs

2. Policy committees under the Presidency

3. Institutions and organisations affiliated with the Presidency

Presidential Offices

During the monitoring process, the Presidency was asked about the collaborations performed with CSOs within the scope of the job descriptions of the “digital transformation”, “finance”, and “human resources” offices. Only the Human Resources Office responded to the requests for information.

In its response, the Human Resources Office of the Turkish Presidency stated that trainings aimed at improving the professional/technical skills and competencies of public employees and contributing to their personal development is prepared by the relevant institutions and organisations and offered through the “Distance Training Gateway”. In this context, the Human Resources Office of the Presidency of the Republic of Türkiye stated that it carries out multi-stakeholder coordination and cooperation works with public institutions, private sector and CSOs.¹⁰⁷

¹⁰⁷ Human Resources Office of the Turkish Presidency, Department of Human Resources Training and Development, E-71726943-799-2539-26.01.2023.

Presidential Policy Boards

Within the scope of monitoring activities, requests for information on cooperation with CSOs were made to 9 policy boards under the Presidency. 6 policy committees responded to this request.

In the reply given by Mehmet Uçum, Deputy Chairman of the **Legal Policies Board**, it was stated that the Legal Policies Board started its activities in November 2018 and that more than 150 events were organised in the fields of law and system reform, functioning of the judicial system, criminal law, strengthening rights and freedoms, labour relations and the new constitutional perspective in the 21st century within the scope of Article 27 of the Presidential Decree No. 1. It was also stated that the relevant ministries, CSOs, trade unions, sector representatives and leading experts attended and contributed to the meetings, workshops and thematic working group meetings.¹⁰⁸

Deputy Chairman of the **Health and Food Policies Board**, Prof. Dr. Serkan Topaloğlu, stated that since November 2018, when the Board started its activities, 140 events have been organised on the subjects determined within the scope of Article 29 of the Presidential Decree No. 1. Prof. Dr. Serkan Topaloğlu also stated that 520 participants including scientists, CSO representatives, bureaucrats, business people and representatives of different sectors attended the meetings.¹⁰⁹

Şükrü Karatepe, Deputy Chairman of the **Local Government Policies Board**, stated that more than one relevant CSO was invited, and their opinions and suggestions were obtained while preparing reports and policy proposals within the scope of Presidential Decree No. 1. No information is provided on how many events were organized in this context.¹¹⁰

Gülsüm Azeri, Deputy Chairperson of the **Economic Policies Board**, stated that the Economic Policies Board, which started its activities in November 2018, held 162 meetings under Article 25 of Presidential Decree No. 1. It was informed that relevant ministries, CSOs, sector representatives and leading experts attended and contributed to these meetings.

Prof. Dr. Yavuz Atar, Deputy Chairman of the **Education and Training Policies Board**, stated in his reply that many public or private institutions, organisations, and relevant experts were consulted for their written and oral opinions on each field of work and the agenda of the Board. Prof. Dr. Yavuz Atar stated that the views received were discussed both in the board meeting and in the sub-committee meetings. However, no information was provided about how many such meetings were held and how many people's written and oral opinions were obtained.¹¹¹

In his reply, Prof. Dr. Hasan Mandal, Deputy Chairman of the **Science, Technology and Innovation Policies Board**, stated that the Board, which started its activities in November 2018, prepared 19 policy recommendation reports and 6 technology road maps within the scope of the Presidential Decree No. 1. Prof. Dr. Hasan Mandal stated that while preparing the works in question, the individuals' competencies were considered, and the participation of experts in the determined subjects was ensured. Prof. Dr. Hasan Mandal informed that 884 experts from relevant public institutions, academia, CSOs and the private sector participated in the meetings held during the preparation of policy recommendation reports and technology road maps.¹¹²

¹⁰⁸ Mehmet Uçum, Deputy Chairman of the Presidential Legal Policies Board, E-81114265-663.09-135210-31.01.2023

¹⁰⁹ Prof. Dr. Serkan Topaloğlu, Deputy Chairman of the Presidential Health and Food Policies Board, E-39729918-663.09-135462-01.02.2023

¹¹⁰ Şükrü Karatepe, Deputy Chairman of the Presidential Local Government Policies Board, E-88152743-719[719]-135757-02.02.2023.

¹¹¹ Prof. Dr. Yavuz Atar, Deputy Chairman of the Education and Training Policies Board, E-23695824-953.01.04-137506-20.02.2023.

¹¹² Prof. Dr. Hasan Mandal, Deputy Chairman of the Presidential Science, Technology and Innovation Policies Board, E-41712581-622.03-136011-08.032023.

Affiliated Institutions under the Turkish Presidency

The application was made to the General Directorate of State Investments under the Directorate of Strategy and Budget, one of the affiliated institutions under the Presidency, to obtain information on the cooperation efforts with CSOs. However, the General Directorate informed that it has just started its activities with the

Presidential Decree No. 102 published in the Official Gazette No. 31861 on 9 June 2022 and that it will continue its activities with a regulation expected to be published in June 2023 and therefore no activities were carried out with CSOs.¹¹³

Human Rights and Equality Institution of Türkiye (TİHEK)

Human Rights and Equality Institution of Türkiye (TİHEK) serves as a related/relevant organization of the Ministry of Justice. Human Rights and Equality Institution of Türkiye convenes the “Advisory Committee on Combating Discrimination” regularly. Advisory Committee meetings are held within the scope of the first paragraph of Article 22 of the Turkish Human Rights and Equality Institution Law No. 6701, to discuss problems and solution suggestions on issues related to the prohibition of discrimination and to exchange information and opinions on these issues.

Within the scope of the monitoring period, it was observed that the TİHEK “Advisory Committee on Combating Discrimination” convened three times and CSOs participated in the meetings. The Advisory Committee held its first meeting in November 2021,¹¹⁴ its second meeting in May 2022¹¹⁵ and its third meeting in November 2022.¹¹⁶ It was observed that rights-based CSOs working on combating discrimination and fundamental human rights attended the meetings and conveyed their opinions.

In addition to the meetings of the “Advisory Committee on Combating Discrimination”, another participatory process identified during the monitoring period is that TİHEK organises consultation meetings through the

Provincial and Human Rights Boards and publishes final statements after these meetings with the participation of civil society organisations. During the monitoring period, it was found that TİHEK held consultation meetings in 12 provinces with the participation of civil society organisations and the results of some meetings were shared with the public.¹¹⁷

No.	Provincial Meeting	Final Declaration
1	Trabzon	No
2	Malatya	No
3	Edirne	No
4	Siirt	No
5	Zonguldak	Yes
6	Manisa	Yes
7	Van	Yes
8	Erzurum	Yes
9	Adana	Yes
10	İzmir	Yes
11	Çankırı	Yes
12	Afyonkarahisar	Yes

Table 6 TİHEK Advisory Committee meetings

¹¹³ Turkish Presidency, Directorate of Strategy and Budget, Office of Press and Public Relations, E-23452513-622.03-19660-23.01.2023.

¹¹⁴ TİHEK, 18.11.2021, <https://www.tihek.gov.tr/ayrimcilikla-mucadele-alaninda-istisare-komisyonusunun-ilk-toplantisi-gerceklestirildi>

¹¹⁵ TİHEK, 12.05.2022, <https://www.tihek.gov.tr/ayrimcilikla-mucadele-alaninda-istisare-komisyonusunun-ikinci-toplantisi-gerceklestirildi>

¹¹⁶ TİHEK, 03.11.2022, <https://www.tihek.gov.tr/istisare-komisyonusunun-ucuncu-toplantisi-gerceklestirildi>

¹¹⁷ TİHEK, News, <https://www.tihek.gov.tr/kategori/icerikList/>

Ministry of Family and Social Services

In the Ministry of Family and Social Services, mechanisms where CSO participation is possible carry out their activities through the provincial organisation of the Ministry. Within the scope of the monitoring period, 30 provinces with metropolitan status were selected for these mechanisms and information was requested from the Governorships of these 30 provinces. It was asked whether the “Provincial Coordination Boards on Prevention of Violence against Women”, “Provincial Committee on Child Rights” and “First Coordination Board on Child Protection” convene regularly and whether CSOs are invited to the relevant board meetings or whether they work in cooperation.

The attitudes of the Governorship and Provincial Directorates of Family and Social Services in providing information to applications varied. Significant part of the Provincial Coordination Boards on the Prevention of Violence Against Women (23 Provincial Directorates) responded to the information requests in detail. However, it is hard to say that the administration paid due attention to the requests for information made about the Committee on Provincial Child Rights and the Provincial Coordination Board on Child Protection. Since the number of Provincial Directorates that respond properly to requests for information is very low (9 Provincial Directorates). Manisa, Hatay and Samsun Governorships refused to provide information on the relevant issues. The general situation is as follows:

Adana

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 4 meetings were held quarterly **in 2021** and 4 meetings quarterly **in 2022**. Regarding CSO participation, it was stated that CSOs were invited if their opinions were needed, but no information was given about how many CSOs were included in how many meetings.

Provincial Committee on Children’s Rights

It was informed that **in 2021**, the Adana Child Rights Committee held an online meeting in April due to the Covid-19 pandemic, a face-to-face meeting was held in October 2021 with the participation of 31 children, and a face-to-face ordinary meeting was held in April **2022**, and 28 children attended the meeting.

It was stated that CSOs were invited to the workshop held by the Child Rights Committee and events held throughout the province, and **15 CSOs were invited to the Children’s Vision Document Workshop**.

Provincial Coordination Board on Child Protection

It was informed that the meetings were held in compliance with the legislation. While it was informed that the Bar Association representative attended the meetings as a professional organization, it was stated that CSOs could also participate when invited. However, no information was given about how many CSOs were invited to meetings during the monitoring period.

Ankara

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 4 meetings were held, 2 times each **in 2021 and 2022**. It was stated that institutions requiring participation in the relevant regulation attended the meeting. No clear information was given regarding CSO participation.

