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## Die endlose Tuerkei-Debatte

Arno Tausch

2004

Online at <http://mpra.ub.uni-muenchen.de/492/>  
MPRA Paper No. 492, posted 17. October 2006

## **Türkei – Herbst 2004 – Länderinfo (Arno Tausch)**

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## Türkei auf einen Blick (auswärtiges Amt, Berlin)

Stand: Mai 2004

Ländername	Republik Türkei (Türkiye Cumhuriyeti)
Klima	Anatolien: kontinental; Süd- und Westküste: mediterran
Lage	Zu 3% in Europa ("Thrazien"), zu 97% in Kleinasien ("Anatolien")
Größe des Landes	814.578 qkm, dies entspricht etwa der 2,3 fachen Größe Deutschlands
Hauptstadt	Ankara (ca. 3,6 Mio. Einwohner)
Bevölkerung	70,8 Mio. Einw. (bei Volkszählung 2000 67,8), Wachstumsrate ca. 1,7%
Landessprache	Türkisch. In weiten Teilen des Südostens und Ostens werden auch verschiedene kurdische Dialekte gesprochen.
Religionen/Kirchen	Seit osmanischer Zeit mehrheitlich Muslime mit wachsendem Anteil (heute ca. 99%), mehrheitlich Hanefiten (sunnitische, "orthodoxe" Ausrichtung des Islam), daneben ca. 15-20 Mio. Aleviten ("heterodoxe" Ausrichtung des Islam). Laizistisches Staatsverständnis, d.h. strikte Trennung zwischen Staat und Religion (Islam), jedoch Kontrolle der religiösen Angelegenheiten durch das staatl. Amt für Religiöse Angelegenheiten. Besondere Stellung einiger nicht-muslimischer Minderheiten durch den Vertrag von Lausanne (1923): Armenier (ca. 70.000), Griechisch-Orthodoxe (max. 3.000) und Juden (ca. 25.000). Daneben: römisch-katholische u. mit Rom unierte Kirchen (max. 20.000) u. Syrisch-Orthodoxe (ca. 15.000)
Nationalfeiertag	29. Oktober, "Tag der Republik" (Ausrufung der Republik durch Atatürk 1923)
Staats-/Regierungsform	Republik / parlamentarische Demokratie
Staatsoberhaupt	Staatspräsident Ahmet Necdet Sezer, Amtsantritt am 17.05.2000; Amtszeit 7 Jahre; Wahl durch Nationalversammlung; Vertreter: Parlamentspräsident Bülent Arınc
Regierungschef	Ministerpräsident Recep Tayyip Erdogan (AKP), seit 11.03.2003
Außenminister	Abdullah Gül (AKP), seit 14.03.2003
Parlament	Türkische Große Nationalversammlung (Türkiye Büyük Millet Meclisi/TBMM): eine Kammer, 550 Sitze, Legislaturperiode 5 Jahre, letzte Wahl am 03.11.2002, Parlamentspräsident: Bülent Arınc (AKP)
Regierungspartei	AKP (Adalet ve Kalkınma Partisi – Partei für Gerechtigkeit und Entwicklung, Vors. Recep Tayyip Erdogan), 367 Abgeordnete;
Opposition	CHP (Cumhuriyet Halk Partisi – Republikanische Volkspartei, Vors. Deniz Baykal), 175 Abgeordnete; DYP (Dogru Yol Partisi – Partei des Richtigen Weges, Vors. Mehmet Agar), 4 Abgeordnete; Unabhängige: 4 Abgeordnete;
Gewerkschaftsbünde	Türk-İs (gemäßigt, ca. 2,13 Mio. Mitglieder), DISK (links-orientiert, ca. 0,35 Mio. Mitglieder) Hak-İs (islamistisch, ca. 0,36 Mio. Mitglieder)
Verwaltungsstruktur	Zentralistisch. Einteilung in 81 Provinzen mit je einem Gouverneur (Vali) als oberstem Organ. In den Städten gewählte Bürgermeister (Belediye Başkanı), die nur über begrenzte Kompetenzen verfügen. Finanzen werden aus Ankara zugeteilt, die Städte haben nur relativ geringe Eigeneinnahmen. Letzte Kommunalwahlen am 28.03.2004 (AKP 42%, CHP 18%)
Mitgliedschaft in internationalen Organisationen	Vereinte Nationen (1945) mit Sonderorganisationen; NATO (1952); Europarat (1952); OECD (1948); Organisation Islamische Konferenz (OIC, 1969); EG-Assoziierungs-Abkommen (1963); EU-Zollunion seit 01.01.1996; EU-Beitrittskandidat seit 11.12.1999 (Europäischer Rat Helsinki); assoziiertes Mitglied der WEU (1995-2000)
Wichtigste Medien	Zahlreiche staatliche und private Radio- und TV-Sender, zahlreiche Tages- und Wochenzeitungen mit vergleichsweise geringer Auflage. Medienkonzerne: Aydın-Dogan-Gruppe (u.a. größte Tageszeitung Hürriyet, Milliyet, Kanal D, CNN-Türk), Dinç-Bilgin-Gruppe (Sabah, ATV, u.a.), İhlas-Gruppe (Türkiye, TGRT, u.a.), Çukurova-Gruppe (Show-TV, Aksam); Dogus-Gruppe (NTV)
Bruttosozialprodukt	(2002) 179,9 Mrd. USD

Pro-Kopf-Einkommen	(2002) 2.584 USD
Wechselkurs	(01.05.2004) 1 EUR = 1.695.000 Türkische Lira (TRL); 1 TRL = 0,000 0005 EUR

## Regierungsliste (offizielle Webseite des US CIA)

### Turkey

President	<b>Sezer, Ahmet Necdet</b>
Prime Minister	<b>Erdogan, Recep Tayyip</b>
Dep. Prime Min.	<b>Gul, Abdullah</b>
Dep. Prime Min.	<b>Sener, Abdullatif</b>
Dep. Prime Min.	<b>Sahin, Mehmet Ali</b>
Min. of State	<b>Sener, Abdullatif</b>
Min. of State	<b>Sahin, Mehmet Ali</b>
Min. of State	<b>Atalay, Besir</b>
Min. of State	<b>Babacan, Ali</b>
Min. of State	<b>Aydin, Mehmet</b>
Min. of State	<b>Aksit, Guldal</b>
Min. of Agriculture & Village Affairs	<b>Guclu, Sami</b>
Min. of Culture & Tourism	<b>Mumcu, Erkan</b>
Min. of Energy & Natural Resources	<b>Guler, Hilmi</b>
Min. of Environment & Forestry	<b>Pepe, Osman</b>
Min. of Finance	<b>Unakitan, Kemal</b>
Min. of Foreign Affairs	<b>Gul, Abdullah</b>
Min. of Health	<b>Akdag, Recep</b>
Min. of Industry & Trade	<b>Coskun, Ali</b>
Min. of Interior	<b>Aksu, Abdulkadir</b>
Min. of Justice	<b>Cicek, Cemil</b>
Min. of Labor & Social Security	<b>Basesgioglu, Murat</b>
Min. of National Defense	<b>Gonul, Vecdi</b>
Min. of National Education	<b>Celik, Huseyin</b>
Min. of Public Works & Housing	<b>Ergezen, Zeki</b>
Min. of Transportation	<b>Yildirim, Binali</b>
Governor, Central Bank	<b>Serdengecti, Sureyya</b>
Ambassador to the US	<b>Logoglu, Faruk</b>
Permanent Representative to the UN, New York	<b>Pamir, Umit</b>

## Wahlen in der Türkei (Recherche Arno Tausch, Governments on the Web)

Die Wahlen vom 3. November 2002 lt. Governments on the Web

Volksvertretung Türkiye Büyük Millet Meclisi: Wahlen vom 3. November 2002 (Wahlbeteiligung 78.9 %)		%	550
<b>Adalet ve Kalkınma Partisi</b> (Justice and Development Party islamisch-demokratisch)	<b>AKP</b>	<b>34.3</b>	<b>363</b>
<b>Cumhuriyet Halk Partisi</b> (Republican People's Party, sozialdemokratisch)	<b>CHP</b>	<b>19.4</b>	<b>178</b>
<b>Doğru Yol Partisi</b> (True Path Party, konservativ)	<b>DYP</b>	<b>9.6</b>	-
<b>Milliyetçi Hareket Partisi</b> (Nationalist Movement Party, nationalistisch)	<b>MHP</b>	<b>8.3</b>	-
<a href="http://www.gp.org.tr">http://www.gp.org.tr</a> / <b>Genç Partisi</b> (Youth Party, populistisch)	<b>GP</b>	<b>7.2</b>	-
<b>Demokratik Halk Partisi</b> (Democratic People's Party) Allianz, basierend auf der <a href="#">Halkin Demokratik Partisi</a> (Democratic People's Party, kurdische Minderheit)	<b>Dehap</b>	<b>6.2</b>	-
<b>Anavatan Partisi</b> (Motherland Party, konservativ)	<b>AnaP</b>	<b>5.1</b>	-
<a href="http://www.sp.org.tr">http://www.sp.org.tr</a> / <b>Saadet Partisi</b> (Felicity Party, islamistisch)	<b>SP</b>	<b>2.5</b>	-
<b>Demokratik Sol Partisi</b> (Democratic Left Party, sozial-demokratisch)	<b>DSP</b>	<b>1.2</b>	-
<b>Yeni Türkiye Partisi</b> (New Turkey Party, zentristisch)	<b>YTP</b>	<b>1.0</b>	-
<b>Büyük Birlik Partisi</b> (Grand Unity Party)	<b>BBP</b>	<b>1.1</b>	-
<b>Non-partisans</b>		.	

<http://www.gksoft.com/govt/en/>

Tabelle 2: Die Wahlen vom 18. April 1999

Volksvertretung (Einkammer) Türkiye Büyük Millet Meclisi: 18. April 1999 (87.1 % Wahlbeteiligung)		%	550
<b>Demokratik Sol Partisi</b> (Democratic Left Party, sozialdemokratisch)	<b>DSP</b>	<b>22.3</b>	<b>136</b>
<b>Milliyetçi Hareket Partisi</b> (Nationalist Movement Party, nationalistisch)	<b>MHP</b>	<b>18.1</b>	<b>129</b>
<b>Fazilet Partisi</b> (Virtue Party, gemässigt islamistisch)	<b>FP</b>	<b>15.5</b>	<b>111</b>
<b>Anavatan Partisi</b> (Motherland Party, konservativ)	<b>AnaP</b>	<b>13.3</b>	<b>86</b>
<b>Doğru Yol Partisi</b> (True Path Party, konservativ)	<b>DYP</b>	<b>12.1</b>	<b>85</b>
<b>Cumhuriyet Halk Partisi</b> (Republican People's Party, sozialdemokratisch)	<b>CHP</b>	<b>8.9</b>	-



<b>Halkçı Demokratik Partisi</b> (Democratic People's Party, kurdische Minderheit)	<b>Hadep</b>	<b>4.7</b>	<b>-</b>
<b>Büyük Birlik Partisi</b> (Grand Unity Party)	<b>BBP</b>	<b>1.5</b>	<b>-</b>
<b>Non-partisans</b>		<b>.</b>	<b>3</b>

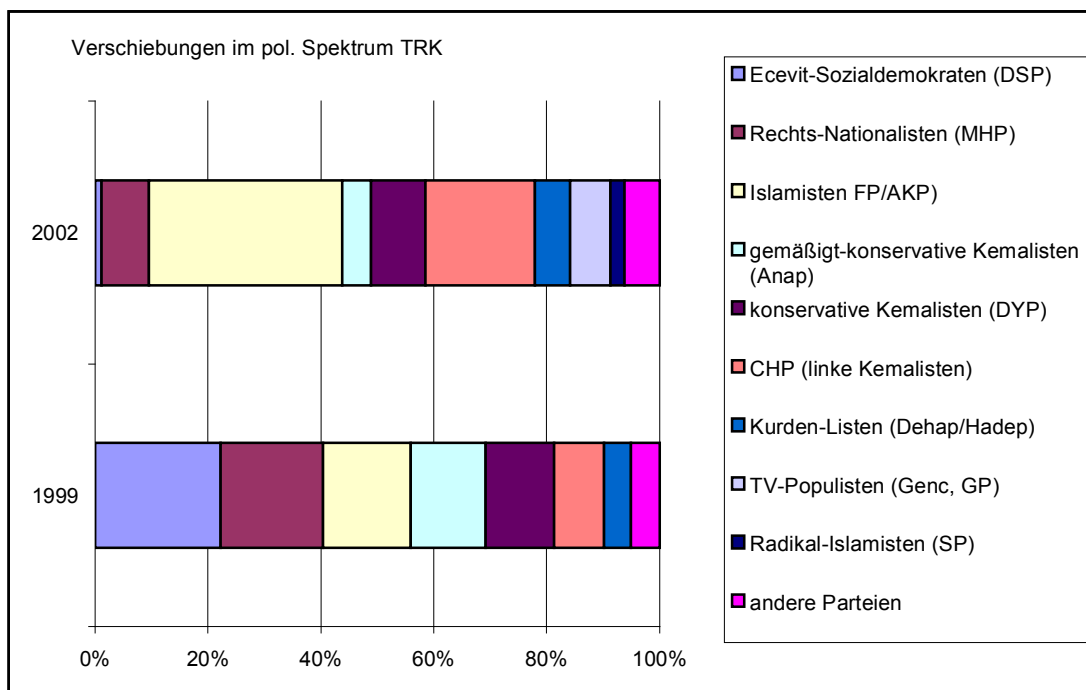
Tabelle 3 Verschiebungen im Parteienspektrum 1999 – 2002

	1999	2002
Ecevit-Sozialdemokraten (DSP)	22,3	1,2
Rechts-Nationalisten (MHP)	18,1	8,3
Islamisten FP/AKP)	15,5	34,3
gemäßigt-konservative Kemalisten (Anap)	13,3	5,1
konservative Kemalisten (DYP)	12,1	9,6
CHP (linke Kemalisten)	8,9	19,4
Kurden-Listen (Dehap/Hadep)	4,7	6,2
TV-Populisten (Genc, GP)	0	7,2
Radikal-Islamisten (SP)	0	2,5
andere Parteien	5,1	6,2

Quelle: eigene Berechnungen aus den beiden obigen Tabellen

Graphik 1 Das neue Parteiensystem des Jahres 2002

Quelle: eigene Berechnungen aus den beiden obigen Tabellen



## **Außenpolitik (auswärtiges Amt, Berlin)**

Stand: Juni 2004

### ***Grundlinien der Außenpolitik***

Die Türkei bewegt sich in einem höchst heterogenen außenpolitischen Umfeld (Europa, "Krisendreieck" Balkan - Kaukasus - Naher und Mittlerer Osten). Ihre bilateralen Beziehungen zu den Nachbarstaaten haben sich - auch infolge türkischer Anstrengungen - in den letzten Jahren erheblich verbessert. Die eigene Integration in die westlichen Strukturen (NATO, EU) ist seit Atatürk eines der wesentlichen Dogmen der türkischen Außenpolitik. Im Mittelpunkt der außenpolitischen Interessen der Türkei stehen darüber hinaus das Verhältnis zu Griechenland, Zypern sowie die Wahrung der eigenen Interessen in den benachbarten Krisenregionen, vor allem in Irak. Dessen politische Stabilisierung und wirtschaftlicher Wiederaufbau bilden außenpolitisch besonders wichtige Themen für die türkische Regierung.

Die osmanische Geschichte wirkt noch heute nach: Einerseits leben in verschiedenen angrenzenden Staaten "türkische Minderheiten", andererseits sind sich viele Türken ihrer regionalen Herkunft bewusst und empfinden auch heute noch Solidarität mit ihren dortigen "Verwandten".

Die Türkei ist auf dem Weg, ein wichtiges Transitland für Erdöl und Erdgas aus der Kaspischen Region zu werden. Ziel ist der Bau verschiedener Pipelines, wodurch zugleich der Tanker-Verkehr durch den Bosphorus begrenzt werden soll. Ende 2001 ist eine Gasleitung aus dem Iran in Betrieb genommen worden. Die so genannte "Blue-Stream"-Gasleitung aus Russland via Schwarzes Meer wird seit Anfang 2003 genutzt. Die Türkei hat sich nachdrücklich für den Bau der Erdöl-Leitung von Baku über Tiflis zum türkischen Mittelmeerhafen Ceyhan eingesetzt. Staatspräsident Sezer eröffnete die Bauarbeiten in Baku feierlich am 18.09.2002. Im März 2002 wurde außerdem der Bau einer Gasleitung mit Griechenland vereinbart.

Die Türkei nutzt die Flüsse Euphrat und Tigris zur Gewinnung von Wasserkraft und zur Bewässerung weiter Gebiete im Südosten. Sie weckt damit Besorgnisse der stromabwärts gelegenen Staaten Syrien und Irak.

Im Gefolge der Terror-Anschläge des 11. September 2001 wurde die strategische Bedeutung der Türkei unterstrichen. Die Türkei sieht ihr außenpolitisches Gewicht als verlässlicher Verbündeter des Westens (NATO, EU, USA) und als einzige westliche Demokratie in der islamischen Welt beträchtlich erhöht. Die Türkei ist der einzige NATO-Partner mit überwiegend muslimischer Bevölkerung. Sie hat sich nach den Terror-Anschlägen vom 11. September 2001 an die Seite der USA gestellt. Die Türkei dringt auf Intensivierung der internationalen Zusammenarbeit im Kampf gegen den Terrorismus, besonders auch nach der Serie von Terroranschlägen in Istanbul im November 2003.

### ***Beziehungen zu den USA***

Die seit Jahrzehnten von beiden Seiten als "strategisch" gewürdigten Beziehungen erlitten durch die Entscheidung des türkischen Parlaments vom 01.03.2003, den USA die Nutzung türkischen Territoriums für den Aufbau einer nördlichen Front gegen den Irak nicht zu gestatten, zunächst einen heftigen Schlag. Mit einem Parlamentsbeschluss vom 20.03.2003 gewährte die Türkei Überflugrechte, und die USA stellten 1 Mrd. Dollar Wirtschaftshilfe in Aussicht. Der Besuch von US-Außenminister Powell in Ankara am 02.04.2003 verbesserte die Beziehungen wieder.

Ihre Bitte um militärische Unterstützung im Irak nach dem offiziellen Ende der Kampfhandlungen richteten die USA auch an die Türkei. Mit dem Beschluss vom 07.10.2003 stellte das türkische Parlament der Regierung die Entsendung von Truppen in den Irak frei und leitete damit auch eine Verbesserung der bilateralen Beziehungen zu den USA ein. Anfang November 2003 wurde das Projekt bis auf weiteres zurückgestellt, da es auf irakischer Seite nicht die erforderliche Unterstützung fand.

### ***Beziehungen zu Griechenland***

Die Türkei und Griechenland, seit Jahrzehnten in tief greifende Interessengegensätze verstrickt, haben ihre bilateralen Beziehungen seit dem Tiefpunkt der Öcalan-Krise Ende 1998/Anfang 1999 sichtbar entspannen können. Auslöser waren die Erdbeben vom 17.08. und 12.11.1999 in der Türkei sowie ein etwa gleichzeitiges Beben in Griechenland, die ein Solidaritätsgefühl in der Bevölkerung beider Staaten weckten und bilaterale Verhandlungen und Abkommen (zuletzt: Doppelbesteuerungsabkommen) sowie gegenseitige Besuche der beiden Außenminister möglich machten. Griechenland stimmte dem EU-Kandidaten-Status der Türkei in Helsinki zu und befürwortete schließlich die Perspektive eines konkreten Termins für den Beginn der EU-Beitrittsverhandlungen mit der Türkei anlässlich des Europäischen Rates Kopenhagen am 12./13.12.2002. Allerdings harren schwierige Fragen weiterhin einer Lösung: Territorialkonflikte der beiden NATO-Partner in der Ägäis sowie Minderheitenfragen. Die Lage in Zypern ist auch für die bilateralen türkisch-griechischen Beziehungen von großer Bedeutung. Beide Regierungen sind entschlossen, ungeachtet des Ausgangs der Referenden auf Zypern (24.04.2004) die Bemühungen um Entkrampfung und Verbesserung der Beziehungen fortzusetzen. Ministerpräsident Erdogan stattete Griechenland vom 06. bis 08.05.2004 den ersten Besuch eines türkischen Ministerpräsidenten seit 16 Jahren ab.

Griechenland und die Türkei haben vereinbart, während der Olympischen Spiele in Athen im August 2004 von Manövern in der zwischen beiden umstrittenen Ägäis abzusehen.

### ***Beziehungen zur Russischen Föderation***

Die Türkei bemüht sich auch aus wirtschaftlichen Interessen um partnerschaftliche Beziehungen (Gas-Importe, "Blue-Stream Line"). Zugleich sieht sich die Türkei im Kaukasus und in Zentralasien in einem Konkurrenzverhältnis um politischen und wirtschaftlichen Einfluss zur Russischen Föderation und zum Iran. Die Frage, über welche Korridore kaspisches und zentralasiatisches Erdöl und Erdgas in die Türkei und nach Europa transportiert wird, hat den traditionellen Konfliktlinien eine neue

Dimension hinzugefügt.

### ***Beziehungen zu den Staaten des Kaukasus und Zentralasiens***

Die Türkei versteht sich als natürlicher Partner der dortigen (Turk-) Republiken. Verbindende Elemente sind Religion (Islam) oder ethnische Verwandtschaft (Turk-Völker). Obwohl die Türkei Anstrengungen um eine Ausweitung ihres Einflussbereichs unternimmt (z.B. Institutionalisierung des jährlichen Gipfels der Turkstaaten) und hierfür erhebliche wirtschaftliche Ressourcen zu mobilisieren versucht, an denen sich auch der Privatsektor beteiligt, bleibt ihr Gewicht in den Turkstaaten de facto begrenzt. Auch die Regierung Erdogan möchte die wirtschaftliche Dimension der Zusammenarbeit verstärken.

Im Tschetschenien-Konflikt versucht die Türkei, zwischen ihrer Verbundenheit mit der dortigen islamischen Bevölkerung und ihrem Eintreten für die territoriale Integrität Russlands eine Balance zu finden.

Eine Lösung des Nagorny-Karabach-Konflikts zwischen Armenien und Aserbaidschan ist für die Türkei Voraussetzung für eine Verbesserung des türkisch-armenischen Verhältnisses. Politische Stabilität Georgiens ist für die Türkei auch zur Absicherung des Pipeline-Projekts Baku-Tiflis-Ceyhan von großer Bedeutung. In Afghanistan bleibt die Türkei beim Wiederaufbau des Landes und im ISAF-Rahmen engagiert. Sie hatte bis zur Übernahme durch Deutschland und die Niederlande im Februar 2003 das ISAF-Kommando inne und wird sich auch künftig an dieser Friedensmission in Afghanistan beteiligen.

### ***Beziehungen zu den Staaten des Balkan***

Die Entwicklung in der Krisenregion Balkan verfolgt die Türkei als Anrainer und aufgrund der Verbundenheit mit den Minderheiten (Türken, Muslime) mit großem Interesse. Sie gehört zu den Initiatoren des Südost-Europäischen Kooperations-Prozesses (SEECP) und beteiligt sich am Stabilitätspakt Südosteuropa. Sie hat viele Flüchtlinge der Balkankriege aufgenommen. In Bosnien-Herzegowina, im Kosovo und in Mazedonien war bzw. ist die Türkei im Rahmen der NATO mit Truppen präsent. Die Türkei fordert die türkischen und muslimischen Minderheiten des Balkan auf, sich zu ihrer Sprache und Kultur zu bekennen.

### ***Beziehungen zu den Staaten des Nahen und Mittleren Ostens***

Die Türkei unterstützt alle Bemühungen um einen umfassenden, gerechten und dauerhaften Frieden im Nahen Osten. Mit Israel fühlt sich die Türkei einerseits strategisch verbunden, kritisiert aber andererseits das Vorgehen Israels gegen die Palästinenser. In der Bevölkerung und in weiten Teilen der Opposition gibt es ein tief empfundenes Mitgefühl für das Schicksal der Palästinenser, das auch religiös begründet ist. Die bilateralen Beziehungen zu den arabischen Staaten sind historisch belastet (osmanische Geschichte, Abspaltung der arabischen Gebiete im Ersten Weltkrieg, Aufhebung des Kalifats durch Atatürk 1924, Beziehungen der Türkei zu Israel). In den bilateralen Beziehungen zu den Nachbarn Syrien, Iran und Irak stehen der Kampf gegen die PKK/KADEK/ Kongra-Gel und die Kurdenfrage im Vordergrund.

In der Krise um den Irak hat sich die türkische Regierung bemüht, Kontakte zu den arabischen Staaten neu anzuknüpfen, u.a. durch Beteiligung an mehreren regionalen Außenministertreffen. Primäres Interesse der Türkei ist es, die Bildung eines unabhängigen Kurdenstaats im Nordirak zu verhindern und die dort operierende PKK/Kadec/Kongra-Gel zu zerschlagen. Zu den beiden Kurdenfraktionen PUK (Talabani) und KDP (Barzani) unterhält sie nicht immer störungsfreie Beziehungen. Die Türkei hat von Beginn an vor den Folgen eines Militärschlages gegen den Irak gewarnt und besteht unverändert auf Bewahrung seiner territorialen Integrität, einer starken Zentralregierung in Bagdad, der zentralen Verwaltung der Erdölressourcen sowie einer angemessenen Berücksichtigung der Interessen der turkmenischen Minderheit. Das Verhältnis zu Syrien hat sich nach Besuchen des syrischen Präsidenten Assad in Ankara und des türkischen Parlamentspräsidenten Arınc in Damaskus (07.10.2004) wesentlich entspannt. Im Verhältnis zum Iran bestehen Differenzen darüber, welche Rolle und Funktion der Religion im Staat zukommt. Mit beiden Nachbarn verbindet die Türkei aber gegenwärtig das Interesse, im Irak stabile politische Verhältnisse zu schaffen.

### **Sicherheitspolitik**

Nach den Terroranschlägen von New York und Washington (09.11.2001) und Istanbul (November 2003) hat Ankara seine Rolle im internationalen Umfeld neu bewertet und stellt insbesondere gegenüber Europa und den USA die gewachsene Bedeutung seiner geostrategischen Lage heraus. Als einziges NATO-Land, das gleichzeitig Mitglied der Organisation Islamischer Staaten ist, bewegt sich die Türkei in einem heterogenen außenpolitischen Umfeld. Sie liegt im Zentrum des potenziellen Krisendreiecks Kaukasus - Nah-/Mittelost - Balkan. Die Türkei ist seit 1952 Mitglied in der NATO, die sie, wie auch die Vereinigten Staaten von Amerika, als wesentliche Garanten ihrer Sicherheit sieht. Im Mittelpunkt des sicherheitspolitischen Interesses der Türkei stehen die eigene Westintegration, das Verhältnis zu Griechenland sowie die Wahrung ihrer nationalen Interessen in den benachbarten Regionen. Im Rahmen der NATO und der Vereinten Nationen leistet sie bei Auslandseinsätzen substantielle Unterstützung zu Krisenprävention und Krisenmanagement.

Enge sicherheitspolitische Beziehungen bestehen darüber hinaus zu Israel, Pakistan und den zentralasiatischen Turkstaaten, mit denen zahlreiche Ausbildungsprogramme durchgeführt werden.

Die Lage der Türkei in diesem traditionell schwierigen Umfeld führt zu einem erhöhten türkischen Sicherheitsbedürfnis. Die Türkei fühlt sich zwar nicht unmittelbar militärisch bedroht, sieht jedoch beträchtliche sicherheitspolitische Risiken jenseits ihrer Grenzen, die auf das eigene Land übergreifen könnten. Dazu zählen nationale, ethnische und religiöse Konflikte zwischen und innerhalb der Nachbarstaaten der Türkei, Terrorismus sowie organisierte Kriminalität.

Das türkische Militär steht am Beginn eines Reformprozesses hin zu kleineren modernen, flexibel einsetzbaren Streitkräften. Diese Anstrengungen werden mit enormem finanziellen und organisatorischen Aufwand vorangetrieben. Gemeinsam mit Deutschland und weiteren europäischen Nationen wird die Türkei u.a. das moderne militärische Transportflugzeug Airbus A400M entwickeln, fertigen und nutzen. Aufgrund der nach wie vor schwierigen wirtschaftlichen Gesamtlage unterliegt jedoch die gesamte Rüstungsplanung einer fortlaufenden Anpassung.

Im Rahmen ihrer intensiven Bemühungen für die Mitgliedschaft in der Europäischen Union unterstützt die Türkei die Anstrengungen zur Stärkung der Europäischen Sicherheits- und Verteidigungspolitik.

## **Beziehungen zwischen der Türkei und der Europäischen Union (auswärtiges Amt, Berlin; Stabilisierung der Mittelmeerregion: Recherche Arno Tausch)**

Stand: Juni 2004

### ***Die Türkei als Beitrittskandidat***

Der Europäische Rat Helsinki hat die Türkei im Dezember 1999 formell als Beitrittskandidaten anerkannt. Die Türkei muss sich damit an den gleichen Kriterien messen lassen, die für alle Beitrittsländer gelten: Verhandlungen werden erst aufgenommen, wenn die Türkei die politischen Kriterien des Europäischen Rats von Kopenhagen vom Juni 1993 erfüllt (sog. "Kopenhagener Kriterien", nämlich institutionelle Stabilität als Garantie für demokratische und rechtsstaatliche Ordnung, Wahrung der Menschenrechte sowie Achtung und Schutz von Minderheiten).

Der Europäische Rat (ER) Kopenhagen hat im Dezember 2002 beschlossen, auf der Grundlage eines Berichts und einer Empfehlung der Europäischen Kommission Ende 2004 über den Beginn von Beitrittsverhandlungen mit der Türkei zu entscheiden. Sofern die politischen Kriterien erfüllt sind, können dann ("ohne Verzug") Beitrittsverhandlungen beginnen. Damit wurde ein ausgewogenes Ergebnis erzielt, das den bisherigen Fortschritten im Reformprozess der Türkei ebenso wie den verbleibenden Defiziten Rechnung trägt und für die Aufnahme von Verhandlungen eine klare zeitliche Perspektive aufzeigt. Die türkische Regierung misst der Nennung des Datums besondere Bedeutung bei, ist sich aber bewusst, dass die Beitrittsverhandlungen selbst längere Zeit in Anspruch nehmen werden.

Die Europäische Kommission prüft und bewertet - wie bei allen anderen Kandidatenländern - in jährlichen Berichten die Fortschritte der Türkei auf dem Weg zum Beitritt. In ihrem Fortschrittsbericht 2003 bescheinigt die Kommission der Türkei erhebliche Fortschritte bei der Erfüllung der Kopenhagener Kriterien, kommt jedoch zum Ergebnis, dass die Türkei die politischen Kriterien noch nicht in vollem Umfang erfüllt. Seitdem hat die Türkei weitere Reformschritte unternommen und zugesagt, sich vor allem um die praktische Umsetzung der Reformen zu bemühen. Der nächste Fortschrittsbericht wird im Herbst 2004 veröffentlicht.

### ***Beitrittspartnerschaft***

Die erste Beitrittspartnerschaft war am 08.03.2001 vom Ministerrat der EU angenommen worden. Sie bestimmt Ziele und Prioritäten für die Erfüllung der Beitrittskriterien, die die Türkei kurz- und mittelfristig im Rahmen der Heranführung an die Europäische Union verwirklichen muss. Am 15.04.2003 beschloss die EU eine überarbeitete Beitrittspartnerschaft, die neben Reformprioritäten auch finanzielle Unterstützungsleistungen enthält. Auf ihrer Grundlage hat die türkische Regierung ein umfangreiches "Nationales Programm" zur Übernahme des europäischen Rechtsbestands ("acquis communautaire") entwickelt. In den vergangenen zwei Jahren hat das türkische Parlament in bisher insgesamt sieben Reformpaketen und einer größeren Verfassungsänderung einen großen Teil der Vorgaben aus der Beitrittspartnerschaft gesetzgeberisch umgesetzt.

## ***Vorbereitungshilfen der Europäischen Union***

Der Beschluss des Europäischen Rates Kopenhagen wird ergänzt durch ein Paket von Maßnahmen zur Vertiefung der Heranführungsstrategie. Diese umfassen einen intensivierten Abgleich des türkischen Rechts mit dem "acquis communautaire", die Ausweitung der Zollunion sowie eine Aufstockung der finanziellen Vorbereitungshilfen. Zur Unterstützung des Heranführungsprozesses und der notwendigen Reformmaßnahmen erhält die Türkei bereits seit dem Jahr 2000 Vorbereitungshilfen der Europäischen Union u.a. zur Vertiefung der Zollunion mit der EU sowie zur Förderung der wirtschaftlichen und sozialen Entwicklung der Türkei. Bis 2006 ist ein Gesamtbetrag von 1,050 Mrd. Euro vorgesehen. Ferner kann die Türkei auf Darlehen aus Mitteln der Europäischen Investitionsbank zugreifen. Außerdem gibt es ein umfangreiches "Twinning-Programm", in dem sektorspezifisch Experten aus EU-Mitgliedstaaten türkische Institutionen bei ihren Transformationsbemühungen beraten.

