



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Eighty-eighth session

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Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted
by States parties under article 9 of the Convention**

List of themes in relation to the combined fourth to sixth periodic reports of Turkey (CERD/C/TUR/4-6)

Note by the Country Rapporteur

The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

1. The Convention in domestic law, and the institutional and policy framework for its implementation (arts. 1, 2, 4, 6 and 7)

(a) Progress on the adoption of the draft anti-discrimination and equality law and the establishment of the Anti-Discrimination and Equality Board (CERD/C/TUR/CO/3, paras. 11 and 17; CERD/C/TUR/4-6, paras. 13-16);

(b) Absence of a definition of racial discrimination (CERD/C/TUR/CO/3, para. 11); compliance of article 10 of the Constitution and the draft anti-discrimination act with article 1 of the Convention, with respect to the explicit recognition of descent and national origin as grounds of discrimination (CERD/C/TUR/4-6, paras. 11-13; CERD/C/TUR/CO/3, paras. 11 and 17);

(c) Progress regarding the adoption of the proposed legislative reform referred to as "the democratization package", which will facilitate efforts to combat hate crime and discrimination (CERD/C/TUR/CO/3, para. 23; CERD/C/TUR/4-6, para. 34);

(d) Update on the compliance of the National Human Rights Institution with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and on activities already carried out, in particular with regard to the issue of racial discrimination, as well as on measures taken to seek



accreditation before the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (CERD/C/TUR/CO/3, para. 24; CERD/C/TUR/4-6, para. 52); update on the law on the ombudsman, including on the outcome of cases considered (CERD/C/TUR/4-6, para. 186);

(e) Non-compliance of the legislation with all elements of article 4 of the Convention (CERD/C/TUR/CO/3, para. 14; CERD/C/TUR/4-6, paras. 66-71);

(f) Outcome of complaints received and considered by the various human rights bodies created by the State party regarding allegations of acts of racial discrimination, including information on reparation provided (CERD/C/TUR/CO/3, para. 21; CERD/C/TUR/4-6, paras. 180-189);

(g) Impact and evaluation of various initiatives taken to promote education, cultural diversity and tolerance among different communities and to combat racial prejudices, including training for law enforcement officials (CERD/C/TUR/4-6, paras. 192-204).

2. Situation of minority ethnic groups and other vulnerable or marginalized groups (art. 5)

(a) Update on the results of the periodic consultations of the Minority Issues Assessment Board (CERD/C/TUR/CO/3, para. 24; CERD/C/TUR/4-6, para. 165); update on the measures taken to reopen the Greek Orthodox theological school in Heybeladia and on the application of the Law on Foundations with regard to the restitution of confiscated properties in 2013-2014 (CERD/C/TUR/CO/3, para. 18; CERD/C/TUR/4-6, para. 154; A/HRC/WG.6/21/TUR/1, para. 52);

(b) The restrictive application of the term “minorities” and its impact on the rights of other minorities, including Kurds and Roma, with particular focus on Arameans; and recognition of certain minorities (CERD/C/TUR/4-6, para. 149; CERD/C/TUR/CO/3, para. 12; A/HRC/WG.6/21/TUR/2, para. 82); update on the representation of ethnic minorities in public, political and other elected bodies (CERD/C/TUR/CO/3, para. 10);

(c) Update on the enjoyment by minorities of economic, social and cultural rights, including with respect to disparities that may exist between their enjoyment of such rights and that of the rest of the population (CERD/C/TUR/CO/3, para. 12); progress in the implementation of the revised action plan (2013-2017) for the Southeast Anatolia Project, which is aimed at eliminating regional differences and socioeconomic disparities among citizens (CERD/C/TUR/4-6, para. 63);

(d) Update on additional measures to promote mother-tongue use and learning among children from ethnic groups and on progress in the implementation of measures taken (CERD/C/TUR/CO/3, para. 20; CERD/C/TUR/CO/3/Add.1, para. 6; CERD/C/TUR/4-6, para. 207); additional measures for the promotion and use of minority languages in media (CERD/C/TUR/4-6, paras. 209-210);

(e) Progress in the implementation of special measures taken to overcome the persistent discrimination faced by Roma, in particular in the fields of employment, education and housing, including with respect to the impact of those measures (CERD/C/TUR/CO/3, para. 19; CERD/C/TUR/4-6, para. 62).

3. Discrimination against non-citizens, including migrants, refugees and asylum seekers (arts. 2 and 4-7)

(a) Enjoyment, in practice, by migrants, including asylum seekers and refugees, of health care services, housing, education and access to employment (CERD/C/TUR/4-6, paras. 104-107 and 111-123);

(b) Update on efforts to withdraw the geographical limitation to the 1951 Convention relating to the Status of Refugees; additional information on the 2005 National Action Plan on Asylum and Immigration and its implementation (CERD/C/TUR/CO/3, para. 15; CERD/C/TUR/4-6, para. 96);

(c) Progress in the implementation of the new Law on Foreigners and International Protection, the system to determine asylum, the rights enjoyed by asylum seekers and refugees and measures to protect such persons from racial discrimination (CERD/C/TUR/4-6, paras. 97 and 141-145).