Provincial Committee on Children’s Rights

It was informed that **in 2021**, the meetings were held online due to the Covid-19 pandemic; on 01 March 2021, a meeting was held 1 week before the event to plan meetings with children without disabilities with the participation of 100 children, and on 15 October 2021,

a physical meeting was held at Bağlum Child Support Centre (ÇODEM) for the programming of child rights training.

It was informed that **in 2022**, an extraordinary meeting was held on January 12, 2022, with the participation of 11 children and adult representatives, and an ordinary meeting was held on April 5, 2022, with the participation of 6 children.

Provincial Coordination Board on Child Protection

It was informed that **in 2021**, due to the Covid-19 pandemic, the Provincial Coordination Board meeting was held on 26 May 2021, and the sub-committee meeting was held on 01 October 2021.

It was stated that **in 2022**, the Provincial Coordination Board meeting was held on 16 March 2022 with the participation of district governors, and the Provincial Coordination Board meeting was planned on 13 December 2022 with the participation of district governors. It was informed that **3 different CSOs attended** the Provincial Coordination Board meetings.

Antalya

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 3 meetings were held **in 2021** and **6 CSOs participated** the meeting held in August 2021; 2 meetings were held **in 2022** and **7 CSOs participated** the meeting in February 2022.

It was pointed out that a 2-day workshop was held in December 2021 to prepare the Provincial Action Plan on Combating Violence Against Women, and two technical committee meetings were arranged in 2022.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given about how many meetings were organized and how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held in compliance with the legislation, no information was given about CSO participation.

Aydın

Provincial Coordination Boards on the Prevention of Violence Against Women

While it was indicated that 2 higher committee and one sub-committee meetings were held **in 2021** and that CSOs were invited to the meetings upon the instructions of the Governorship, no information was given about how many CSOs were invited.

It was informed that 4 higher and 4 sub-committee meetings were held **in 2022**. It was noted that high-level representatives from public institutions and organizations attended these meetings.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given about how many meetings were organized or how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held incompliancewith the legislation, no information was given about CSO participation.

Balıkesir

Provincial Coordination Boards on the Prevention of Violence Against Women

While it was reported that meetings were held in line with the legislation, no information was given about how many meetings were organized and the participation of CSOs.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given about how many meetings were organized and how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held in line with the legislation, no information was given about CSO participation.

Bursa

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 4 meetings were held **in 2021** and **2 in 2022**.

It was indicated that **in 2021** Mor Salkım Women's Solidarity Association was invited and participated in the meeting. At a meeting held **in 2022**, 2 CSOs, namely Bursa Branch of Women and Democracy Association and Mor Salkım Women's Solidarity Association, were invited, and their participation was ensured.

Provincial Committee on Children's Rights

It was reported that **2021** meetings could not be held due to the Covid-19 pandemic. However two representatives of the Provincial Committee on

Children's Rights, a boy and a girl, participated in the online meeting held in November regarding the Child Advisory Board Elections.

It was reported that one meeting was held **in 2022**, and 54 children attended the meeting in January. It was stated that the meeting in April was not held as it coincided with the Executive Board meeting. It was also reported that "Training of Trainers on Digital Literacy and Safe Internet" was provided to the members of the Executive Board of the Provincial Committee on Child Rights in 2022, and a meeting was held in February for planning purposes. It was informed that 5 Executive Board member children who received trainer training attended the planning meeting.

It was stated that inviting CSOs to meetings during the pandemic was not deemed appropriate. However, it was informed that in June 2022 the Provincial Child Rights Committee and Bursa Child Rights Association as an CSO opened a Child Rights stand at the 9th Science Expo 2022 within the scope of Combating Child Labour.

Provincial Coordination Board on Child Protection

It was informed that 3 online meetings were held **in 2021** due to the Covid-19 pandemic.

It was indicated that 4 meetings were held **in 2022** and that the Turkish Green Crescent and Bursa Technical University attended the meetings. It was stated that any CSO must request or be invited to attend the meeting. However, no information was given about how many CSOs requested to attend the meetings or how many CSOs were invited.

Denizli

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 4 meetings were held **in 2021** and 2 CSOs were invited to these meetings, and 2 meetings were held in the first six months of **2022** and 6 CSOs were invited.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given about how many meetings were organized and how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held in compliance with the legislation, no information was given about CSO participation.

Diyarbakır

Provincial Coordination Boards on the Prevention of Violence Against Women

The answer was given 1 year after the date of the information request. It was informed that the board was convened per legislation and that CSOs were invited. However, no answer was given about how many meetings were held and how many CSOs attended the meetings.

Provincial Committee on Children's Rights

No answer was given.

Provincial Coordination Board on Child Protection

No answer was given.

Erzurum

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 4 meetings were organized **in 2021**, and 2 were local and 2 were national meetings with the Minister of Family and Social Services and the Minister of Interior. It was stated that 4 CSOs attended the first meeting held at the local level, but there was no CSO participation in the second meeting. It was reported that 5 CSOs participated in the first the online meetings with the ministries, and there was no CSO participation in the second one.

It was indicated that 2 meetings were held **in 2022** and 2 CSOs attended the first meeting and 4 CSOs participated in the second meeting.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation and that the prescribed number of children attended the meetings, no information was given about the number of meetings and how many children attended.

Provincial Coordination Board on Child Protection

While it was noted that meetings were held in compliance with the legislation and CSO participation was ensured, no information was given as to how many CSOs participated.

Eskişehir

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 2 meetings were held **in 2021** and **2022**.

It was reported that Eskişehir Bar Association, City Council and Women and Democracy Association attended the meetings held **in 2021 and 2022**.

In addition, it was stated in the response to the request for information that the following meetings were held in addition to the regular meetings:

- 3 technical committee meetings were held in 2021. Introductory meetings were held with 7 different stakeholder organisations to introduce the National Action Plan on Combating Violence against Women; and Women Services of Eskişehir Municipality, Red Umbrella Association, Human Resources Development Foundation, Women and Democracy Association attended the first meeting. In addition, meetings were held with Eskişehir Bar Association, Social Assistance and Solidarity Foundation, Universities, Office of Mufti, Law Enforcement Forces and Directorate of National Education in 5 different meetings. In November 2021, the 2-day Provincial Action Plan Workshop was held under the chairmanship of the Deputy Governor, with the contributions of representatives of all stakeholder institutions, organizations and CSOs. The draft program prepared at this meeting was re-sent to the participating institutions and CSOs through an official letter, and their opinions were obtained and finalised. It entered into force on January 26, 2022. In April 2022, an official cover letter was sent to official institutions, unions and CSOs in the province, introducing the provincial action plan.
- Two technical committee meetings were also held in 2022

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given as to how many children were included in the meetings.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held in compliance with the legislation, no information was given about CSO participation.

Gaziantep

Provincial Coordination Boards on the Prevention of Violence Against Women

It was stated that 4 meetings were held **in 2021** and **3 in 2022**.

It was stated that 1 CSO was invited and attended the meetings held **in 2021**, while no CSO attended the meetings held **in 2022**.

Additionally, information was given about meetings held outside the regular meetings. According to this information;

- 2 technical meetings were held in 2021, and 1 CSO participated. The Provincial Action Plan Preparation Workshop on Combating Violence Against Women was held. 7 CSOs were invited to the workshop, but only 5 CSOs were able to participate.
- Technical Board and Local Action Plan Promotion meetings were held in 2022 and 4 CSOs attended the meetings.

Provincial Committee on Children's Rights

It was informed that the Provincial Committee on Children's Rights in Gaziantep has approximately 410 child members as of October 2022. In addition, it was stated that ordinary and general meetings are held every year and that no other meetings were held, and that the lawyers of the Committee on Child Rights under the Gaziantep Bar Association attended the meetings as a professional organization. It was also reported that the meeting was held in October 2022 as planned.

Provincial Coordination Board on Child Protection

It was indicated that at least 10 provincial coordination meetings are held annually, and that the institutions, organizations and CSOs specified in the directive are included if necessary. However, no information was given about how many CSOs attended the meetings.

Hatay

Provincial Coordination Boards on the Prevention of Violence Against Women

Refused to give information.

Provincial Committee on Children's Rights

Refused to give information.

Provincial Coordination Board on Child Protection

Refused to give information.

Istanbul

Provincial Coordination Boards on the Prevention of Violence Against Women

It was stated that 4 meetings were held, 2 times each in **2021 and 2022**. It was also informed that 3 CSOs were invited to the meetings in 2021 and 3 to the 2022, and that no extraordinary meetings were held.

Provincial Committee on Children's Rights

While it was stated that the meetings were held regularly in line with the legislation, no information was given on how many meetings were held and how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that meetings were held regularly in line with the legislation and CSOs were invited, no information was given about how many meetings were held and how many CSOs were invited.

Izmir

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 4 meetings were held in **2021 and in 2022**. In addition to the ordinary meetings, it was reported that Technical Sub-Committee of the Provincial Coordination Board was established in line with the Izmir Provincial Action Plan on Combating Violence Against Women and the first technical board meeting was held on 05 April 2022, and that the Monitoring, Evaluation and Reporting Committee, the Training Committee and the Committee on Monitoring the Law No. 6284, which were established based on this technical board meeting, held their first meetings in 2022. It was reported that a total of **6 CSOs participated** in these meetings, including the Izmir Bar Association, Union of Women's Institutions of Izmir, Women's Rights Protection Association of Izmir, Izmir Association for Solidarity with Asylum Seekers and Immigrants (SGDD/ASAM), Women and Democracy Association (KADEM) and Izmir City Council.

Provincial Coordination Board on Child Protection

Meetings of the Provincial Coordination Board on Child Protection were held **between 2021-2022**.

It was reported that 3 different CSO representatives attended.

Provincial Committee on Children's Rights

It was informed that the Izmir Provincial Child Rights Male Child Representative and the Izmir Provincial Child Rights Female Child Representative participated in the National Children's Forum, which was held online due to the Covid-19 pandemic on November 20, **2021**.

In addition, it was informed that seminars on children's rights were held for adults in schools of all levels and cultural, social, educational, and sportive activities, and that various trips involving children were organised to support the healthy living of foreign and Turkish children in social harmony and to promote social peace.