## ***Assoziierungsabkommen "Abkommen von Ankara" (1963)***

Die Europäische Wirtschaftsgemeinschaft (EWG) hat 1963 mit der Türkei das sog. "Abkommen von Ankara" zur Gründung einer Assoziation geschlossen. Das Abkommen enthält in Art. 28 bereits eine Beitrittsperspektive: "Sobald das Funktionieren des Abkommens es in Aussicht zu nehmen gestattet, dass die Türkei die Verpflichtungen aus dem Vertrag zur Gründung der Gemeinschaft vollständig übernimmt, werden die Vertragsparteien die Möglichkeit eines Beitritts der Türkei zur Gemeinschaft prüfen." Mit Beschluss des Assoziationsrates EG-Türkei vom Dezember 1995 wurde auf der Grundlage des Assoziierungsabkommens mit der Türkei eine Zollunion begründet. Der Europäische Rat Luxemburg vom Dezember 1997 hatte die Beitrittsperspektive des Assoziierungsabkommens bekräftigt und ausdrücklich festgestellt, dass die Türkei für einen Beitritt zur Europäischen Union in Frage kommt.

## ***Stabilisierung der gesamten Mittelmeer-Region***

1) Weltbank MENA-Programm (beinhaltet auch nicht-Küsten-Anrainer-Staaten der islamischen Welt, und inkludiert auch den Iran). Grundgedanke: wirtschaftliche Liberalisierung vor in den vormals ‚arabisch-sozialistischen‘ Staaten und der Türkei durch Anreize (internationale Investitionen, Entwicklungshilfe) und Einbeziehung der Region in multilaterale Abkommen (insbesondere WTO), incl. Israel und die arabischen Nachbarn Israels.

2) EU-MEDA – Programm ‚Barcelona-Prozess‘. Beim Europäischen Rat von Barcelona (27. und 28. November 1995) wurde eine umfassende Strategie gebilligt (EMP – Euro-Mediterrane Partnerschaft). Die dabei getroffene ‚stille‘ Arbeitsteilung zwischen Weltbank und EU besagt, dass Europa die Wirtschaftsreformen in der mediterranen Nachbarschaft Europas mit Entwicklungshilfe ‚verankern soll‘; darüber hinaus Öffnung der europäischen Märkte.

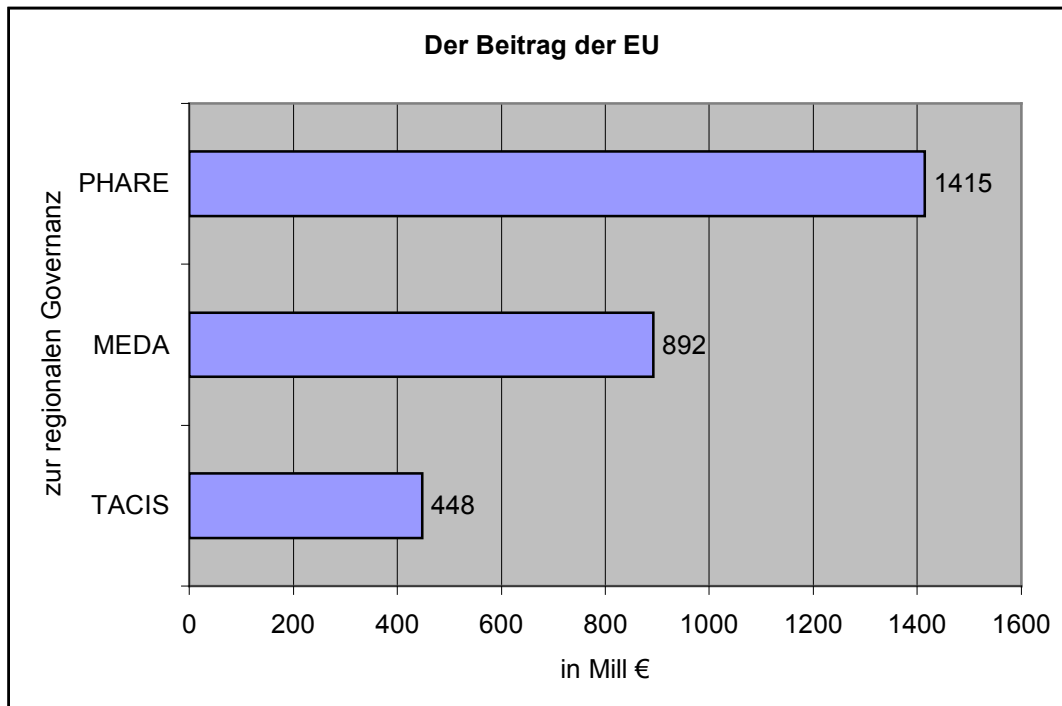
Die Logik all dieser Programme war, dass Europa – weder im Osten noch im Süden - Chaos zulassen kann.

Erhebliche finanzielle Mittel sicherten diese Strategie ab:



1. für die ehemaligen Bündnispartner der UdSSR in Osteuropa – PHARE
2. für die ehemalige UdSSR – TACIS
3. für die Südflanke Europas – MEDA

Die heute von der EU aufgewendeten finanziellen Mittel für die umliegenden Regionen teilen sich pro Jahr wie folgt auf:



**Die von der EU aufgewandten Mittel teilen sich in etwa mit dem Schlüssel:**

**7 (Beitrittskandidaten im Osten) zu 5 (Mediterrane Staaten) zu 2 (ehemalige UdSSR).**

Die 12 Partner Europas im Süden sind:

1. Ägypten
2. Algerien
3. Israel
4. Jordanien
5. Libanon
6. Malta
7. Marokko
8. Palästinensische Autonomiegebiete
9. Syrien
10. Tunesien
- 11. Türkei**
12. Zypern

Ziel der Partnerschaften: Aufbau enger und dauerhafter Partnerschaft mit der südlichen Nachbarregion der EU auch als Ergänzung zu der auf Beitritt gerichteten Politik gegenüber den Nachbarn in Mittel- und Osteuropa.

Die dabei angewandten Methoden waren:

- Ausbau des politischen Dialogs,
- Errichtung einer Freihandelszone und
- Verstärkung der wirtschaftlichen und finanziellen Zusammenarbeit
- sowie **verstärkte Kooperation im sozialen und kulturellen Bereich.**

### Finanzielle Unterstützung

Zur finanziellen Unterstützung der Mittelmeerpartner hat die EU für den Zeitraum 1995-2000 bereits einen Gesamtbetrag von 4.179,8 Millionen € aufgewandt. Hochgerechnet mit dem geschätzten Gesamtanteil Österreichs am EU-Budget von 2,6 % ergibt dies eine indirekte, multilaterale österreichische Entwicklungsleistung für die gesamte Region in der Höhe von 109 Millionen €. Die Europäische Union wendet für den Zeitraum 2000 – 2006 für die 12 mediterranen Partnerstaaten der EU 5.350 Millionen € auf (das sind ca. 892 Millionen € pro Jahr). Österreichs multilateraler Anteil beträgt somit 139,1 Millionen €; pro Jahr immerhin schon 23,2 Millionen €.

Im Gegensatz zu den früheren Finanzprotokollen wurden die Mittel aus MEDA den Empfängern nicht mehr völkerrechtlich verbindlich zugesichert, sondern nur mehr indikativ vorgemerkt. Das heißt: Kann ein Empfänger die für ihn vorgesehenen Mittel nicht zeitgerecht in Anspruch nehmen, können diese anderen zur Verfügung gestellt werden.

Die Mittelverteilung 1995-2000 zwischen den Partnerstaaten in Mill. € war:

• Ägypten	698,7
• Algerien	194,2
• Jordanien	269
• Libanon	182
• Marokko	796,6
• Palästinensische Autonomie	207,7
• Syrien	137
• Tunesien	503,7
• Türkei	551,1

weitere – länderübergreifend -

• für die regionale Zusammenarbeit	577,8 €
• Technische Hilfe	63 €

Eine Konvergenz der sozialen Bedingungen zwischen dem Nordufer und dem Südufer des Mittelmeeres wäre – so die Logik des Programms - im Prinzip machbar; ja – eine Perspektive der Teilnahme am Haus Europa, dessen Süden dereinst ein Haus des Islam (*Dar al Islam*) war (Spanien bis 1492), würde diese Konvergenz sogar beschleunigen. Die heute noch bestehende Divergenz könne nicht als

Rechtfertigung für den Ausschluss der Region aus dem Haus Europas herangezogen werden – es sei denn, die Politik in Europa entschließt sich zu einer bewaffneten Festung im Süden des Kontinents, um die Wohlstandsgrenze – letztlich erfolglos – gegen die wachsende Massenmigration über das Mittelmeer zu verteidigen.

Der Export von Stabilität und Wohlstand war bereits die Logik der Erweiterung der EU in den Osten; nunmehr stünde – so die Fortsetzung dieses Denkens - die große –auch kulturelle – Erweiterung der EU in den Süden an.

## **Staatsaufbau/Innenpolitik (auswärtiges Amt, Berlin)**

Stand: Juni 2004

### ***Grundlinien der Innenpolitik***

Die Türkei verbindet Elemente einer modernen, westlichen, demokratisch strukturierten Industrie- und Dienstleistungsgesellschaft mit einem lebendigen und in der türkischen Gesellschaft tief verwurzelten Islam, mit ausgeprägtem Nationalismus, mit zum Teil noch traditionellen Lebensformen - insbesondere in ländlichen Gegenden - sowie mit einem stets präsenten Klientelwesen. Die Türkei betrachtet sich als Modell eines laizistischen Staates (Trennung von Staat und Religion) mit muslimischer Bevölkerung. Die Türkei ist bis heute ein Land starker politischer, wirtschaftlicher und sozialer Gegensätze, die das politische System immer wieder auf eine harte Belastungsprobe stellen.

Die Westorientierung ist Staatsprogramm der modernen Türkei. Nicht nur die westlich geprägte Elite des Landes betreibt den Beitritt zur Europäischen Union als Krönung des Atatürkschen Reformwerks, sondern auch die seit November 2002 amtierende, aus dem früher EU-skeptischen politischen Islam hervorgegangene AKP-Regierung. Die türkische Regierung hat nach dem Europäischen Rat von Kopenhagen (Dezember 2002) den Beginn von Beitrittsverhandlungen mit der EU Ende 2004 als prioritäres Ziel ihrer Politik formuliert. Sie stützt sich dabei auf die Zustimmung von 75% der Bevölkerung.

In der Türkei gibt es aus der wechselvollen Entstehungsgeschichte verschiedene ethnische bzw. religiöse Bevölkerungsgruppen. Zu osmanischer Zeit genossen religiöse Minderheiten in inneren Angelegenheiten weitgehende Autonomie (Millet-System), während ethnische Unterschiede keine Rolle spielten. Die Türkei erkennt Minderheiten als Gruppen mit rechtlichem Sonderstatus nur in den Grenzen des Lausanner Vertrags (1923) an, der lediglich den Schutz religiöser Minderheiten vorsieht. Dahinter steht die bis heute lebendige Sorge, dass die Anerkennung ethnischer Unterschiede etwaige Forderungen nach Loslösung der Gebiete, in denen diese Gruppen siedeln, aus dem türkischen Staatsverband begründen könnte.

### ***Staatsaufbau***

Die Türkei ist - gemäß ihrer Verfassung von 1982 - eine demokratische, säkulare, soziale und rechtsstaatliche Republik. Das gemeinsame Erbe aus rund 700 Jahren osmanischer und 80 Jahren türkischer Geschichte ist eine ausgeprägt starke Rolle des Staates, gegenüber dem Rechte des Einzelnen häufig zurückstehen. Die türkische Verfassung kennt die in Demokratien übliche Gewaltenteilung (Legislative, Exekutive, Judikative) sowie einen ausführlichen Katalog von Grundrechten und -pflichten.

Das türkische Parlament, die Große Türkische Nationalversammlung, wird für fünf Jahre gewählt (Mehrheitswahlrecht). Es gilt eine landesweite 10%-Hürde für den Einzug ins Parlament. Stabile parlamentarische Mehrheiten waren angesichts der zersplitterten Parteienlandschaft in den 1990er Jahren die Ausnahme. Aus den

Wahlen am 03.11.2002 ging die erst 2001 gegründete konservative AKP, die auch die Unterstützung der islamisch geprägten Wähler findet, als deutlicher Sieger hervor. Sie verfügt mit 367 der 550 Sitze im Parlament über eine verfassungsändernde Mehrheit. Oppositionspartei ist die sozialdemokratische CHP. Die traditionell große Bedeutung des Nationalen Sicherheitsrats, in dem unter Leitung des Staatspräsidenten die wichtigsten Mitglieder der Regierung und hohe Militärs "Empfehlungen" an den Ministerrat zur inneren und äußeren Sicherheit des Landes beschließen, ist durch ein Reformpaket vom Juli 2003 im Zuge der EU-Kandidatur erheblich beschnitten worden (Reduzierung auf die Rolle eines Beratungsgremiums, Möglichkeit eines zivilen Generalsekretärs – bisher Militär).

Die türkische Verwaltung ist zentralistisch. Das Territorium ist in 81 Provinzen eingeteilt, diese wiederum in Landkreise, an deren Spitze jeweils ein Gouverneur (Vali) bzw. ein Landrat (Kaymakam) als Repräsentant der Zentralregierung in Ankara (Innenminister) steht. Daneben gibt es auf der Ebene der Städte und Gemeinden lokale Verwaltungen, deren Leitung von der örtlichen Bevölkerung gewählt wird. Die Kompetenzen sind strikt getrennt. Städte und Gemeinden verfügen nur in relativ geringem Umfang über eigene Einnahmen und sind daher finanziell auf Zuwendungen der Zentralregierung angewiesen. Eine Verwaltungsreform mit stärkerer Dezentralisierung wurde Ende 2003 ins Parlament eingebracht, aber bis heute nicht verabschiedet.

### ***Wichtige Querschnitts-Themen der türkischen Innenpolitik***

Der türkische Staat ist aufgrund der historischen Erfahrungen des ausgehenden Osmanischen Reiches und der jungen türkischen Republik neben Bedrohungen von außen auf zwei Hauptgefahren fixiert: Zum einen als laizistischer Staat auf die Gefahr eines politischen Islam ("irtica") und zum anderen als zentralistischer Einheitsstaat auf die Gefahr des Auseinanderbrechens ("Separatismus" als traumatische Erfahrung der Auflösung des Osmanischen Reichs und des Vertrags von Sèvres 1920). Letzteres ist u.a. Hintergrund des Konflikts im Südosten ("Kurdens-Problem").

### ***Politischer Islam***

Der Laizismus zählt zu den Grundprinzipien der türkischen Republik. Atatürk sah in ihm eine Grundvoraussetzung für die angestrebte Modernisierung des Landes. Gleichzeitig hat der Staat durch das Amt für Religiöse Angelegenheiten (Diyamet) eine Kontrolle des (sunnitischen) Islam, der weite Teile des öffentlichen Lebens in der Türkei prägt, aufgebaut. Handlungen und Meinungsäußerungen, die einen Einfluss des Islam auf das staatliche oder gesellschaftliche Leben fordern, können strafrechtlich verfolgt werden. Ein politisch strittiges Thema ist weiterhin das so genannte Kopftuchverbot an Schulen und Hochschulen bzw. im "öffentlichen Raum".

Da die türkische Gesellschaft traditionell islamisch geprägt ist, verschwimmen die Grenzen zwischen verbotenen, geduldeten und offiziell geförderten Aktivitäten mit islamischem Hintergrund. Der Staat finanziert nach wie vor die religiös ausgerichteten Imam-Hatip-Schulen und beschickt sie mit Lehrern. Nach der Schulreform von 1997 hat er allerdings ihr Tätigkeitsfeld beschränkt. Er fördert den Bau von Moscheen, stellt für diese kostenfrei Wasser und Strom zur Verfügung und bezahlt die religiösen Beamten (über 70.000), darunter auch diejenigen, die in türkische Gemeinden in Deutschland entsandt werden.

Der Laizismus ist nie unumstritten gewesen. Seit Gründung der Türkei hat es immer wieder Versuche gegeben, über islamistische Parteien der Religion wieder mehr Einfluss auf den Staat zu verschaffen, sie sind jedoch stets nach einiger Zeit verboten worden. Die Refah-(Wohlfahrts-)Partei (RP) wurde stärkste Partei bei den Wahlen 1995 mit ca. 24% der Stimmen. Ihr Vorsitzender Necmettin Erbakan war 1996/97 erster islamistischer Ministerpräsident der Türkei. Die Beschlüsse des Nationalen Sicherheitsrates vom 28.02.1997 ("Februar-Ereignisse"), die auf die Zurückdrängung des Islam aus der Politik zielten, führten zum Sturz seiner Regierung. Die RP wurde Anfang 1998 verboten, ihre Klage vor dem Europäischen Gerichtshof für Menschenrechte abgewiesen. Nach dem Verbot der Nachfolgepartei Fazilet-(Tugend-)Partei unter Recai Kutan durch das Verfassungsgericht am 22.06.2001 wurden zwei Parteien gegründet: Die islamistischen Traditionalisten schlossen sich in der Saadet-(Glückseligkeits-)Partei wieder unter Kutan (wie bisher mit Erbakan im Hintergrund) zusammen, die Reformer in der AKP (Gerechtigkeits- und Entwicklungspartei) unter Recep Tayyip Erdogan. Die AKP sieht sich selbst als konservative Volkspartei und lehnt das Attribut "islamisch" ab. Sie erreichte am 03.11.2002 mit 34,2% der Stimmen die absolute Mehrheit der Sitze und stellt seitdem eine Alleinregierung. Ihre Stellung wurde in den Kommunalwahlen am 28.03.2004 mit einem landesweiten Gesamtstimmenanteil von 41,7% noch gestärkt. Die innertürkische Auseinandersetzung um das Laizismusprinzip und vermeintliche Versuche der Regierung, dieses Prinzip aufzuweichen, bestimmt die innenpolitische Auseinandersetzung, z.T. mit erheblicher Schärfe. Hauptfeld der Auseinandersetzung ist das Erziehungs- und Hochschulwesen.

### ***Konflikt im Südosten (Kurden-Problem)***

Die Kurden (türkische Staatsbürger kurdischer Abstammung) bilden in weiten Teilen des Südostens und Ostens die Bevölkerungsmehrheit. Von ihnen kommen Forderungen zur Verbesserung ihres Status. Die türkischen Regierungen versprechen seit langem, die wirtschaftliche und soziale Lage des semi-feudal strukturierten Südostens zu verbessern. Die dortigen Probleme haben zu massiver Landflucht der Bevölkerung in die größeren Städte der Region sowie in die westlichen Gebiete der Türkei mit allen sozialen Folgeproblemen geführt. Im Südosten geht es jetzt vor allem um den Wiederaufbau zerstörter Infrastruktur, Investitionen in die Wirtschaft und die Rückkehr der Bevölkerung in ihre Dörfer. Ein Generalplan der Regierung vom Mai 2000 ist bisher nicht veröffentlicht worden.

Der seit 1984 geführte Kampf zwischen der 1978 von Abdullah Öcalan gegründeten PKK und türkischen Sicherheitskräften im Südosten der Türkei hat über 30.000 Menschenleben gefordert. Seit der Verhaftung Öcalans Anfang 1999 hat sich die Lage jedoch wesentlich beruhigt. Das Militär schätzt die Stärke der PKK auf noch 4.000 bis 4.500 Kämpfer, davon 90% im Ausland, v.a. im Nord-Irak. Der Notstand (OHAL) ist seit November 2002 in allen Provinzen aufgehoben. Auf der Grundlage der Abschaffung der Todesstrafe durch das Türkische Parlament am 03.08.2002 wurde Öcalans Strafe am 03.10.2002 durch das Staatssicherheitsgericht Ankara in lebenslange Haft umgewandelt.

Mit einem sog. "Wiedereingliederungsgesetz" hat die Regierung im Juli 2003 weitgehend erfolglos versucht, die nicht zum Führungskader der PKK/KADEK gehörenden Aktivisten zur Aufgabe zu bewegen. Die PKK/KADEK-Führung hat Anfang September 2003 den einseitig verkündeten "Waffenstillstand" für beendet

erklärt – ein Schritt, den die türkische Regierung als "Signal der Verzweiflung" wertet. Die Regierung drängt die USA, gemeinsam gegen die im Nordirak verbliebenen PKK/KADEK-Kräfte vorzugehen und sieht in der Ende 2003 in KONGRA-GEL umbenannten Organisation lediglich Kontinuität bekannter Terrorstrukturen unter neuem Namen.

Am 03.08.2002 beschloss das türkische Parlament, die kurdische Sprache bzw. ihre Dialekte, deren Gebrauch seit Anfang der 1990er Jahre nicht mehr generell verboten ist, auch in Radio, Fernsehen und im Bildungsbereich zu legalisieren. Restriktive Ausführungsbestimmungen (enge zeitliche Vorgaben, Beschränkung auf überregionale Sendeanstalten) haben allerdings dazu beigetragen, dass die Umsetzung dieser Liberalisierung, die im Juni 2003 auch auf private Sender ausgedehnt wurde, bislang nur in begrenztem Umfang in Gang gekommen ist. Fernsehsendungen in den kurdischen Dialekten Kurmandschi und Zaza wurden am 09.06. bzw. 11.06.2004 erstmals durch die staatliche Fernsehanstalt TRT ausgestrahlt. Erste Sprachkurse für Kurdisch haben im April 2004 in einigen Städten des Südostens begonnen.

Die kurdisch-orientierte Partei HADEP erreichte bei den Wahlen am 03.11.2002 einen Stimmenanteil von 6,2% und verpasste damit erneut den Einzug ins Parlament, wurde aber in 13 südöstlichen Provinzen stärkste Partei, mit Stimmanteilen von z.T. über 50%. Das Verbotsverfahren gegen die HADEP vor dem Verfassungsgericht endete im März 2003 mit ihrer Schließung aufgrund von "organischen Verbindungen zur PKK" sowie Separatismus. Drei kurdisch-orientierte Vorläuferparteien hatte das Verfassungsgericht bereits in früheren Jahren verboten und aufgelöst. Der Großteil der HADEP-Mandatsträger ist jetzt unter dem Dach der DEHAP aktiv. Die DEHAP schloss für die Kommunalwahl im März 2004 ein Wahlbündnis mit der linken SHP und stellt fünf Bürgermeister im Südosten, u.a. in der Millionenstadt Diyarbakir.

### ***Menschenrechte***

Mit dem am 03.08.2002 verabschiedeten "3. EU-Reformpaket" hat die Türkei viele der in der EU-Beitrittspartnerschaft aufgelisteten Prioritäten auch im Menschenrechtsbereich in Angriff genommen. Die Abschaffung der Todesstrafe in Friedenszeiten und die Ausweitung kultureller Rechte stehen dabei an erster Stelle. Wichtige Schritte folgten unter den AKP-Regierungen mit zwei weiteren Reformpaketen in der ersten Hälfte des Jahres 2003, die insbesondere folgende Punkte enthielten: Regelungen zur Erschwerung von Parteischließungen und Politikverböten, Maßnahmen zur Verhütung sowie zur erleichterten Strafverfolgung und Bestrafung von Folter, Ausweitung der Vereinsfreiheit, Ermöglichung der Wiederaufnahme von Verfahren nach einer Verurteilung durch den Europäischen Gerichtshof für Menschenrechte (EGMR) in Straßburg. In zwei weiteren Reformpaketen wurde Mitte 2003 ("6. und 7. EU-Reformpaket") u.a. die Meinungsfreiheit durch erneute Änderungen der strafrechtlichen Bestimmungen und des Anti-Terror-Gesetzes ausgeweitet und mit einer umfassenden Reform des Nationalen Sicherheitsrates die zivile Kontrolle über das Militär gestärkt. Ein Paket mit Verfassungsänderungen (u.a. Gleichstellung von Mann und Frau, Reduzierung politischer Privilegien des Militärs, Abschaffung der Staatssicherheitsgerichte) wurde am 07.05.2004 vom Parlament mit den Stimmen der Opposition verabschiedet. Eine grundlegende Reform des Straf- und Strafprozessrechts soll ebenfalls noch vor Sommer 2004 verabschiedet werden.

Es kommt aber weiter darauf an, dass diese Gesetzesänderungen über die Ausführungsbestimmungen und ihre Anwendung zu Erleichterungen im täglichen Leben der Menschen führen. Defizite bestehen dabei vor allem noch im Bereich der umfassenden Garantie der Meinungsfreiheit, der kulturellen Rechte und der Religionsfreiheit. Den Schwerpunkt der Implementierung beschlossener Reformen betont die EU in ihrer neuen Beitrittspartnerschaft vom April 2003 mehrfach ausdrücklich. Der effektive Grundrechtsschutz hängt zugleich maßgeblich von den Entscheidungen türkischer Gerichte ab, die das geltende Recht auslegen.

In der Praxis gibt es weiterhin erhebliche Defizite im Menschenrechtsbereich. In den letzten Jahren wurden allerdings durch Gesetzes- und Verfassungsänderungen sowie andere Reformmaßnahmen Fortschritte erzielt, die insbesondere die Rechte Inhaftierter stärken und der Eindämmung der Folter dienen. Auch im Jahr 2003 hat es Fälle von Folter und Misshandlung gegeben. Die AKP-Regierungen betonten bei zahlreichen Gelegenheiten, dass sie gegenüber Folter eine Null-Toleranz-Politik verfolgen. Für eine zuverlässige Einschätzung, inwieweit ihre Reformen sich bereits in der Praxis ausgewirkt haben, ist es nach übereinstimmender Ansicht von Beobachtern noch zu früh. Auch tut sich die Türkei schwer, Entscheidungen des Europäischen Gerichtshofs für Menschenrechte zu akzeptieren.

Die Türkei hat im Juni 2003 die beiden Pakte der Vereinten Nationen über bürgerliche und politische sowie über wirtschaftliche, soziale und kulturelle Rechte ratifiziert, jedoch mit einigen Vorbehalten im Hinblick auf die Garantie von Minderheitenrechten. Der Europäischen Menschenrechtskonvention ist die Türkei bereits 1954 beigetreten, inzwischen hat sie auch das 6. und 13. Zusatzprotokoll zur Abschaffung der Todesstrafe gezeichnet. Seit 1987 ist die Türkei Vertragspartei der Anti-Folterkonvention des Europarates.

### ***Terrorismus***

Die Terroranschläge des 11. September 2001 haben Regierung und Streitkräfte in ihrer Überzeugung gestärkt, dass der Kampf gegen den Terrorismus, den die Türkei gegen ethnisch, politisch und religiös motivierte extremistische Organisationen führt, der richtige Weg ist. Mit den Autobomben von Istanbul am 15. (Synagogen) und 20.11.2003 (britische Einrichtungen) ist die Türkei selbst Ziel von offenbar islamistisch motivierten Selbstmordanschlägen geworden. Die Türkei ist einerseits besonders empfindlich, wenn aus ihrer Sicht Menschenrechtsargumente zur Deckung terroristischer Tatbestände vorgeschoben werden, sie ist sich jedoch andererseits bewusst, dass die unbedingte Einhaltung der Menschenrechte ein besonders wichtiges Kriterium bei der Annäherung an die EU darstellt.

### ***Korruption***

"Trotz verschiedener Initiativen zur Förderung der Transparenz im öffentlichen Leben der Türkei bleibt die Korruption ein ernstes Problem." (Europäische Kommission, Fortschrittsbericht vom 13.11.2001, S. 35). Dies gilt unverändert. Der Kampf gegen die Korruption war daher auch ein wichtiges Thema des Parlamentswahlkampfes.

Ministerpräsident Erdogan selbst ist von zahlreichen Korruptionsvorwürfen im Zusammenhang mit seiner Zeit als Oberbürgermeister von Istanbul freigesprochen worden. Die AKP-Regierung hat eine parlamentarische Untersuchungskommission



eingesetzt, die in ihrem Abschlussbericht im Juli 2003 die Anklageerhebung gegen eine Reihe prominenter ehemaliger Minister (u. a. ehem. MP Mesut Yilmaz) empfohlen hat. Erste Schritte wurden im Herbst 2003 eingeleitet. Auch eine Neuregelung des weit gefassten Immunitätsrechts türkischer Parlamentsabgeordneter, das eine bessere Bekämpfung der Korruption ermöglichen soll, steht noch aus.

### ***Lage der Frauen***

Türkinnen und Türken sind einander noch nicht völlig gleichgestellt. Türkische Frauen erleben z.B. auf dem Arbeitsmarkt, bei der Entlohnung, in Bildungsfragen und hinsichtlich ihrer Repräsentanz in der Politik deutlich schlechtere Bedingungen. Allerdings differiert die Lage türkischer Frauen je nach Region und Herkunft deutlich. Durch ein im November 2001 verabschiedetes neues Zivilgesetzbuch wurde das türkische Familienrecht reformiert und vor allem die Gleichberechtigung der Frau in der Ehe gestärkt (z.B. durch Wegfall der Stellung des Mannes als Familienoberhaupt und Einführung der Zugewinnngemeinschaft als gesetzlicher Güterstand). Noch ist nicht abzusehen, ob bei der anstehenden Novellierung des Strafgesetzbuches die Benachteiligung bzw. Diskriminierung von Frauen vollständig beseitigt werden wird. Auch die praktischen Auswirkungen der gegenwärtig im Parlament anhängigen Verankerung der rechtlichen Gleichstellung in der Verfassung sind ungewiss.

## **Wirtschaft (auswärtiges Amt, Berlin)**

Stand: Juni 2004

### ***Grundlinien der Wirtschaftspolitik***

Die Wirtschaftspolitik der Türkei steht auch im Vorfeld des möglichen Beginns von EU-Beitrittsverhandlungen noch im Spannungsfeld zwischen tief verwurzelttem Etatismus und Dirigismus (in osmanischer und kemalistischer Tradition) und einem zunehmenden marktorientierten Reformschub, der binnen- und außenwirtschaftlich auf Liberalisierung setzt und durch die EU-Beitrittsperspektive starken Ansporn bekommen hat. Das wirtschaftspolitische Programm der gemäßigt islamischen AKP-Regierung (seit November 2002) ist liberal und unternehmerfreundlich, zugleich aber auch den sozialen Anliegen breiter Wählerschichten verpflichtet. Die im Einvernehmen mit EU und IWF eingeleiteten Strukturreformen (u.a. Autonomie der Zentralbank, Transparenz des Bankenwesens und staatlichen Ausschreibungsverfahrens, Öffnung der Märkte für Telekommunikation und Energie, Reformen im Sozialversicherungssystem und der landwirtschaftlichen Subventionspolitik) werden konsequent fortgesetzt. Die Privatisierung der z.T. ineffizienten und verschuldeten Staatsbetriebe kommt allerdings nur sehr schleppend voran.

### ***Aktuelle wirtschaftliche Lage***

Das Wachstum des Bruttosozialprodukts war in den 1980er und 1990er Jahren sehr volatil, betrug aber durchschnittlich 5%; gemessen am Bevölkerungswachstum von derzeit immer noch rund 1,5% reichte es jedoch nicht aus, um den Abstand im Pro-Kopf-Einkommen gegenüber anderen OECD-Staaten wesentlich zu verringern. 2001 führte die tief greifende Wirtschafts- und Finanzkrise zur schärfsten Rezession seit 1945 (- 8,5%); das Pro-Kopf-Einkommen sank auf 2.160 USD. Danach wurden die IWF-gestützten Reformen trotz notwendiger strikter Fiskalpolitik durch anhaltendes Wachstum belohnt (2002 fast 8%, 2003 knapp 6%, Erwartung für 2004 5%). Das Pro-Kopf-Einkommen ist 2004 erstmals auf fast 3.500 USD gestiegen – auch dank der neuerdings starken türkischen Währung (TL). Der öffentliche Sektor fällt allerdings durch anhaltende Austeritätspolitik (verursacht durch den hohen Schuldendienst) als Wachstumsmotor noch aus.

Nach Weltbankstatistik liegt die Türkei unter dem durchschnittlichen Einkommen eines Entwicklungslandes mit mittlerem Einkommen. Allerdings lässt diese Statistik sowohl die beträchtliche Schattenwirtschaft als auch die erheblichen Einkommensunterschiede zwischen der West- und der Osttürkei unberücksichtigt.

### ***Finanzpolitik***

Die schwere Finanzkrise von 2000/01 (über 80%ige Inflation, starker Wertverlust der TL nach Freigabe des Wechselkurses, über 90%ige Zinsen und galoppierende Staatsverschuldung) ist überwunden. Durch das im Februar 2005 auslaufende Standby-Abkommen des IWF mit konditionierten Neuzusagen von 12 Mrd. USD) umfasst das IWF-Gesamtprogramm für die Jahre 2000-2004 Kredite von insgesamt 31 Mrd. USD. Die Weltbank stellte seit 2000 im Rahmen zweier Dreijahresstrategien

bis zu 10,7 Mrd. USD) zur Verfügung. Zusätzlich könnte die Türkei auf ein US-Kreditangebot von 8,5 Mrd. USD zurückgreifen.

Die strikte Austeritätspolitik der türkischen Regierung im Rahmen des durch den IWF überwachten Anpassungsprogramms wurde durch allmählich wachsendes Vertrauen in- und ausländischer Investoren belohnt. Nach knapp zwei Jahren AKP-Regierung sind die Signale der türkischen Wirtschaft überwiegend positiv: Anhaltendes Wachstum, Exportboom, fortgesetzter Inflationsabbau, Ende der Lira-Schwäche, schnelle Überwindung der Irak-Krise im Tourismussektor, Senkung der Zinsen für Inlandsschulden (Realzins allerdings immer noch bei ca. 15%) und erleichterter Auslandsschuldendienst (IWF-Streckung der Rückzahlungstermine). Das Verhältnis der öffentlichen Verschuldung (über 200 Mrd. USD) zum BSP ist auf 70% gesunken. Risikofaktor bleibt das doppelte Defizit (Staatshaushalt und Zahlungsbilanz). Der Hauptanker für weiteren Aufschwung und Abbau der Schuldenlast bleibt die EU-Beitrittsperspektive.

### ***Wirtschaftssektoren***

Die türkische Wirtschaft hat in wenigen Jahrzehnten aus fast ausschließlicher Agrarökonomie differenzierte Strukturen mit starkem West-Ost-Gefälle entwickelt. Laut Angaben der Weltbank arbeiten noch über 40% der Erwerbsbeschäftigten in der Landwirtschaft und leisten einen Beitrag von ca. 13% zum BSP. Vor allem in der Westtürkei ist die industrielle Entwicklung stark ausgeprägt (Textil, Fahrzeuge, Chemie, Maschinen, Elektrobranche), die Industrie trägt mit ca. 25% zum BSP bei. Größten Anteil am BSP (ca. 62%) hat der Dienstleistungssektor - mit weiter steigender Tendenz. Der auch infrastrukturell noch vergleichsweise unterentwickelte Osten und Südosten ist überwiegend Agrargebiet. Im Südosten werden seit Mitte der 1980er Jahre erhebliche Entwicklungsanstrengungen unternommen (GAP-Projekt mit Staudämmen, Kraftwerken, Elektrifizierung, Bewässerungsanlagen, Agrarindustrie, Straßen, Telekommunikation). Die Bevölkerung der Region profitiert jedoch bislang nur in beschränktem Maße vom infrastrukturellen Ausbau.

### ***Entwicklung der Erwerbseinkommen***

Die türkischen Arbeitnehmer und die Mittelklasse waren in den 1980er und 1990er Jahren die großen Verlierer der Liberalisierungspolitik, die dem Land ein rasches Wirtschaftswachstum, aber auch eine zunehmend ungleiche Einkommensverteilung beschert hatte. Auch das nach der Wirtschaftskrise des Jahres 2001 zu beobachtende Wirtschaftswachstum hat der breiten Bevölkerungsmehrheit weder mehr Beschäftigung noch mehr Einkommen oder größere Konsummöglichkeiten gebracht. Der überwiegende Teil der in Industrie, Landwirtschaft und Handwerk erwerbstätigen Arbeiter bezieht weiterhin den "Mindestlohn", ein ursprünglich nach einem Warenkorb berechneter Betrag für eine Person, der aber in der Praxis das "Familieneinkommen" darstellt. Im 1. Halbjahr 2004 beträgt der Netto-Mindestlohn im Monat 303 Mio. TL (ca. 170,- EUR). Die Entwicklung der Realeinkommen hat trotz gesunkener Inflation mit der Wirtschaftsentwicklung nicht Schritt halten können, so dass insbesondere die unteren Bevölkerungsschichten am Rande des Existenzminimums leben. Auf der Suche nach Arbeit und besseren Lebensbedingungen wandert die ländliche Bevölkerung weiterhin in die Städte und industriellen Zentren ab und erhöht die dortigen sozialen Probleme ebenso wie die Arbeitslosenquote.

## Wirtschaftsdaten (auswärtiges Amt, Berlin)

Stand: März 2004

Republik der Türkei Türkiye Cumhuriyeti	2002	2003
<b>1. Bevölkerung</b>		
Einwohner in Mio.	69,3 Mio.	69,3 Mio.
Wachstum in v.H.	1,67 %	1,67 %
<b>2. Bruttosozialprodukt</b>		
BSP insgesamt	179,9 Mrd. USD	238,1 Mrd. USD (Erwartung)
BSP pro Kopf der Bevölkerung	2.584 USD	3.645 USD (Erwartung)
Stelle in der Welt	--	96. Rang
reales Wachstum in v.H.	+7,8 %	-5,2 % (01-09/2004)
Inflationsrate (Verbraucherpreise)	29,7 %	18,4 %
<b>3. Staatshaushalt/Verschuldung</b>		
Staatsverschuldung intern in v.H. des BSP	46,5 %	48,2 %
Staatsverschuldung international in v.H. des BSP	33,2 %	22,5 %
Staatsverschuldung gesamt in v.H. des BSP	79,7 %	70,6 %
Schuldendienstquote (Außenverschuldung)	6,4 %	4,3 %
<b>4. Zahlungsbilanz</b>		
Waren- und Dienstleistungsverkehr, Kapitalverkehr		
Bestandsveränderungen der Devisenreserven	27,13 Mrd. USD	34,92 Mrd. USD
<b>6. Währung</b> (Parität zu EUR)	1.735.811 TL (31.12.2004)	1.681.464 TL (15.02.2004)

## **Kultur- und Bildungspolitik, Medien (auswärtiges Amt, Berlin)**

Stand: Juni 2004

### **Schulsystem**

Schwerpunkt der Erziehungspolitik ist nach wie vor die Umsetzung der Erziehungsreform des Jahres 1997 (Erhöhung der Schulpflicht von fünf auf acht Jahre / Übergang auf Sekundarschulen nach der 8. Klasse). Die Reform des Sekundarschulwesens ist beschlossen worden und die zweite Pflichtfremdsprache wurde wieder eingeführt. Die vollständige Umsetzung der Reform lässt jedoch noch weiter auf sich warten. Sie sieht u.a. vor: Einführung einer generell vierjährigen Sekundarstufe (was bisher nur bei den sog. Elitegymnasien der Fall war); Erleichterung des Übergangs von beruflichen Gymnasien zu den Hochschulen. Insbesondere Letzteres ist ein Anliegen der AKP-Regierung: Die religiös-orientierten "Imam-Hatip" (Vorbeter- und Prediger)-Schulen - durch die Schulreform auf die Sekundarstufe reduziert - gelten als Berufsschulen, deren Absolventen keinen Zugang zu den nicht-theologischen Studienfächern an den Universitäten des Landes hatten.

Trotz erheblicher Anstrengungen, die Defizite im Schulwesen abzubauen, bestehen diese vielfach fort: vielfach fehlende Klassenräume und Lehrer; Klassen mit 50 Schülern und mehr; relativ hohe Analphabetenrate insbesondere bei weiblichen Jugendlichen (8% gem. Angaben der Weltbank); starkes West-Ost-Gefälle bei der schulischen Versorgung; große Zahl von einklassigen Grundschulen im Südosten des Landes; kaum vorhandene Betriebsmittel in den Schulen, die deshalb unablässig die Eltern der Schüler um finanzielle Unterstützung angehen müssen. Der Anteil der Ausgaben für Bildung am Staatshaushalt ist mit knapp 5% äußerst niedrig. Das Ziel einer einhundertprozentigen Einschulungsrate ist nach wie vor nicht erreicht (93%).

### **Berufliche Bildung**

Trotz eines wachsenden Bedarfs an qualifizierten Facharbeitern führt die Berufsausbildung in der Türkei weiterhin ein Schattendasein. Hierfür verantwortlich sind deren niedriges soziales Ansehen und die geringen Löhne.

### **Hochschulen**

Der türkische Hochschulrat (YÖK) koordiniert Finanzen, Inhalte und Personalplanungen der Hochschulen. Die Internationalisierung der türkischen Wissenschaft wird von ihm mit Nachdruck betrieben.

Insgesamt studieren 1,6 Mio. türkische Studenten an 53 staatlichen Universitäten und 24 staatlich anerkannten privaten Stiftungsuniversitäten und werden von rund 70.012 Lehrkräften unterrichtet. 28% der türkischen Schulabgänger mit Hochschulzugangsberechtigung erhalten die Möglichkeit, ein Hochschulstudium aufzunehmen. Die Studiengebühren an den privaten Universitäten betragen zwischen 5.000 und 12.000 USD pro Jahr. Die staatlichen Universitäten sind finanziell schlecht ausgestattet. Der Anteil des BSP für Forschung und Entwicklung beträgt lediglich ca. 0,5%. 16.328 ausländische Studierende studieren an türkischen Universitäten, fast die Hälfte von ihnen kommt aus den Turk-Republiken

Zentralasiens. Der Anteil der Studierenden aus EU-Mitgliedsstaaten und den USA ist hingegen verschwindend gering.

### ***Medien in der Türkei***

Seit Aufhebung des staatlichen Monopols für Rundfunk und Fernsehen 1993 hat sich eine Vielzahl privater Fernsehsender etabliert, die überwiegend kommerzielle, z. T. aber auch politische Interessen verfolgen (z.B. eigene Sender von Parteiführern oder islamistischen Gruppen). Die Medienlandschaft ist wirtschaftlich stark konzentriert und mit anderen wirtschaftlichen Interessen – Banken, Stromerzeugung, Mobilfunk - verbunden (Dogan-Gruppe, Dogus-Gruppe, Cukurova-Gruppe), aber gleichzeitig geprägt von einer breiten Meinungsvielfalt. Die hohem Wettbewerbsdruck ausgesetzte Medienlandschaft hat einen starken Konzentrationsprozess hinter sich. Die mit Abstand führende Gruppe ist der Aydin-Dogan-Konzern (Hürriyet, Milliyet, Kanal D, CNN-Türk u.a.).

Die Pressefreiheit ist verfassungsrechtlich verankert, war aber durch verschiedene Gesetze (z.B. Antiterrorgesetz und Pressegesetz sowie durch den nach der Privatisierung der elektronischen Medien seit 1994 eingerichteten staatlichen Kontrollrat für Rundfunk und Fernsehen) und eine restriktive Handhabung der Meinungs- und Pressefreiheit durch die Justiz lange Zeit nur stark eingeschränkt gewährleistet. Die in den 1990er Jahren noch gegenwärtige physische Bedrohung von Journalisten gibt es praktisch nicht mehr. Meinungsvielfalt und kritische Berichterstattung haben deutlich zugenommen. Allerdings wird von türkischen Beobachtern in den letzten Jahren eine häufig durch die materielle Situation der Journalisten und die Eigentumsstruktur der Medienkonzerne verursachte Selbstzensur beklagt. Die Rechtsprechung in Meinungsdelikten ist durch zahlreiche Reformpakete spürbar liberaler geworden, aber noch uneinheitlich. Eine funktionierende Journalistengewerkschaft gibt es nicht.

Am 09.06.2004 verabschiedete das türkische Parlament ein neues, liberaleres Pressegesetz, in dessen Vorbereitung auch Journalistenverbände und die EU-Kommission miteinbezogen wurden.

## Geschichte (auswärtiges Amt, Berlin)

Stand: Juni 2004

1918	Niederlage des Osmanischen Reichs im Ersten Weltkrieg, Waffenstillstand von Mudros, teilweise Besetzung durch die Alliierten
1919	Beginn des nationalen Befreiungskriegs unter Mustafa Kemal Atatürk
1920	Vertrag von Sèvres (von Atatürk nicht anerkannt)
1922	Abschaffung des Sultanats / Ende des Osmanischen Reichs. Rückeroberung von Izmir (Smyrna)
1923	Ausrufung der Republik durch Atatürk (29.10.). Friedensvertrag von Lausanne
1924	Erste Verfassung. Abschaffung des islamischen Kalifats (03.03.)
1925	Islamisch motivierter Kurdenaufstand unter Scheich Said (Februar bis Juni). Verbot religiöser Orden und Gemeinschaften. Abschaffung des Fez. Einführung des westlichen Kalenders.
1926	Modernisierung von Zivil- und Strafrecht nach europäischem Vorbild.
1928	Einführung des lateinischen Alphabets. Abschaffung des Islam als Staatsreligion.
1933	Beginn der Emigration deutscher Hochschullehrer in die Türkei
1936	Vertrag von Montreux zur Regelung der Schifffahrt durch die Meerengen.
1938	Provinz Hatay (Alexandrette) fällt durch Volksabstimmung an die Türkei. Tod von Mustafa Kemal Atatürk (10.11.)
1945	Türkische Kriegserklärung an Deutschland. Türkei wird Gründungsmitglied der Vereinten Nationen. Übergang zum Mehrparteiensystem.
1948	Truman-Doktrin: Verstärkung des amerikanischen Engagements in der Türkei im Rahmen der "containment"-Politik der USA
1950	Wahlsieg der Demokratischen Partei (Adnan Menderes), erstmalige Ablösung von Atatürks Republikanischer Volkspartei.
1952	Beitritt zu NATO und Europarat. Teilnahme am Korea-Krieg
1959	Verträge von Zürich und London (Türkei wird zusammen mit Griechenland und Großbritannien Garantiemacht für Zypern)
1960	Erster Staatsstreich des Militärs (27.05.): Absetzung der Regierung Menderes. Unabhängigkeit Zyperns
1961	Zweite, "liberale" Verfassung
1963	Assoziierung der Türkei an die EWG (Vertrag von Ankara vom 12.09.1963)
1971	Zweiter Staatsstreich des Militärs (12.03.)
1974	Türkische Militärintervention in Zypern als Folge des griechisch-inspirierten Staatsstreichs auf der Insel (20.07.)

1980	Dritter Staatsstreich des Militärs ("12. September"). General Evren wird Staatspräsident
1982	Verabschiedung der dritten Verfassung durch Referendum (07.11.)
1983	In den Parlamentswahlen erhält die Mutterlandspartei (ANAP) unter Turgut Özal die absolute Mehrheit
1984	Einsetzen terroristischer Aktivitäten der PKK (gegründet 1978) in der Südosttürkei
1987	Referendum über die Wiedezulassung der 1980 gebannten Politiker; Parlamentswahlen: Sieg Özals (ANAP). EG-Beitrittsantrag
1989	Wahl von Turgut Özal zum Staatspräsidenten. Vorläufige Abweisung des EG-Beitrittsantrags
1991	Erster Golfkrieg. Parlamentswahlen: Koalition aus Partei des Richtigen Weges/DYP und Sozialdemokratischer Volkspartei/SHP (Regierung Demirel/Inönü)
1993	Wahl von Süleyman Demirel zum 9. Staatspräsidenten der Türkei. Wahl von Tansu Ciller/DYP zur Ministerpräsidentin.
1995	Erste "zivile" Verfassungsänderung. Vorgezogene Parlamentswahlen: islamistische Wohlfahrtspartei (RP) wird stärkste Partei.
1996	Zollunion mit der EU ab 01.01. Koalitionsregierung zwischen islamistischer Refah-Partei (RP) und DYP. Necmettin Erbakan (RP) wird Ministerpräsident.
1997	Beschlüsse des Nationalen Sicherheitsrats zur Eindämmung des politischen Islam ("28. Februar-Prozess"): Sturz MP Erbakan (Juni). Neue Koalitionsregierung (ANAP/DSP/DTP) mit Mesut Yilmaz (ANAP) als MP (30.06.)
1998	Im November Sturz der Regierung Yilmaz
11.01. 1999	Minderheitsregierung unter Bülent Ecevit (DSP)
Anfang 1999	Ergreifung von PKK-Führer Öcalan in Kenia und Verbringung in die Türkei (seitdem auf der Gefängnisinsel Imrali/Marmarameer)
30.05.1999	57. Regierung unter Bülent Ecevit (DSP) mit Koalitionspartnern MHP und ANAP
17.08.1999	Verheerendes Erdbeben im Marmaragebiet
12.11.1999	Zweites schweres Erdbeben in der Westtürkei
10./11.12. 1999	Türkei wird EU-Beitrittskandidat (ER Helsinki)
16.05.2000	Ahmet Necdet Sezer wird 10. Staatspräsident der Türkei
19.02. 2001	Ausbruch einer schweren Regierungs-, Finanz- und Wirtschaftskrise, "Schwarzer Mittwoch"
19.03.2001	Kabinettsrat verabschiedet das Nationale Programm als Antwort auf die Beitrittspartnerschaft der EU.
22.06.2001	Verfassungsgericht verbietet die islamistische Fazilet-Partei. Ihre Abgeordneten gründen am 20.07. die Saadet-Partei unter Kutan, der Reformflügel am 13.08. die AKP unter Erdogan
04.02.2002	IWF beschließt ein neues (18.) Beistands-Abkommen mit der Türkei mit konditionierten Neu-Zusagen für Kredite i H v. 12 Mrd. US-Dollar für 2002



	- 2004
Juli 2002	Die durch die schwere Krankheit von MP Ecevit ausgelöste Regierungskrise verschärft sich nach Rücktritt von AM Ismail Cem, Beschluss über vorgezogene Neuwahlen
03.08.2002	Verabschiedung des 3. Reformpakets im Parlament zur Angleichung an den EU-Acquis, u.a. Abschaffung der Todesstrafe
03.11.2002	Aus vorgezogenen Neuwahlen geht die konservativ-islamische AKP mit absoluter Mehrheit der Sitze hervor. Einzige Oppositionspartei im Parlament ist die sozialdemokratische CHP.
28.11.2002	58. Regierung unter MP Abdullah Gül erhält das Vertrauen des Parlaments
12.12.2002	ER Kopenhagen bekräftigt die Beitrittsperspektive der Türkei. Der ER soll im Dezember 2004 über die "unverzögliche" Aufnahme von Beitrittsverhandlungen entscheiden.
02.01.2003	4. Reformpaket
23.01.2003	5. Reformpaket
01.03.2003	Parlament lehnt eine Regierungsvorlage über Stationierungs- und Transitrechte für US-Truppen gegen den Irak überraschend ab. Die Türkei gewährt am 20.03. lediglich Überflugrechte.
09.03.2003	Bei Nachwahlen erringt AKP-Vorsitzender Erdogan nach vorausgegangenen Verfassungsänderungen ein Abgeordnetenmandat. Am 11.03. ernennt ihn StP Sezer zum MP. Am 14.03.2003 bildet er die 59. Regierung der Türkischen Republik.
15.04.2003	Die EU stellt auf dem Assoziationsrat mit der Türkei die neue Beitrittspartnerschaft vor.
19.06.2003	6. Reformpaket
30.07.2003	7. Reformpaket (u.a. Eindämmung der politischen Rolle des Militärs)
02./03.09.2003	Offizieller Besuch MP Erdogan in Berlin
15.11.2003	Selbstmordanschlag islamistischer Extremisten auf zwei Synagogen in Istanbul. Am 20.11. erneut zwei Anschläge gegen britische Einrichtungen, insgesamt 72 Todesopfer.
14.12.2003	Bei Wahlen auf Nord-Zypern gewinnen die lösungsorientierten Kräfte. Ankara bekräftigt Verhandlungsbereitschaft. VN-GS Annan schaltet sich erstmals nach Scheitern der Verhandlungen in Den Haag im März 2003 wieder ein.
06.01.2004	"Historischer" Staatsbesuch des Syrischen Präsidenten Assad in der Türkei
22.-24.02.2004	Offizieller Besuch von Bundeskanzler Schröder in der Türkei
24.04.2004	Zypern-Referendum über den "Annan-Plan": im türkisch-zyprischen Nordteil Zustimmung, wird aber vom griechisch-zyprischen Süden abgelehnt. Zypern tritt am 01.05.2004 als de facto geteilte Insel der EU bei.
07.05.2004	Verfassungsänderungen zur EU-Anpassung verabschiedet (u.a. Abschaffung der Staatssicherheitsgerichte)

**Checkliste Menschenrechte (Dezember 2003) – EU-Kommission  
(Zusammenstellung Arno Tausch)**

- die Vollstreckung zahlreicher Urteile des EGMR
- die generelle Einschränkung der Folter, wiewohl sie bereits bedeutend reduziert werden konnte
- das Recht auf Anwalt in jedem Fall garantieren
- die Rechte der Verteidigung vor Gericht in jedem Fall garantieren
- das Ende des unverhältnismässigen Gebrauch von Gewalt bei friedlichen Demonstrationen herbeiführen
- die Verfahren zur Bildung von friedlichen Vereinigungen weniger eingeschränkt gestalten
- das Verbot der kurdischen Parteien HADEP und DEHAP aufheben
- das Recht auf Religionsfreiheit ausweiten, u.a. bei der Rechtsfähigkeit der Religionsgemeinschaften, Verbote bei der Schulung von Geistlichen aufheben und ihre Eigentumsrechte garantieren
- die Aufhebung der Verbote anderssprachiger Sendungen in die Praxis umsetzen
- ernsthafte Anstrengungen zur Lösung des Problems der Binnenvertriebenen unternehmen

## Der weitere Weg in die EU (Recherche Arno Tausch)

Die Integration des Landes in die Strukturen der Europäischen Union wird ein schmerzhafter Prozess werden, der nach Meinung führender türkischer Ökonomen – wie Sübdiey Togan von der Bilkent University in Ankara<sup>1</sup> – vor allem in folgenden Bereichen in Form von massiven Kosten spürbar werden wird:

- Anpassung an die gemeinsame Agrarpolitik
- Liberalisierung der Dienstleistungen und der Versorgungsbetriebe
- Anpassung an den Acquis, insbesondere im Bereich Soziales und Umwelt

Die Türkei erwartet wiederum Vorteile in folgenden Bereichen

- Abschaffung der Verzerrungen im Preissystem
- Verbesserung der allokativen Effizienz des Ressourcen-Einsatzes
- Aufwertung des Investitionsstandortes Türkei
- EU-Strukturfonds
- langfristige Integration in den gemeinsamen Währungsraum
- Verbesserte Chancen zur Migration in den gemeinsamen Arbeitsmarkt der EU

Folgender Vergleich der wichtigsten sozialpolitischen UN-Kennziffern 2003 zeigt den noch bestehenden Entwicklungsabstand zu den Staaten der europäischen Union:

	<i>Türkei</i>
0,742	Humanentwicklung (Realeinkommen + Bildung + Lebenserwartung, reicht von 0 bis 1 – bester Wert)
<b>80,1</b>	<b>% des österreichischen Wertes</b>
6974	Realeinkommen (Kaufkraft in PPP \$)
<b>26,1</b>	<b>% des österreichischen Wertes</b>
0,312	Frauenmachtbeteiligung (relatives Fraueneinkommen + Beteiligung an der parlamentarischen Vertretung + Anteil an den administrativen und ökonomischen Leitungsfunktionen; reicht von 0 bis 1 – bester Wert)
<b>41,9</b>	<b>% des österreichischen Wertes</b>

Mit rund nur 26 % des Niveaus der Kaufkraft in Österreich in Österreich, mit nur 42 % der Erfolge Österreichs auf dem Gebiet der Chancengleichheitspolitik und mit nur 80 % des Niveaus der Humanentwicklung in Österreich ist bis zur EU-Mitgliedschaft der Nachholbedarf auf allen Gebieten der Sozialpolitik groß.

Die tiefste Wurzel des politischen Extremismus und der politischen Instabilität des Landes ist die Unterentwicklung des anatolischen Ostens und Südostens. Die reichste Provinz Kocaeli im Westen des Landes unweit Istanbul hat – berechnet nach dem Humanentwicklungsindex (HDI) des UNDP<sup>2</sup> – ein Entwicklungsniveau von 0.834, das ist fast der gleiche Wert wie der nationale Durchschnitt von Ungarn, der Slowakei und Polen. In gewisser Weise hat dort die Erweiterung der EU bereits stattgefunden, und diese Region befindet sich schon auf einem Niveau wie die Beitrittskandidaten in Mittel- und Osteuropa. Doch die Türkei ist ein Land mit zwei Ländern in sich. Das riesige unterentwickelte Ostanatolien wäre nach dem Beitritt eine Problemzone, die alles in den Schatten stellt, was die EU-Regionalpolitik in Andalusien, im italienischen Mezzogiorno und in Nordwest-Griechenland bislang zu bewältigen hatte. Die ärmste Provinz Sirnak an der irakischen Grenze hat ein Entwicklungsniveau von HDI 0.466, das ist der heutige nationale Durchschnitt von Madagaskar und Nigeria.

Heute erreicht die Türkei nur das durchschnittliche Humanentwicklungsniveau Portugals, des ärmsten Landes der EU, vor seinem EU-Beitritt. Innerhalb eines Vierteljahrhunderts hat sich der Entwicklungsabstand gegenüber Portugal, gemessen am Humanentwicklungsindex der Vereinten Nationen, auf 84 % des portugiesischen Niveaus verkürzt. Allerdings hat sich der absolute Unterschied zwischen beiden Staaten – nicht zuletzt aufgrund der positiven Wirkung der EU-Integration auf Portugal – seit dem Beitritt Portugals wieder vergrößert. Bei den meisten übrigen Sozialindikatoren bestehen noch ähnliche oder sozial noch grössere Unterschiede zu Portugal. In den letzten 10 Jahren hat sich das bisherige rasche Entwicklungstempo der Türkei verlangsamt, 1999 und 2001 schrumpfte die Wirtschaft beträchtlich.

## UNDP Sozialdaten 2004 (Zusammenstellung: Arno Tausch)

	HDI rank 2002 (177 countries)	GDP per capita rank 2002 (177 countries)	GDP per capita (PPP US\$) rank minus HDI rank (higher means better on HDI)	HDI value 2002	GDP per capita value (PPP US\$) 2002
<b>Turkey</b>	88	76	-12	0.751	6,390
<b>Southern Europe Countries</b>					
<b>Best performer in Southern Europe (Cyprus)</b>	30	31	1	0.883	18,360
<b>Worst performer in Southern Europe (Turkey)</b>	88	76	-12	0.751	6,390
Turkey is ranked 88th in the 2004 Human Development Report, with an HDI value of 0.751. Cyprus ranks first in the region, with a value of 0.883.					
<b>Life expectancy at birth (years) 2002</b>	<b>Combined primary, secondary and tertiary gross enrolment ratio (%) 2001/2002</b>		<b>GDP per capita (PPP US\$) 2002</b>		
1. Japan (81.5)	1. Sweden (114)		1. Luxembourg (61,190)		
2. Sweden (80.0)	2. Australia (113)		2. Norway (36,600)		
3. Hong Kong, China (SAR) (79.9)	3. United Kingdom (113)		3. Ireland (36,360)		
83. Ecuador (70.7)	107. Romania (68)		73. Suriname (6,590)		
84. El Salvador (70.6)	108. Colombia (68)		74. Romania (6,560)		
85. Romania (70.5)	109. United Arab Emirates (68)		75. Macedonia, TFYR (6,470)		
<b>86. Turkey (70.4)</b>	<b>110. Turkey (68)</b>		<b>76. Turkey (6,390)</b>		
177. Zambia (32.7)	176. Niger (19)		175. Sierra Leone (520)		

### Building the capabilities of women

	GDI rank (144 countries)	GDI value	HDI rank minus GDI rank	HDI value
<b>Turkey</b>	70			
0.746	2	0.751		
<b>Best performer in Southern Europe (Cyprus)</b>	30	0.875	0	0.883
<b>Worst performer in Southern Europe (Turkey)</b>	70	0.746	2	0.751
<b>Best performer in the world (Norway)</b>	1	0.955	0	0.956
<b>Worst performer in the world (Niger)</b>	144	0.278	2	0.292

Seats in parliament held by women (% of total)	Female administrators and managers (% of total)	Female professional and technical workers (% of total)	Estimated female earned income (PPP US\$)	Ratio of female earned income to male earned income																																			
<table border="1"> <tr><td>1. Sweden (45.3)</td></tr> <tr><td>2. Rwanda (45.0)</td></tr> <tr><td>3. Denmark (38.0)</td></tr> <tr><td>147. Armenia (4.6)</td></tr> <tr><td>148. Sri Lanka (4.4)</td></tr> <tr><td>149. Mauritania (4.4)</td></tr> <tr><td><b>150. Turkey (4.4)</b></td></tr> </table>	1. Sweden (45.3)	2. Rwanda (45.0)	3. Denmark (38.0)	147. Armenia (4.6)	148. Sri Lanka (4.4)	149. Mauritania (4.4)	<b>150. Turkey (4.4)</b>	<table border="1"> <tr><td>1. Philippines (58.1)</td></tr> <tr><td>2. Costa Rica (53.4)</td></tr> <tr><td>3. Fiji (50.6)</td></tr> <tr><td>76. Pakistan (8.7)</td></tr> <tr><td>77. Bangladesh (8.5)</td></tr> <tr><td>78. United Arab Emirates (7.8)</td></tr> <tr><td><b>79. Turkey (6.7)</b></td></tr> </table>	1. Philippines (58.1)	2. Costa Rica (53.4)	3. Fiji (50.6)	76. Pakistan (8.7)	77. Bangladesh (8.5)	78. United Arab Emirates (7.8)	<b>79. Turkey (6.7)</b>	<table border="1"> <tr><td>1. Lithuania (70.2)</td></tr> <tr><td>2. Estonia (68.5)</td></tr> <tr><td>3. Latvia (65.7)</td></tr> <tr><td>72. Iran, Islamic Rep. of (32.9)</td></tr> <tr><td>73. Occupied Palestinian Territories (32.7)</td></tr> <tr><td>74. Cambodia (32.6)</td></tr> <tr><td><b>75. Turkey (31.2)</b></td></tr> </table>	1. Lithuania (70.2)	2. Estonia (68.5)	3. Latvia (65.7)	72. Iran, Islamic Rep. of (32.9)	73. Occupied Palestinian Territories (32.7)	74. Cambodia (32.6)	<b>75. Turkey (31.2)</b>	<table border="1"> <tr><td>1. Luxembourg (33,517)</td></tr> <tr><td>2. Norway (31,356)</td></tr> <tr><td>3. United States (27,338)</td></tr> <tr><td>55. Gabon (4,937)</td></tr> <tr><td>56. Mexico (4,915)</td></tr> <tr><td>57. Romania (4,837)</td></tr> <tr><td><b>58. Turkey (4,757)</b></td></tr> </table>	1. Luxembourg (33,517)	2. Norway (31,356)	3. United States (27,338)	55. Gabon (4,937)	56. Mexico (4,915)	57. Romania (4,837)	<b>58. Turkey (4,757)</b>	<table border="1"> <tr><td>1. Kenya (0.90)</td></tr> <tr><td>2. Sweden (0.83)</td></tr> <tr><td>3. Cambodia (0.77)</td></tr> <tr><td>46. Barbados (0.61)</td></tr> <tr><td>47. Mali (0.61)</td></tr> <tr><td>48. Central African Republic (0.60)</td></tr> <tr><td><b>49. Turkey (0.60)</b></td></tr> </table>	1. Kenya (0.90)	2. Sweden (0.83)	3. Cambodia (0.77)	46. Barbados (0.61)	47. Mali (0.61)	48. Central African Republic (0.60)	<b>49. Turkey (0.60)</b>
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163. United Arab Emirates (0.0)	83. Saudi Arabia (0.9)	84. Fiji (9.5)	153. Sierra Leone (337)	153. Saudi Arabia (0.21)																																			

## Kaufkraft der ärmsten 20% in Europa (Recherche Arno Tausch)

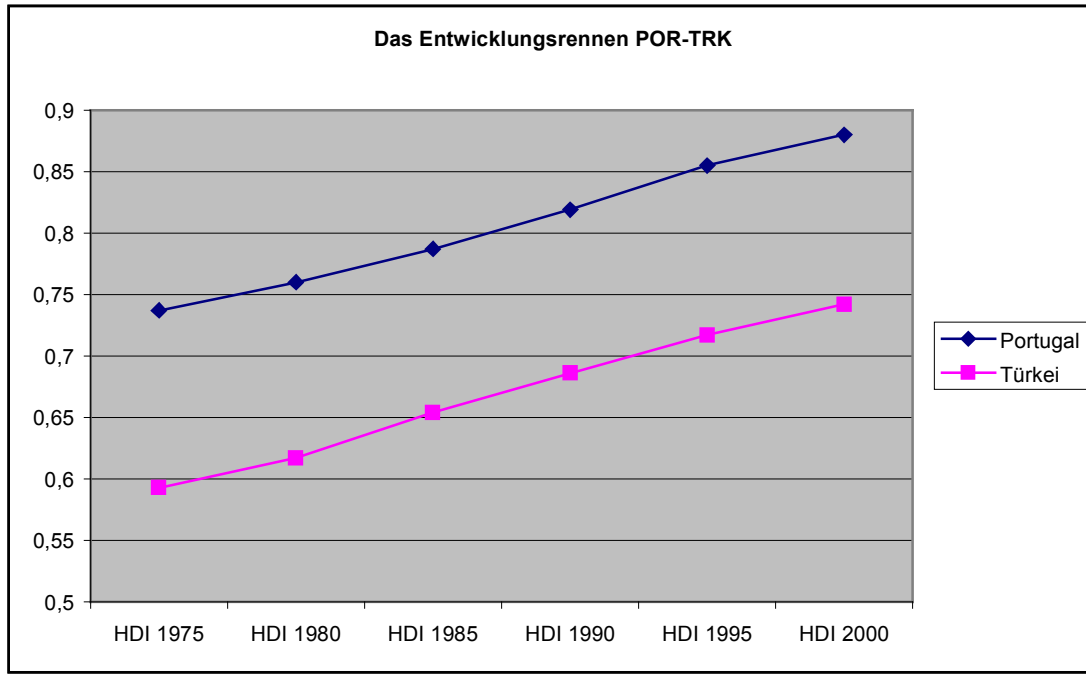
geordnet nach der Kaufkraft der ärmsten 20%