It was stated that, by the Directive on Children's Rights Committees, all kinds of work and cooperation are carried out upon requests from children who are committee members. Regarding the information provided, it was stated that children decided whether to cooperate with CSOs or not. Accordingly, it was stated that no meetings were held with any CSOs in 2021-2022 as there was no such request from the Committee members' children in Izmir.

Kahramanmaraş

Provincial Coordination Boards on the Prevention of Violence Against Women

In 2021, 4 meetings were held and the Women and Democracy Association of Kahramanmaraş and Turkish Women's Union of Kahramanmaraş were invited to the meetings. It was stated that 2 meetings were organized **in 2022**.

In addition to the ordinary meetings, within the scope of "Awareness Trainings for 5 Million Men in Combating Violence Against Women", training was provided for the employees of public institutions and organisations and Public Training Centre trainees, and videos were displayed; information was given to shopkeepers and citizens in public areas and brochures were distributed,

Women and Democracy Association of Kahramanmaraş and Turkish Women's Union of Kahramanmaraş were invited to the meetings.

Provincial Committee on Children's Rights

No answer was given.

Provincial Coordination Board on Child Protection

No answer was given.

Kayseri

Provincial Coordination Boards on the Prevention of Violence Against Women

It was expressed that it convenes twice a year and that no meetings were held other than regular meetings. It was also informed that 3 CSOs were invited to the meetings.

Provincial Committee on Children's Rights

It was stated that 2 regular meetings were held in 2022, and 30 children attended the meetings, and no meetings were held with any CSOs in 2021 and 2022.

Provincial Coordination Board on Child Protection

It was indicated that 3 meetings were held in 2021 and 2022 and no CSOs attended the meetings.

Kocaeli

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 3 meetings were held **in 2021**, 1 meeting was held **in 2022**, and other meetings are planned to be held. It was also stated that the committee holds meetings with a special agenda on November 25 every year.

It was informed that 1 CSO was invited to the coordination meetings.

Provincial Coordination Board on Child Protection

It was stated that 4 meetings were held during the monitoring period, 2 **in 2021** and 2 **in 2022**. It was pointed out that the third meeting of 2022 will be held in December 2022.

It was informed that the Turkish Red Crescent Community Center and the Turkish Green Crescent Consultancy Center were invited to the meetings starting in 2022.

Provincial Committee on Children's Rights

It was indicated that the meetings were held once in April **2022** and once in November **2022**, and that 20 children attended the extraordinary meeting organised for the preparations and planning process for World Children's Rights Day.

It was also informed that Kocaeli Police Department, Turkish Scouting Federation, Kocaeli University, Kocaeli Seka State Hospital, Başiskele Municipality, Directorate of Museums and Kocaeli Mothers Association shared joint information regarding the activities to be held.

Konya

Provincial Coordination Boards on the Prevention of Violence Against Women

While it was stated that the board convened in compliance with the legislation, no information was given about how many meetings were held and whether CSOs were invited.

Provincial Committee on Children's Rights

While it was indicated that the meetings were held in compliance with the legislation, no information was given as to how many meetings were held and how many children attended.

Provincial Coordination Board on Child Protection

No answer was given.

Malatya

Provincial Coordination Boards on the Prevention of Violence Against Women

While it was stated that the board convened in compliance with the legislation, no information was given about how many meetings were held and whether CSOs were invited.

Provincial Committee on Children's Rights

No answer was given.

Provincial Coordination Board on Child Protection

While it was pointed out that the Provincial Coordination Board on Child Protection convenes regularly, no information was given as to whether CSOs were invited.

Manisa

Provincial Coordination Boards on the Prevention of Violence Against Women

Refused to give information.

Provincial Committee on Children's Rights

Refused to give information.

Provincial Coordination Board on Child Protection

Refused to give information.

Mardin

Provincial Coordination Boards on the Prevention of Violence Against Women

2 meetings were held each in **2021 and 2022** and 5 CSOs were invited to the meetings (KADEM, KAMER, MOKİD, TÜGVA, KEDV). It was also noted that various meetings and events were organized on March 8 and November 25.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given about how many meetings were organized or how many children attended.

Provincial Coordination Board on Child Protection

No answer was given.

Mersin

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 2 meetings were held in **2021 due to the pandemic and 4 CSOs participated in the meetings**; 2 meetings were held in **2022 and 3 CSOs participated in the meetings**.

Provincial Coordination Board on Child Protection

It was informed that 4 meetings were held in **2021** and 3 meetings were held in **2022** and the fourth meeting was planned for December 2022. It was indicated that a representative from the Mersin Bar Association, as a professional organization, was invited to the meetings.

Provincial Committee on Children's Rights

It was reported that the Provincial Children's Committee on Children's Rights convened twice a year in 2021-2022 and that 20 children in suitable condition attended the meetings in a way that would not disrupt their education and training.

It was noted that official institutions and Mersin Red Crescent Society, Directorate of Migration Services, Coordination Office for Community Based Migration Programmes and Mersin Bar Association participated in the meetings of the Coordination Office for the Provincial Child Rights Committee.

Muğla

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that meetings are held regularly every 3 months. It was also informed that CSOs who are not natural members of the Board but operate in the province can apply for Technical Board Membership. No information was given as to how many CSOs attended the meetings organized every three months.

It was also stated that a 2-day workshop was held in December 2021 for the local implementation of the 4th National Action Plan and to determine provincial targets in the fight against violence against women, and that the workshop was arranged with the participation of responsible institutions and organisations, universities and CSOs, and the Provincial Action Plan on Combating Violence against Women was created at the workshop. While it was stated that in addition to the Provincial Coordination meetings, Provincial Technical Board meetings on Combating Violence Against Women were held every three months, no information was given on how many CSOs attended these meetings.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given about how many meetings were organized and how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held in compliance with the legislation, no information was given about CSO participation.

Ordu

Provincial Coordination Boards on the Prevention of Violence Against Women

It was noted that the meetings in question were held 3 times in 2021 and 3 CSOs were invited. It was informed

that 3 meetings were held in 2022 and 4 CSOs were invited.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given as to how many meetings were held and how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held in compliance with the legislation, no information was given about CSO participation.

Sakarya

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that two meetings are organised every year, one every 6 months, and representatives of the Turkish Women's Union and the Women and Democracy Association are invited to the meetings. It was also stated that training seminars on combating violence against women are organised on a provincial basis to ensure that laws and international conventions that assure combating violence against women and discrimination are recognised and learned.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given about how many meetings were organized and how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held in compliance with the legislation, no information was given about CSO participation.

Samsun

Provincial Coordination Boards on the Prevention of Violence Against Women

Refused to give information.

Provincial Committee on Children's Rights

Refused to give information.

Provincial Coordination Board on Child Protection

Refused to give information.

Şanlıurfa

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 4 meetings were held **in 2021** and no CSOs were invited. It was reported that 2 meetings were organized **in 2022** and the third meeting is planned to be held later. It was also noted that no CSOs were invited.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given about how many meetings were organized and how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held in compliance with the legislation, no information was given about CSO participation.

Tekirdağ

Provincial Coordination Boards on the Prevention of Violence Against Women

It was informed that 6 meetings were held every two months **in 2021**, and 1 CSO attended them. Three meetings were organized in 2022, and 2 meetings were arranged when the information request was answered. It was noted that 3 CSOs were invited to the meetings held **in 2022**, 1 from the central district, 1 from the distant district, 1 from the largest district with of the most migrants.

In addition to the regular meetings, information on the following activities was also provided;

- In 2021, 4 sub-committee meetings were held with stakeholder institutions, and 4 sub-committee and technical committee meetings were held in 2022.
- Apart from the board meetings, an introductory meeting of the provincial action plan was organized in 2022A meeting was arranged within the scope of combating violence against women in March 2022, and all CSOs in the central district Süleymanpaşa were invited to the meeting

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given about how many meetings were organized and how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held in compliance with the legislation, no information was given about CSO participation.

Trabzon**Provincial Coordination Boards on the Prevention of Violence Against Women**

While it was stated that the board convened in compliance with the legislation, no information was given about how many meetings were held and whether CSOs were invited.

Provincial Committee on Children's Rights

While it was indicated that the meetings were held regularly and stakeholder institutions were invited, no information was given as to how many meetings were organized and how many children attended.

Provincial Coordination Board on Child Protection

It was informed that meetings were held regularly and stakeholder institutions were invited.

Van**Provincial Coordination Boards on the Prevention of Violence Against Women**

It was informed that 5 provincial coordination, monitoring and evaluation meetings on combating violence against women were held **in 2021** and CSOs working on preventing violence against women were invited to the meetings.

It was informed that 2 provincial coordination, monitoring and evaluation meetings were held **in the first 6 months of 2022**, and CSOs working on preventing violence against women were invited.

Provincial Committee on Children's Rights

While it was stated that the meetings were held in compliance with the legislation, no information was given about how many meetings were organized and how many children attended.

Provincial Coordination Board on Child Protection

While it was indicated that the meetings were held in compliance with the legislation, no information was given about CSO participation.

Ministry of Environment, Urbanization and Climate Change

Within the scope of monitoring, public participation meetings in the Climate Council and Environmental Impact Assessment (EIA) processes organized by the Ministry of Environment, Urbanization and Climate Change were followed.