Land	Kaufkraft der ärmsten 20% in \$ pro Kopf und Jahr	Weltrang der Kaufkraft der ärmsten 20%
Luxemburg	21512	1
Finnland	12337	4
Dänemark	12035	5
Schweden	11002	6
Irland	10857	7
Belgien	10591	8
Niederlande	9924	9
<b>Österreich</b>	<b>9356</b>	<b>12</b>
Frankreich	8636	14
<b>Slowenien</b>	<b>7794</b>	<b>15</b>
<b>Tschechien</b>	<b>7581</b>	<b>16</b>
Spanien	7556	17
Italien	7401	19
Großbritannien	7369	20
Deutschland	7225	21
Griechenland	6191	24
<b>Ungarn</b>	<b>6170</b>	<b>25</b>
Portugal	5264	29
<b>Slowakische Republik</b>	<b>5262</b>	<b>30</b>
<b>Polen</b>	<b>3686</b>	<b>32</b>
<b>Estland</b>	<b>3560</b>	<b>33</b>
<b>Litauen</b>	<b>3346</b>	<b>34</b>
<b>Lettland</b>	<b>2937</b>	<b>36</b>
<b>Rumänien</b>	<b>2390</b>	<b>40</b>
<b>Bulgarien</b>	<b>2308</b>	<b>41</b>
<b>Türkei</b>	<b>1796</b>	<b>49</b>

Quelle: eigene Berechnungen aus UNDP, 2003

## Das Entwicklungsrennen Türkei – Portugal (Zusammenstellung Arno Tausch)

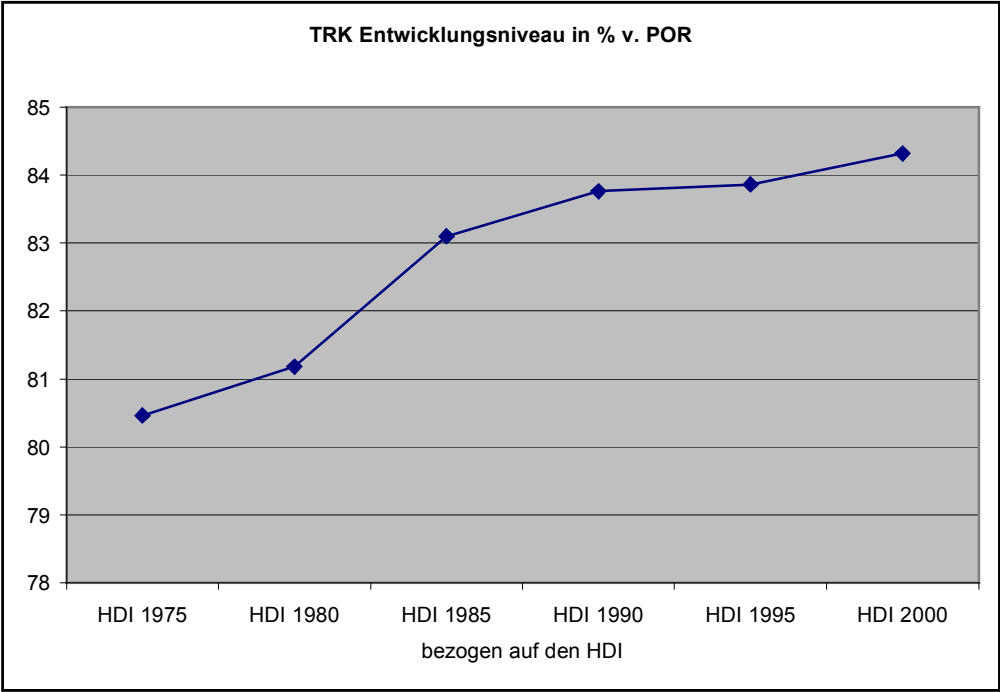
Der Entwicklungsabstand der Türkei zum ärmsten EU-Land Portugal



Humanentwicklungsindex des UNDP: Er kombiniert – wie bereits erwähnt - Realeinkommen, Bildung, Lebenserwartung und reicht von 0 (schlechtester Wert) bis 1 (bester Wert). Eigene Berechnungen aus <http://hdr.undp.org/reports/global/2002/en/indicator/indicator.cfm?File=index.html>

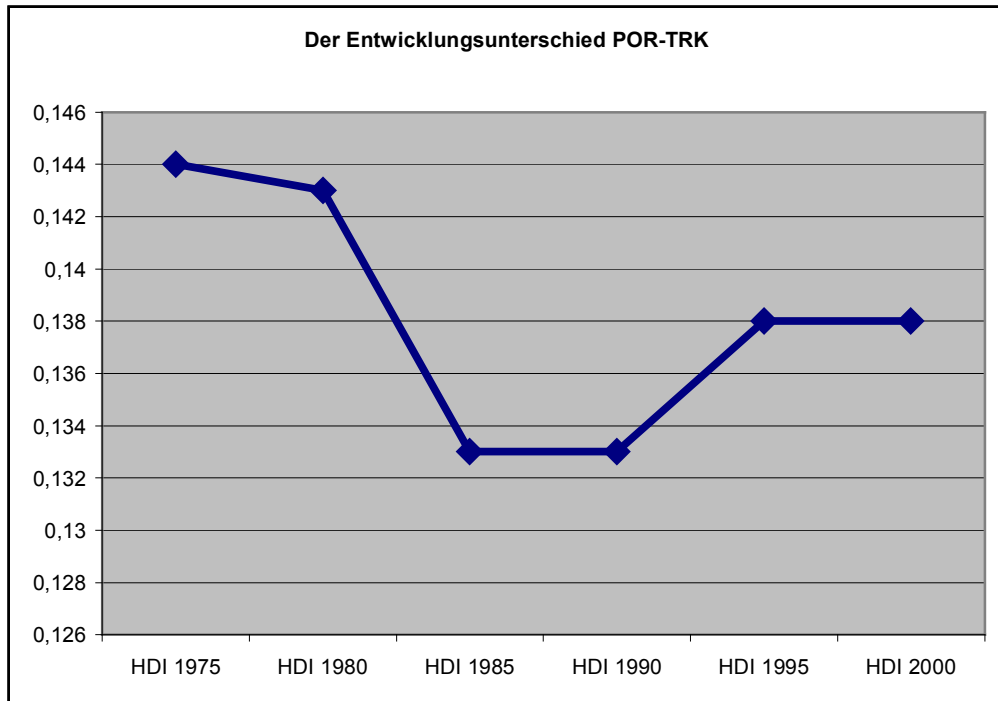


Das Entwicklungsniveau der Türkei in % des Niveaus von Portugal



Humanentwicklungsindex des UNDP. Eigene Berechnungen aus <http://hdr.undp.org/reports/global/2002/en/indicator/indicator.cfm?File=index.html>

Seit der EU-Integration Portugals am 1. 1. 1986 hat sich der absolute Entwicklungsabstand der Türkei gegenüber Portugal leider nicht mehr verringert.



Humanentwicklungsindex des UNDP: Eigene Berechnungen aus <http://hdr.undp.org/reports/global/2002/en/indicator/indicator.cfm?File=index.html>

## Lage der Frauen (Zusammenstellung Arno Tausch)

Türkinnen und Türken sind einander noch nicht völlig gleichgestellt. Türkische Frauen erleben z.B. auf dem Arbeitsmarkt, bei der Entlohnung, in Bildungsfragen und hinsichtlich ihrer Repräsentanz in der Politik deutlich schlechtere Bedingungen. Allerdings differiert die Lage türkischer Frauen je nach Region und Herkunft deutlich. Durch ein im November 2001 verabschiedetes neues Zivilgesetzbuch wurde das türkische Familienrecht reformiert und vor allem die Gleichberechtigung der Frau in der Ehe gestärkt (z.B. durch Wegfall der Stellung des Mannes als Familienoberhaupt und Einführung der Zugewinnngemeinschaft als gesetzlicher Güterstand). Nur 78 % der erwachsenen Frauen des Landes sind lesekundig – im Vergleich dazu liegt die Rate bei den Männern bei 94 % (US-Außenamt, 2002).

Das US-Außenamt bestätigt auch in seinem Menschenrechtsbericht 2003, der Februar 2004 erschien, dass Praktiken der sexuellen Folter gegen weibliche Häftlinge zur bedauerlichen Praxis im Lande gehören:

*HRF (Human Rights Foundation) estimated there were approximately 920 credible applications by torture victims at its 5 national treatment centers during the year, compared with 965 in 2002. These figures did not necessarily reflect trends in the use of torture. The reports included complaints stemming from previous years' incidents. Human rights advocates claimed that hundreds of detainees were tortured during the year in the southeast, where the problem was particularly serious, but that only 5 to 20 percent reported torture because they feared retaliation or believed that complaining was futile.*

*In June, Gulbahar Gunduz, member of the DEHAP Women's Wing in Istanbul, said she was tortured and raped by four men identifying themselves as police officers. The case was under investigation at year's end. In April, Ruhsel Demirbas, Ugur Atilgan and Senol Budak held a press conference in Istanbul in which they claimed police beat them, deprived them of sleep, and repeatedly threatened to kill them after arresting them for hanging anti-war placards.*

*Human rights observers said that, because of reduced detention periods, security officials mostly used torture methods that did not leave physical traces, including repeated slapping; exposure to cold; stripping and blindfolding; food and sleep deprivation; threats to detainees or family members; dripping water on the head; squeezing of the testicles; and mock executions. They reported a significant reduction over past years in methods such as electric shocks, high-pressure cold water hoses, beatings on the soles of the feet (falaka) and genitalia, hanging by the arms, and burns. The Human Rights Association (HRA) reported that women detainees were sometimes subject to rape, including vaginal and anal rape with truncheons, and sexual harassment.*

*Female detainees sometimes faced sexual humiliation and, less frequently, more severe forms of sexual torture. After being forced to strip in front of male officers, female detainees were sometimes touched, insulted, and threatened with rape.*

*Human rights attorneys and physicians who treated torture victims said torture generally occurred during police or Jandarma detention before detainees appeared in court. Because the arresting officer was responsible for interrogating a suspect, officers sometimes resorted to torture to obtain a confession that would justify the arrest. In one example, the European Roma Rights Center reported that, in February, police in Edirne beat and tortured with electric shocks a 14-year-old Romani boy suspected of stealing a wallet (see Section 5).*

*Although the law prohibits evidence obtained under torture from being used in court, in practice prosecutors rarely followed up on detainees' allegations of torture. When prosecutors did follow up on such allegations, the detainee's trial often proceeded, and was sometimes completed, before the start of the torture trial. Treatment of those arrested for ordinary crimes (who were sometimes beaten until they gave a confession) and those arrested for "political" crimes reportedly differed. Observers said that security officials often tortured political detainees to intimidate them and send a warning to people with certain political views.*

Darüber hinaus wird im Bereich der Chancengleichheitspolitik ein gewaltiges Stück Weges zurückzulegen sein. Wie das US-Außenamt in seinem Menschenrechtsbericht 2003, erschienen 2004 schreibt:

*Violence against women remained a problem, and spousal abuse was serious and widespread. The law prohibits spousal abuse; however, complaints of beatings, threats, economic pressure, and sexual violence continued. Citizens of either sex could file civil or criminal charges for abuse but rarely did so. The Law for Protection of Family provides that victims of spousal violence may apply directly to a judge for assistance. The law authorizes judges to warn abusive spouses and order them to stay away from the household for 6 months. Judges may order further punishments for those who violate such orders. According to women's rights advocates, authorities enforced the law effectively, although outside of major urban areas, few spouses sought assistance under the law.*

*According to the Family Research Institute in the Prime Minister's office, beating in the home was one of the most frequent forms of violence against women. In March, Istanbul Bilgi University announced the results of a study involving a sample group of 6,440 married or divorced women in 25 provinces. According to the study, 31.5 percent of the women were beaten by their husbands; 21.5 percent were beaten by their fathers before being married; and 41 percent entered into arranged marriages. Approximately 35 percent of the group said they would file a complaint if their husbands beat them, up from 29 percent in a similar 1997 survey.*

*Spousal abuse was considered an extremely private matter involving societal notions of family honor, and few women went to the police. Police were reluctant to intervene in domestic disputes and frequently advised women to return to their husbands.*

*The law allows women to apply for restraining orders against their husbands and therefore to avoid having to leave their own homes. Observers and government officials noted that this provision has been very successful in some of the cities and rural areas of the country, but less so in the more traditional southeast. The law is limited to spouses and does not address some other sources of violence, such as in-laws.*

*The law prohibits rape; however, laws and ingrained societal notions made it difficult to prosecute sexual assault or rape cases. Women's rights advocates believed cases of rape were underreported.*

*According to women's rights advocates, there were nine government-operated guest houses and two NGO-operated shelters that provided services to battered women; in addition, the Child Protection and Social Services Agency provided legal services to victims of domestic violence through 53 community centers.*

Darüber hinaus muss auch die gesellschaftliche Praxis der 'honor killings' zum Verschwinden gebracht werden:

*"Honor killings"--the killing by immediate family members of women suspected of being unchaste--continued in rural areas and among new immigrants to cities; according to media reports, there could be dozens of such killings every year. They were most common in conservative, Kurdish families in the southeast or among migrants from the southeast living in large cities. In July, Parliament revoked a law under which perpetrators of honor killings received reduced sentences. However, Parliament left intact another law allowing for reduced sentences for crimes committed "in the heat of anger" or under "unjust provocation." Women's rights advocates said perpetrators of honor killings continued to benefit from sentence reductions under this law. Because of sentence reductions for juvenile offenders, observers noted that young male relatives often were designated to perform the killing.*

*According to the women's advocacy group Flying Broom, honor killings and other problems confronting women were more intensely debated in the media and in society than in previous years. TRT television broadcast a 3-month series of daily programs on women's issues during the year.*

*In June, Semse Allak died from injuries suffered when she was stoned by relatives in Mardin Province for becoming pregnant by Halil Acil, who was killed in the same attack. Allak's unborn child also died. Two relatives were charged for the killings. The case continued at year's end. In November, a 15-year-old girl in Diyarbakir died after being attacked by her 16-year-old brother for becoming pregnant out of wedlock. The brother was detained, and the case continued at year's end.*

*Human rights organizations continued to report a high rate of suicides among young girls, particularly in the southeast and east. Observers said forced marriages and economic problems contributed to the suicides. A 2001 study in Batman Province concluded that an early marriage could be a catalyst to suicide for young girls with physical and psychological problems.*

*Unlike in previous years, HRF (Human Rights Foundation) recorded no reports of forced "virginity testing."*

*Prostitution was legal; however, police made numerous arrests involving foreigners working illegally as prostitutes. Trafficking in women was a problem (see Section 6.f.).*

*The Association of Turkish Female Lawyers and other women's rights advocates criticized some articles of the Penal Code as discriminatory to women. Discriminatory Penal Code articles provide that: Rape is considered a crime against society, rather than a crime against the individual; rape between spouses is not legally considered rape; rapists and kidnappers may avoid punishment if they marry their victims; and punishment for rape is greater if the victim is married, lesser if the victim is single, and even less if the victim is single and not a virgin. Ambassador Hansjorg Kretschmer, Head of the European Commission Representation to the country, said in a December speech that the Penal Code "fails to offer the basic necessary amendments needed to recognize and protect women's human rights."*

*Parliament has not revised its internal code to conform with its January 2002 overturning of a regulation that prohibited female civil servants from wearing pants in the workplace.*

*The Directorate General on the Status and Problems of Women, under the authority of the State Minister for Women's and Children's Affairs, was responsible for promoting equal rights and raising awareness of discrimination against women. The Government has not adopted organizing legislation for the Directorate General, which was set up in 1990; as a result, it has not been able to expand beyond its limited staff of 42.*

*Particularly in urban areas, women were well represented in the professions, business, and the civil service and constituted more than one-third of university students. However, they continued to face discrimination in employment to varying degrees. Women were generally underrepresented in managerial-level positions as well as in government (see Section 3). Women generally received equal pay for equal work in professional, business, and civil service positions, although a large percentage of women (as well as men) employed in agriculture and in the trade, restaurant, and hotel sectors worked as unpaid family labor.*

*According to a UNICEF report released during the year, the literacy rate for women in 2000 was 77 percent, compared with 94 percent for men. However, in rural areas the rate could be as low as 50 percent for women. One reason for the higher rate for men was that men must serve in the army; if they did not know how to read, they were taught upon entry. In addition, families in rural areas often attached greater importance to the education of boys than girls.*

*Independent women's groups and women's rights associations existed but have not significantly increased their numbers or activities, mostly due to funding problems. There were many women's committees affiliated with local bar associations. Other organizations included the Association for Supporting and Training Women Candidates (Ka-Der), Flying Broom, the Turkish Women's Union, and the Foundation for the Evaluation of Women's Labor. Women continued to be very active in ongoing debates between secularists and more religiously oriented women, particularly with respect to the right to choose whether to wear religious head coverings in public places, such as government offices and universities (see Section 2.c.).*

## Sozialpolitik (Recherche Arno Tausch)

In osmanischer Zeit übernahmen die Stiftungen Funktionen der sozialen Sicherheit. Die Geschichte der Gründung eines modernen Systems der sozialen Sicherheit dagegen reicht in der Türkei rund 50 Jahre zurück<sup>3</sup>. Im Artikel 60 der türkischen Verfassung heißt es:

"Jeder hat das Recht auf soziale Sicherheit. Der Staat ergreift die erforderlichen Maßnahmen für diese Sicherheit und richtet die nötigen Institutionen ein".

Lt. US-Außenamt haben ca. 20 % der Familien noch keinen Zugang zu Systemen der sozialen Sicherheit. Nur 13 % der türkischen Arbeitskräfte gehören Gewerkschaften an. Das Streikrecht besteht, kann aber aus Gründen der nationalen Sicherheit wesentlich eingeschränkt werden. Das Streikrecht in der Erdölindustrie, im Erziehungswesen, im Gesundheitswesen, und in der Verteidigungsindustrie besteht nicht. Kinderarbeit ist weit verbreitet. Das US-Außenamt beruft sich in seiner Aussage, wonach 1.07 Millionen Kinder des Landes zwischen 6 und 14 arbeiten, sowie 2.4 Millionen Kinder zwischen 15 und 17, auf Studien der UNICEF. I.e. 6 % der Kinder < 14 und 60 % der Kinder < 17 arbeiten. Mehr als 1.4 Millionen Kinder im schulpflichtigen Alter besuchen die Schulen nicht mehr. Allerdings arbeitet die Regierung des Landes mit der ILO eng zusammen, um das Problem der Kinderarbeit zu lösen.

Die Altersversicherung geht in ihren Ansätzen auf das Gesetz aus dem Jahre 1949 zurück; 1957 wurden die Invaliditätspensionen und die Hinterbliebenenpensionen eingeführt; 1964 und 1983 erfolgte die Einbeziehung der Arbeitskräfte in der Landwirtschaft in das System der sozialen Sicherheit.

Für Inländer in der Industrie, im Handel und in den Dienstleistungen besteht eine Pflichtversicherung, Angestellte und Arbeiter aus dem Ausland, die in der Türkei leben, können sich freiwillig versichern lassen. Besondere Systeme bestehen für den öffentlichen Sektor, die Selbstständigen, Bauern, Landarbeiter, sowie für den Banken- und Versicherungssektor und die Arbeitskräfte der Börse.

Nur die Grundzüge des Systems können hier dargestellt werden:

**Alters- und Hinterbliebenenpensionen:** AN (Arbeitnehmer) 9 % des Bruttoeinkommens Beitragsgrundlage; AG (Arbeitgeber) 11 %

**Pensionsantritt:** Männer > 60, Frauen > 58 und 5000 Tage Beitragszahlungen oder 15 Versicherungsjahre und 3600 Beitragstage; kein Alterslimit bei 25 Versicherungsjahren und 5000 Beitragstagen

**Pensionsleistung:** 50 % der Durchschnittseinkommen des Versicherten (inflationsbereinigt) während der letzten 5 Jahre oder 59.9 % der Durchschnittseinkommen des Versicherten (inflationsbereinigt) während der letzten 10 Jahre

**Krankenversicherung:** AN 5 % des Bruttoeinkommens Beitragsgrundlage, AG 6 % des Bruttoeinkommens. Versicherungsleistung: 50 % des Einkommens

Im Rahmen des Artikels 60 der türkischen Verfassung sind drei grundlegende Institutionen zur sozialen Sicherheit vom Staat gegründet worden: Die für die soziale Sicherheit der Arbeiter und Angestellten zuständige Anstalt für Sozialversicherung (SSK), die für die Beamten im öffentlichen Dienst zuständige Rentenkasse ("T.C. Emekli Sandığı") und die Versicherungsanstalt für Kleinunternehmer, selbstständige Handwerker und andere Freiberufliche 'Bağ-Kur'. Außerdem gibt es eigene Rentenkassen von Banken, Versicherungen und Industrie- und Handelskammern, die für ihr Personal im Invaliden-, Alters- und Todesfall aktiv werden.

Die staatliche Last der sozialen Sicherheit ist auf die drei wichtigen Versicherungsanstalten "Emekli Sandığı", SSK und 'Bağ-Kur' verteilt.

Das Verhältnis zwischen aktiven und passiven Versicherten beträgt nach den Daten von 1999 in der Rentenkasse (Emekli Sandığı) 1:1,69, in der Anstalt für Sozialversicherung 1:2,21 und in Bağkur 1:2,60.

Die 1983 neustrukturierte 'Anstalt für soziale Dienstleistungen und Kinderschutz' ist die größte Sozialhilfeeinrichtung in der Türkei. Diese Institution unterhält für schutz- und pflegebedürftige Menschen, Kindergärten, Heime, Altersheime, und Pflege- und Rehabilitationsstätten. Ferner betreibt diese Anstalt Projekte, die die Solidarität zwischen jungen und alten Menschen fördern sollen, und mit freiwilligen Organisationen.

1997 nahm das dem Ministerpräsidialamt unterstehende 'Amt für Behinderte' seine Arbeit auf. Es hat die Aufgabe, bei der Entwicklung einer nationalen Behinderten-Politik behilflich zu sein, die Zusammenarbeit und Koordination zwischen nationalen und internationalen Einrichtungen herzustellen und die Probleme der Behinderten festzustellen. Zu den Aktivitäten dieses Amtes gehört die Herstellung einer Koordination zwischen den Institutionen, die zu einer Verhinderung von Behinderungen beitragen, die Schaffung einer gesellschaftlichen Sensibilität und Aufmerksamkeit für die Bereiche der Ausbildung, der Beschäftigung und Rehabilitation von Behinderten, die Errichtung einer Datenbank für Behinderte und über Dienstleistungen für Behinderte, sowie die Beseitigung von physischen oder bautechnischen Behinderungen gegen Behinderte.

In ökonomischer und sozialer Hinsicht mittellosen Menschen hilft der 1986 eingerichtete 'Förderungsfond für soziale Hilfe und Solidarität'. Aus ihm werden Stipendien für einkommensschwache und ausländische Studenten finanziert, armen Menschen ohne sozialen Schutz medizinische Hilfen erteilt und Verluste beglichen, die durch Naturkatastrophen oder Terror entstanden sind. Diese und andere Sozialhilfen leistet dieser Fond über 931 'Stiftungen für soziale Hilfe und Solidarität'. Die absolute Armut im Land ist – egal nach welchen Kriterien bemessen – sehr hoch:



**UNDP – Statistik % der Bevölkerung unter 2 \$ pro Kopf und Tag (Recherche Arno Tausch):**

Estonia	5,2
Uruguay	6,6
Hungary	7,3
Jordan	7,4
Morocco	7,5
Lithuania	7,8
Latvia	8,3
Chile	8,7
Azerbaijan	9,6
Tunisia	10
Algeria	15,1
Kazakhstan	15,3
Dominican Republic	16
<b>Turkey</b>	<b>18</b>
Bulgaria	21,9
Russian Federation	25,1
Jamaica	25,2
Costa Rica	26
Brazil	26,5
Uzbekistan	26,5
Romania	27,5
Thailand	28,2
Panama	29
Ukraine	31
Guatemala	33,8
Armenia	34
Bolivia	34,3
South Africa	35,8
Colombia	36
Mexico	37,7
Moldova, Rep. of	38,4
Trinidad and Tobago	39
Peru	41,4
Turkmenistan	44
El Salvador	44,5
Honduras	45,1
Yemen	45,2
Sri Lanka	45,4
Venezuela	47
Paraguay	49,3
Côte d'Ivoire	49,4

Mongolia	50
Ecuador	52,3
China	52,6
Egypt	52,7
Indonesia	55,3
Namibia	55,8
Tanzania, U, Rep, of	59,7
Botswana	61,4
Kenya	62,3
Zimbabwe	64,2
Cameroon	64,4
Lesotho	65,7
Senegal	67,8
Mauritania	68,7
Lao People's Dem, Rep,	73,2
Sierra Leone	74,5
Ethiopia	76,4
Bangladesh	77,8
Mozambique	78,4
Ghana	78,5
Nepal	82,5
Gambia	82,9
Madagascar	83,3
Central African Republic	84
Rwanda	84,6
Pakistan	84,7
Niger	85,3
Burkina Faso	85,8
India	86,2
Zambia	87,4
Mali	90,6
Nigeria	90,8

Lt. Türkischem Erziehungsministerium gibt es nicht weniger als 1.1 Millionen behinderte Kinder im Land. Wiewohl Firmen mit mehr als 50 Beschäftigten 2 % ihrer Arbeitskräfte Behinderte sein müssen, besteht kein System von Ausgleichstaxen. Es gibt auch keine Bestimmungen, die den Zugang von Behinderten zu Gebäuden und dem öffentlichen Transport regeln.

## **Gesundheitspolitik (Recherche Arno Tausch)**

Zu den Hauptproblemen der türkischen Gesundheitspolitik zählen lt. WHO Infektionskrankheiten bei Kindern < 5 Jahren, die Folgen der Mangelernährung in Gebieten oder Stadtvierteln, in denen eine hohe Armut herrscht, Herzerkrankungen, Unfälle, sowie Erkrankungen der Atemwege, u.a. in den Großstädten (bedingt durch die Umweltverschmutzung). Von 140 Staaten der Welt mit kompletten Daten hat die Türkei Rang 88 bei der Müttersterblichkeit. Sie liegt mit 130 pro 100.000 Lebendgeburten bei weitem noch immer zu hoch.

In den 90-er Jahren wuchsen in der Türkei die Investitionen im Bereich der Gesundheit weiter an, um heute zu stagnieren<sup>4</sup>. Zwischen 1989 und 1999 wurden in der Infrastruktur im Bereich des Gesundheitswesens wichtige Verbesserungen erzielt. In dieser Periode stieg die Zahl der Betten in den Krankenhäusern auf mehr als 133.000 auf 168.716; die Zahl der staatlichen Polikliniken stieg von 3.000 auf 5.608; die Zahl der sanitären Stationen erhöhte sich von 10.000 auf 12.605. Die durchschnittliche Lebensdauer stieg in der selben Zeitspanne von 66 Jahre auf 69 Jahre im Jahre 1999. Die Säuglingssterblichkeit ging von 62,2 Promille auf 36,3 Promille zurück. Ferner stieg die Zahl des Arbeitspersonals im medizinischen Sektor an; die Zahl der Menschen pro Arzt ging von 1.190 auf 806 im Jahre 1999, pro Krankenschwester von 1.281 auf 763 und pro Pharmazeut von 3.655 auf 3.094 zurück. Die Zahl der Krankenhäuser betrug 1999 einschließlich der privaten Einrichtungen 1.208; die Ausschöpfung der Bettenkapazitäten betrug um die 60 %. Die Zahl der Menschen pro Arzt, Zahnarzt, Pharmazeut und Krankenschwester ging in den letzten Jahren erheblich zurück.

Dienstleistungen im Gesundheitswesen werden auch gegenwärtig überwiegend von öffentlichen Institutionen geleistet. 93,3 % der Bettenkapazität sowie fast alle vorbeugenden medizinischen Dienste werden vom Staat geleistet. Zur weiteren Verbreitung des Angebots an medizinischen Dienstleistungen wurde ein Pilotprojekt zur Etablierung von Hausärzten geplant. Ferner halten die Arbeiten für ein grundlegendes medizinisches Dienstleistungsmodell für Großstädte an, das integrierte Dienste leisten soll. Mit der sogenannten "Grünen Karte" erhielten bis Ende 1999 rund 8,5 Millionen Personen mit geringen Einkommen eine Garantie für stationäre Behandlung.

Die medizinische Betreuung von Müttern mit Säuglingen, die Sexualmedizin, die psychische Gesundheit, Ernährung, Mund und Zahnhygiene, Impfungen, die Bekämpfung von Epidemien, erste Hilfe und Nothilfe, die Arbeits- und Arbeitergesundheit, der Schutz von Jugendlichen vor Drogen, die Umweltgesundheit, die Integration der gesundheitlichen Erziehung mit den grundlegenden medizinischen Dienstleistungen und schließlich die Verbreitung und Kontinuität der Dienstleistungen zählen laut offiziöser Selbstdarstellung zu den wichtigen Prinzipien der türkischen Gesundheitspolitik.

Die Ausgaben für den Gesundheitssektor in der Türkei stiegen besonders in den 90er Jahren sehr rasch. Der Anteil der Ausgaben des Gesundheitssektors am Bruttosozialprodukt 1990 von 3,5 % betrug 1998 4 %. Der Anteil der staatlichen

Ausgaben im Bereich Gesundheit an den gesamten Ausgaben im Gesundheitssektor betrug 1990 61.9 % und 1998 63 %. Auch die Gesundheitsausgaben pro Person zeigten einen steigenden Trend, und erhöhten sich von 95 Dollar 1990 auf 140 Dollar 1998. Im Haushalt von 1999 nahm der Gesundheitssektor einen Anteil von 2.3 % ein. 2001 betrug sein Anteil 2.66 %, 2002 nur noch 2.4 %.

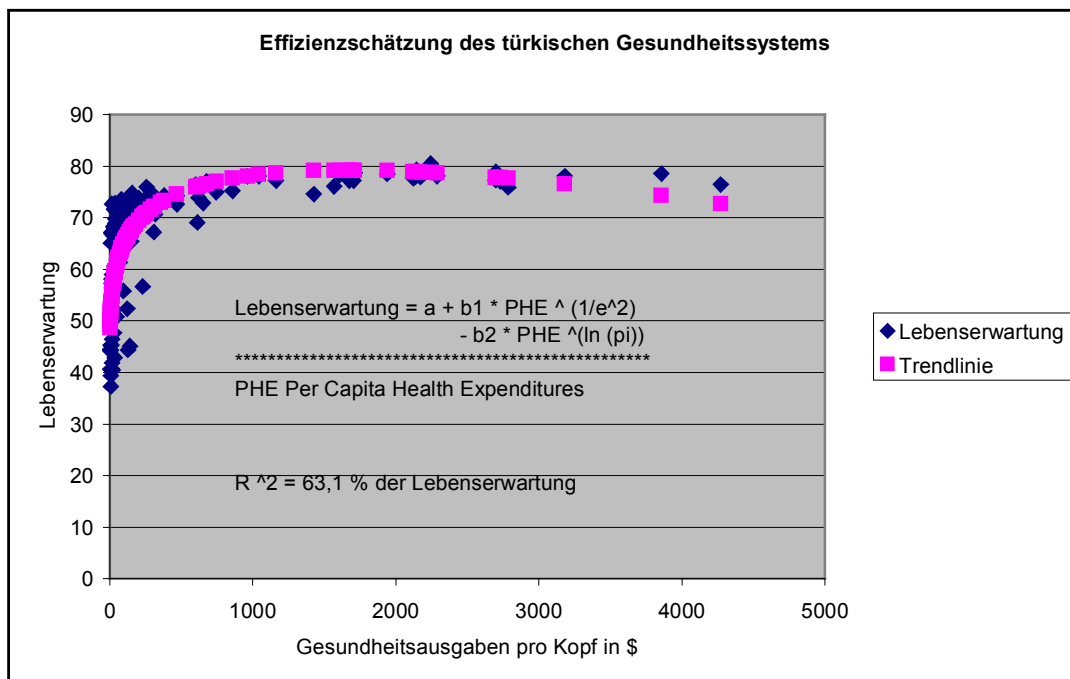
Parallel zu einer Förderung von privaten Investitionen im Gesundheitswesen in der Türkei erhöhen sich auch tatsächlich die privaten Investitionen. Die Investitionen des Privatsektors umfassten jedoch überwiegend die ambulante Behandlung. Der private Sektor investierte dagegen nur sehr wenig in die Produktion von medizinischen Geräten, Impfstoffen, Seren, Blut und Blutprodukte sowie für Krankenhäuser. Nur 19 % der Krankenhäuser in der Türkei und 6,6 % der Bettenkapazität der Krankenhäuser gehören dem Privatsektor an.

Das vom Gesundheitsministerium ausgearbeitete Projekt zur Gesundheitsreform gehörte zu den grundlegenden strukturellen Veränderungsprojekten im, die Zeitspanne von 1996 bis 2000 umfassenden '7. Fünfjährigen Entwicklungsplan'. Die Grundprinzipien der Arbeiten im Rahmen der Gesundheitsreform können wie folgt zusammengefasst werden:

- Die Einführung der Allgemeinen Krankenversicherung in kürzester Zeit, damit im Sinne der Gleichberechtigung aller Bürger die medizinischen Dienstleistungen für alle erreichbar werden,
- Die Trennung von Institutionen, die medizinische Dienstleistungen erbringen und von Institutionen, die diese Dienstleistungen finanzieren. In diesem Sinne soll nicht die Institution, die die Dienstleistung erbringt, sondern derjenige, der auf diese Dienstleistung angewiesen ist, finanziell unterstützt werden.
- Die Gewährung von Autonomie an Krankenhäuser, um die Qualität und Effektivität der Dienstleistungen zu erhöhen. Die Krankenhäuser sollen in Gesundheitsunternehmen überführt werden, die ihre Ausgaben durch die Einkommen decken können und administrativ nicht von einer Zentrale abhängig sind. Somit soll eine Konkurrenz unter staatlicher Aufsicht entstehen.
- Die Einführung des Hausarztmodells, durch das Krankheiten vorgebeugt und die Gesundheit geschützt werden kann.
- Das Ministerium für Gesundheit soll derart neu strukturiert werden, dass es, anstatt Aufgaben in der medizinischen Behandlung zu übernehmen, die Prinzipien der nationalen Gesundheitspolitik entwickelt, Standards für Dienstleistungen festlegt und medizinische Leistungen nur im Bereich der medizinischen Vorbeugung erbringt.

Die Anpassung der Bestimmungen zum Gesundheitswesen an die medizinischen Normen der Europäischen Union gehörten und gehören zu den vorrangigen Zielen der türkischen Regierungen. Auch die Inangriffnahme der "Ziele im Gesundheitswesen für das 21. Jahrhundert" der Weltgesundheitsorganisation gehört zu den gegenwärtigen Aktivitäten des Gesundheitsministeriums.

Eine quantitative Effizienzmessung des türkischen Gesundheitssystems ergibt im Vergleich mit den übrigen Beitrittskandidatenstaaten, der EU 15 und weiteren ausgewählten Vergleichsstaaten folgende Perspektive. Im Vergleich mit einer Funktion über den Einfluss der Höhe der Prokopf-Gesundheitsausgaben auf die Lebenserwartung, die – auch Hinblick auf alternative Formulierungen der Forschungsabteilungen der Weltbank, der ILO sowie von Professor Joshua Goldstein in *World Development* - am besten den Trade-Off zwischen Entwicklungsniveau Lebenserwartungsentwicklung zu reflektieren scheint, setzt das öffentliche und private Gesundheitswesen der Türkei die knappen Mittel – nur 153 \$ nach Kaufkraftparität pro Kopf und Jahr – relativ effizient ein; die Lebenserwartung der Türkei - 69 Jahre – liegt um 1,3 Jahre über der Trendlinie. Nach dieser Schätzmethode haben Finnland, das Vereinigte Königreich, Slowenien, Portugal und Irland ihre erheblichen Gesundheitsausgaben – in Irland 1569 \$ pro Kopf und Jahr – relativ schlecht in eine erhöhte Lebenserwartung umgesetzt; die durch die Lebenserwartung gemessene ‚public health‘ ist in Irland um 3,1 Jahre schlechter als der Punkt auf der die Lebenserwartung zu 63,1 % zu erklärenden Trendlinie. Kein einziges EU-Land qualifiziert sich für die Türkei nach dieser Berechnung als wirkliches „best-practice-country“, gängige Thesen aus dem Schrifttum bewahrheiten sich in diesem Falle nicht.



Land	Gesundheitsausgaben pro Kopf	Lebenserwartung	Punkt auf der Trendlinie	Effizienz (Spalte 2 - 3)
Bulgaria	62	70,8	62,2266223	8,6
Romania	86	69,8	64,1607658	5,6
Switzerland	3857	78,6	74,3186225	4,3
United States	4271	76,5	72,7388994	3,8
Lithuania	183	71,4	68,7998816	2,6

Poland	248	72,8	70,6960907	2,1
Japan	2243	80,5	78,7473876	1,8
Norway	3182	78,1	76,5664335	1,5
Latvia	166	69,6	68,191998	1,4
Turkey	153	69	67,6847138	1,3
Slovakia	285	72,8	71,5583468	1,2
Iceland	2701	78,9	77,8519693	1
Czech Republic	380	74,3	73,3109049	1
Sweden	2145	79,3	78,8870468	0,4
Greece	965	78	78,0881759	-0,1
Spain	1043	78,1	78,3624107	-0,3
Australia	1714	78,7	79,2210646	-0,5
Germany	2697	77,3	77,8613148	-0,6
France	2288	78,1	78,6765129	-0,6
Canada	1939	78,5	79,1086354	-0,6
Estonia	243	70	70,5693386	-0,6
Luxembourg	2731	77	77,7811078	-0,8
Netherlands	2173	77,9	78,8492592	-0,9
Israel	1607	78,3	79,2185422	-0,9
Belgium	2137	77,9	78,8975239	-1
Italy	1676	78,2	79,2246671	-1
Austria	2121	77,7	78,9180465	-1,2
New Zealand	1163	77,2	78,6938562	-1,5
Hungary	318	70,7	72,2320833	-1,5
Denmark	2785	75,9	77,6501923	-1,8
Finland	1704	77,2	79,2224772	-2
United Kingdom	1675	77,2	79,2246965	-2
Slovenia	746	75	76,9974422	-2
Portugal	859	75,2	77,6266994	-2,4
Ireland	1569	76,1	79,2078305	-3,1

Für die weitere Entwicklung der türkischen Gesundheitspolitik wird auch die Anpassung an die EU-Standards im Veterinärbereich wichtig werden. 4.5 Millionen Rinder erhielten 2001 eine Ohrmarke; 3 Millionen Rinder wurden bereits in einer Datenbank erfasst. Maul- und Klauenseuche, Blauzungenkrankheit, Schaf- und Ziegenpocken, Pest der kleinen Wiederkäuer sowie Brucellose sind leider weit verbreitet.

## Türken in Österreich (Recherche Arno Tausch)

Die türkische Kultur und die türkische Sprache stehen in Österreich bereits an zweiter Stelle:

Volkszählung 2001: Umgangssprache				
Umgangssprache (jeweils auch in Komb. mit Deutsch)	Staatsangehörigkeit		EU-Staat (ohne Österreich)	sonstiges Ausland
	Zusammen	Österreich		
Bevölkerung insgesamt	8032926	7322000	106173	604753
Deutsch	7115780	6991388	78256	46136
<b>Türkisch</b>	<b>183445</b>	<b>60028</b>	<b>260</b>	<b>123157</b>
Serbisch	177320	41944	215	135161
Kroatisch	131307	25820	227	105260
Englisch	58582	33427	7405	17750
Ungarisch	40583	25884	484	14215
Bosnisch	34857	3306	50	31501
Polnisch	30598	12699	298	17601
Albanisch	28212	3766	130	24316
Slowenisch	24855	17953	129	6773
Burgenland-Kroatisch	19412	19374	2	36
Tschechisch	17742	11035	205	6502
Arabisch	17592	9610	116	7866
Rumänisch	16885	4669	69	12147
Italienisch	10742	5065	5365	312
Persisch	10665	4749	51	5865
Slowakisch	10234	3343	73	6818
Französisch	10190	4977	3515	1698
Spanisch	9976	5712	1336	2928
Chinesisch	9960	5022	128	4810
andere asiatische Sprachen	9018	3674	53	5291
Russisch, Ukrainisch oder Weißrussisch	8446	2980	138	5328
Romanes	6273	4348	69	1856
Philippinisch	5582	3861	14	1707
Bulgarisch	5388	1885	41	3462
Mazedonisch	5145	1127	13	4005
Holländisch/Flämisch	3802	1413	2364	25
Indisch	3582	1631	27	1924

Portugiesisch	3197	1323	743	1131
Griechisch	3098	1643	1353	102
Schwedisch	2683	872	1785	26
sonstige europäische Sprachen	2316	819	93	1404
Vietnamesisch	2310	1630	2	678
Kurdisch	2133	1139	9	985
sonstige afrikanische Sprachen	1816	410	6	1400
Japanisch	1806	405	25	1376
Thailändisch	1593	518	10	1065
Koreanisch	1264	316	8	940
Hebräisch	1189	596	22	571
Finnisch	987	346	640	1
Dänisch	735	296	432	7
Norwegisch	569	237	10	322
Windisch	568	567	1	0
Indonesisch	451	174	1	276
andere Sprachen	38	19	0	19

**Über 330.000 Österreicherinnen und Österreicher sprechen bereits eine andere Sprache als die Deutsche Sprache; über 18 % davon sprechen Türkisch.**

Türkisch ist unter Österreicherinnen und Österreichern bereits die zweitwichtigste Sprache geworden.

Gegenüber den Sprachen der Arbeitsmigration, EU-Integration und Globalisierung sind die traditionellen ethnischen Minderheiten Österreichs bei weitem in den Hintergrund getreten:

### **Sprachen der österreichischen Staatsbürgerinnen und Staatsbürger**

(jeweils auch in Kombination mit Deutsch)	in % der Österreicherinnen und Österreicher	Österreichische – Sprecherinnen und Sprecher
insgesamt		7322000
Deutsch	95,485	6991388
Türkisch	0,82	60028
Serbisch	0,573	41944
Englisch	0,457	33427
Ungarisch	0,354	25884
Kroatisch	0,353	25820
Burgenland-Kroatisch	0,265	19374



Slowenisch	0,245	17953
Polnisch	0,173	12699
Tschechisch	0,151	11035
Arabisch	0,131	9610
Spanisch	0,078	5712
Italienisch	0,069	5065
Chinesisch	0,069	5022
Französisch	0,068	4977
Persisch	0,065	4749
Rumänisch	0,064	4669
Romanes	0,059	4348
Philippinisch	0,053	3861
Albanisch	0,051	3766
andere asiatische Sprachen	0,05	3674
Slowakisch	0,046	3343
Bosnisch	0,045	3306
Russisch,Ukrainisch,Weißrussisch	0,041	2980
Bulgarisch	0,026	1885
Griechisch	0,022	1643
Indisch	0,022	1631
Vietnamesisch	0,022	1630
Holländisch/Flämisch	0,019	1413
Portugiesisch	0,018	1323
Kurdisch	0,016	1139
Mazedonisch	0,015	1127
Schwedisch	0,012	872
sonstige europäische Sprachen	0,011	819
Hebräisch	0,008	596
Windisch	0,008	567
Thailändisch	0,007	518
sonstige afrikanische Sprachen	0,006	410
Japanisch	0,006	405
Finnisch	0,005	346
Koreanisch	0,004	316
Dänisch	0,004	296
Norwegisch	0,003	237
Indonesisch	0,002	174
andere Sprachen	0	19
unbekannt	0	0

Weit über 3 Millionen Türken leben bereits in der EU, darunter über 2 Millionen in der Bundesrepublik, über 300.000 in Frankreich und den Niederlanden, sowie weit über 100.000 in Österreich.



## **Internationale Pressestimmen zur Wahl in der Türkei 2002 (nach Financial Times, Deutschland)**

<http://www.ftd.de/>

de Volkskrant" (Den Haag): Verlierer sind die Nationalisten

"Der überragende Wahlerfolg der Gerechtigkeits- und Entwicklungspartei AKP bedeutet den endgültigen Bankrott der alten nationalistischen Parteien in der Türkei. (...) Der türkische Wähler hat deutlich gemacht, dass die überall herrschende Korruption, die Gleichgültigkeit und die Inkompetenz bis in höchste Regionen der Bürokratie zu einem Ende kommen müssen."

"Libération" (Paris): Wahlsieger nicht verteufeln

"Der Triumph der Islamisten bei den Wahlen wird die Entscheidung ob die Türkei in die EU aufgenommen werden kann nicht leichter machen. Man kann berechtigterweise einige Zweifel an den liberalen, demokratischen und pro-europäischen Überzeugungen der "gemäßigten" Islamisten haben, die die Mehrheit holten. Angesichts der Wirtschaftskrise und der wachsenden Armut haben die Wähler den etablierten Parteien einen Denkmittel verpasst. Die Popularität von Recep Tayyip Erdogan, der die AKP zum Sieg führte, beruht darauf, dass er sich als Istanbuler Bürgermeister sozial und weniger korrumpierbar gezeigt hat. Man sollte sich davor hüten, diese Islamisten in den Himmel zu heben, man sollte sie aber auch nicht von vornherein verteufeln und das Land mit ihnen."

"ABC" (Madrid): Bedrohendes Szenario

"Die Türkei ist das Opfer einer Identitätskrise. Sie weiß nicht, ob sie politisch und kulturell zum Westen oder zum Orient gehört. (...) Die Türkei steht vor einer Phase tief greifender Ungewissheit. Wie wird die Armee reagieren? Passt ein von Islamisten regiertes Land zur neuen Nato? Der Schock für die mächtigen Militärs und Politiker war brutal, vielleicht sogar nicht hinnehmbar. Ganze Parteien wurden aus dem Parlament hinausgefegt. Die Islamisten können erstmals allein regieren. Ein klares und zugleich beunruhigendes Szenario."

"Corriere della Sera" (Mailand) : Wille zum Wechsel entscheidend

(...) Die Erfahrung ist die, dass in der Siegerpartei ganz verschiedene Persönlichkeiten vereint sind, die aus ganz verschiedenen politischen Milieus kommen und die dabei zugleich jene Verflechtung zwischen traditioneller und säkularisierter Gesellschaft repräsentieren, die schon immer charakteristisch für die Türkei war."

"La Repubblica" (Rom): Zweifel an der Zuverlässigkeit

Das politische Erdbeben, das die vorgezogene Wahl für die südöstliche Bastion der Nato bedeutet, lässt schwere Zweifel an der künftigen Zuverlässigkeit Ankaras nicht nur in der Atlantischen Allianz aufkommen, sondern auch in den USA, in Europa und im Währungsfonds, der das Land vor dem finanziellen Verfall bewahren soll."

"Die Presse" (Wien): "Der islamische Hammer"

"Deutlicher kann eine Protestwahl nicht ausfallen. Die Türken haben am Sonntag nichts weniger getan, als das alte politische System ihres Landes völlig zu zertrümmern. Kein Stein ist auf dem anderen geblieben. Alle drei Regierungsparteien wurden aus dem Parlament gewählt. Einen derartigen Erdrutsch hat wohl kaum noch eine Demokratie erlebt. Ausgelöst wurde diese Umwälzung durch die Wirtschaftskrise. Morsch aber war das politische Establishment schon lange vorher, tödlich angefault von Ineffizienz und Korruption. Ein Befreiungsschlag war überfällig."

"General-Anzeiger" (Bonn): Chance mit geringem Risiko

"Der Sieg der religiös-konservativen AKP bietet eine Chance für das Land und birgt nur ein geringes Risiko: Für ihre Wähler verkörpert die künftige Regierung die Hoffnung, dass der Staat endlich einmal so effizient und korruptionsarm regiert werden könnte wie die Metropolen und Kommunen, in denen die AKP schon länger am Ruder ist - was die nun abgewählten Parteien nie geschafft haben."

"Badische Zeitung" (Freiburg): Hoffen auf Gerechtigkeit

"Haben damit nun die Islamisten die Macht übernommen? Vor vorschnellen Etikettierungen sei gewarnt. Die AK-Partei und ihr Chef Tayyip Erdogan kommen zwar aus der Tradition des politischen Islam der Türkei, doch haben sie sich nach eigenem Bekunden mit den herrschenden Verhältnissen arrangiert. (...) Viele Türken erhoffen sich von Erdogan ein Ende der Korruption und mehr wirtschaftliche Gerechtigkeit. Mit diesen Parolen hat die AK-Partei Wahlkampf gemacht, und daran werden ihre Wähler sie messen."

"Bremer Nachrichten": Faire Chance geben

Zu verlieren gibt es für die Türken... nichts, zu gewinnen dagegen viel - und das gilt auch für Europa: Sollte es der AKP gelingen, das Verhältnis des türkischen Staates zur Religion seiner Bürger zu entkrampfen und eine neue islamisch- demokratische Synthese zu entwickeln, dann wäre das auch für ihre Verbündeten in der EU wie auch in den USA eine große Chance, den mit dem 11. September entstandenen Herausforderungen besser begegnen zu können. Die Europäer sollten es daher wie die türkischen Wähler halten und der AKP-Regierung eine faire Chance geben.

## **Wende zur islamischen Welt? „Roadmap“ nach Europa (Recherche Arno Tausch)**

Dass die Türkei außenpolitisch auch andere Perspektiven offen hätte, zeigen Äußerungen des Generalsekretärs des nahezu allmächtigen Nationalen Sicherheitsrates, General Tuncer Kilinc, der in einer Stellungnahme davon ausging, dass die EU als ‚Christenklub‘ gar nicht wirklich an der Türkei interessiert sei, und dass die Türkei deshalb eine strategische neue Allianz mit Russland und dem Iran bilden solle. Damit würde die Türkei noch mehr zu einer regionalen Großmacht avancieren, und es ist durchaus wahrscheinlich, dass auch die Wahlsieger von 2002, sollte Europa weiter auf seiner Haltung des Nicht-Beginnens von Verhandlungen beharren, diese Karte ausspielen würden.

Zahlreiche europäische Regierungen, z.B. die derzeit amtierende, rot-grüne deutsche Bundesregierung waren stets der Ansicht, dass von der Kommission ein deutliches Signal an die Türkei ausgehen müsse. Der EU-Koordinator für Außenpolitik, Javier Solana, hatte die ablehnende Haltung von Kommissionspräsident Romano Prodi bereits am 24. 10. 2002 kritisiert. Deutschlands Bundesaußenminister Joschka Fischer hat gesagt, vor dem Hintergrund des islamistischen Terrorismus müsse die EU ein starkes strategisches Interesse an der Türkei haben. "Es gibt mehrere Länder - einschließlich Deutschland -, die die positivsten Signale an die Türkei schicken wollten".

Der Europäische Rat von Helsinki (11./12. Dezember 1999) hat die Türkei formell als Beitrittskandidaten anerkannt. Die Türkei wird damit wie jeder andere Beitrittskandidat behandelt: Sie muss sich an den gleichen Kriterien messen lassen. Beitrittsverhandlungen mit der Türkei werden erst aufgenommen, wenn sie die politischen Kriterien des Europäischen Rats von Kopenhagen vom Juni 1993 erfüllt (sog. "Kopenhagener Kriterien" Institutionelle Stabilität als Garantie für demokratische und rechtsstaatliche Ordnung, für die Wahrung der Menschenrechte sowie Achtung und Schutz von Minderheiten).

Zur Unterstützung des Heranführungsprozesses und der notwendigen Reformmassnahmen erhält die Türkei seit dem Jahr 2000 Vorbeitritts Hilfen der Europäischen Union. Für den Dreijahreszeitraum 2000-2002 wurden jährlich 177 Mio. € allein an Zuschüssen u.a. zur Vertiefung der Zollunion mit der EU sowie zur Förderung der wirtschaftlichen und sozialen Entwicklung der Türkei zur Verfügung gestellt. Ferner kann die Türkei auf Darlehen aus Mitteln der Europäischen Investitionsbank zugreifen. Insgesamt belaufen sich die geplanten Zusagen im Zeitraum 2000 bis 2006 auf ein Zuschussvolumen von 1,059 Mrd. € und ein Kreditvolumen von ca. 1,920 Mrd. €.

Die Umwandlung einer islamistischen Bewegung in eine islamisch-demokratische Volkspartei könnte von der Warte des Reifens einer Demokratie ein ebenso interessanter Prozess werden wie die Herausbildung der christdemokratischen Volksparteien in Westeuropa nach 1945. Für die Reformer in der islamischen Welt, wie in Marokko, in Ägypten, im Iran, um nur einige wenige Beispiele zu nennen, wäre eine erfolgreiche EU-Mitgliedsperspektive der Türkei auch ein außenpolitisches Signal: dass der Kulturdialog, und nicht der Kulturkampf das Geschick des 21. Jahrhunderts zu bestimmen im Stande ist.

Der Laizismus zählt zu den Grundprinzipien der türkischen Republik. Er soll verhindern, dass der Islam den Staat maßgeblich beeinflusst. Tatsächlich besteht aber – wie das auswärtige Amt in Berlin darauf hinweist - keine klare Trennung von Staat und Religion, sondern Kontrolle des (sunnitischen) Islam, der weite Teile des öffentlichen Lebens in der Türkei prägt, durch den Staat (Amt für Religiöse Angelegenheiten). Handlungen und Meinungsäußerungen, die einem Einfluss des Islam auf das staatliche oder gesellschaftliche Leben fordern, können strafrechtlich verfolgt werden. Ein politisch strittiges Thema ist das sogenannte Kopftuchverbot an den Hochschulen.

Da die türkische Gesellschaft traditionell islamisch geprägt ist, verschwimmen die Grenzen zwischen verbotenen, geduldeten und offiziell geförderten Aktivitäten mit islamischem Hintergrund. Der Staat finanziert nach wie vor die religiös ausgerichteten Imam-Hatip-Schulen und beschickt sie mit Lehrern. Nach der Schulreform von 1997 hat er allerdings ihr Tätigkeitsfeld beschränkt. Er fördert den Bau von Moscheen, stellt für diese kostenfrei Wasser und Strom zur Verfügung und bezahlt die religiösen Beamten (über 70.000) .

Der Laizismus ist nie unumstritten gewesen. Seit Gründung der Türkei hat es immer wieder Versuche gegeben, über islamistische Parteien der Religion wieder mehr Einfluss auf den Staat zu verschaffen, sie sind jedoch stets nach einiger Zeit verboten worden. Die bisher erfolgreichste dieser Parteien war die Refah- (Wohlfahrts-) Partei. Sie wurde stärkste Partei bei den Wahlen 1995 mit ca. 24 %. Ihr Chef Erbakan war 1996/97 erster islamistischer Ministerpräsident der Türkei. Die Beschlüsse des Nationalen Sicherheitsrates vom 28.02.1997 („Februar-Ereignisse“), die auf die weitere Zurückdrängung des Islam aus der Politik zielten und die nach wie vor Gültigkeit besitzen, führten bekanntlich zum Sturz seiner Regierung. Refah wurde Anfang 1998 verboten, die hiergegen gerichtete Klage vor dem Europäischen Gerichtshof für Menschenrechte war erfolglos (Entscheidung v. 31.07.2001 ). Kurz vor dem Verbot hatten islamistische Politiker bereits die Fazilet- (Tugend-) Partei unter Mehmet Recai Kutan gegründet. Auch sie hat das Verfassungsgericht am 22.06.2001 aufgelöst. Dies führte zur Gründung von zwei Parteien: Die Traditionalisten schlossen sich in der Saadet- (Glückseligkeits-) Partei wieder unter Kutan (wie bisher mit Erbakan im Hintergrund), die Reformer in der Adalet ve Kalkinma- (Gerechtigkeits- und Aufbau-, AKP) Partei unter Erdogan zusammen. Anfang Januar 2002 hat das Verfassungsgericht entschieden, dass Erdogan die Gründungsmitgliedschaft in der AKP binnen sechs Monaten aufgeben muss. Sein Parteivorsitz wurde bislang nicht beanstandet.

Mit einer Rate der Armut, die je nach Definitionen 12.7 % (Human Poverty Index), 18 % (Bevölkerung unter 2 \$ pro Kopf und Tag Kaufkraft) oder 9.6 % der Bevölkerung ( %-Anteil jener, die den 40. Geburtstag nicht erleben) ausmacht, konfrontiert mit den Folgen der verheerenden Erdbebenkatastrophe und der Finanzkrise, die das Land heimsuchten, hat sich die „militärische Demokratie“ der Türkei tot gelaufen, und die Menschen – insbesondere in den **Armenvierteln („gecekondus“)** sehnten sich nach einem fundamentalen Wandel herbei.

Die Gratwanderung zwischen islamisch-demokratischen Werten und einer neoliberalen Wirtschaftspolitik wird sich bald zeigen. In einigen Bereichen, wie etwa einer saubereren öffentlichen Verwaltung, aber auch in der Außenpolitik würde die siegreiche AKP an der Macht neue Akzente setzen. Gegenüber dem harten

Vorgehen der Sharon-Regierung in Israel hat Premier Erdogan angekündigt, keinerlei Verständnis zu haben, es fiel das Wort vom israelischen „Terrorismus“ (Associated Press vom 6. November 2002) . Auch bei der Benutzung der türkischen Militärbasen beim Angriff auf den Irak hat Erdogan bereits signalisiert, weit weniger kooperativ zu sein als vorhergehende türkische Regierungsparteien dies gewesen sind.

In führenden Medien der arabischen Welt ist der Wahlsieg Erdogans ausdrücklich begrüßt worden, während in Israel Skepsis herrscht. Auch im Iran wurde der Wahlsieg Erdogans begrüßt .

**Turkey Country Reports on Human Rights Practices - 2003. Released by the Bureau of Democracy, Human Rights, and Labor, United States Department of State, February 25, 2004**

Turkey is a constitutional republic with a multiparty parliamentary system and a president with limited powers elected by the single-chamber parliament, the Turkish Grand National Assembly. In the November 2002 parliamentary elections, the Justice and Development (AK) Party won the majority of seats in a free and fair election and formed a one-party government. In March, AK Chairman Recep Tayyip Erdogan was named Prime Minister. In 2000, Parliament elected Ahmet Necdet Sezer as President for a 7-year term. The military exercised indirect influence over government policy and actions in the belief that it was the constitutional protector of the State. The Constitution provides for an independent judiciary, and the general law courts acted under a declared policy of independence; however, the judiciary was sometimes subject to outside influences.

The Turkish National Police (TNP), under Interior Ministry control, has primary responsibility for security in urban areas, while the Jandarma, paramilitary forces under joint Interior Ministry and military control, carries out this function in the countryside. Although the Government completed the phased lifting of the state of emergency in the southeast in November 2002, it continued to maintain a heavy security presence in the region. There was a civil defense force known as the village guards, mostly concentrated in the southeast, which were regarded as less professional and disciplined than other security forces. Civilian and military authorities generally maintained effective control of the security forces. Some members of the security forces committed serious human rights abuses.

The country had a market economy and a population of approximately 67.8 million. Industry and services dominated the economy, but agriculture remained important. During the year, the economy grew by an estimated 5 percent and inflation fell to around 20 percent. Unemployment remained above 10 percent and there was significant underemployment. Wages and benefits did not keep pace with inflation, particularly in the public sector. There were major disparities in income, particularly between the relatively developed west and the less developed east.

The Government generally respected the human rights of its citizens; although there were improvements in a number of areas, several serious problems remained. Security forces reportedly killed 43 persons during the year; torture, beatings, and other abuses by security forces remained widespread. Prison conditions remained poor. Security forces continued to use arbitrary arrest and detention, although the number of such incidents declined. Lengthy trials remained a problem. The rarity of convictions and the light sentences imposed on police and other security officials for killings and torture continued to foster a climate of impunity. Prosecutions brought by the Government in State Security Courts (SSCs) reflected a legal structure that favored government interests over individual rights. The Government continued to limit freedom of speech and press; harassment of journalists and others for



controversial speech remained a serious problem. At times, the Government restricted freedom of assembly and association. Police beat, abused, detained, and harassed some demonstrators.

The Government maintained some restrictions on religious minorities and on some forms of religious expression. At times, the Government restricted freedom of movement. The Government restricted the activities of some political parties and leaders, closed the pro-Kurdish People's Democracy Party (HADEP), and sought to close the closely related Democratic People's Party (DEHAP). The Government continued to harass, indict, and imprison human rights monitors, journalists, and lawyers for the views they expressed in public. Violence against women remained a serious problem, and discrimination against women persisted. Child labor was widespread. Trafficking in persons, particularly women, remained a problem.

In January and July, Parliament passed extensive human rights-related reforms intended to meet the Government's democratization goals and requirements for European Union (EU) membership. The reforms applied to areas such as torture, religious freedom, free expression, the role of the military in government, and freedom of association and included: prohibiting courts from suspending sentences or converting prison sentences to fines in torture cases; prohibiting trials in torture cases from recessing for the summer; providing all detainees the right to immediate attorney access; permitting private media outlets to broadcast in Kurdish and other traditional non-Turkish languages; and allowing for a civilian to serve as head of the National Security Council. However, many of the reforms were not implemented by year's end, and some reforms adopted in 2002 were still not implemented.

## RESPECT FOR HUMAN RIGHTS

### Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

There were no known political killings; however, there were credible reports that security forces committed a number of unlawful killings. Police, Jandarma, and soldiers killed a number of people, particularly in the southeast, for allegedly failing to obey stop warnings. The Human Rights Foundation (HRF) estimated that there were 43 killings by security forces during the year, including shootings by village guards and border patrols. In July, for example, soldiers in Mardin shot and killed Kazim Ozgan, allegedly for failing to heed a stop warning. HRF estimated there were 33 killings by security forces in 2002.

The courts investigated most alleged unlawful killings by security forces; however, the number of arrests and prosecutions in such cases remained low compared with the number of incidents, and convictions remained rare (see Section 1.d.).

According to the Interior Ministry, three persons died in police custody during the year; two died of heart attacks and the other committed suicide.

According to the HRF and press reports, 6 ongoing trials in cases of past alleged killings by security officials ended during the year, resulting in 36 acquittals and 13 convictions.

In April, an Istanbul court issued a verdict in the death in detention case of trade unionist Suleyman Yeter. The court sentenced one policeman to 4 years and 2 months imprisonment, acquitted another, and separated the case of a third defendant, who was being tried in absentia. The verdict was under appeal at year's end.

A Diyarbakir court continued to try the case of 10 village guards arrested in connection with the September 2002 killing of 3 internally displaced persons (IDPs) returning to their homes in Ugrak village with official permission.

During the year, the European Court of Human Rights (ECHR) ruled against the country in one case involving the unlawful deprivation of life.

As of October, landmine explosions in the southeast killed two civilians. In addition, another civilian was killed by an unattended hand grenade. Both security forces and the Kurdistan Workers Party (PKK), a terrorist organization that changed its name to the Kurdistan Freedom and Democracy Congress (KADEK) and, in November, changed its name to the Kurdistan Peoples Congress (KHK), used landmines; it was not possible to verify which side was responsible for the mines involved in the incidents.

The Government, as well as the PKK/KADEK/KHK, continued to commit human rights abuses against noncombatants in the southeast. According to the military, 12 civilians, 19 members of the security forces, and 71 terrorists died during the year as a result of armed clashes. In September, the PKK/KADEK announced an end to its unilateral ceasefire.

In November, in two separate suicide car bomb attacks, 50 persons were killed and 750 wounded in Istanbul. The attacks targeted two synagogues, the British Consulate, and the HSBC Bank Istanbul headquarters. The Government stated that the perpetrators were linked to al-Qa'ida.

In July, the PKK/KADEK attacked a convoy in Tunceli Province that included the provincial governor, killing two soldiers.

#### b. Disappearance

There were no reports of politically motivated disappearances.

There were no developments in the 2002 disappearance of Coskun Dogan or the 2001 disappearance of HADEP officials Serdar Tanis and Ebubekir Deniz.

The Government continued to make efforts to investigate and explain some reported disappearances. The Ministry of Interior operated the Bureau for the Investigation of Missing Persons, which was open 24 hours a day. According to the Government, eight persons were reported missing during the year due to suspected terrorist activities. Four missing persons were located during the year; three were found alive, and one dead.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, some members of the security forces continued to torture, beat, and otherwise abuse persons regularly. Leftists and Kurdish rights activists were more likely than others to suffer torture. Despite the Government's cooperation with unscheduled foreign inspection teams, public pledges by successive governments to end the practice, and initiatives to address the problem, widespread reports of torture continued, particularly in the southeast.

HRF estimated there were approximately 920 credible applications by torture victims at its 5 national treatment centers during the year, compared with 965 in 2002. These figures did not necessarily reflect trends in the use of torture. The reports included complaints stemming from previous years' incidents. Human rights advocates claimed that hundreds of detainees were tortured during the year in the southeast,

where the problem was particularly serious, but that only 5 to 20 percent reported torture because they feared retaliation or believed that complaining was futile.

In June, Gulbahar Gunduz, member of the DEHAP Women's Wing in Istanbul, said she was tortured and raped by four men identifying themselves as police officers. The case was under investigation at year's end. In April, Ruhssel Demirbas, Ugur Atilgan and Senol Budak held a press conference in Istanbul in which they claimed police beat them, deprived them of sleep, and repeatedly threatened to kill them after arresting them for hanging anti-war placards.

Human rights observers said that, because of reduced detention periods, security officials mostly used torture methods that did not leave physical traces, including repeated slapping; exposure to cold; stripping and blindfolding; food and sleep deprivation; threats to detainees or family members; dripping water on the head; squeezing of the testicles; and mock executions. They reported a significant reduction over past years in methods such as electric shocks, high-pressure cold water hoses, beatings on the soles of the feet (falaka) and genitalia, hanging by the arms, and burns. The Human Rights Association (HRA) reported that women detainees were sometimes subject to rape, including vaginal and anal rape with truncheons, and sexual harassment.

Female detainees sometimes faced sexual humiliation and, less frequently, more severe forms of sexual torture. After being forced to strip in front of male officers, female detainees were sometimes touched, insulted, and threatened with rape.

Human rights attorneys and physicians who treated torture victims said torture generally occurred during police or Jandarma detention before detainees appeared in court. Because the arresting officer was responsible for interrogating a suspect, officers sometimes resorted to torture to obtain a confession that would justify the arrest. In one example, the European Roma Rights Center reported that, in February, police in Edirne beat and tortured with electric shocks a 14-year-old Romani boy suspected of stealing a wallet (see Section 5).

Although the law prohibits evidence obtained under torture from being used in court, in practice prosecutors rarely followed up on detainees' allegations of torture. When prosecutors did follow up on such allegations, the detainee's trial often proceeded, and was sometimes completed, before the start of the torture trial. Treatment of those arrested for ordinary crimes (who were sometimes beaten until they gave a confession) and those arrested for "political" crimes reportedly differed. Observers said that security officials often tortured political detainees to intimidate them and send a warning to people with certain political views.

State-employed doctors administered all medical examinations of detainees. Examinations occurred once during detention and a second time before either

arraignment or release; however, the examinations generally were brief and informal. According to the Society of Forensic Medicine Specialists, only approximately 250 of 80,000 doctors in the country were forensic specialists, and most detainees were examined by general practitioners and specialists not qualified to detect signs of torture. Some former detainees asserted that doctors did not conduct proper examinations and that authorities denied their requests for a second examination.