First Climate Council of Türkiye

The Ministry of Environment, Urbanization and Climate Change convened the First Climate Council of Türkiye between 21 and 25 February 2022.¹¹⁸ Seven (7) different Committees were established at the Climate Council, whose preparation process started in December 2021.¹¹⁹

1. Adapting to Climate Change
2. Greenhouse Gas Reduction-1
3. Greenhouse Gas Reduction-2
4. Science and Technology
5. Green Financing and Carbon Pricing
6. Local Governments
7. Migration, Fair Transition and Other Social Policies

While the committee meetings were held face to face and online, CSOs participated in them.¹²⁰ Before the Council, environmental organizations submitted 10 priority requests to the Council.¹²¹ However, Prof. Dr. Doğanay Tolunay, a faculty member at Istanbul Cerrahpaşa University, criticised the Council for not representing professional chambers and some critical stakeholders in the committees.¹²² Similar criticisms were voiced by other climate activists who attended the Council.¹²³ Environmental organizations, which submitted their demands to the Council, stated that the decisions taken by the Council should be reviewed after the meeting and made a general list of the requests that were met and those that were not.¹²⁴

118 Climate Council, <https://iklimsurasi.gov.tr/sayfa/iklim-s%C3%BBra-si-programi>

119 Climate Council, <https://iklimsurasi.gov.tr/sayfa/s%C3%BBra-calisma-takvimi>

120 Climate Council, Committees, <https://iklimsurasi.gov.tr/sayfa/komiyon-toplantilari>

121 Civil Society Submitted 10 Demands to the Climate Council, Civil Pages, 21.2.2022, <https://www.sivilsayfalar.org/2022/02/21/sivil-toplum-iklim-surasina-10-talep-ilettil/>

122 Özer Akdermir, Evrensel Newspaper, 27.2.2022, <https://www.evrensel.net/haber/455987/iklim-degisikligi-surasi-hayal-kirikligi-ile-sonuclandi-karar-vericiler-iklim-degisikliginin-farkinda-bile-degil>

123 STGM, Mechanisms Should Be Established to Ensure the Effective Participation of Youth and Children in the Fight against the Climate Crisis, 21.03.2022, <https://www.stgm.org.tr/iklim-krizi-mucadelede-genclerin-cocuklarin-surece-etkin-katilimini-sagacak-mekanizmalar>

124 BIA News Center, call from 10 CSOs: "Climate Council decisions should be reviewed", 9.3.2022, <https://m.bianet.org/bianet/iklim-krizi/258823-10-stk-dan-cagri-iklim-surasi-kararlari-gozden-gecirilmeli>

Requests Submitted Before the Council	Inclusion in Council Decisions
1. Failure to establish new thermal power plants that generate electricity from coal; cessation of coal mine opening and mine expansion activities	Not Included
2. Immediate termination of incentives for fossil fuels, especially coal	Not Included
3. Phasing out coal-fired electricity generation by 2030	Not Included
4. Increasing the share of renewable energy sources in electricity production to at least 75% by 2030	Not Included
5. Introducing a carbon pricing mechanism where emission caps are determined in line with the 2053 net zero vision and at a level that will encourage sectors to reduce emissions.	Not Included
6. By 2030, increasing the protection quality of protected areas in the seas and on land and increasing their share in the country's surface area to 30%, and in this context, putting an end to the allocation of forests for activities such as mining, tourism, energy and construction, and putting an end to the increased cutting of trees, especially in areas with drought risk	Not Included
7. Revising urban policies and zoning plans to combat climate change and adapt cities, and decarbonize urban services	Included
8. Designing a fair transition mechanism that will ensure that the benefits of transition to a net-zero economy are widely distributed and green jobs are created, while not leaving behind the segments of society that will be economically affected by the transition	Included
9. Considering food systems as a whole, within this framework, ensuring food security and safety through practices that improve soil health and support the ecosystem and reduce emissions from agriculture by 2030.	Partially Included
10. Considering and prioritizing public health in the fight against climate change and planning energy investments	Partially Included

Table 7 Demands to be met at the Climate Council

Public Participation Meeting in Environmental Impact Assessment (EIA) Processes

Public Participation Meeting (PPM) in Environmental Impact Assessment (EIA) processes are clearly regulated by law and regulation as a participation mechanism in decision-making processes. An amendment was made to the EIA Regulation in 2022 and the changes were published in the Official Gazette No. 31907 of 29 July 2022.¹²⁵ However, the regulation, for which the Ministry of Environment, Urbanization and Climate Change did not provide information on whether CSOs working in the field of environment participated in the preparation processes, was met with a harsh reaction from CSOs working in the field of environment. At this point, Doğa Association filed a lawsuit for the annulment of the regulation.¹²⁶ The Union of Turkish Bar Associations also filed an annulment case.¹²⁷

The Doğa Association listed its main reasons for the cancellation of the Environmental Impact Assessment (EIA) Regulation as follows:¹²⁸

- Regulations regarding public participation in EIA processes and access to information are more restrictive than the old regulation.
- This situation creates an obstacle for the public to access information, participate in decision-making processes, and exercise their rights to appeal to the judiciary
- These regulations are contrary to the principles of nature conservation.

The first decision was given in July 2023 in the lawsuit filed by the Doğa Association for the annulment of the EIA Regulation published in the Official Gazette No. 31907 of July 29, 2022. In the decision of the 6th Chamber of the Council of State dated February 16, 2023, which was notified to Cem Altıparmak, the lawyer of the case, on July 20, 2023, it was stated that a stay of execution was granted for the following regulations:

- The regulation that gives the administration unrestricted discretion to decide whether or not to announce the start of the EIA process for the planned project in the villages where the people who will be affected by the project live
- Likewise, the regulation that gives the administration an indefinite discretionary power to make the announcement only on the Internet so that the public can present their objections against the project

on the following grounds

“...considering that the projects are especially constructed in rural areas, it is not realistic to expect the people living there to be informed about the project only through an announcement made on the internet and at the provincial directorate due to their living conditions, therefore, in order to ensure the effective participation of the public in the EIA process, the announcement by posting should be made at the governorship, district governorship and mukhtar’s office, and the regulation subject to the lawsuit is incompatible with the principles of environmental protection, sustainable environment and participation and

¹²⁵ <https://www.resmigazete.gov.tr/eskiiler/2022/07/20220729-2.htm>

¹²⁶ <https://yesilgazete.org/doga-dernegi-ced-yonetmeliginin-iptali-icin-da481nistaya-dava-acti/>

¹²⁷ A lawsuit has been filed against the Council of State for the Cancellation of the EIA Regulation, 11.10.2022, <https://www.barobirlik.org.tr/Haberler/ced-yonetmeliginin-iptali-icin-danistay-a-dava-acilmistir-83081>

¹²⁸ Advocating Public Participation in Decisions, October 2022, <https://www.dogadernegi.org/wp-content/uploads/2022/10/ced-yonetmeligi-iptal-davasi.pdf>

public interest...” and “...in order for the EIA process to be carried out transparently and to fully ensure the principle of participation, which is one of the basic principles of environmental law, the entire process from the application for the project should be announced both on the internet and by announcement or by posting a notice, as in other articles of the Regulation on announcement...”¹²⁹

In a conversation with Lawyer Cem Altıparmak after the decision, Altıparmak stated that the concept of “public” expressed in the regulation is a limited and problematic concept. He also pointed out that, in its current form, “the public” only includes “individuals” but does not include CSOs, professional organizations or unions. Altıparmak stated that the stay of execution only covers the parts related to the participation of “individuals” and that no stay of execution was issued on the parts of the Regulation that make it difficult for CSOs, professional organizations and trade unions to participate in the Public Participation Meeting (PPM). Lawyer Cem Altıparmak also indicated that they appealed to the higher court for the annulment of the articles that make it difficult for CSOs, professional organizations, and trade unions to be involved in the PPM processes.¹³⁰

129 The Council of State stopped the execution of articles in the Environmental Impact Assessment Regulation that made public participation difficult, Altıparmak Law Firm; 22 July 2023; <https://altiparmakhukuk.org/basin-duyurusu>

130 Phone conversation with Lawyer Cem Altıparmak on July 24, 2023.

While the lawsuit regarding the cancellation of the EIA Regulation, for which the Ministry of Environment, Urbanization and Climate Change did not provide information about whether it was prepared with the participation of CSOs, is still pending, the distribution of the announcements made in 2021-2022 is as follows:¹³¹

As seen from the data below, EIA processes raise some questions. The gap between the numbers of “EIA required” and “EIA not required”, “EIA positive” and “EIA negative”, “EIA process started and public participation meetings” and other meetings is extensive and requires explanation.

EIA ANNOUNCEMENTS in 2021		EIA ANNOUNCEMENTS in 2022	
Announcement	No.	Announcement	No.
EIA Required	77	EIA Required	103
EIA Not Required	3425	EIA Not Required	4348
EIA Positive	382	EIA Positive	471
EIA Negative	3	EIA Negative	4
EIA Process Started	4452	EIA Process Started	5582
Public Participation Meeting (PPM)	783	Public Participation Meeting (PPM)	781
Review and Assessment Committee (İDK)	547	Review and Assessment Committee (İDK)	680
Final Decision	429	Final Decision	481
Total	10098	Total	12450

Table 8 EIA Announcements for Public Participation Meetings in 2021-2022

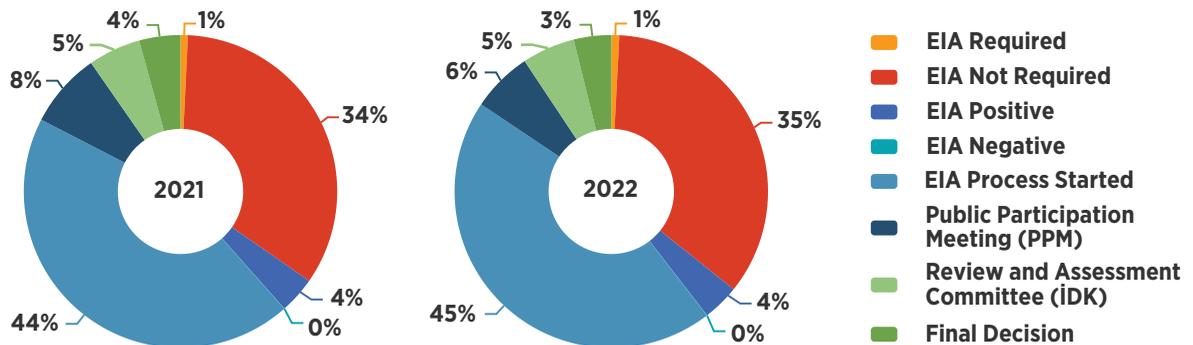


Figure 25 Distribution of EIA Announcements in 2021-2022

¹³¹ E-EIA Announcements, <https://eced-duyuru.csb.gov.tr/eced-prod/duyurular.xhtml>

Ministry of Interior

There are two mechanisms for CSO participation within the Ministry of Interior. One of these is the “Civil Society Consultation Meeting” and the other is the “Migration Board” meetings.