Unlike in past years, the Turkish Medical Association recorded no cases of doctors being harassed, charged with a crime, or reassigned for reporting torture. However, in June, Izmir police raided a Medical Association training seminar in which doctors were being trained in the detection of latent signs of torture. Police told participants they would be investigated, but the Governor canceled the case, according to the Association.

In September, the parliamentary Human Rights Committee reported that doctors in Izmir were signing reports indicating detainees had not been tortured without examining the detainees. The Committee stated that, in some cases, the same detainees were later taken to a hospital where doctors reported signs of torture.

A Justice Ministry regulation requires doctor-patient privacy during the examination of suspects, except in cases where the doctor or suspect requests police presence for security reasons. However, the Society of Forensic Medicine Specialists reported that security officials often remained in the room despite objections, although this occurred less often than in past years. According to the Medical Association and human rights observers, the presence of a security officer could lead physicians to refrain from examining detainees, perform cursory examinations and not report findings, or to report physical findings but not draw reasonable medical inferences that torture occurred. In October, the Council of State annulled a provision requiring that copies of detainees' medical examinations be sent to police authorities.

The law mandates heavy jail sentences and fines for medical personnel who falsify reports to hide torture, those who knowingly used such reports, and those who coerce doctors into making them. The highest penalties are for doctors who supply false reports for money. In practice, there were few prosecutions for violation of these laws. The Medical Association had the authority to levy fines and suspend for up to 6 months the licenses of doctors who falsified reports. However, Association officials said they were unable to enforce these sanctions because most doctors worked at least partly for the Government, which protected the doctors from sanctions.

The investigation, prosecution, and punishment of members of the security forces for torture or other mistreatment was rare, and accused officers usually remained on duty pending a decision, which could take years (see Section 1.d.).

A Prime Ministry directive requires prosecutors to make unscheduled inspections of detention facilities to look for torture and other maltreatment and to report inspection results to the Prime Minister. Although the Ministry of Interior reported that thousands of such inspections took place, human rights advocates and some prosecutors termed the inspections cursory and unlikely to lead to criminal charges against the police.

By the end of October, authorities had initiated judicial proceedings in 8 cases involving torture allegations and 107 involving maltreatment allegations against police (see Section 1.d.). Of these, courts ruled for conviction in one case and for acquittal in two cases. Authorities dropped 64 cases and continued to try 48 cases.

During the year, 93 police officers received administrative punishments, such as short suspensions, for torture or maltreatment.

In September, an Interior Ministry commission dismissed Adil Serdar Sacan as chief of the Organized Crime Department of the Istanbul Security Directorate because of complaints filed against him by alleged torture victims.

In April, an appeals court unanimously upheld the October 2002 Manisa Penal Court conviction of 10 police officers for torture. By July, all of the officers had turned themselves in to authorities. The officers were sentenced to prison terms ranging from 60 to 130 months; according to the Prosecution Law, under which convicts serve a portion of their sentences, they were expected to spend from 24 months to 52 months in prison. The high-profile case involved 16 youths tortured in police detention in 1996.

During the year, the case of five police officers convicted in 2002 for the 1996 torture of nine detainees, including journalists from the leftist newspaper "Atilim," was closed without a verdict when the case, which was being appealed, expired under the statute of limitations.

The trial continued in the case of 10 police officers charged for the death in detention of Birtan Altinbas, who died in police custody in Ankara in 1991. The trial had been subject to repeated procedural delays, including due to the court's inability to locate some of the defendants. The statute of limitations for the charges is scheduled to expire in February 2006, at which time the case will be dropped if there is no verdict.

During the year, the ECHR ruled against the country in one case involving torture and eight cases involving inhuman or degrading treatment.

Police harassed, beat, and abused demonstrators (see section 2.b.).

Due to the conflict with the PKK/KADEK/KHK, the Government continued to organize, arm, and pay a civil defense force of about 60,000, mostly in the southeast region. This force, known as the village guards, was reputed to be the least disciplined of the security forces and continued to be accused repeatedly of drug trafficking, rape, corruption, theft, and human rights abuses. Inadequate oversight and compensation contributed to this problem, and in some cases Jandarma allegedly protected village guards from prosecution. In addition to the village guards, Jandarma and police "special teams" were viewed as those most responsible for abuses. DEHAP officials claimed that security forces in July publicly displayed the bodies of two slain PKK/KADEK militants in the town of Baskale in Van Province. However, the incidence of credible allegations of serious abuses by security forces in operations against the PKK/KADEK/KHK was low.

Prison conditions remained poor. Underfunding and poor administration of penal facilities remained problems. HRF maintained that the Government provided insufficient funding for prison food, resulting in poor-quality meals. According to HRF, food sold at prison shops was too expensive for most inmates, and there was a lack of potable water.

There were reports that prison guards beat children in detention. In September, the parliamentary Human Rights Committee reported that Committee members investigated conditions at the children's ward of Aydin Prison and found that all the children had visible injuries and many claimed to have been tortured. A child held in solitary confinement told the Committee he had requested an isolation cell because some of the children in the ward were raping others.

At year's end, a court decision had not been reached in the case of 38 employees of Bakirkoy Prison for Women and Children who were indicted in December 2002 for mistreating prisoners and official misconduct.

The Government maintained that prisons were staffed with doctors, dentists, psychologists, and teachers, although there were shortages in some areas. According to the Medical Association, there were insufficient doctors, and psychologists were only available at the largest prisons. Some inmates claimed they were denied appropriate medical treatment for serious illness.

Inmates in high-security F-type prisons were permitted to socialize in groups of 10 for up to 5 hours per week. In addition, they were able to participate in communal activities. According to HRF, as of October, one prisoner continued a hunger strike to protest F-type prisons. The Government reported that the President pardoned 172 hunger strikers during the year. Two prisoners on hunger strike died during the year, bringing total deaths to 107 since the start of the strikes in 2000, according to HRF.

The Government alleged that terrorist groups forced weaker members to conduct the hunger strikes and threatened family members of those who wanted to quit.

Human rights activists and attorneys for jailed PKK leader Abdullah Ocalan called on the Government to transfer Ocalan from his cell on Imrali Island in the Sea of Marmara to a mainland prison. They claimed Ocalan was being held in isolation and also said he was suffering from health problems. Relatives and attorneys were unable to visit Ocalan for 15 weeks from November 2002 to March; the Government said stormy weather grounded the boat shuttling visitors to the island. The ECHR ruled in March that Ocalan's prison conditions were not unlawful.

The trial against 1,615 persons on duty at Bayrampasi prison during the December 2001 hunger strike was ongoing at year's end. The related trial of 167 prisoners was also ongoing at year's end.

Human rights observers estimated that, at any given time, at least one-quarter of those in prison were awaiting trial or the outcome of their trial. Men and women were held separately. Despite the existence of separate juvenile facilities, at times juveniles and adults were held in adjacent wards with mutual access. According to the Government, detainees and convicts were held either in separate facilities or in separate sections of the same facility.

The Ministry of Justice, the General Directorate of Prisons, and the parliamentary Human Rights Committee regularly inspected prisons and issued reports. Prison Monitoring Boards--five-person visiting committees composed of nongovernmental experts such as doctors and lawyers--also conducted inspections. The 130 boards conducted 522 visits, prepared 1,638 reports, and made 3,664 recommendations for improvements to the Ministry of Justice. The Government reported that it took action on some of these recommendations, but lacked the funding to respond to others, including those related to crowding and lack of resources for activities. During the year, the 140 special prison judges received 11,923 petitions relating to prison conditions and sentences; they admitted 3,659 petitions, partially admitted 319, and rejected 7,945.

Human rights groups criticized the Government's selection of Monitoring Board representatives. Medical Association officials said the Government did not consult them on Board membership and selected only government-employed doctors for the bodies. The Society of Forensic Medicine Specialists reported that only two forensic specialists served on the Boards. Some bar associations also said that their preferred candidates were not selected.

The Government permitted prison visits by representatives of some international organizations, such as the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT); the CPT visited in February



and September, and conducted ongoing consultations with the Government. Requests by the CPT to visit prisons were routinely granted; however, domestic nongovernmental organizations (NGOs) did not have access to prisons.

#### d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest and detention; however, the Government did not always observe these prohibitions in practice. During the year, police routinely detained demonstrators, including those protesting prison conditions (see Section 2.b.). Police detained dozens of members of the legal pro-Kurdish party DEHAP on several occasions (see Section 3). Police continued to detain and harass members of human rights organizations and monitors (see Section 4). The Government continued to detain persons, particularly in the southeast, on suspicion of links to Hizballah.

The Turkish National Police (TNP), under Interior Ministry control, is responsible for security in large urban areas. The Jandarma, paramilitary forces under joint Interior Ministry and military control, are responsible for policing rural areas. The Jandarma are also responsible for specific border sectors where smuggling was common, although the military has overall responsibility for border control. There were allegations of police corruption.

The rarity of convictions and the light sentences imposed on police and other security officials for killings and torture continued to foster a climate of impunity. During the year, authorities opened investigations of 39 Jandarma personnel accused of torture. The investigations continued at year's end. Although the courts investigated most alleged unlawful killings by security forces, convictions and punishments remained rare. Punishment, when handed down, generally was minimal; monetary fines did not keep pace with the high rate of inflation, and sentences were sometimes suspended.

Legal, administrative, and bureaucratic barriers impeded prosecutions and contributed to the low number of torture convictions. In January, Parliament removed a legal barrier to such prosecutions by passing legislation allowing prosecutors to investigate police or Jandarma officers suspected of torture without receiving the permission of local government officials. However, such permission was still required to investigate other crimes, such as extra judicial killings and disappearances.

Parliament also passed legislation that prohibits judges from suspending sentences or converting prison sentences to fines in torture cases and extends the statute of limitations for torture cases. In July, Parliament adopted legislation requiring torture trials to continue during summer recess.

The TNP and Jandarma were effective and received specialized training in a number of areas, including counter-terrorism. Both police and Jandarma received human rights training.

The armed forces emphasized human rights in training for officers and noncommissioned officers throughout the year. Noncommissioned police officers received 2 years of training. Police and Jandarma also received human rights training. In April, the Government opened the Jandarma Human Rights Violations Investigation and Assessment branch to receive complaints about Jandarma.

The Government's Ten Year Human Rights Education Committee held regional seminars to educate civil servants and others on human rights problems. Regional bar associations and the EU held training seminars with police, judges and prosecutors in several provinces and in Ankara headquarters, focusing on EU human rights standards.

For a person to be taken into custody, a prosecutor must issue a detention order, except when police catch suspects in the commission of a crime. The maximum detention period for persons charged with individual common crimes was 24 hours. Persons charged with collective common crimes could be held for 48 hours.

Under the Criminal Code, detainees are entitled to immediate access to an attorney and to meet and confer with an attorney at any time. Under legal reforms adopted in January, these rights applied equally to defendants in state security cases. In practice, authorities did not always respect these provisions and most detainees did not exercise these rights, either because they were unaware of them or feared antagonizing authorities. Once formally charged by the prosecutor, a detainee is arraigned by a judge and allowed to retain a lawyer. After arraignment, the judge may release the accused upon receipt of an appropriate assurance, such as bail, or order him detained if the court determined that he is likely to flee the jurisdiction or destroy evidence.

Private attorneys and human rights monitors reported uneven implementation of these regulations, particularly attorney access. In September, the parliamentary Human Rights Committee released the results of an investigation indicating that police in Izmir were undermining the right of detainees to consult an attorney. The Committee reported that police in three Izmir detention centers were not informing detainees of their right to an attorney at no cost, and that police did not even know the phone number for requesting an attorney. The Committee stated that all 126 recorded detainees at the centers had waived their right to an attorney. According to HRA and a number of local bar associations, only approximately 5 percent of detainees consulted with attorneys. HRA claimed police intimidated detainees who asked for attorneys, sometimes telling them a court would assume they were guilty if they consulted an attorney during detention. There were no procedures for confirming whether police had informed detainees of their right to an attorney, and no

penalty for failing to inform. Failure by police to inform detainees of their rights did not affect the trial process.

Regulations on detention and arrest procedures require authorities to notify relatives as soon as possible of an arrest, and authorities generally observed this requirement. Human rights observers reported a major decrease in incommunicado detention, and said the practice was no longer common.

According to the Government, police and Jandarma detained 223,000 persons between January and October.

Lengthy pretrial detention was a problem. Although the Constitution specifies the right of detainees to request speedy arraignment and trial, judges have ordered that some suspects be detained indefinitely, at times for years. Many such cases involved persons accused of violent crimes, but there were cases of those accused of nonviolent political crimes being kept in custody until the conclusion of their trials, generally in SSC cases. According to HRF, Huseyin Yildirim remained in detention during his trial throughout the year, despite being paralyzed from a traffic accident. HRF reported that Yildirim was arrested in 2001 for speech-related activities and charged with "attempting to change the constitutional order."

As of November 30, there were 63,000 persons held in prisons, including 31,756 detainees and 31,244 convicts. Detainees could be held for up to 6 months during the preliminary investigation period. If a case was opened, the pretrial detention period could be extended for up to 2 years. If the detainee was charged with a crime carrying a maximum punishment of more than 7 years, a court could further extend the detention period.

Persons detained for individual crimes under the Anti-Terror Law had to be brought before a judge within 48 hours. Those charged with crimes of a collective, political, or conspiratorial nature could be detained for an initial period of up to 4 days at a prosecutor's discretion and for up to 7 days with a judge's permission, which was almost always granted.

International humanitarian organizations were allowed access to "political" detainees, provided the organization could obtain permission from the Ministry of Justice. With the exception of the CPT, which had good access, few such permissions were granted in practice (see Section 1.c.).

During the year, the ECHR ruled against the country in nine cases involving unlawful arrest and detention.

The Constitution prohibits forced exile, and the Government did not employ it. There were no new cases of internal exile during the year.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the general law courts acted under a declared policy of independence; however, the judiciary was sometimes subject to outside influences. There were allegations of corruption in the judiciary.

The Constitution prohibits the Government from issuing orders or recommendations concerning the exercise of judicial power; however, the Government and the National Security Council (NSC), a powerful advisory body to the Government composed of civilian government leaders and senior military officers, periodically issued announcements or directives about threats to the State, which could be interpreted as general directions to the judiciary. The seven-member High Council of Judges and Prosecutors, which was appointed by the President and included the Minister of Justice (as chairman) and a deputy, selected judges and prosecutors for the higher courts and was responsible for oversight of those in the lower courts. Its decisions were not subject to review. The composition of the High Council was widely criticized as restricting the independence of the judiciary, since the Minister of Justice was part of the executive branch of the Government. Although the Constitution provided for security of tenure, the High Council controlled the career paths of judges and prosecutors through appointments, transfers, promotions, reprimands, and other mechanisms.

The judicial system was composed of general law courts, military courts, the SSCs, and the Constitutional Court, the nation's highest court. The Court of Cassation heard appeals for criminal cases, including appeals from the SSCs. The Council of State heard appeals of administrative cases or cases between government entities. Most cases were prosecuted in the general law courts, which include civil, administrative, and criminal courts. In July, Parliament adopted a law under which children younger than 18 must be tried in juvenile courts; previously, only children under 15 were tried in juvenile courts.

The Constitutional Court examined the constitutionality of laws, decrees, and parliamentary procedural rules and heard cases involving the prohibition of political parties. If impeached, ministers and prime ministers could be tried in the Constitutional Court. However, the Court could not consider "decrees with the force of law" issued under a state of emergency, martial law, in time of war, or in other situations with the authorization of Parliament.

Military courts, with their own appeals system, heard cases involving military law for members of the armed forces. Under legal reforms adopted in July, military courts could no longer try civilians accused during peacetime of attacking the honor of the armed forces or undermining compliance with the draft.

SSCs were composed of panels with three judges and one chief prosecutor, plus a substitute judge and support prosecutors. SSCs sat in eight cities and tried defendants accused of crimes such as terrorism, drug smuggling, membership in illegal organizations, and espousing or disseminating ideas prohibited by law, such as those "damaging the indivisible unity of the State." These courts could hold closed hearings and admit testimony obtained during police interrogation in the absence of counsel. SSC verdicts could be appealed only to a specialized department of the Court of Cassation dealing with crimes against state security. During the year, the SSCs dealt mainly with cases under the Anti-Terror Law and sections of the criminal code relating to free expression. Human rights observers cited prosecutions of leaders of the political Islamic movement, political leaders associated with the Kurdish issue, and persons who criticized the military or the Government's practices as evidence that the SSCs often served the primarily political purpose of silencing critics of the Government.

The law provides prosecutors far-reaching authority to supervise police during an investigation. Prosecutors complained that they had few resources to do so, and many called for "judicial police" to help investigate and gather evidence. Human rights observers and Justice Ministry officials noted that problems could arise from the police reporting to the Interior Ministry, not to the courts. Prosecutors also were charged with determining which law had been broken and objectively presenting facts to the court.

Defense lawyers did not have equal status with prosecutors. In SSCs and heavy penal courts, prosecutors sat alongside judges, while defense attorneys sat apart. In courts with computers, prosecutors were provided with computers and had access to the hearing transcript; defense attorneys were not provided computer access. Judges and prosecutors lived in the same government apartment complexes, and some defense attorneys claimed that the social bonds between judges and prosecutors disadvantaged the defense in court.

Defense attorneys were often subject to intrusive searches when visiting incarcerated clients. Prisoners also were searched before and after meeting their attorneys. Prison authorities and prosecutors suspected attorneys of acting as couriers for their clients, particularly those incarcerated for organized or terror crimes. Defense attorneys generally had access to the public prosecutor's files only after arraignment and routinely were denied access to files that the Government asserted dealt with national intelligence or security matters, particularly in SSC cases.

Defense attorneys involved in politically sensitive cases sometimes faced harassment, though human rights organizations and bar associations said this has become less common than in the past. Attorneys could face criminal charges, threats, and other forms of harassment, particularly if they defended clients accused of terrorism or illegal political activity, pursued torture cases, or sought prompt access to their clients, which police often viewed as interference.

There is no jury system; a judge or a panel of judges decided all cases. The Constitution provides for the right to a speedy trial; however, at times trials lasted for years (see Section 1.d.). Trials for political crimes or torture frequently lasted for months or years, with one hearing usually scheduled each month. Proceedings against security officials often were delayed because officers did not submit statements promptly or attend trials. The law provides for exclusion of illegally gathered evidence. However, this rarely occurred and then only after a separate case determining the legality of the evidence was resolved. In practice, a trial based on a confession allegedly coerced under torture could proceed and even conclude before the court had established the merits of the torture allegations (see Section 1.c.).

By law, the Bar Association must provide free counsel to indigents who request it from the court. Bar associations across the country provided attorneys on call 24 hours a day; the Association covered the costs.

The legal system did not discriminate in law or in practice against ethnic, religious or linguistic minorities. However, legal proceedings were conducted solely in Turkish, with interpreting available sometimes, which seriously disadvantaged some defendants whose native language was not Turkish.

The Government recognized the jurisdiction of the ECHR. During the year, the ECHR ruled against the Government in 76 cases. Of these, 56 involved the right to a fair trial. The Government accepted a friendly settlement in 45 cases, and the ECHR ruled in the Government's favor in 1 case.

The law allows ECHR rulings to be used as grounds for a re-trial in a Turkish court. The General Legal Council of the Court of Appeals must approve re-trial applications. In January, Parliament amended the law to make the right of re-trial retroactive to most cases prior to August 2002, the date of the original law's adoption.

On March 12, the ECHR ruled that jailed PKK leader Abdullah Ocalan did not receive a fair trial in his 1999 conviction in an Ankara SSC. The ECHR determined that the SSC was not an "independent and impartial tribunal," in part because a military judge sat on the three-judge panel at the start of the trial. However, the ECHR determined that Ocalan's prison conditions and the circumstances of his arrest were not unlawful. Both the Government and the defense appealed the ruling.

HRA estimated that there were approximately 8,000 political prisoners, including leftists, rightists and Islamists. Of these, approximately 1,500 were members of Hizballah or other radical Islamic organizations. The Government claimed that alleged political prisoners were in fact security detainees convicted of being members of, or assisting, terrorist organizations. According to the Government, there were 6,130 convicts and detainees held on terrorism charges at year's end.

International humanitarian organizations were allowed access to "political" prisoners, provided they could obtain permission from the Ministry of Justice. With the exception of the CPT, which generally had good access, such permission was seldom granted in practice.

#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for the inviolability of a person's domicile and the privacy of correspondence and communication; however, at times the Government infringed on these rights.

With some exceptions, officials may enter a private residence and intercept or monitor private correspondence with a judicial warrant. If delay might cause harm to a case, prosecutors could authorize a search without a warrant.

The law permits wiretaps with a court order. However, in an emergency situation, a prosecutor may grant permission. A wiretap may last 3 months and may be extended twice for additional periods of 3 months each. The Constitution requires written authorization on national security grounds for searches and wiretaps. These regulations were generally respected in practice.

Defense attorneys continued to face intrusive searches when visiting incarcerated clients (see Section 1.e.).

The Government prohibits the wearing of religious head coverings in government offices, other state-run facilities, and universities (see Sections 2.b. and 2.c.).

### Section 2 Respect for Civil Liberties, Including:

#### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government continued to limit these freedoms in some cases. The Government, particularly the police and judiciary, limited freedom of expression through the use of constitutional restrictions and numerous laws including: Penal Code articles 312 (incitement to racial, ethnic, or religious enmity); 159 (insulting Parliament, the army, republic, or judiciary); 160 (insulting the Turkish Republic); 169 (aiding an illegal organization); the Law to Protect Atatürk; and over 150 articles of the Press Law (including a provision against commenting on ongoing trials).

During the year, Parliament amended several of these laws. In July, it revoked Article 8 of the Anti-Terror Law, which prohibited the dissemination of separatist propaganda. However, the updated laws still restrict non-violent expression, and court cases were still being brought against writers and publishers. Prosecutors in some cases based speech-related charges on laws not included in the scope of the reforms. According to HRF, in the first 6 months of the year, courts tried at least 139 persons on charges relating to spoken or written expression. During that period, HRF reported that authorities detained 82 news correspondents, distributors, and editors, and arrested 8 journalists.

Individuals could not criticize the Government publicly without fear of reprisal, and the Government continued to restrict expression by individuals sympathetic to some religious, political, and Kurdish nationalist or cultural viewpoints. Active debates on human rights and government policies continued, particularly on issues relating to the country's EU membership process, the role of the military, Islam, political Islam, and the question of Turks of Kurdish origin as "minorities"; however, persons who wrote or spoke out on such topics risked prosecution.

In May, a Van court sentenced DEHAP parliamentary candidate Ruknettin Hakan to 6 months imprisonment for "making propaganda speeches in a language other than Turkish." The case was under appeal at year's end.

In June, authorities arrested and indicted teacher Hulya Akpınar for comments she made during a conference in Kilis Province on the alleged genocide of Armenians under the Ottoman Empire. Prosecutors also charged six other teachers for following Akpınar out of the conference. Akpınar was temporarily dismissed from duty following her arrest. A Kilis court acquitted Akpınar and the other six teachers in December.

At year's end, the trial of Sefika Gurbuz, head of the Social Support and Culture Association for Migrants, continued in an Istanbul SSC on speech charges related to the organization's 1999-2001 report on forced displacement.



During the year, the ECHR ruled against the country in six cases involving freedom of expression.

Independent domestic and foreign periodicals that provided a broad spectrum of views and opinions, including intense criticism of the Government, were widely available, and the newspaper business was extremely competitive. However, news items reflected a pro-authority bias. For example, persons killed by security forces during operations in the southeast often were described as "terrorists" without proof of terrorist activities.

Broadcast media reached almost every adult, and their influence, particularly that of television, was great. The Government owned and operated the Turkish Radio and Television Corporation (TRT). According to the High Board of Radio and Television (RTUK), there were 226 local, 15 regional, and 16 national officially registered television stations, and 959 local, 104 regional, and 36 national radio stations. Other television and radio stations broadcast without an official license. The wide availability of satellite dishes and cable television allowed access to foreign broadcasts, including several Turkish-language private channels.

Most media were privately owned by large holding companies that had a wide range of outside business interests. The concentration of media ownership influenced the content of reporting and limited the scope of debate.

RTUK monitored broadcasters and sanctioned them if they were not in compliance with relevant laws. Parliament elected the RTUK Council members (divided between ruling and opposition parties) and provided its budget. One member of the nine-person Council was chosen from among candidates nominated by the NSC, and two were chosen from among candidates nominated by the Higher Education General Board. Although nominally independent, RTUK was subject to some political pressures. RTUK penalized private radio and television stations for the use of offensive language, libel, obscenity, instigating separatist propaganda, or broadcasting programs in Kurdish. RTUK decisions could be appealed to the Provincial Administrative Court and then to the Council of State (Danistay).

RTUK reported that, during the year, it closed eight television stations for a period of 30 days each and seven radio stations for a period of 30 days each.

Prosecutors harassed writers, journalists, and political figures by bringing dozens of cases to court each year under various laws that restrict media freedom. However, judges dismissed many charges brought under these laws. Authorities often closed periodicals temporarily, issued fines, or confiscated periodicals for violating speech codes. Despite government restrictions, the media criticized government leaders and policies daily and adopted an adversarial role vis-a-vis the Government.

In April, an Istanbul court convicted the owner and editor of the daily Ozgur Gundem in connection with an article about jailed PKK leader Abdullah Ocalan. The court fined the journalists and ordered the newspaper to close for 5 days.

In May, an Istanbul court convicted editor Baris Baksi and writer Zulfikar Yildirim in connection with an article on Kurdish issues. The court fined the journalists and ordered the 15-day closure of the journal in which the article appeared.

In May, an Ankara SSC opened two cases against writer and scholar Fikret Baskaya for works originally published 10 years before. In August, the court acquitted Baskaya in one case, involving the eighth edition of his book, "Collapse of the Paradigm: An Introduction to the Criticism of the Official Ideology." Baskaya was convicted in 1993 for the original publication of the book, on charges of propaganda "aimed at damaging the indivisible unity of the State," and served 15 months in prison. The ECHR later ruled his conviction a violation of the European Convention on Human Rights. At year's end, Baskaya continued to face charges in the second case, involving the re-publishing of an article he wrote in 1993.

In December, an Adana court sentenced Sabri Ejder Ozic, former director of Radyo Dunya, to a 1-year jail sentence for "insulting and mocking Parliament." The court convicted Ozic for statements he made on the air in February. The case was under appeal at year's end.

In July, RTUK ordered the 30-day closure of 5 television stations owned by the family of Cem Uzan, leader of the Genc Party, for allegedly supporting the family's business interests on the air. The stations broadcast a speech by Uzan in which he criticized Prime Minister Erdogan as "Godless." Prosecutors opened a case against Uzan for his comments, charging him with "insulting" the Government (see Section 3).

According to Reporters Without Borders, four journalists were in jail at the end of 2002 for speech violations. The Committee to Protect Journalists claimed there were 13 journalists in prison at the end of 2002. According to the Government, there were no journalists held on speech violations in either 2002 or the reporting period, although at year's end, there were 34 prisoners claiming to be journalists who were charged with a variety of crimes. The different figures reflected disagreement over which prisoners were legitimate journalists, and which were jailed for carrying out their journalistic duties.

Authorities sometimes used forms of censorship against periodicals with pro-Kurdish or leftist content, particularly in the southeast. Nedim Oruc, distributor of the Kurdish language weekly Azadiya Welat in Diyarbakir, claimed in May that police had repeatedly threatened him for distributing the newspaper and seized his list of

subscribers. In June, an Istanbul court ordered the confiscation of the journal *Iktidar İcin Mucadele Birliđi* for containing separatist propaganda. Journalists practiced self-censorship.

The law makes it illegal for broadcasters to threaten the country's unity or national security. In principle, the law allows broadcasts in the traditional languages of the country, other than Turkish, including Kurdish. However, implementing regulations set strict time limits on such broadcasts: 45 minutes per day, 4 hours per week on radio and 30 minutes per day, 2 hours per week on television. The regulations also require that non-Turkish radio programs be followed by the same program in Turkish and that non-Turkish television programs have Turkish subtitles. Early in the year, regulations limited broadcasts in traditional non-Turkish languages to the government-owned TRT; however, TRT did not produce any such broadcasts and filed a legal challenge to the regulation directing it to do so. In July, Parliament adopted legislation allowing private media outlets to broadcast in traditional non-Turkish languages. However, the Government had not approved implementing regulations for such private broadcasts by year's end.

In July, Parliament passed legislation to facilitate the establishment of language courses teaching traditional non-Turkish languages. However, by year's end, local authorities had not given permission for any such courses to open (see Section 5).

Kurdish-language audio cassettes and publications were available commercially, although the periodic prohibition of particular audio cassettes or singers continued, particularly in the southeast.

SSC prosecutors ordered the confiscation of numerous issues of leftist, Kurdish nationalist, and pro-PKK periodicals and prohibited several books on a range of topics. Police frequently raided the offices of publications. At year's end, the trial continued in the case of activists who were charged with supporting illegal organizations and separatism after publishing a new "Freedom of Thought" booklet in 2001.

The Government showed some signs of greater tolerance for the use of the Kurdish language. Unlike in past years, police in most instances did not interfere during the year when HRA put up banners with the motto "Peace at Home, Peace in the World" in both Turkish and Kurdish, although, in December, authorities in Van province did seize the banners. Also for the first time, police did not detain HRA members making statements in Kurdish on World Peace Day in September. In October, Kurdish singer Ciwan Haco spoke and sang in Kurdish during an appearance on a popular Istanbul-based television program.

Several actions, including police harassment, were taken against the pro-Kurdish DEHAP party (see Section 3). In September, police detained DEHAP Chairman

Tuncer Bakirhan, singer Haluk Levent, and six others in connection with a concert in Germany during a Kurdish cultural festival. Concert participants reportedly displayed KADEK-related pictures and banners; authorities charged the detainees with separatist propaganda.

The Government did not restrict access to the Internet. However, the law authorizes the RTUK to monitor Internet speech and to require Internet service providers to submit advance copies of pages to be posted online. The law also allows police to search and confiscate materials from Internet cafes to protect "national security, public order, health, and decency" or to prevent a crime. Police must obtain authorization from a judge or, in emergencies, the highest administrative authority before taking such action.

In October, an Ankara court ordered the closure of the websites of the weekly Ekmek ve Adalet and the daily Ozgur Politika on the grounds that they insulted the armed services. In April, an Istanbul court acquitted journalist Coskun Ak, who was charged in connection with a message posted by an unknown participant in an Internet forum moderated by Ak.

The Government did not restrict academic freedom; however, there reportedly was some self-censorship on sensitive topics.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provided for freedom of assembly; however, the Government sometimes restricted this right in practice. Significant prior notification to authorities was required for a gathering, and authorities could restrict meetings to designated sites.

In July, Parliament relaxed restrictions on assemblies and demonstrations. Under the new measures, authorities may only prohibit assemblies and demonstrations when there is "clear and present danger that a criminal offense will be committed." The measures also reduce the length of time authorities may postpone gatherings under various conditions.

Authorities prevented some demonstrations. In January, the Diyarbakir governor refused permission for an anti-war demonstration organized by the Diyarbakir Democracy Platform. In March, Bursa authorities prevented DEHAP members from holding a press conference on the grounds that they were planning a demonstration in support of jailed PKK leader Abdullah Ocalan.

Police beat, abused, detained, and harassed some demonstrators. In June, Istanbul police reportedly used tear gas and beatings to break up a demonstration by 300 women protesting the alleged rape and torture of HADEP member Gulbahar Gunduz (see Section 1.c.). In August, Ankara police detained seven persons while breaking up a demonstration organized by the Confederation of Public Sector Trade Unions (KESK). Prime Minister Erdogan publicly called the demonstration "anti-democratic."

In June, an Ankara court reduced the charges against police defendants from torture to maltreatment in the November 2002 beating of Veli Kaya during a protest against the Higher Education Council. The court sentenced the defendants to 6 months imprisonment but postponed the sentence on the grounds of good behavior during trial. The case was under appeal at year's end.

During the March 21 Kurdish Nevruz ("New Year") celebrations, there were significantly fewer clashes than in past years, according to the HRF. However, local authorities prohibited celebrations in a number of towns, and police arrested scores of persons participating in the celebrations. Authorities in some municipalities prohibited the use of the traditional Kurdish spelling "Newroz."

According to HRF, unlike in past years, police and local authorities did not interfere in May Day (May 1) celebrations. The Bitlis governor postponed some of the celebrations.

In December, Kayseri police searched participants attending a meeting on human rights organized by the Prime Ministry Human Rights Presidency and the EU.

At year's end, the trial continued for Alp Ayan--a psychiatrist with the HRF Izmir Treatment and Rehabilitation Center--and 67 others charged with "holding an unauthorized demonstration" after they participated in the funeral procession of one of the prisoners killed in the 1999 Ulucanlar incident.

The Constitution provides for freedom of association; however, there were some restrictions on this right in practice. Associations and foundations were required to submit their charters for lengthy and cumbersome government approval. The Government closed the HADEP Party on charges of separatism and supporting terrorism (see Section 3). The Act on Associations gives the Interior Ministry and local government officials broad authority to inspect the premises and records of associations at any time. The law also gives governors broad powers to suspend associations to protect "public order." According to the Third Sector Foundation of Turkey, an NGO advocacy organization, the criteria for NGOs to obtain public benefit status, entitling them to certain tax exemptions, were restrictive and complicated.