Civil Society Advisory Board Meetings

Advisory Board meetings are held within the scope of the “Duties and Working Directive on Civil Society Advisory Board” adopted by the Ministry of Interior in 2019. However, the directive gives the Minister of Interior the full authority to determine which CSOs will participate in the Advisory Board meetings. Therefore, the Minister of Interior completely determines which CSO will attend the Advisory Board meetings. Accordingly, it is debatable in this context whether the consultation meetings are real consultation. According to information from open sources, the first of the “Civil Society Consultation Meetings” was held on 27 November 2020.¹³² It was determined that consultation meetings were held twice within the scope of the monitoring period. One of these meetings was held on 13 October 2021¹³³ with the agenda of the “Civil Society Strategy Document and Action Plan” and “Amendments to Regulation on Associations and Regulation on Fundraising”, and the other was held on 31 March 2022.¹³⁴ In particular, the speech made by the then Minister of Interior, Süleyman Soylu, at the consultation meeting held on March 31, 2022, provides an idea on the purpose and scope of the consultation meeting. The stigmatizing CSOs and especially LGBTI+ based discrimination in the text of the speech are striking.

(...) Introducing the concept of genderlessness, LGBT advocacy, support for FETO, disguise, promoting PKK, and supporting DHKPC; most of these are developed under the name of civil society. Every single root of these is external. The roots of

those who try to destroy the unity of this country and erode its values are outside this country. We do not have such harmful habits. All of them have their roots outside. People from Europe, America and many other parts of the world help so-called associations in Türkiye. They are trying to encourage marriage between two men and two women, so I don't want to see that. They are supporting LGBT; I don't want to see that. We don't just have a public duty; we are human beings. (...)

(...) They even sent their 6+1 agreement to the ambassador. They sent them to another ambassador because a few of them were exposed. So this is called treason; it is that clear and obvious. I'm saying something serious. I have been saying this for days and I will continue to say it (...)

(...) Probably 5 million dollars in 2021. The West frequently funds LGBT associations with a total of 25 million dollars. The misery and drama I saw in Idlib, in the camps in Bangladesh, I have never seen anywhere else. I sincerely tell you that I was affected by it for days. It is not possible for us to find money (for those in need) from Western countries so systematically, so easily and quickly. I say systematic as this 25 million dollars of aid I am talking about has increased at a certain rate every year. In 2016, it was 1.7 million dollars per year, in 2019 it was 5.3 million dollars, and it decreased in 2020 due to the pandemic. The reduced amount is \$4.2 million. 5 million dollars this year; they never stopped funding these associations. Let me make another comparison; When we divide the aid coming from abroad according to their subjects, on the one hand, consider the 25 million dollars coming to 22 LGBTI associations (...)

¹³² Ministry of Interior, Civil Society Advisory Board Meeting, 1.12.2020, <https://www.siviltoplum.gov.tr/sivil-toplum-istisare-kurulu-toplantisi-27-kasim-2020>

¹³³ Ministry of Interior, Civil Society Advisory Board Meeting, 15.10.2021, <https://www.siviltoplum.gov.tr/sivil-toplum-istisare-kurulu-toplantisi-13-ekim-2021>

¹³⁴ Ministry of Interior, Civil Society Advisory Board Meeting, 31.3.2022, <https://www.icisleri.gov.tr/bakanimiz-sn-suleyman-soylunun-baskanliginda-stk-temsilcilerini-katilimilyla-sivil-toplum-istisare-kurulu-toplantisi-gerceklesti>

Migration Board

According to data obtained from open sources, it is seen that the Migration Board, whose structure was changed by Article 522 (1/h) of Presidential Decree No. 1 and whose CSO participation was extremely limited, convened 13 times. It is understood that 3 meetings were organized within the scope of the monitoring period. The first of these meetings was held on 15 September 2021 (Eleventh),¹³⁵ the second on 09 June 2022 (Twelfth)¹³⁶ and 2 October 2022 (Thirteenth).¹³⁷ It is seen that the Turkish Red Crescent Association

participated in the meetings as an association. Other institutions participating in the meeting are public institutions and organizations. Considering that although the legal status of the Turkish Red Crescent is an association, its status as CSO is controversial, as mentioned in the section on freedom of association, it is safe to say that there was no CSO participation in these board meetings or no clear information was provided on this issue.

Ministry of National Education

It was included in the monitoring scope of the National Education Council, organized by the Ministry of Education. The 20th National Education Council was held between 1 and 3 December 2021 with the theme of "Equal Opportunities in Education".¹³⁸ Before the Council, opinions, including CSOs, were received through the "<https://sura.meb.gov.tr>" website.¹³⁹ According to the sources on the MEB website, it is indicated that CSO participation was ensured in the 20th MEB Council.

However, the Mother Child Education Foundation (AÇEV) and the Education Reform Initiative (ERG) stated that 124 issues were put to a vote in the General Assembly, and that 5 new proposals were added to the agenda afterwards. There was no opportunity to discuss any of the accepted views before voting.¹⁴⁰

¹³⁵ The Eleventh Migration Board Meeting was Held under the Chairmanship of Süleyman SOYLU, the Minister of Interior, 15.09.2021, <https://www.goc.gov.tr/on-birinci-goc-kurulu-toplantisi-icisleri-bakanimiz-suleyman-soylu-baskanliginda-gerceklestirildi>

¹³⁶ The Twelfth Migration Board Meeting was Held Under the Chairmanship of Süleyman SOYLU, the Minister of Interior, 09.06.2022, <https://www.goc.gov.tr/on-ikinci-goc-kurulu-toplantisi-icisleri-bakanimiz-suleyman-soylu-baskanliginda-gerceklestirildi>

¹³⁷ The Thirteenth Migration Board Meeting was Held under the Chairmanship of Süleyman SOYLU, the Minister of Interior, 20.10.2022, <https://www.goc.gov.tr/on-ucuncu-goc-kurulu-toplantisi-icisleri-bakanimiz-suleyman-soylu-baskanliginda-gerceklestirildi>

¹³⁸ National Education Councils from Past to Present, <http://ttkb.meb.gov.tr/www/gecmisten-gunumuze-mill-egitim-sralari/icerik/328>

¹³⁹ National Education Councils from Past to Present, http://ttkb.meb.gov.tr/dosyalar/suralar/dokumanlar/20_Sura.pdf; 20. Opinions and Suggestions on National Education Council, TED, <https://tedmem.org/yayin/20-milli-egitim-surasi-konularina-iliskin-gorus-oneriler>

¹⁴⁰ Evaluation of the Recommendation on Religious Education in Preschools at the 20th General Assembly of National Education Council, Mother Child Education Foundation (AÇEV) - Education Reform Initiative (ERG), <https://www.egitimreformugirisimi.org/20-milli-egitim-surasi-genel-kurulunda-okul-oncesinde-din-egitimine-dair-alinan-tavsiye-karari-hakkinda-degerlendirme/>

2.2.3. CSO Participation in the Preparation Process of Strategy, Action Plans and Vision Documents

Another process where it is possible for CSOs to participate in the decision-making processes of the executive mechanisms is participation in the preparation processes of strategy, action plans and vision documents. Within the monitoring period, seven (7) strategies and action plans were evaluated within the scope of the right to participate.

The strategies and action plans evaluated are as follows:

- Preparation process for the 12th Development Plan
- Human Rights Action Plan by the Ministry of Justice
- Ministry of Family and Social Services
 - Civil Society Vision Document and Action Plan for 2022 – 2023
 - Child Rights Strategy Document and Action Plan of Türkiye for 2023-2028
 - 4th National Action Plan on Combating Violence Against Women (2021-2025)
 - Strategy Document and Action Plan on Women’s Empowerment (2018-2023)
- Mental Health Action Plan by Ministry of Health (2020-2023)¹⁴¹

12th Development Plan

Preparatory work for the 12th Development Plan, which will cover the years 2023-2028, is carried out under the coordination of the Strategy and Budget Office under the Turkish Presidency, as in the previous period. The preparation process started with the circular (2022/10) published by the Presidency in the Official Gazette No. 31862 of 10 June 2022. It is noted in the circular that preparations for the 12th Development Plan have been initiated under the coordination of the Strategy and Budget Office.¹⁴² It was stated in the circular that 54 specialised commissions and 26 working groups have been established, which will bring together the public sector, private sector, civil society representatives and academia. In response to the request for information, the Strategy and Budget Office under the Presidency stated that the meetings of the specialised commission and working groups are planned to be held in December 2022 and January 2023. It was informed that at the time of the request for information, 828 people from 458 CSOs were invited to the specialised committee meetings, and 301 people from 196 CSOs were invited to the working group meetings as of

November 9, 2022. In addition, it was stated in the response that the final version of the complete list of civil society organisations invited on the basis of the specialised committees and working groups will be available in the reports of the specialised commission and working groups to be prepared following the completion of the meetings.

Following the above information, it was later understood that some CSOs, including the Association of Civil Society Development Center, were not invited to the meetings. According to the information distributed in civil society networks, it is known that other CSOs received invitations in advance but were not invited to the meetings later. However, since the relevant CSOs have not made a statement on the issue, it is not yet known how many CSOs are in a similar situation. As stated by the Strategy and Budget Office, how many and which CSOs were included in the meetings will become apparent after the reports of the specialised commission and working groups are published.

¹⁴¹ <https://www.sosyalicermeprojesi.org/ulusal-ruh-sagligi-eylem-planı>

¹⁴² <https://www.resmigazete.gov.tr/eskiler/2022/06/20220610-12.pdf>

Human Rights Action Plan by Ministry of Justice

The Ministry of Justice's Human Rights Action Plan was announced on March 2, 2021.¹⁴³ Then, the Presidency stated in a circular (2021/9) published in the Official Gazette No. 31470 on 30 April 2021 that the "Monitoring and Evaluation Board on Human Rights Action Plan has been established." The Board was composed entirely of the President, the Ministries reporting to the President, and the Legal Policies Board. CSOs were not included. The Ministry of Justice created a dedicated website for the action plan.¹⁴⁴

On the other hand, rights-based CSOs were consulted during the "Human Rights Action Plan" preparation processes. In addition, the Human Rights Association

(IHD), the Memory Center, the Association for Monitoring Equal Rights (ESHİD), the Citizens' Assembly (formerly hYd), the Diyarbakır Bar Association, the Turkish Medical Association (TTB) and the Rights Initiative Association submitted written comments on the Action Plan and they declared that they would follow the developments about the Action Plan.¹⁴⁵ The Human Rights Foundation of Türkiye did not attend the preparatory meetings on the grounds that it would be formal and dysfunctional.¹⁴⁶ It seems that the general approach of experts and rights organisations who evaluated the action plan was negative. One of the main criticisms is that the Action Plan has not been implemented.¹⁴⁷

Ministry of Family and Social Services

The Ministry of Family and Social Services published a series of strategies and action documents on 4 main issues on the agenda of rights-based CSOs. The first and most comprehensive is the "Civil Society Vision Document and Action Plan for 2022 - 2023".¹⁴⁸

Other documents are "Strategy Document and Action Plan of Türkiye on the Rights of the Child for 2023-2028",¹⁴⁹ "4th National Action Plan on Combating Violence against Women (2021-2025)",¹⁵⁰ and "Women's Empowerment Strategy Document and Action Plan (2018-2023)".¹⁵¹

¹⁴³ <https://insanhaklarieylemplani.adalet.gov.tr/resimler/eylemplani.pdf>

¹⁴⁴ <https://insanhaklarieylemplani.adalet.gov.tr/>

¹⁴⁵ Written Opinion Report on the "New Human Rights Action Plan", <https://www.ihd.org.tr/yeni-insan-haklari-eylem-planı-hakkında-yazılı-gorus-raporu/>

¹⁴⁶ Press Release on the "New Human Rights Action Plan Evaluation Meeting", <https://tihv.org.tr/basin-aciklamalari/yeni-insan-haklari-eylem-planı-degerlendirme-toplantisina-dair-basin-aciklamasi/>

¹⁴⁷ Alican Uludağ, What Will the Human Rights Action Plan Bring?, April 13, 2021, <https://tr.boell.org/tr/2021/04/13/insan-haklari-eylam-planı-ne-getirecekk; TIHV report: The government's Human Rights Action Plan remained on paper, 14.11.2022, https://www.gazeteduvar.com.tr/tihv-raporu-iktidarın-insan-haklari-eylem-planı-kagit-ustunde-kaldi-haber-1589146>

¹⁴⁸ <https://www.aile.gov.tr/media/100877/aile-ve-sosyal-hizmetler-bakanligi-sivil-toplum-vizyon-belgesi-ve-eylem-planı-2022-2023.pdf>

¹⁴⁹ <https://www.aile.gov.tr/media/132816/turkiye-c-ocuk-haklari-strateji-belgesi-ve-eylem-planı-2023-2028-dijital.pdf>

¹⁵⁰ <https://www.aile.gov.tr/media/82082/kadına-yonelik-siddetle-mucadele-iv-ulusal-eylem-planı-2021-2025.pdf>

¹⁵¹ <https://www.aile.gov.tr/media/6315/kadınların-gue%7C%7A7lenmesi-strajesi-belgesi-ve-eylem-planı-2018-2023.pdf>

Civil Society Vision Document and Action Plan for 2022 – 2023

The Ministry of Family and Social Services announced the “Civil Society Vision Document and Action Plan” on March 11, 2022. In line with the Vision Document and Action Plan, the Department of Cooperation with Civil Society and Projects was established under the Strategy Development Directorate of the Ministry of Family and Social Services. It was stated in the Vision Document and Action Plan that 5 different “Civil Society Meetings” were organised at the national level in Ankara, İstanbul, Hatay and Batman on the themes of “women, children, migration and humanitarian aid, disabled and elderly, relatives of martyrs and

veterans” with the participation of 215 civil society representatives. In addition, the Vision Document and Action Plan included the information that a survey was conducted with 500 CSOs¹⁵² and one-on-one in-depth interviews were conducted by the academician in charge of the study in December 2021 and January 2022 with representatives of 18 different organisations that gathered many civil society organisations such as federations, confederations, unions and platforms. There is no evaluation report regarding the implementation process of the document in question yet.

4th National Action Plan on Combating Violence Against Women (2021-2025)

The 4th National Action Plan on Combating Violence against Women comes amidst the decision of Türkiye to withdraw from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, known as the “İstanbul Convention”¹⁵³ In the Action Plan announced in July 2021, it was stated that the plan was prepared in a series of meetings carried out under the coordination

of the General Directorate on the Status of Women (KSGM) and with the participation of CSOs. The Action Plan states that focus group discussions were held in July - September 2020 and an online meeting was organised on October 20, 2021. However, since a list of contributing institutions and organisations is not provided, more information must be given about how many and which CSOs are involved in the process.

Strategy Document and Action Plan on Women’s Empowerment (2018-2023)

Since the Women’s Empowerment Strategy and Action Plan was prepared before the monitoring period, a request for information was made on the subject. It was observed in the response that labour and employers’ unions were primarily involved in the preparatory processes. However, the reply also stated that the

Strategy and Action Plan was prepared in consultation meetings attended by 91 academicians, 445 female mukhtars, and 74 CSO representatives in addition to the unions. It was also informed that two meetings were held with CSOs and academics with the participation of the then Minister of Family and Social Policies.

¹⁵² <https://www.aile.gov.tr/haberler/bakanimiz-derya-yanik-sivil-toplum-vizyon-belgesi-ve-eylem-planini-acikladi/>

¹⁵³ <https://www.resmigazete.gov.tr/eskiler/2021/03/20210320-49.pdf>; Following the Presidential decision, many Bar Associations and CSOs filed a lawsuit against the Council of State to annul the decision. Many CSOs, especially women’s organizations and representatives of the women’s movement, participated in the monitoring process of the case heard in the Council of State. However, after the 10th Chamber of the Council of State found the decision to be lawful and the Administrative Cases Board of the Council of State approved the decision, Türkiye officially withdrew from the İstanbul Convention.

Child Rights Strategy Document and Action Plan of Türkiye for 2023-2028

Although it is stated that the Strategy and Action Plan was prepared with the contributions and participation of public institutions, CSOs, academics, international organisations and children, there is no information on which CSOs and how many of them were involved in the process, as a list of contributing institutions was not provided. In addition, a Presidential Circular (2023/7) was published in the Official Gazette No. 32150 of April 1, 2023, to monitor the Strategy and Action Plan.¹⁵⁴ In the circular on the formation of the Monitoring and Evaluation Board on Child Rights, as well as Ministries

and public institutions, the Union of Turkish Bar Associations and Child Coordinators of Türkiye for the Child Rights were included. Involving children, the subjects of children's rights, in the process is a positive development. However, although cooperation with CSOs is frequently referenced in the Strategy and Action Plan, the evaluation board did not include CSOs working on children's rights. "Annual evaluation by the Monitoring and Evaluation Board on Child Rights is included in the Strategy and Action Plan.

Who are the Child Coordinators of Türkiye for Child Rights?

In line with the Ministry of Family and Social Services "Directive on the Procedures and Principles of the First Committees on Children's Rights"¹⁵⁵ dated 2013 and "Directive on Child Consultation and Principles"¹⁵⁶ dated 2014, the Coordinators of Türkiye for the Children's Rights Committee refer to the child representatives, one

girl and one boy, elected every two years by the child representatives who are members of the children's rights committees that continue their work within the Provincial Directorates of the Ministry of Family and Social Services in 81 provinces across Türkiye.¹⁵⁷

Mental Health Action Plan by Ministry of Health (2020-2023)

The Mental Health Action Plan (2020-2023) of the Ministry of Health is the updated version of the previously prepared National Mental Health Action Plan (URSEP)¹⁵⁸ (2011-2023). In the Mental Health Action Plan (2020-2023), the Ministry of Health included the information that the opinions of CSOs and expert institutions and organizations were received. However, as in the URSEP (2011-2023) Plan, the action plan

does not present a list of contributing institutions and organizations. However, a website prepared by the Ministry of Health with the support of the European Union and the World Health Organization is still active.¹⁵⁹ It is understood from the information provided on the website that CSOs participate in the activities organized.

¹⁵⁴ <https://www.resmigazete.gov.tr/eskiiler/2023/04/20230401-16.pdf>

¹⁵⁵ <https://www.aile.gov.tr/uploads/chgm/uploads/pages/yonergeler/cocuk-haklari-il-cocuk-komitelerinin-olusturulmasi-calisma-usul-ve-esaslarina-iliskin-yonerge.pdf>

¹⁵⁶ <https://www.aile.gov.tr/uploads/chgm/uploads/pages/yonergeler/cocuk-danisma-kurulunun-olusturulmasi-ve-calisma-usul-ve-esaslarina-iliskin-yonerge.pdf>

¹⁵⁷ Child Rights Guide, <https://ekutuphane.aile.gov.tr/media/u50agssj/%C3%A7ocuk-haklari-rehberi.pdf>

¹⁵⁸ http://ahmetsaltik.net/arsiv/2014/07/ULUSAL_RUH_SAGLIGI_EYLEM_PLANI_2011-2023.pdf

¹⁵⁹ <https://www.sosyalicermeprojesi.org/>

E-Participation in Türkiye

According to the “E-Governance Index” prepared by the United Nations, which conveys the developments in e-governance and e-participation worldwide, even if Türkiye is not among the leading countries in e-governance and e-participation, it is in the upper ranks of the world average in 2022 (e-governance average: 0.6102; e-participation average: 0.4450) e-governance and e-participation of Türkiye in 2020 and 2022 is as follows:¹⁶⁰

		e-governance	e-participation
2020	Score (Between 0-1)	0,77180	0,89290
	Ranking among 193 countries	53	23
2022	Score (Between 0-1)	0,79830	0,78410
	Ranking among 193 countries	48	18

Table 9 BM UN World e-participation Index and Türkiye

As can be seen from the table, although Türkiye's score in 2022 decreased slightly compared to 2020, it increased from 23 (in 2020) to 18 (in 2022) in the world rankings. Human resources and online services offered by Türkiye through e-state (www.turkiye.gov.tr) play a significant role (0,8722 and 0,86 points, respectively). Another conclusion to be drawn from the index data is that Türkiye has the potential to be among the leading countries. However, it seems that the telecommunication infrastructure, including issues such as computer infrastructure and internet speed, is still not at the desired level. It can easily be said that CİMER significantly impacts Türkiye's performance in e-participation.