In January and July, Parliament adopted measures that loosened restrictions on the right to form and join associations, as well as on association activities. Specific measures included: Revoking laws prohibiting those convicted under Article 312 of the Penal Code (incitement to racial, ethnic, or religious enmity) from forming or joining associations for a period of time; expanding university students' rights to form associations by allowing artistic, cultural, and scientific student associations; requiring the Ministry of Interior to process applications for new associations in 60 days (down from 90 days); allowing associations to use non-Turkish languages for all purposes other than official, written communication with the Government; allowing associations to issue statements without prior approval from local government officials; and allowing associations to establish multiple branches.

In March, an Ankara SSC dismissed the October 2002 separatism and espionage charges against the leaders of the branches of five German foundations.

### c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, the Government imposed some restrictions on Muslim and other religious groups and on Muslim religious expression in government offices and state-run institutions, including universities. The Constitution establishes the country as a secular state and provides for freedom of belief, freedom of worship, and the private dissemination of religious ideas. However, these rights were restricted by other constitutional provisions regarding the integrity and existence of the secular state. The Constitution prohibits discrimination on religious grounds.

The Government oversaw Muslim religious facilities and education through its Directorate of Religious Affairs (Diyanet). The Diyanet had responsibility for regulating the operation of the country's 75,000 mosques and employing local and provincial imams, who were civil servants. Some groups, particularly Alevis, claimed that the Diyanet reflected mainstream Sunni Islamic beliefs to the exclusion of other beliefs; however, the Government asserted that the Diyanet treated equally all those who requested services.

A separate government agency, the General Directorate for Foundations (Vakiflar Genel Mudurlugu), regulated some activities of non-Muslim religious groups and their affiliated churches, monasteries, synagogues, and related religious property. The Vakiflar also regulated Muslim charitable religious foundations, including schools, hospitals, and orphanages.

Secularists in the military, judiciary, and other government branches, as well as in academia, continued to wage campaigns against those they labeled as proponents of Islamic fundamentalism. These groups viewed religious fundamentalism, which they did not define clearly, as a threat to the secular republic; they asserted it was an

attempt to impose the rule of Shari'a law in all civil and criminal matters. According to the human rights organization Mazlum-Der, some government ministries have dismissed or barred from promotion civil servants based on unsubstantiated allegations of anti-state or Islamist activities. There were credible reports that the Education Ministry has deemed that observance of Ramazan (Ramadan), which includes daytime fasting, qualifies as such an activity; some teachers allegedly have experienced harassment or reassignment to more difficult posts as a consequence. Additionally, reports by Mazlum-Der, the media, and others alleged that the military regularly dismissed religiously observant Muslims from the service. Such dismissals were based on behavior that military officials believed identified these individuals as Islamic fundamentalists, which they feared indicated disloyalty to the secular state. According to Mazlum-Der, the military has charged individuals with "lack of discipline" for activities that included performing Muslim prayers or being married to women who wore headscarves.

In March, an Ankara SSC postponed a verdict in the trial in absentia of Fetullah Gulen, an Islamic philosopher and leader who resided abroad. Gulen faced 5 to 10 years in prison after being indicted in 2000 under the Anti-Terror Law on charges of "attempting to change the characteristics of the Republic" by trying to establish a theocratic Islamic state. The prosecutor also charged Gulen with trying to "infiltrate" the military. Under the postponement ruling, the case against Gulen will be formally closed if he does not commit the crimes alleged in the indictment within 5 years. Attorneys for Gulen appealed the ruling and sought an acquittal. The appeal continued at year's end.

At year's end, there was no decision in the appeal of the June acquittal by an Istanbul court of 13 Ahmadi Muslims, who had been arrested in April 2002 and charged under Article 7 of the Anti-Terror Law for involvement with an organization "with terrorist aims."

At year's end, no conclusion had been reached in the October 2002 court case demanding the closure of the AK Party for being a center of activities "contrary to the principle of a secular republic." The party was charged with failing to abide by a Court ruling requiring Prime Minister Erdogan to resign as party chairman.

The Government interpreted the 1923 Lausanne Treaty as conferring special minority legal status on three non-Muslim groups—Greek Orthodox Christians, Armenian Orthodox Christians, and Jews. However, this did not extend to the religious leadership organs. The Ecumenical and Armenian Patriarchates, for example, continued to seek recognition of their legal status. Non-Muslim groups not recognized as Lausanne minorities lacked legal status, and their activities were subject to legal challenges.

In principle, the 160 minority foundations recognized by the Vakiflar may acquire property. It is not clear whether the regulations apply to other foundations. A number

of foundations criticized the application process for acquiring property as lengthy and burdensome. The Vakıflar approved few applications. As of November, out of 2,234 applications, the Vakıflar had rejected 622 as inadmissible and returned 910 as incomplete, while approving 274.

There were no developments in the efforts of the Ecumenical Patriarchate in Istanbul to obtain permission to reopen its seminary, closed since 1971, on the island of Halki in the Sea of Marmara. Under existing restrictions, including a citizenship requirement, the religious community remained unable to train new clergy.

There were an estimated 5 to 12 million Alevis, followers of a belief system that incorporates aspects of both Shi'a and Sunni Islam and draws on the traditions of other religions found in Anatolia as well. The Government considered Alevism a heterodox Muslim sect; however, some Turkish Alevis and radical Sunnis maintained Alevis were not Muslims. Many Alevis alleged discrimination in the Government's failure to include any of their doctrines or beliefs in religious instruction classes. Alevis also charged that there was a Sunni bias in the Diyanet since the directorate viewed Alevis as a cultural rather than a religious group and did not fund their activities. During a September visit to Germany, Prime Minister Erdogan told reporters that "Alevism is not a religion" and said Alevi Cem houses are "culture houses" rather than "temples."

In May, an appeals court upheld a lower court decision overturning a February 2002 ruling to close the Union of Alevi-Bektasi Organizations (ABKB) on the grounds that it violated the Act on Associations.

There were legal restrictions against insulting any religion recognized by the State, interfering with that religion's services, or debasing its property. However, some Christian churches have been defaced, including in the Tur Abdin area of the southeast where many ancient Syriac churches are found, and communities often have been unable to make repairs due to lack of resources.

Religious affiliation was listed on national identity cards. Some members of non-Muslim religious groups claimed that they had limited career prospects in government or military service as a result of their affiliation. Some non-Muslims and atheists said their religious affiliations were not among the options available for selection.

By law, religious services may take place only in designated places of worship, although non-Muslim religious services often took place in non-designated places of worship. Police occasionally barred Christians from holding services in private apartments and from proselytizing by handing out literature. These activities also occasionally led to police detention and trials. In June, Parliament amended the Act on Construction to replace the word "mosques" with "houses of worship," in theory



removing a legal obstacle to the building of non-Muslim religious facilities. However, representatives of some non-Muslim groups said provincial authorities did not designate zones where houses of worship could be established, making it impossible to comply with the law. In September, local authorities closed a Protestant church in Mersin for zoning violations, while a Protestant church in Diyarbakir was unable to resolve a longstanding zoning problem.

In March, an Istanbul court acquitted seven Christians charged with holding illegal church and Bible study meetings in an apartment.

In 2001, the Ministry of Interior sent a circular to all provincial governors encouraging them to use existing laws (such as those that regulated meetings, religious building zoning, and education) to regulate gatherings of "Protestants, Baha'is, Jehovah's Witnesses, Believers in Christ (Christians), etc." On April 20, Mersin police arrested 12 members of Jehovah's Witnesses for allegedly holding an illegal meeting in a private home after being notified in 2002 that they would no longer be allowed to use a rented Kingdom Hall due to zoning laws. When the group planned in May to hold services in an old Kingdom Hall, police reportedly threatened to close down the Hall if it was used, then attended the next 17 meetings at the Hall, taking notes. A court acquitted the 12 members of Jehovah's Witnesses on September 30. On several occasions during the year, members of Jehovah's Witnesses in Mersin and Istanbul were fined for conducting religious meetings without permission.

In November, two synagogues in Istanbul were bombed in a set of apparent terrorist-related attacks that also struck the British Consulate and a bank (see Section 1.a.).

Members of a Protestant church in Kecioren, Ankara said local residents opposed to their presence repeatedly vandalized the church and harassed and threatened them. They said police were generally dismissive of their complaints. In September, church members opened a case against the alleged organizer of the harassment.

In October, four assailants in Bursa Province associated with the Nationalist Movement Party reportedly severely beat Yakup Cindilli, a recent convert to Christianity, after accusing him of distributing Bibles and "doing missionary work." Cindilli reportedly fell into a coma for 2 months. The trial against the alleged assailants continued at year's end.

In December, local authorities in Edirne rescinded an order to expropriate a sacred site of the Baha'i community.

There is no law explicitly prohibiting proselytizing or religious conversions; however, religious groups that proselytized occasionally were subject to government

restrictions or harassment. Many prosecutors regarded proselytizing and religious activism on the part of evangelical Christians, as well as Islamists, with suspicion, particularly when such activities were deemed to have political overtones. Police sometimes arrested proselytizers for disturbing the peace, "insulting Islam," conducting unauthorized educational courses, or distributing literature that had criminal or separatist elements; courts usually dismissed such charges. If the proselytizers were foreigners, they could be deported, but they usually were able to reenter the country. On December 31, 2002, the Erzurum State Security Court dropped charges brought in 2002 against 12 Baha'is for "openly inciting hatred and enmity" by distributing materials on the Baha'i Faith.

State-sponsored Islamic religious and moral instruction in all public primary and secondary schools was compulsory. Upon written verification of their non-Muslim background, "minorities" recognized by the Government under the Lausanne Treaty were exempted by law from Muslim religious instruction. Other small groups, such as Catholics, Protestants, and Syriac Christians, were not exempted. Students who completed the 8-year primary school could study in government-sponsored imam-hatip (preacher) schools, which provided courses in the Koran and Islamic theology in addition to the standard high school curriculum. The Government did not permit private Koran courses, though many functioned unofficially. According to Mazlum-Der, police conducted approximately 20 raids of illegal Koran courses in the first 6 months of the year. Only children 12 and older could register legally for official Koran courses, and Mazlum-Der reports that many of the police raids targeted illegal courses for younger children.

Government authorities continued to enforce a long-term prohibition on the wearing of religious head coverings at universities and by civil servants in public buildings. In October, Istanbul University prevented a foreign professor it had invited to a conference from entering the campus because she was wearing a headscarf. In November, a judge in Ankara ordered a defendant out of the courtroom because she was wearing a headscarf. Women who wore head coverings and persons who actively showed support for those who defied the prohibition were disciplined or lost their jobs in the public sector as nurses and teachers. Students who wore head coverings were not permitted to register for classes. Many secular women accused Islamists of using the headscarf as a political tool and said they feared that efforts to remove the headscarf prohibition would lead to pressure against women who chose not to wear a head covering. In October, President Sezer excluded the covered wives of government ministers and Members of Parliament from the guest list for the traditional presidential Republic Day reception.

Citizens who converted from Islam often experienced some form of social harassment or pressure from family and neighbors. Proselytizing socially was unacceptable. A variety of newspapers and television shows published anti-Christian messages. Several Islamist newspapers regularly published anti-Semitic material.

During the year, Bulent Bozdogen, a member of Jehovah's Witnesses, was reportedly tried on two separate occasions and sentenced to a total of 3 months in military prison on charges related to his refusal to serve in the military. During the period, he was reportedly beaten and mistreated numerous times. At the end of the year, three additional members of Jehovah's Witnesses were reported to be awaiting trial on similar charges.

For a more detailed discussion, see the 2003 International Religious Freedom Report.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights; however, at times the Government limited some of these rights. The Constitution provides that a citizen's freedom to leave the country could be restricted only in the case of a national emergency, civic obligations (military service, for example), or criminal investigation or prosecution.

During the height of the PKK conflict from 1984 to 1990, the Government forcibly displaced a large number of residents from villages in the southeast. Many others left the region on their own. The Government reported that 378,000 residents "migrated" from the southeast during the conflict, with many others departing before the fighting. Various NGOs estimated that there were from 1 to 3 million IDPs. Although the Government lifted the state of emergency in the southeast in 2002, it maintained a heavy security presence in the region, including numerous roadway checkpoints. The Government estimated there were 4,500 to 5,000 armed PKK/KADEK/KHK militants across the border in northern Iraq, and another 1,000 in the southeast of the country.

In July, Parliament adopted a "Reintegration Law" offering reduced prison sentences to combatants belonging to the PKK/KADEK/KHK and other terrorist organizations as identified by the Government who agreed to lay down their weapons and provide information to authorities. The law offered full amnesty to those guilty of providing non-lethal support to terrorist organizations. At year's end, most of those who had applied for benefits under the law were already serving prison sentences; the Government reported that, as of December 19, 2,486 prisoners had applied for benefits under the law and 586 active militants had turned themselves in.

Citing security concerns, southeastern provincial authorities continued to deny some villagers access to their fields and high pastures for grazing, but have allowed other villagers access to their lands. Voluntary and assisted resettlements were ongoing. In some cases, persons could return to their old homes; in other cases, centralized villages have been constructed. Only a fraction of the total number of evacuees has returned. The Government claimed that 94,000 persons returned to the region from June 2000 to October. More than 400 villages and hamlets have reportedly been

reopened with government assistance. These figures could not be independently verified.

According to human rights activists, villagers, and some southeast members of Parliament, the Government did not allow some displaced villagers to return unless they signed a document stating that they had left their homes due to PKK terrorism, rather than due to Government actions, and that they would not seek Government assistance in returning. Village guards have occupied homes abandoned by IDPs, and have attacked or intimidated IDPs attempting to return to their homes with official permission.

Foreign governments and national and international human rights organizations continued to criticize the Government's return efforts as secretive and inadequate. Francis M. Deng, the U.N. Special Representative for IDPs, visited the region in June 2002 and acknowledged a more open approach to returns on the part of the Government. Deng called on the Government to formulate a clear and transparent returns policy, establish focal points in the Government on IDPs, improve coordination within the Government and between the Government and the international community, and convene an international forum to develop return programs and strategies. In December, government officials discussed the IDP issue with representatives of U.N. agencies and the EU.

In October, an Adana court acquitted 14 members of the Migration and Humanitarian Aid Foundation (GIYAV)—a Mersin-based group whose declared purpose was to provide assistance to displaced persons—on charges of aiding and abetting an illegal organization. The court transferred the cases of seven co-defendants to a Mersin court. Prosecutors continued to seek to disband GIYAV on separate charges that the organization established relationships with foreign associations without seeking the required approval of the interior and foreign ministries. That case was not concluded at year's end.

An administrative regulation provides for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol; however, upon ratifying the Convention in 1962, the Government exercised the option of accepting its obligations only with respect to refugees from Europe. In practice, the Government granted refugee status and asylum to some persons. According to the Government, Europeans recognized as refugees could remain in the country and eventually acquire citizenship; however, it was not clear how often this happened in practice. The number of Bosnian and Kosovar refugees declined to between 800 and 900, mostly due to voluntary repatriation. Approximately 260 Chechens who arrived in 2001 remained, mostly in Istanbul.

The Government offered non-European refugees temporary protection while they were waiting to be resettled in another country. The U.N. High Commissioner for

Refugees (UNHCR) conducted refugee status determination for applicants from non-European countries and facilitated the resettlement of those recognized as refugees. According to UNHCR, through November there were 1,962 cases of (non-European) asylum seekers involving 3,512 persons. The vast majority of these applicants (89 percent) were Iranian and Iraqi nationals. During the same period, UNHCR recognized refugee status in 1,079 cases representing 2,169 persons.

Regulations require asylum seekers to apply within 10 days of their arrival and submit proof of identity in order to register as asylum seekers. An appeal could be lodged within 15 days of a decision by the authorities not to receive the asylum claim. After the appeal procedure, rejected applicants were issued a deportation order that could be implemented after 15 days. UNHCR intervened with the Government if it disagreed with a decision not to accept an individual asylum claim. The 10-day time limit presented an obstacle to many asylum seekers attempting to legalize their status in the country. Approximately 15 percent of the asylum seekers who approached the UNHCR through November were unable to register with the Government on procedural grounds.

According to the UNHCR, through November, 48 refugees and asylum seekers were returned to a country where they feared persecution without being given access to a complete asylum determination process, or after being granted refugee status. Of these, 34 were able to re-enter Turkey shortly afterward. In addition, there were credible reports of further incidents in which the Government informally returned groups of refugees and asylum seekers to neighboring countries.

Detained illegal immigrants found near border areas were more likely to be questioned about their asylum status and referred for processing than those found in the interior of the country. UNHCR and Government authorities continued to work to resolve this problem and to find ways to allow greater access of all asylum seekers to processing. The country remained a transit and departure point for illegal migrants and asylum seekers of various nationalities who traveled in small groups utilizing land routes, small boats, and ships on the way to other European countries.

Since 1998, the UNHCR and the Government have cooperated in training border guards and other government officials responsible for asylum seekers and refugees. The training has led to increased contacts between the UNHCR and police, Jandarma, military, coast guard, civil society, and judicial authorities. The UNHCR also reported that incidents of refoulement have declined as a result of this training and credited the Government for its willingness to improve the functioning of the national asylum procedure.

The UNHCR worked with international and local partners, including the International Catholic Migration Commission, the Turkish Red Crescent Society, the Human Resources Development Foundation and the Hacettepe University School of Social Work to meet the basic needs of refugees during their stay in the country.

### Section 3 Respect for Political Rights: The Right of Citizens to Change their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens generally exercised this right in practice through periodic free and fair elections held on the basis of universal suffrage; however, the Government restricted the activities of some political parties and leaders. The country has a multiparty parliamentary system, in which national elections are held at least every 5 years, with mandatory universal suffrage for all citizens 18 years of age and over. The November 2002 elections featured 18 parties, 2 of which garnered enough votes to pass the 10 percent national vote threshold to enter Parliament. Parliament elects the president as head of state for a single term every 7 years or when the incumbent becomes incapacitated or dies.

In accordance with the Constitution, the NSC--a powerful advisory body to the Government composed of civilian government leaders and senior military officers and chaired by the president--played a significant role in shaping government policy. Under the Constitution, the NSC has nine civilian members and five military members. In July, Parliament reformed the NSC by allowing for a civilian to serve as NSC Secretary General, reducing by half the number of regular NSC meetings, and eliminating the NSC's authority to require other government agencies to submit documents to the NSC. In January, Parliament adopted an amendment revoking the authority of the NSC to name a representative to the Cinema, Video, and Musical Works Council. However, the NSC continued to name representatives to other civilian boards, such as the High Board of Radio and Television and the Higher Education General Board. Public debate on the role of the NSC intensified in August when the daily newspaper Radikal published portions of a longstanding secret regulation authorizing the NSC to conduct psychological operations in the country. Parliament reportedly revoked this authorization in July. In December, Parliament adopted legislation under which the regulation governing the NSC was no longer secret. There were press reports alleging that newly created provincial public relations offices were designed to carry out psychological operations in place of the NSC; Interior Minister Aksu rejected these claims.

The Government neither coerced nor prohibited membership in any political organization; however, the Court of Appeals Chief Prosecutor could bring cases seeking the closure of political parties before the Constitutional Court, which could close them for unconstitutional activities. In January, Parliament adopted legislation requiring a three-fifths majority of the 11-member Constitutional Court, rather than a simple majority, to close a party. The legislation also stipulates that parties could be closed only for reasons stated in the Constitution; previously, closures could also be based on the more broadly worded reasons cited in the Political Parties Law. The law allows the Constitutional Court to deprive a party of state funds as an alternative to ordering closure.

In March, the Constitutional Court announced its decision to close HADEP on charges of supporting the PKK/KADEK and committing separatist acts (see Section 2.b.). The Court also prohibited 46 HADEP leaders from participating in political activity for 5 years. On the same day, the Supreme Court of Appeals Chief Prosecutor filed a case seeking the closure of the Democratic People's Party (DEHAP), a HADEP sister party, on similar charges. The Government also closed two of HADEP's predecessor parties in previous years. The case against DEHAP continued at year's end.

In September, the Supreme Court of Appeals upheld the conviction of five DEHAP leaders on charges of providing false documents while registering for the 2002 national elections. The court sentenced the defendants to 2-year prison terms.

In October 2002, the Supreme Court of Appeals Chief Prosecutor opened a court case demanding the closure of the AK Party (see Section 2.c.).

In October, a Bursa court began hearings in a case against Genç Party leader Cem Uzan, charged with "insulting" Prime Minister Erdogan in a June speech in which he referred to Erdogan as "Godless" (see Section 2.a.).

Leyla Zana, Hatip Dicle, Orhan Dogan and Selim Sadak—former members of Parliament from the pro-Kurdish independence Democracy Party—were granted a retrial in February under legal reforms allowing for a retrial for convicts who win their appeals to the ECHR. They remained in prison during the trial, which continued at year's end. Attorneys for the defendants and the Geneva-based International Commission of Jurists accused the court trying the case of pro-prosecution bias. In addition, the Council of Europe in October informed the Government of its concern that the conduct of the trial was not consistent with the fair trial provisions of the European Convention on Human Rights.

During the year, police raided dozens of DEHAP offices, particularly in the southeast, and detained hundreds of DEHAP officials and members. DEHAP members were regularly harassed by Jandarma and security officials, including verbal threats, arbitrary arrests at rallies, and detention at checkpoints. Security forces also regularly harassed villagers they believed were sympathetic to DEHAP. Although most detainees were released within a short period, many faced trials, usually for "supporting an illegal organization," "inciting separatism," or for violations of the Law on Meetings and Demonstrations. In March, police in Tarsus arrested local DEHAP chairman Alaattin Bilgic on charges relating to a speech he had made. He was charged with a crime, and the case against him continued at year's end. In August, police raided DEHAP offices in Bingol on allegations of "keeping illegal publications." Following the raid, prosecutors opened charges against five DEHAP members; a court convicted and fined them in December. According to DEHAP, between September and November, police detained more than 1,000 participants in a DEHAP

campaign calling for an amnesty for PKK/KADEK members. Authorities released most of the detainees, but opened charges against more than 100.

Parties are required to have 10 percent of the nationwide vote to enter Parliament. During the year, politicians from several parties debated whether to lower the threshold. At year's end, the ECHR had not ruled on a September 2002 complaint filed by HADEP that the 10 percent threshold prevented 34 of its candidates from entering Parliament in 1999, despite having won elections in their districts.

There were 24 women in the 550-seat Parliament. There was 1 female minister in the 24-member Cabinet, and there were no female governors. Approximately 20 women were subgovernors. The Constitution calls for equal political rights for men and women, and many women were active politically.

There were no legal restrictions on political activities by minorities. Some minority groups were active in political affairs. Many members of Parliament and senior government officials were Kurds.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups operated in many regions, but faced government obstruction and restrictive laws regarding their operations, particularly in the southeast. The Government met with domestic NGOs (which it defined broadly to include labor unions), responded to their inquiries, and sometimes took action in response to their recommendations. The Act on Associations governing the activities of most NGOs (some fall under the Law of Foundations, and others incorporate themselves as businesses) contains restrictive provisions regarding membership, fundraising, and scope of activities.

The HRA had 34 branches nationwide and claimed a membership of approximately 14,000. The HRF, established by the HRA, operated torture rehabilitation centers in Ankara, Izmir, Istanbul, Diyarbakir, and Adana and served as a clearinghouse for human rights information. Other domestic NGOs included the Istanbul-based Helsinki Citizens Assembly, the Ankara-based Turkish Democracy Foundation, the Turkish Medical Association, human rights centers at a number of universities, and Mazlum-Der. Human rights organizations were represented on some provincial and subprovincial human rights councils.

Human rights organizations and monitors, as well as lawyers and doctors involved in documenting human rights violations, continued to face detention, prosecution, intimidation, harassment, and formal closure orders for their legitimate activities. HRA



reported that prosecutors opened approximately 60 cases against the organization during the year. HRA also continued to face charges in numerous cases opened in previous years. In September, HRA reopened its Malatya branch, which the Government closed in 2000.

In May, police raided the national headquarters and Ankara branch offices of the HRA, seizing records and computers as part of an investigation for alleged support for terrorism. The investigation continued at year's end.

In July, Mus police arrested Sevim Yetkiner, chairman of the HRA Mus office, and charged her with "aiding and abetting an illegal organization" for allegedly shouting pro-PKK slogans at the funeral of a PKK member who died in prison. Her trial continued at year's end. Also in July, HRA reported that people identifying themselves as Jandarma made threatening phone calls to Ridvan Kizgin, chairman of the HRA Bingol office. The callers allegedly criticized Kizgin's statements on human rights issues and told him to come to the Jandarma base, which he refused to do.

At years end, the trial of HRA Chairman Husnu Ondul and 46 others continued on charges connected with a January 2001 raid of HRA headquarters. The defendants were charged with possessing 33 publications prohibited by confiscation orders and faced sentences of 3 to 6 months if convicted.

In March, an Ankara court acquitted former HRA Chairman Akin Birdal, who was tried for allegedly stating in 2000 that the Government "should apologize for the Armenian genocide," a statement he denied making.

Police in June raided a Turkish Medical Association training seminar (see Section 1.c.).

In March 2002, the Government gave permission to Amnesty International (AI) to form a legal association; AI's previous application was rejected in 2001. AI operated a headquarters in Istanbul and held meetings in Ankara, Izmir, and Diyarbakir. AI postponed plans to open branch offices due to lack of funds. The organization reported good relations with the Government during the year.

Representatives of diplomatic missions who wished to monitor human rights were free to speak with private citizens, groups, and government officials; however, security police routinely placed such official visitors in the southeast under visible surveillance. Visiting foreign government officials and legislators were able to meet with human rights monitors. There were no public reports that officials representing foreign governments were denied permission for such visits. However, police

reportedly harassed and intimidated some human rights activists in the southeast after the activists met with foreign diplomats.

The parliamentary Human Rights Committee, which had a mandate to oversee compliance with the human rights provisions of domestic law and international agreements, investigate alleged abuses, and prepare reports, carried out inspections of detention centers.

The Government has established Human Rights Councils in all 81 provinces and 849 sub-provinces. The councils were designed to create a forum for human rights consultations among NGOs, professional organizations, and the Government. They investigated complaints and, when deemed appropriate, referred them to the prosecutor's office. They also produced monthly reports and organized conferences, training programs, and public information campaigns. In November, the Government adopted a new regulation changing the membership criteria of the councils. Under the new regulation, police and Jandarma representatives were eliminated from the councils and the number of lawyers, doctors, journalists, NGO members, and other nongovernmental members was increased. Human rights observers had criticized the previous regulation, under which the majority of council members were public officials. However, some human rights activists argued that, even under the new regulation, the councils were not independent because they remained under the chairmanship of un-elected governors and sub-governors. The new regulation also established application desks in all provinces and subprovinces for submitting complaints and outlined in detail the duties of the councils.

A Human Rights Presidency monitored the implementation of legislation relating to human rights, coordinated with NGOs, and educated public officials. The Presidency was attached to the Prime Ministry; it did not have a separate budget, and its resources were limited. During the year, the Presidency developed a standard form for human rights-related complaints as a part of an effort to collect and distribute detailed data on human rights issues.

Parliament has established numerous bodies to monitor the human rights situation, including: The High Human Rights Board, an interministerial committee responsible for making appointments to human rights posts; a Human Rights Consultation Board, designed to serve as a permanent forum for the exchange of ideas between the Government and NGOs; and a Human Rights Investigative Board, a special body to be convened only in cases where lower-level investigations are deemed insufficient by the Human Rights Presidency. The Human Rights Investigative Board has never been convened.

The Constitution provides that the country is a secular state, regards all citizens as equal, and prohibits discrimination on ethnic or racial grounds; however, societal and official violence and discrimination against women and minorities remained problems.

## Women

Violence against women remained a problem, and spousal abuse was serious and widespread. The law prohibits spousal abuse; however, complaints of beatings, threats, economic pressure, and sexual violence continued. Citizens of either sex could file civil or criminal charges for abuse but rarely did so. The Law for Protection of Family provides that victims of spousal violence may apply directly to a judge for assistance. The law authorizes judges to warn abusive spouses and order them to stay away from the household for 6 months. Judges may order further punishments for those who violate such orders. According to women's rights advocates, authorities enforced the law effectively, although outside of major urban areas, few spouses sought assistance under the law.

According to the Family Research Institute in the Prime Minister's office, beating in the home was one of the most frequent forms of violence against women. In March, Istanbul Bilgi University announced the results of a study involving a sample group of 6,440 married or divorced women in 25 provinces. According to the study, 31.5 percent of the women were beaten by their husbands; 21.5 percent were beaten by their fathers before being married; and 41 percent entered into arranged marriages. Approximately 35 percent of the group said they would file a complaint if their husbands beat them, up from 29 percent in a similar 1997 survey.

Spousal abuse was considered an extremely private matter involving societal notions of family honor, and few women went to the police. Police were reluctant to intervene in domestic disputes and frequently advised women to return to their husbands.

The law allows women to apply for restraining orders against their husbands and therefore to avoid having to leave their own homes. Observers and government officials noted that this provision has been very successful in some of the cities and rural areas of the country, but less so in the more traditional southeast. The law is limited to spouses and does not address some other sources of violence, such as in-laws.

The law prohibits rape; however, laws and ingrained societal notions made it difficult to prosecute sexual assault or rape cases. Women's rights advocates believed cases of rape were underreported.

According to women's rights advocates, there were nine government-operated guest houses and two NGO-operated shelters that provided services to battered women; in addition, the Child Protection and Social Services Agency provided legal services to victims of domestic violence through 53 community centers.

"Honor killings"--the killing by immediate family members of women suspected of being unchaste--continued in rural areas and among new immigrants to cities; according to media reports, there could be dozens of such killings every year. They were most common in conservative, Kurdish families in the southeast or among migrants from the southeast living in large cities. In July, Parliament revoked a law under which perpetrators of honor killings received reduced sentences. However, Parliament left intact another law allowing for reduced sentences for crimes committed "in the heat of anger" or under "unjust provocation." Women's rights advocates said perpetrators of honor killings continued to benefit from sentence reductions under this law. Because of sentence reductions for juvenile offenders, observers noted that young male relatives often were designated to perform the killing.

According to the women's advocacy group Flying Broom, honor killings and other problems confronting women were more intensely debated in the media and in society than in previous years. TRT television broadcast a 3-month series of daily programs on women's issues during the year.

In June, Semse Allak died from injuries suffered when she was stoned by relatives in Mardin Province for becoming pregnant by Halil Acil, who was killed in the same attack. Allak's unborn child also died. Two relatives were charged for the killings. The case continued at year's end. In November, a 15-year-old girl in Diyarbakir died after being attacked by her 16-year-old brother for becoming pregnant out of wedlock. The brother was detained, and the case continued at year's end.

Human rights organizations continued to report a high rate of suicides among young girls, particularly in the southeast and east. Observers said forced marriages and economic problems contributed to the suicides. A 2001 study in Batman Province concluded that an early marriage could be a catalyst to suicide for young girls with physical and psychological problems.

Unlike in previous years, HRF recorded no reports of forced "virginity testing."

Prostitution was legal; however, police made numerous arrests involving foreigners working illegally as prostitutes. Trafficking in women was a problem (see Section 6.f.).

The Association of Turkish Female Lawyers and other women's rights advocates criticized some articles of the Penal Code as discriminatory to women. Discriminatory Penal Code articles provide that: Rape is considered a crime against society, rather than a crime against the individual; rape between spouses is not legally considered rape; rapists and kidnappers may avoid punishment if they marry their victims; and punishment for rape is greater if the victim is married, lesser if the victim is single, and even less if the victim is single and not a virgin. Ambassador Hansjorg Kretschmer, Head of the European Commission Representation to the country, said in a December speech that the Penal Code "fails to offer the basic necessary amendments needed to recognize and protect women's human rights."

Parliament has not revised its internal code to conform with its January 2002 overturning of a regulation that prohibited female civil servants from wearing pants in the workplace.

The Directorate General on the Status and Problems of Women, under the authority of the State Minister for Women's and Children's Affairs, was responsible for promoting equal rights and raising awareness of discrimination against women. The Government has not adopted organizing legislation for the Directorate General, which was set up in 1990; as a result, it has not been able to expand beyond its limited staff of 42.

Particularly in urban areas, women were well represented in the professions, business, and the civil service and constituted more than one-third of university students. However, they continued to face discrimination in employment to varying degrees. Women were generally underrepresented in managerial-level positions as well as in government (see Section 3). Women generally received equal pay for equal work in professional, business, and civil service positions, although a large percentage of women (as well as men) employed in agriculture and in the trade, restaurant, and hotel sectors worked as unpaid family labor.

According to a UNICEF report released during the year, the literacy rate for women in 2000 was 77 percent, compared with 94 percent for men. However, in rural areas the rate could be as low as 50 percent for women. One reason for the higher rate for men was that men must serve in the army; if they did not know how to read, they were taught upon entry. In addition, families in rural areas often attached greater importance to the education of boys than girls.

Independent women's groups and women's rights associations existed but have not significantly increased their numbers or activities, mostly due to funding problems. There were many women's committees affiliated with local bar associations. Other organizations included the Association for Supporting and Training Women Candidates (Ka-Der), Flying Broom, the Turkish Women's Union, and the Foundation for the Evaluation of Women's Labor. Women continued to be very active in ongoing debates between secularists and more religiously oriented women, particularly with

respect to the right to choose whether to wear religious head coverings in public places, such as government offices and universities (see Section 2.c.).