According to the information provided to Anadolu Agency by the Directorate of Communications under the Presidency of the Republic of Türkiye, 6 million 100 thousand applications were made to CİMER in 2021¹⁶¹ and 6 million 180 thousand in 2022.¹⁶² CİMER offers requests, complaints, right to information, thanks, opinions/suggestions and “participate in governance” options to both central and local administrations. In 2021, 7% of CİMER applications consisted of thanks, opinions/suggestions and “participate in governance” applications. CİMER provided no data for 2022.

However, as we have tried to put forward in the relevant sections, there are examples where the Ministries occasionally publish the relevant drafts on the web pages, and conduct some consultation exercises. However, there is no similar initiative for legislative processes. Limited and well-intentioned efforts are not sufficiently structured and their principles and standards are not determined. Finally, it should be emphasised that there is a lack of a perspective that will facilitate the participation of citizens and ensure the coordination of the limited consultation efforts attempted to be carried out through online tools. At this point, it is considered that it is possible to activate the e-state infrastructure in Türkiye after the necessary intention and will and to develop e-participation tools in line with the requirements of the age.

¹⁶⁰ UN E-Government Knowledgebase, <https://publicadministration.un.org/egovkb/en-us/Data/Country-Information/id/176-Trkiye>

¹⁶¹ 6 million 100 thousand citizens applied to CİMER in 2021, January 09, 2022, <https://www.aa.com.tr/tr/gundem/cimere-2021de-6-milyon-100-bin-vatandas-basvurdu/2469128>

¹⁶² <https://www.aa.com.tr/tr/gundem/cimere-2022de-6-milyon-180-bin-basvuru-yapildi/2776039#>

2.2.4. A General Evaluation of the Decision-Making Processes of the Central Administration

When CSO participation in the decision-making processes of the executive mechanisms is compared with CSO participation in the GNAT processes, the main difference emerges in information. Due to the structure of the GNAT, everything is recorded. Therefore, it is possible to access information on processes from open sources. On the other hand, obtaining information on the processes is much more difficult unless the administrative mechanisms publish an activity report or organise a dedicated meeting involving CSOs. The administration generally does not show due care in responding to requests for information.

Another result obtained from the requests for information from the administration is that administrative mechanisms that cooperate with CSOs in relevant boards and committees and include them in the processes provide much more transparent and detailed information. However, it is an ongoing problem that the legislation regulating CSO participation in administrative decision-making mechanisms gives too much initiative to the administration and CSO participation is not clearly regulated.

Conclusion and Assessment

Almost all decisions taken by public authorities affect the lives of citizens. Therefore, it is essential to apply the principles of democratic governance to these decisions in order to make correct and effective decisions by taking into account the interests of all parties affected by the decisions. At this point, “participation” is one of the most important tools for making qualified decisions. Considering how difficult it is for all citizens to participate in decision-making processes in a country the size of Türkiye, ensuring meaningful and effective participation of civil society organisations is a necessity.

In Türkiye participation of civil society in decision-making processes that are not based on elections is a relatively new phenomenon. Apart from Article 13 of the Municipalities Law on Citizenship, which regulates citizens’ participation in local authorities, participation in central administration decision-making processes was mainly limited to elections until the second half of the 1990s. The Habitat Conference in 1996 helped to put the issue on the agenda.

Regulations allowing for civil society participation were also implemented as part of the EU reform process, symbolized by the official granting of candidate status to Türkiye at the Helsinki Summit in 1999 and the subsequently implemented “EU harmonization packages”. However, due to the extensive deadlock in the EU negotiation process and the stagnation of EU reforms, there have been no significant changes in terms of civil society participation in decision-making processes.

We are feeling the negative effects of this unrealized transformation more and more every day. As the findings of the monitoring report show, the participation of CSOs in decision-making processes remains largely limited, and this limitation sometimes leads civil society organisations to give up their efforts to influence decision-making processes. Although there are well-intentioned initiatives by public institutions from time to time, ensuring participation is often perceived as an unnecessary effort that increases the workload.

These different approaches also make participation processes more difficult. The fact that participation processes are not regulated in a binding and mandatory manner and the processes are not sufficiently structured, that civil society organizations and public institutions do not receive capacity building support in this regard and that intermediary structures to facilitate participation processes are not established by public institutions and civil society organizations prevents the implementation of a meaningful participation process. Another key obstacle is the lack of will on this issue, especially in decision-making bodies.

The monitoring results provide important indications of the shortcomings and errors that occur in participation.

First of all, the results of the field research show that perception and reality in civil society organizations do not match. While most of the CSOs that participated in the research stated that they had not participated in the consultation processes, the perception of the participation processes by these same CSOs was overwhelmingly positive. This positive perception turns negative when it comes to CSOs with high capacity and a rights-based approach that are more involved in the participation processes. As a result, issues related to the right to participation are often not on the agenda of relatively low capacity CSOs that are not involved in the participation processes.

Secondly, the participatory instruments developed in different eras form a legislative labyrinth, so to speak, as there is no framework regulation that regulates, structures and makes participation processes binding. In our review of legislation, we found that there are 203 regulations that govern participation in decision-making processes and that 309 participation mechanisms have been established. There is no coordination between these regulations and most of them leave a wide margin of initiative to the administration. In this complex labyrinth, municipalities are naturally somewhat insulated and civil society organisations can more easily build relationships with municipalities.

Thirdly, the participation of CSOs in legislative procedures is only possible in exceptional cases. In the years 2021 - 2022, which we included in the monitoring, 163 laws were passed in the GNAT and came into force. 87 of these laws were passed in 2021 and 76 in 2022. If we look in detail at the 8 laws for 2021 and the 10 laws for 2022 that have a direct impact on civil society organizations, we can see that relatively effective participation of civil society organizations was only achieved in 2 laws (11.1%). If we assume that there is no participation of CSOs in the laws that we did not include in the sample, this rate will be even much lower (1.2%). At this point, Committee on Inquiry are relatively diverse in relation to the legislative process and the participation of CSOs in these Committees is mostly realised.

Fourth, when examining secondary regulations, we found that public institutions and organizations published 411 regulations in 2021 and 2022. We included 71 of these regulations in our sample, as we assumed that CSO involvement could be possible. The information requests indicate that a study is being conducted for 19 of these regulations (26,7%) to ensure the participation of CSOs in the preparatory process. If it is assumed that other regulations were not open to consultation due to their technical content, this rate drops to 4,6%.¹⁶³

There are significant differences between public bodies in terms of the principles and procedures for drafting legislation and that some ministries attempt to carry out consultation processes, albeit often inefficiently. In particular, participatory or lobbying processes are conducted more efficiently in areas where sectoral civil society organisations are active, have close relationships with the private sector, have sufficient financial capacity and the power to influence the bureaucracy and policy.

The most important finding that supports this argument is hidden in the participation mechanisms created by public institutions. The Ministry of Science, Industry and Technology, the Ministry of Agriculture and Forestry and the Ministry of Trade stand out in conducting consultation processes and establishing participation mechanisms. In this context, we can say that the Provincial Coordination Committees for the Prevention of Violence against Women, the Provincial Child Rights Committee and the Provincial Coordination Committees for Child Protection, established under the Ministry of

Family and Social Services allow the participation of civil society organisations, albeit at a limited level. At the same time, there are significant differences in approach depending on the province.

If we add the structures that can be called participatory mechanisms, such as boards, committees, councils and summits, as well as the implementation of consultation processes within strategic plans and action plans, the layers of the labyrinth increase even more.

This complex structure is compounded by the lack of objectivity in identifying CSOs to be included in the current participation processes. When the invitation process is used, rights-based CSOs that take a more critical position are often excluded. This exclusion sometimes manifests itself in the fact that only CSOs that are known to or work closely with public institutions are included, or that they are more selective from a political point of view.

An average civil society organization cannot navigate this complex structure, set goals for its advocacy activities, contribute its opinions and proposals, or even be aware of the opportunities available. This situation makes it difficult to achieve positive results from well-intentioned initiatives carried out by public institutions. In this context, the lack of specialized umbrella organizations in Türkiye that facilitate the participation of CSOs in decision-making processes and carry out advocacy work for public institutions and politicians should be highlighted.

¹⁶³ The cumulative rate of civil participation in Laws and Regulations was found to be 3,4%.

In view of the above, the “Regulation on Procedures and Principles of Legislation Preparation”, which allows the participation of civil society organisations in the drafting of laws by the administration, can be considered a positive achievement. However, it is thought-provoking that the opinion of civil society organisations was not even sought during the drafting of the regulation in question. Therefore, a framework regulation is needed that clearly expresses the participation of civil society organisations in policy making and implementation, including the drafting of laws by the administration. In particular, the legislation in question should clearly include the following;

- Framework legislation should first be prepared as a law, not a regulation.
- The preparation process of the law and secondary legislation related to its implementation should include CSO participation from the draft stage.
- Framework legislation should clearly state the principles and conditions of CSO participation.
- Framework legislation should include a coordinating mechanism within the administration for CSO participation.
- Framework legislation should be prepared considering CSO participation and diversity of CSOs and should be able to prevent a partisan or prejudiced attitude.

From the point of view of the GNAT, CSOs can participate more in the oversight function of the GNAT than in the legislative function. However, it is thought-provoking that there is almost no involvement of CSOs in the legislative function of the GNAT. At this point, the issue should be regulated in the rules of procedure of the GNAT, incorporating our above mentioned proposals for the administration and taking into account the legal and technical aspects of the issue. A coordination mechanism on this issue should be established in the GNAT.

In addition to the above proposals, it would be helpful to start with an article in the Constitution that refers to the proposed framework legislation for the administration and regulation of the participation of civil society organisations in the legislative and supervisory procedures of the GNAT.

As a result, capacity, freedom of association and the right to participation must be seen as complementary components and a structural change must be made. It is possible to achieve this change with an approach that is compatible with international principles and standards, non-discrimination and leaving no one behind. If public institutions and politicians show the intention and will to implement this structural change, civil society in Türkiye will be the driving force of this process.

Annexes

Annex-1

REGULATIONS WHICH ARE THE SUBJECT OF THE REQUEST FOR INFORMATION

Regulations for which information was requested from the Turkish Presidency

- 1.** Framework Regulation on Market Surveillance and Control of Products (Presidential Regulations Order: 5 Official Gazette Date: 10.07.2021 Number: 31537 Adoption Date: 09.07.2021)
 - 2.** Statistics Council Regulation (Presidential Regulations Order: 5 Official Gazette Date: 20.03.2021 Number: 31429 Adoption Date: 19.03.2021)
 - 3.** Energy Labelling Framework Regulation (Presidential Regulations Order: 5 Official Gazette Date: 02.03.2021 Number: 31411 Adoption Date: 01.03.2021)
 - 4.** Regulation on the Procedures for Removal from Forest Boundaries within the Scope of Additional Article 16 of the Forest Law No. 6831 (Presidential Regulations Order: 5 Official Gazette Date: 07.01.2021 No: 31357 Date of Adoption Date: 06.01.2021)
 - 5.** Procedures and Principles for the Application of Regulatory Impact Analysis (Presidential Regulations Order: 5 Official Gazette Date: 04.06.2022 Number: 31856 Adoption Date: 03.06.2022)
 - 6.** Regulation on Professional Associations for Copyright (Presidential Regulations Order: 5 Official Gazette Date: 07.04.2022 Number: 31802 Adoption Date: 06.04.2022)
 - 7.** Regulation on Disaster and Emergency Response Services (Presidential Regulations Order: 5 Official Gazette Date: 24.02.2022 No: 31760 Adoption Date: 23.02.2022)
 - 8.** Regulation on the Procedures and Principles of Legislation Preparation (Presidential Regulations Order: 5 Official Gazette Date: 24.02.2022 Number: 31760 Adoption Date: 23.02.2022)
 - 9.** Regulation on Environmentally Friendly Design of Energy-Related Products (Presidential Regulations Order: 5 Official Gazette Date: 05.02.2022 Number: 31741 Adoption Date: 04.02.2022)
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Regulations for which information was requested from the Ministry of Justice

- 1.** Regulation on Probation Services (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 10.11.2021 No: 31655)
- 2.** Regulation on Forensic Support and Victim Services (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 30.04.2021 No: 31470)
- 3.** Regulation on the Conduct of Hearings in Civil Procedures by means of Audio and Video Transmission (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 30.06.2021 No: 31527)
- 4.** Regulation on Amendments to the Regulation on the Management of Penal Institutions and the Execution of Penalty and Security Measures (Presidential Decision Number: 4773- Official Gazette Date: 12 November 2021 Number: 31657) Human Rights Action Plan (2021-2023)
- 5.** Regulation on Amendments to the Regulation on Compassionate Leave to be granted to Convicts and Prisoners due to Death or Illness of Relatives (Official Gazette Date: 21 September 2021 No: 31605)
- 6.** Regulation on Amendments to the Regulation on Rewarding Convicts and Detainees (Official Gazette Date: 14 September 2021 No: 31598)
- 7.** Regulation on Amendments to the Regulation on Visiting Convicts and Detainees (Official Gazette Date: 14 September 2021 Number: 31598)
- 8.** Regulation on the Execution of Decisions and Measures Regarding Child Surrender and Personal Relationship Establishment with the Child (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 04.08.2022 No: 31913)

Regulations for which information was requested from the Ministry of Family and Social Services

- 1.** Regulation on the Procedures and Principles for Planning Child Protection Services and Operation of Child Care Institutions (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 06.09.2022 No: 31945)
- 2.** Regulation on Health Conditions to be Required in Exam Practices for Disabled Individuals and Disabled Quotas (Regulations by Institutions and Organizations Order: 5 Official Gazette Date: 08.03.2022 Number: 31772)

Regulations for which information was requested from the Ministry of Labour and Social Security

- 1.** Regulation on Procedures for Determination of Disability and Incapacity to Work (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 28.09.2021 No: 31612)
- 2.** Regulation on Market Surveillance and Inspection by the Ministry of Labour and Social Security (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 21.10.2022 No: 31990)
- 3.** Regulation on the Procedures and Principles Regarding the Execution of Community Benefit Programmes (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 29.05.2022 No: 31850)
- 4.** Regulation on the Procedures and Principles Regarding the Execution of Active Labour Force Services (Regulations by Institutions and 131 Organisations Order: 5 Official Gazette Date: 08.04.2022 No: 31803)

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- 5.** Regulation on the Implementation of the International Labour Force Law (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 02.02.2022 No: 31738)

Regulations for which information was requested from the Ministry of Environment, Urbanization and Climate Change

- 1.** Regulation on Pollutant Release and Transport Registration (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 04.12.2021 No: 31679)
 - 2.** Regulation on Demolition of Buildings (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 13.10.2021 No: 31627)
 - 3.** Regulation on the General Principles of Waste Pretreatment and Recovery Facilities (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 09.10.2021 No: 31623)
 - 4.** Regulation on Control of Packaging Wastes (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 26.06.2021 No: 31523)
 - 5.** Regulation on Environmental Inspection (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 12.06.2021 No: 31509)
 - 6.** Regulation on Rural Neighbourhoods and Rural Built-up Areas (Regulations by Institutions and Organisations Type: 5 Official Gazette Date: 15.04.2021 No: 31455)
 - 7.** Regulation on Environmental Management of Shipyards, Boat Building and Boatyards (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 07.12.2022 No: 32036)
 - 8.** Regulation on Environmental Noise Control (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 30.11.2022 No: 32029)
 - 9.** Regulation on Environmental Management Services (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 01.11.2022 No: 32000)
 - 10.** Regulation on Environmental Impact Assessment (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 29.07.2022 No: 31907)
 - 11.** Regulation on Fluorinated Greenhouse Gases (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 29.06.2022 No: 31881)
 - 12.** Regulation on Green Certificate for Buildings and Settlements (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 12.06.2022 No: 31864)
 - 13.** Regulation on Financial and Technical Support and Cooperation to be provided by the Environment Agency of Türkiye (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 08.06.2022 No: 31860)
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Regulations for which information was requested from the Ministry of Youth and Sports

- 1.** Regulation on the Nutrition and Accommodation Aid to be provided to the Students Sheltering in the Higher Education Dormitories of Tax-Exempt Foundations and Public Benefit Associations (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 04.09.2021 No: 31588)
- 2.** Regulation on the Training of Olympic and Paralympic Athletes (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 25.05.2021 No: 31491)
- 3.** Regulation on Dormitory Services of the Ministry of Youth and Sports (Regulations by Institutions and Organisations Order: 5- Official Gazette Date: 09.04.2021 No: 31449)
- 4.** Regulation on Youth Centres of the Ministry of Youth and Sports (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 26.05.2022 No: 31847)
- 5.** Regulation on Youth Camps of the Ministry of Youth and Sports (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 26.05.2022 No: 31847)
- 6.** Regulation on Higher Education Private Accommodation Services (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 09.09.2022 No: 31948)

Regulations for which information was requested from the Ministry of Agriculture and Forestry

- 1.** Regulation on the Establishment and Operating Procedures and Principles of Zoos and Wildlife Parks (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 11.06.2022 No: 31863)
 - 2.** Regulation on Identification and Registration of Bee Colonies (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 22.04.2022 No: 31817)
 - 3.** Regulation on the Implementation of Article 18 of the Forest Law (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 30.11.2021 No: 31675)
 - 4.** Regulation on the Implementation of the Third Paragraph of Article 17 of the Forest Law (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 30.11.2021 No: 31675)
 - 5.** Turkish Food Codex Regulation on Maximum Residue Limits of Pesticides (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 27.09.2021 No: 31611 Repeated)
 - 6.** Regulation on Market Surveillance and Inspection of Fertilisers Used in Agriculture (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 09.06.2021 No: 31506 Repeated)
 - 7.** Regulation on the Duties, Working Procedures and Principles of the Central Hunting Committee, Provincial and District Hunting Committees (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 09.04.2021 No: 31449)
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Regulations for which information was requested from the Ministry of Trade

- 1.** Regulation on Consumer Arbitration Committees (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 21.09.2022 No: 31960)
- 2.** Regulation on Market Surveillance and Inspection by the Ministry of Trade (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 09.02.2022 No: 31745)
- 3.** Regulation on the Audit of Cooperatives and Parent Organisations (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 01.02.2022 No: 31737)
- 4.** Regulation on General Assemblies to be held electronically in Cooperatives (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 14.01.2022 No: 31719)
- 5.** Regulation on Cooperative Education (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 14.01.2022 No: 31719)
- 6.** Regulation on the Procedures and Principles for the General Assembly Meetings of Cooperatives and Parent Organisations and the Qualifications and Duties of the Ministry Representative to be present at these Meetings (Regulations on Institutions and Organisations Order: 5 Official Gazette Date: 14.01.2022 No: 31719)
- 7.** Regulation on General Product Safety (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 11.03.2021 No: 31420)

Regulations for which information was requested from the Ministry of Transport and Infrastructure

- 1.** Regulation on the Carriage of Dangerous Goods by Road (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 18.06.2022 No: 31870)
 - 2.** Regulation on Dangerous Goods Safety Consultancy Services (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 18.06.2022 No: 31870)
 - 3.** Regulation on Degassing of Ships and Watercraft (Regulations by Institutions and Organisations Order: 5 Official Gazette Date: 01.02.2022 No: 31737)
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