## Children

The Government was committed to furthering children's welfare and worked to expand opportunities in education and health, including a further reduction in the infant mortality rate. The Minister for Women's and Family Issues oversaw implementation of the Government's programs for children. The Children's Rights Monitoring and Assessment High Council focused on children's rights issues.

Government-provided education through the age of 14 or the eighth grade was compulsory. Traditional family values in rural areas placed a greater emphasis on advanced education for sons than for daughters; the 8-year compulsory education requirement (implemented in 1998) has increased enrollment among girls. According to the Ministry of Education, 92 percent of girls and 100 percent of boys in the country attended primary school. However, in rural areas, the literacy rate for girls remained low, and many did not complete primary school. The literacy rate for boys, most of whom completed primary school, was higher. Some children in rural areas continued on to high school, for which they generally had to travel or live away from home.

The Government aimed to provide social security and health insurance for all its citizens, but gaps remained, leaving approximately 20 percent of families and their children without coverage. Persons not covered by insurance may use a special program to access public health care. Immunization rates in some eastern and southeastern provinces lagged behind the rest of the country. Infant mortality has declined rapidly. According to UNICEF, the infant mortality rate dropped to 36 per 1,000 in 2001.

There were reports of abuse of children. Children have suffered greatly from the cycle of violence in the southeast. In the past, the migration--forced or voluntary--of many families, past terrorism against teachers, and school closings uprooted children and moved them to cities that were hard pressed to find the resources to provide basic, mandatory services such as schooling.

Women's organizations criticized an article of the Penal Code whereby a mother who killed an illegitimate child to "protect family honor" received a reduced sentence.

Child labor was a problem (see Section 6.d.).

## Persons with Disabilities

There was no direct, specific discrimination against persons with disabilities, although they did suffer from a lack of economic opportunity. The law does not mandate access to buildings and public transportation for persons with disabilities. Persons with disabilities have some special privileges, such as the right to purchase products of the State Economic Enterprises at a discounted rate or acquire them at no cost.

According to a 2000 UNICEF report, welfare institutions provided "limited financial, employment and educational support to the handicapped." Although there were many state-run institutions for persons with disabilities, most attention to persons with disabilities remained at the individual and family level. The Administration of Disabilities office under the Prime Ministry has a mandate to develop cooperation and coordination among national and international institutions and to conduct research into issues such as delivery of services. During the year, Lokman Ayva, a blind member of Parliament, formed a parliamentary group to advocate for the rights of the disabled. Companies with more than 50 employees were required to hire persons with disabilities as 2 percent of their employee pool, although the requirement was not consistently enforced.

## National/Racial/Ethnic Minorities

The Constitution provides a single nationality designation for all Turks and thus does not recognize ethnic groups as national, racial, or ethnic minorities. Citizens of Kurdish origin constituted a large ethnic and linguistic group. Millions of the country's citizens identified themselves as Kurds and spoke Kurdish. Kurds who publicly or politically asserted their Kurdish identity or publicly espoused using Kurdish in the public domain risked public censure, harassment, or prosecution. However, Kurds who were long-term residents in industrialized cities in the west were in many cases assimilated into the political, economic, and social life of the nation, and much intermarriage has occurred over many generations. Kurds migrating westward (including those displaced by the conflict in the southeast) brought with them their culture and village identity, but often little education and few skills.

No official estimate of the Romani population existed, but it may be significant in regions near Bulgaria and Greece, and Roma were found in many cities throughout Anatolia. Human rights observers said many Roma did not disclose their ethnic identity for fear of discrimination. The European Roma Rights Center claimed that, at the end of February, police in Edirne beat and tortured with electric shocks a 14-year old Romani boy suspected of stealing a wallet. The Center reported abusive police actions, including police raids on Romani homes and coffee shops without a search warrant in Bursa. The Government revised the definition of "gypsy" in official dictionaries; the old definition had included terms such as "shameless" and "thief." However, the law states that "nomadic Gypsies" are among the four categories of people not admissible as immigrants.

During the year, the Turkish Sciences Academy and the History Foundation published the results of a survey of primary and secondary school textbooks focusing on human rights-related content. According to the survey, textbooks frequently contained discriminatory language. For example, one textbook stated, "Gypsies, with children in particular, do beg," while another claimed that during a certain historical period Armenians in Turkey "were neither innocent nor loyal to the State." A textbook compared the Turkish and Greek languages by stating that, "Turkish does not have the repeated 's' letter like the hissing of a snake sound in the Greek language."

There were numerous reports of citizens of Kurdish origin being prevented from registering their newborn children with Kurdish names. In some cases, charges were filed against the parents. In August, authorities in Mersin reportedly refused to allow Ali Aksan to register his children with the names "Mihrivan," "Zozan," and "Berivan." In September, authorities in Istanbul reportedly prevented Sevkett Gasgar from naming his son "Deral."

In July, Parliament amended an article of the Census Law that had been used to prevent the use of Kurdish names. The amendment removed language that had prohibited the use of names contrary to the "national culture" or "customs and traditions," instead prohibiting names contrary to "moral norms" or names that "offend the public." The revised wording was intended to ease the restrictions; however, human rights advocates claimed local authorities failed to adjust their practices. In September, the Interior Ministry issued a circular notifying local officials of the new regulations. However, the circular prohibited the use of letters used in Kurdish but not found in Turkish. In December, the Diyarbakir Province Jandarma commander asked the Diyarbakir chief prosecutor's office to provide a list of persons who had applied to change their names under the amended law. The prosecutor's office reportedly complied. The Diyarbakir Bar Association protested the request. There were numerous restrictions on free expression in Kurdish and pro-Kurdish political parties (see Sections 2.a. and 3).

In May, a Diyarbakir SSC acquitted a juvenile on charges of "inciting hatred and enmity." The juvenile was accused of altering the traditional pledge of allegiance in school and reciting, "Happy is he who calls himself a Kurd."

Implementing regulations for 2002 reform laws allowing broadcasts and private courses in Kurdish and other non-Turkish languages "used by Turkish citizens in their daily lives" created some bureaucratic obstacles (see Section 2.a.). In July, Parliament adopted reforms designed to remove these obstacles. However, no non-Turkish broadcasts or courses were established under these reforms by year's end. Local authorities in Sanliurfa, Batman, and Van provinces withheld permission to open Kurdish language courses on a number of technical issues, including a requirement that the applicants change the names of the institutions.



The Ministry of Education tightly controlled the curriculum in schools. The small numbers of Greek-language students had little opportunity to continue their education in the country, and consequently many went to Greece, often never to return.

In April, the Education Ministry issued a circular urging all schools to have their fifth- and seventh-graders prepare a one-page essay arguing that allegations that the Ottomans committed genocide against Armenians are "baseless." The country's Armenian schools were included in the distribution. Leaders of the ethnic Armenian community criticized the measure, saying it put psychological pressure on Armenian students. The Ministry also asked schools to organize conferences on the issue, and police arrested seven teachers for comments made at one such conference (see Section 2.a.).

## Section 6 Worker Rights

### a. The Right of Association

The Constitution provides workers, including civil servants with the exception of police and military personnel, the right to associate freely and form representative unions, and they did so in practice. However, there were some limits to the right of association. The Constitution stipulates that no one shall be compelled to become, remain a member of, or withdraw from a labor union. Unions were independent of the Government and political parties. Unions were required to obtain official permission to hold meetings or rallies and had to allow government representatives to attend their conventions and record the proceedings, although these requirements were not always enforced. Prosecutors could ask labor courts to order a trade union or confederation to suspend its activities or to go into liquidation for serious infractions, based on alleged violation of specific legal norms; however, the Government could not dissolve a union summarily.

About 16 percent of wage and salary earners were unionized. The labor force numbered approximately 24 million, with approximately 35 percent employed in agriculture. There were three confederations of labor unions: The Turkish Confederation of Workers Unions (Turk-Is), the Confederation of Unions of Workers' Rights (Hak-Is), and the Confederation of Progressive Trade Unions (DISK). There also were 4 public employees union confederations--the Confederation of Public Sector Trade Unions (KESK); Tukiye Kamu-Sen; Memur-Sen; and the Confederation of Independent Public Workers Unions (BASK)--and 27 independent unions. Unions and their officers have a statutory right to express their views on issues directly affecting members' economic and social interests. The Constitution prohibits unions and confederations from activity against the basic democratic principles of the country. Unions may not receive financial assistance from public authorities or political parties; unions also may not use the name or emblem of a political party, or be involved in commercial activity.

The law prohibits anti-union discrimination and the Constitution prohibits pressuring a worker into becoming or refusing to become a union member; however, such discrimination occurred occasionally in practice.

The International Labor Organization (ILO) has urged the Government to take measures to ensure that workers have effective protection against anti-union discrimination. The law on trade unions stipulates that an employer may not dismiss a labor union representative without rightful cause. The union member may appeal such a dismissal to the courts, and if the ruling is in the union member's favor, the employer must provide compensation. These laws generally were applied in practice. However, private sector employers continued to try to eliminate unions.

With government approval, unions could form confederations and join international labor bodies, as long as the organizations were not hostile to the country or to freedom of religion or belief. Turk-Is, Hak-Is, DISK, and KESK were affiliated with the International Confederation of Free Trade Unions (ICFTU).

In May, Parliament passed a comprehensive labor law that includes job security elements. The law requires employers with 30 or more workers to give a valid reason for terminating a contract and set standards for notices of termination. The law also prohibits discrimination based on language, race, gender, or political and religious belief. Some labor union representatives criticized the new law, saying it is less extensive in some respects than the law it replaced.

#### b. The Right to Organize and Bargain Collectively

All industrial workers have the right to organize and bargain collectively, and most industrial and some public sector agricultural workers were organized. Civil servants may also bargain collectively. Out of 9 million workers with labor contracts, approximately 1.3 million were in collective contracts.

The law requires that, in order to become a bargaining agent, a union must represent 50 percent plus one of the employees at a given work site, and 10 percent of all the workers in that particular industry. This requirement had the effect of favoring established unions, particularly those affiliated with Turk-Is, the confederation that represented approximately 80 percent of organized labor. The ICFTU reports that, as a result of the law, workers in many sectors of economic activity were not covered by a collective agreement.

The ILO has called on the Government to rescind the 10 percent rule, stating that it violates ILO Convention 98 on the rights to organize and collective bargaining. However, both Turk-Is and the Turkish Employers' Organization favor retention of the 10 percent rule, since each confederation has an established membership area. The Government has taken no action to amend the rule.

The constitutional right to strike was restricted. For example, the Civil Servants Act and the Penal Code do not permit strikes by civil servants; public workers engaged in the protection of life and property; and those in the mining and petroleum industries, sanitation services, national defense, and education. However, workers continued to violate these restrictions with general impunity. According to the Turkish Confederation of Employers Unions (TISK), there were 23 strikes during the year involving 1,535 workers. The majority of strikes during the year were illegal; while some illegal strikers were dismissed, in most cases employers did not retaliate.

Collective bargaining is required before a strike. The law specifies the steps that a union must take before it may strike or before an employer may engage in a lockout; non-binding mediation was the last of those steps. A party that failed to comply with these steps forfeited its rights. Unions were prohibited from engaging in secondary (solidarity), political, or general strikes or in slowdowns. Employers could respond to a strike with a lockout, but were prohibited from hiring strikebreakers or using administrative personnel to perform jobs normally done by strikers. The law governing collective bargaining, strikes, and lockouts prohibits employers from terminating workers who encouraged or participated in a legal strike. In sectors in which strikes were prohibited, disputes were resolved through binding arbitration. TISK reported that there were two lockouts during the year involving 888 workers, the first lockouts since 2000.

The law allows the Government to suspend strikes for 60 days for reasons of national security or public health and safety. Unions could petition the Council of State to lift such a suspension. If this appeal failed, and the parties and mediators failed to resolve the dispute, the strike was subject to compulsory arbitration at the end of the 60-day period. The ILO's Committee of Experts and the Committee on the Application of Standards regarded the Government's application of the law as too broad, and they have called on the Government to limit recourse to compulsory arbitration to essential services in the strict sense of the term. The Government asserted that the law does not contradict the Committees' principles.

There are 21 free trade and export processing zones. Union organizing and collective bargaining were permitted in the zones. Workers inside the zones were paid in foreign currency, giving them some protection against inflation.

### c. Prohibition of Forced or Bonded Labor

The Constitution and law prohibit forced or bonded labor, including by children, though there were exceptions in cases of national emergency; however, there were reports that such practices occurred (see Section 6.f.). Some parents forced their children to work on the streets and to beg (see Section 6.d.).

#### d. Status of Child Labor Practices and Minimum Age for Employment

The Constitution and law prohibit the full-time employment of children younger than 15, with the exception of those 13 or 14 years of age who could engage in light, part-time work if enrolled in school or vocational training. The Constitution also states that "no one shall be required to perform work unsuited to his/her age, sex, and capacity." With this article and related laws, the Government undertook to protect children from work unsuited to their age and capacity, such as underground mining, or from working at night. According to the labor law, children who attended school could work no more than 7.5 hours a day, inclusive of school time. The Ministry of Labor effectively enforced these laws in workplaces that fell under the scope of the labor law, which included medium and large-scale industrial and service sector enterprises. Children working in agricultural workplaces with fewer than 50 employees, household-based establishments, establishments with 3 or fewer workers, and those working as domestic servants were subject to the Code of Obligations, which failed to provide a minimum age of employment. However, according to the Public Health Act, children under 16 could not work more than 8 hours a day.

Child labor was widespread, but appeared to be decreasing. The State Statistical Institute reported that the number of child laborers between the ages of 12 and 17 dropped from 1.5 million in 2001 to 948,000 in 2003.

Child labor was used most often in small-sized enterprises. According to a 2001 study on child labor conducted by Hacettepe University, 79.4 percent of children who were employed lived in rural areas, and 92.6 percent of those children were engaged in the agricultural sector.

In practice, many children worked because families needed the supplementary income. An informal system provided work for young boys at low wages, for example, in auto repair shops. Girls rarely were seen working in public, but many were kept out of school to work in handicrafts, particularly in rural areas. The bulk of child labor occurred in rural areas and often was associated with traditional family economic activity, such as farming or animal husbandry. It was common for entire families to work together to bring in the harvest.

The Government has sought the gradual elimination of child labor and has worked with the ILO to document its extent and determine solutions. The Ministry of Labor had trained 108 of 700 field inspectors on child labor issues. Many children worked in

areas not covered by labor laws, such as agriculture or the informal economy, and were therefore beyond the reach of the inspectorate.

Small enterprises preferred child labor because it was cheaper and provided practical training for the children, who subsequently were preferred for future employment in the same workplace. If children employed in these businesses were registered with a Ministry of National Education Training Center, they went to the center once a week for training, and the centers were obliged by law to inspect their workplaces. There were 346 centers located in 81 cities; these centers provided apprenticeship training in 113 occupations. Only 22.8 percent of working children took advantage of these schools.

In accordance with ILO Convention 182 on the worst forms of child labor, the Government identified the worst forms of child labor as children working in the streets, in industrial sectors where their health and safety were at risk, and as agricultural migrant workers (see Section 6.f.). In cooperation with the ILO, the Government was preparing three surveys as part of a plan for eliminating child labor.

There were no reliable statistics for the number of children working on the streets nationwide. The Government operated 28 centers providing assistance to children working on the streets.

#### e. Acceptable Conditions of Work

A tripartite government-industry-union body called the Minimum Wage Commission reviewed the minimum wage every 6 months. In December, the Commission set the monthly net minimum wage rate at \$216 (303 million lira). The minimum wage did not provide a decent standard of living for a worker and family. However, most workers earned considerably more than the minimum wage. Turk-Is has unsuccessfully called on the Ministry of Labor to exercise its authority to waive income tax and social security deductions for minimum wage earners. Workers covered by the labor law, who constituted approximately one-third of the total labor force, also received a hot meal or a daily food allowance and other fringe benefits that, according to the Turkish Employers' Association, accounted for approximately 62.7 percent of total compensation.

The law establishes a 45-hour workweek, prescribes a weekly rest day, and limits the number of overtime hours to 3 per day, for up to 90 days in a year. The Labor Inspectorate of the Ministry of Labor effectively enforced wage and hour provisions in the unionized industrial, service, and government sectors, which covered approximately 12 percent of workers.

The law mandates occupational health and safety regulations, but in practice the Government did not carry out effective inspection and enforcement programs. The law allows for the shutdown of an operation if a five-person committee, which included safety inspectors, employee, and employer representatives, determined that the operation endangered workers' lives. In practice, financial constraints, limited safety awareness, carelessness, and fatalistic attitudes resulted in scant attention to occupational safety and health by workers and employers alike. The law allows workers to remove themselves from hazardous conditions without risking loss of employment.

#### f. Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked to and within the country for the purposes of sexual exploitation and labor. There were allegations that police allowed operation of informal brothels in Istanbul and could also be bribed by traffickers at ports of entry. There was at least one case of police being arrested on suspicion of involvement in trafficking.

The law designates human trafficking as a crime. Those convicted of human trafficking faced 5 to 10 years imprisonment, but the Government tended to treat trafficking in persons as a voluntary prostitution and illegal migrant issue. During the year, prosecutors opened 14 cases against alleged traffickers, charging a total of 46 suspects. Courts ruled for acquittal in three cases; the remaining cases were ongoing at year's end.

In August, Trabzon police conducted a sweep of hotels, cafeterias, and tea houses and detained 310 foreign women, including women from Russia, Ukraine, and Georgia. Police also detained 190 men, including hotel and cafeteria managers. Authorities deported 69 of the women who said they were voluntarily working as prostitutes, and investigated claims that others were trafficking victims. Police also opened investigations of 17 alleged traffickers in the case. The cases continued at year's end. According to press reports, authorities fired the Trabzon police chief in September following complaints that the raid hurt the tourism industry.

The Government had an Anti-Trafficking Task Force composed of officials from the ministries of Foreign Affairs, Health, Interior, Justice, and Labor, plus the Directorate General for Social Services and Child Protection, the Directorate General on the Status and Problems of Women, and scholars from Marmara University. In April, the Government adopted a National Action Plan developed by the Task force. The International Organization for Migration (IOM), ILO, and UNHCR worked with the Government to address the problem of trafficking.

The Directorate General on the Status and Problems of Women organized a seminar on trafficking in Ankara in December attended by law enforcement officials, NGO

representatives, and journalists. The Justice Ministry and the Human Rights Presidency of the Prime Ministry held a number of seminars on human trafficking during the year for judges, prosecutors, journalists, government officials, and NGO representatives. IOM provided trafficking training for the Jandarma.

The country was a transit point and a destination country for victims of trafficking; reportedly there was almost no trafficking of women and girls out of the country. There were no government statistics on the number of trafficking victims. Women were trafficked to the country mostly from Romania, Georgia, Russia, Ukraine, Moldova, and Azerbaijan. It was also a transit country for the trafficking of women primarily from Central Asia, the Middle East, Africa, and the former Yugoslavia to other countries in Europe. Most trafficking activity occurred in Istanbul, Izmir, and Trabzon. Many women came to the country believing that they would be working as models, waitresses, or dancers and found themselves forced into prostitution. Women who attempted to escape their traffickers have been beaten, raped, or killed. There were reports that criminal syndicates forced women to sign work contracts that amounted to debt bondage. Russian and Ukrainian organized crime groups reportedly were the primary trafficking organizations, although some reports by NGOs suggested that traffickers recruited in Eastern Europe, particularly Moldova.

According to an IOM study released in November, the Government has taken "remarkable steps" over the past 2 years to combat human trafficking, but lacked a consistent, comprehensive approach. The study noted that, until recently, the country had been a country of emigration, with liberal border control policies geared toward attracting tourists and enhancing foreign currency reserves. The study noted that the collapse of the Soviet Union, among other factors, increased the number of irregular migrants to the country. The Government had been unprepared for this change, and was now adjusting its policies. While doing so, it was focused primarily on the need to control illegal border crossings, treating human trafficking as a secondary concern, the study concluded.

Authorities generally detained and deported persons trafficked into the country without proper screening to determine whether they were victims of trafficking. Under the law, if a prostitute or a trafficker is a foreigner, the person is immediately deported. The law authorizes the Ministry of Interior, governors, and subgovernors to deport foreigners after 15 days notice. If the same person is reported again for the same offense, no further notices are made and the person may be deported immediately if detained again. Women were often re trafficked back to the country after being deported.

There were credible reports that police corruption contributed to the trafficking problem. In July, Erzurum police arrested 11 persons on trafficking charges, including 3 police officers. In addition, prosecutors opened a related case against 13 police officers for alleged involvement in the crime. The case continued at year's end.

The Government did not have a system for victim identification and protection; however, according to the Ministry of Interior, seven foreign citizens exposed to trafficking were issued a humanitarian visa (1 month temporary residence permit). Five additional persons were offered the humanitarian visa but declined and left the country. In principle, government shelters for Turkish victims of domestic violence can be used for trafficking victims, but this had not yet occurred in practice. Some local law enforcement officers reportedly found accommodation for victims at their personal expense. The Government did not have a repatriation program, although authorities repatriated some trafficking victims on a case-by-case basis.

In December, the Government enacted a decree providing free medical care to trafficking victims.

In September, the Government signed a protocol with the Human Resource Development Foundation (HRDF), an Istanbul-based NGO. Under the protocol, the Foundation and the Government agreed to collaborate on a number of anti-trafficking measures, including: Providing shelters for trafficking victims; establishing a center to provide medical and legal assistance to trafficking victims; and raising public awareness of trafficking. By year's end, the Government had not provided funding to carry out the protocol, and the HRDF was in the process of acquiring funding from private and public sources. The HRDF did fulfill a protocol commitment to establish a regional network with NGOs in neighboring countries to coordinate on trafficking issues.

In July, the Tourism Ministry distributed a guide to the tourism industry notifying companies that the Government is obligated by international agreement to take measures against foreigners visiting the country for sex tourism.

A November IOM study reported that only 13 percent of foreigners with residence permits in the country held work permits. During the year, the Interior Ministry developed a new set of guidelines for the issuance of work permits to foreigners in the entertainment sector. Under the guidelines, work contracts must be prepared in Turkish and Russian (contracts in Turkish and French will no longer be accepted) and specify that the employer will pay for the return ticket of the foreign worker, pay at least the minimum wage, and provide the worker the right to contact the police or Labor Ministry. In February, Parliament adopted a new law on work permits for foreigners. The new law places the Labor and Social Security Ministry in charge of work permits for foreigners and establishes clear procedures for applicants. Under the law, foreigners are allowed to work in domestic service for the first time.

The Government has not developed any anti-trafficking information campaigns aimed at the general public.



## **Gender-Aspekte der Sozialpolitik und EU-Beitrittsprozess. Eine Faktenanalyse und statistische Dokumentation zur TRK im internationalen Vergleich**

### **1) Menschenrechtsbericht US State Department zu Beginn der jeweiligen Beitrittsverhandlungen**

#### **Austria 1993**

*Most legal restrictions on women's rights have been abolished. Women are still prohibited by law from night work in most occupations, however, and this ban is sometimes used as a pretext for not hiring women. Nurses, taxi drivers, and a few other occupations are exempted. The Women's Ministry defends the night-work ban on the basis that women are also the primary care providers for children during the day.*

*Women are entering the work force in increasing numbers and have made substantial progress toward economic equality. Nevertheless, in practice, they are generally underrepresented in the professions and business. Women are not allowed in the Austrian military. There is no conscription of women as there is for men. Recent suggestions by various politicians that women do mandatory civilian service have been rejected by the Women's Ministry and women's organizations.*

*Although labor laws providing for equal treatment extend to women in the civil service, women are nonetheless underrepresented in government service also. To remedy past practice, women of equivalent qualifications are to be placed in jobs ahead of men in civil service areas in which less than 40 percent of the employees are women. The 40-percent hiring quota was part of the Women's Omnibus Law which went into effect in January 1993. According to the Women's Ministry, although the quota was contained in the law, there are no penalties for not meeting it. Women may be awarded compensation of up to 4 months' salary if discriminated against in promotions because of their gender. Compensation may also be awarded to victims of sexual harassment.*

*Laws are in place to combat the problem of violence against women, but enforcement is often difficult, according to a Women's Ministry spokesperson. When police arrive on the scene of a domestic dispute where a woman has been physically abused, they can do nothing to the man if he is peaceful or the woman does not file a complaint. A court order forcing a man to stay away from his wife or girlfriend generally takes 3 to 6 weeks to obtain.*

## **Bulgaria 1999**

*Domestic abuse is a serious and common problem, but there are no official statistics on its occurrence. The Animus Association (AA), an NGO that offers assistance and support to female victims of violence, estimates that one in five women suffers from spousal abuse. Spousal rape is a crime, but it rarely is prosecuted. Currently, the law exempts from state prosecution certain types of assault if committed by a family member, and the Government does not assist in prosecuting crimes of domestic assault unless the woman has been killed or injured permanently. Courts and prosecutors tend to view domestic abuse as a family rather than criminal problem, and in most cases, victims of domestic violence take refuge with family or friends rather than approach the authorities. Police are not allowed to intervene in cases of domestic abuse, even if a woman calls them seeking protection or assistance. No government agencies provide shelter or counseling for victims. While the municipality of Sofia promised a building to the AA 2 years ago to use as a shelter for abused women, it has yet to follow through on its promise. However, the NGO Nadya De Center provides shelter to battered women. The courts prosecute rape, although it remains an underreported crime because some stigma still attaches to the victim. The maximum sentence for rape is 8 years; convicted offenders often receive a lesser sentence or early parole. Ministry of Interior figures reveal that during the first half of the year, 300 rapes and 60 attempted rapes were reported.*

*During the year, the AA reported 1,049 cases of domestic violence, 105 cases of sexual violence, and 59 cases of trafficking in women. The actual incidence of each form of violence is certainly much higher, as these represent those cases in which the victim (or, in some trafficking cases, an overseas women's group) was willing and able to contact the AA. The association also operates a 24-hour hot line for women in crisis that is staffed by the association's 12 full-time professional therapists.*

*In 1997 the Government enacted a law against trafficking in women, and trafficking in women and girls is a serious problem (see Section 6.f.).*

*Local observers believe that sexual harassment is a problem; it is not currently illegal.*

*Many of the approximately 30 women's organizations are closely associated with political parties or have primarily professional agendas. Some observers believe that women's organizations tend to be associated with political parties or professional groups because feminism has negative societal connotations. Of those organizations that exist mainly to defend women's interests, the two largest are the Women's Democratic Union in Bulgaria, heir to the group that existed under the Communist dictatorship, and the Bulgarian Women's Association, which disappeared under communism but now has reemerged with chapters in a number of cities.*

*The Constitution forbids privileges or restrictions of rights on the basis of sex, and women are not impeded from owning or managing businesses, land, or other real property and do not suffer from discrimination under inheritance laws. However, women face discrimination both in terms of job recruitment and the likelihood of layoffs. Official figures show the rate of unemployment for women to be higher than that for men. Women are much more likely than men to be employed in low-wage*

*jobs requiring little education, and the Confederation of Independent Trade Unions in Bulgaria (CITUB) reports that the average woman's salary is 68 percent of that earned by the average male. Statistics show that women are equally likely to attend universities, but they have less opportunity to upgrade their qualifications and generally end up in lower-ranking and lower-paying positions than their male counterparts. Fewer girls than boys are attending schools, especially among minorities. Women generally continue to have primary responsibility for child rearing and housekeeping even if they are employed outside the home. Since 80 percent of employed women work in the lowest-paying sectors of the labor force, they often must work at two jobs in addition to their household duties in order to provide for their families. Female-headed households frequently live below the poverty line. There are liberal provisions for paid maternity leave; however, these actually may work against employers' willingness to hire and retain female employees. This is especially noticeable in higher-paying positions in the private sector, where many women with engineering degrees are compelled to work as secretaries.*

*No special government programs seek to address economic discrimination or integrate women better into the mainstream of society and the economy.*

## Czech Republic 1998

*The actual extent of violence against women is unknown, and public debate about it is rare, despite the efforts of womens' groups to focus public attention on the problem. The press occasionally reported on the problem of violence against women and trafficking in prostitutes. Studies indicate that 11 to 19 percent of women report that they have experienced sexual violence at the hands of their husbands or partners. Official government statistics recorded a slight drop in the number of rape cases in 1997, from the annual range in recent years of 500 to 800 cases. Approximately 80 percent of the cases are solved. A 1997 study by the Sexology Institute found that only 3 percent of rape victims report the crime.*

*Legislation does not specifically address spousal abuse; however, the Criminal Code covers other forms of domestic violence. An attack is considered criminal if the victim's condition warrants medical treatment (incapacity to work) for 7 or more days. If medical treatment lasts less than 7 days, the attack is classified as a misdemeanor and punished by a fine not exceeding \$100 (3,000 crowns or one-fourth of the average monthly wage). Repeated misdemeanor attacks do not impose stricter sanctions on the abuser. The police lack specialist personnel trained to deal with domestic violence and do not maintain regular contact with welfare and medical services.*

*Gender studies experts say that women are ashamed to report rape or speak about it and that the police are not equipped to help, either by attitude or training. A total of 54 state-supported shelters with 771 beds accept women in most major cities and towns, and local NGO's provide medical and social assistance to women. According to NGO's, the situation has improved in recent years, but there still are not enough shelter spaces to meet the demand*

*Forced prostitution is illegal; prostitution is not, although local communities have the right to regulate it and enforce restrictions. Outside larger cities, the problem is particularly prevalent in the western border regions, where international vehicular traffic is heaviest. Trafficking in prostitutes is punishable by a prison term of up to 8 years, with a term of up to 12 years if the victim is under the age of 15. (Adults can be prosecuted for engaging in sexual activity with a minor under the age of 15.) Security professionals report that the country is both a transit and a destination country for traffickers of women from farther east. Specific laws prohibit trafficking in women and children, and the authorities cooperate with other nations to enforce these laws, resulting in successes in several high profile cases.*

*The media rarely mention the issue of sexual harassment; other social concerns take priority in the national consciousness. There are no legal definitions or laws prohibiting sexual harassment. The Czech language has no standard term to express "sexual harassment." One NGO monitoring this problem reported that the lack of sensitivity on this issue does not mean that sexual harassment does not exist; rather, some inappropriate or offensive behaviors may be too common for comment. In a 1995 study by the Sociology Institute, 43 percent of women reported experiencing some form of sexual harassment in the workplace during their career. A study by the Defense Ministry in 1996 found that nearly half of female soldiers experienced*

*harassment on duty. The concerns of women's groups over workplace sexual harassment often are ignored or dismissed.*

*Women are equal under the law and in principle receive the same pay for the same job. Women represent roughly half of the labor force, although they are disproportionately employed in professions where the median salary is relatively low. According to the director of the Public Opinion Research Institute, women's median wages lag behind those of men by roughly 25 percent, although the gap is narrowing. Women enjoy equal property, inheritance, and other rights with men. The unemployment rate for women now exceeds that for men by more than one-third, and a disproportionately small number of women hold the most senior positions.*

*In 1991 the Government passed an employment law that bans discrimination on the basis of sex, religion, and national origin. However, in practice employers remain free to consider sex, age, or even attractiveness when making hiring decisions, since this does not necessarily constitute "discrimination" under current legal interpretation.*

## Cyprus 1998

*Spousal abuse in the Greek Cypriot community is receiving increasing attention, and the problem is believed to be significant. A 1994 law aimed at making spousal abuse easier to report and prosecute has had little effect because key provisions remain unfunded and unimplemented. Many suspected cases of domestic violence do not reach the courts, largely because of family pressure and the wife's economic dependence on her husband. An organization formed to address the domestic abuse problem reported 689 cases through November 1998, compared with 922 cases in 1997, with 86 percent of the reported victims women, 11 percent children, and 3 percent men. A shelter for battered women opened in late 1998. Very few cases tried in the courts result in convictions. There is little public discussion of domestic violence in the Turkish Cypriot community, although a report issued by the Women's Research Center described such violence as common. A women's shelter opened in 1994. Domestic violence cases are rare in the Turkish Cypriot legal system, since they often are considered a "family matter."*

*Republic of Cyprus law forbids forced prostitution. However, credible reports continue that women, generally East Asian or Eastern European night club performers, are forced into prostitution in the Greek Cypriot community. To date there have been few arrests since the women, fearing retaliation by their employers, generally do not press charges. In the Turkish Cypriot community, there are an estimated 300 to 350 women, mostly from Eastern Europe, working as prostitutes. These women often must surrender their passports to the club owners and sometimes are prohibited even from making private phone calls.*

*Reports on the mistreatment of maids are frequent in the Greek Cypriot press. These reports usually involve allegations that maids, often from East or South Asia, have been treated inhumanely by their employers or fired without cause in violation of their contracts. Many women do not complain to authorities, fearing retribution from their employers. Those who do file charges run the risk of being fired and then deported.*

*Throughout Cyprus, women generally have the same legal status as men. In a significant step, Greek Cypriot women married to foreign husbands were for the first time given the right to transmit citizenship to their children automatically in new legislation passed in December. Previously they were required to apply for Cypriot citizenship for their children, while Greek Cypriot men could transmit citizenship to their children automatically.*

*In July a new Turkish Cypriot law on marriage and divorce went into effect, which provided for more equal treatment of husbands and wives. Under the new law, the man no longer is considered legally the head of the family and does not have the exclusive right to decide the family's place of residence. The wife may retain her surname but also must add the husband's surname. Turkish Cypriot women may now marry non-Moslem men. In cases of divorce, the court decides on a fair distribution of the family's assets, with each partner assured a minimum of 30 percent of the assets. In dividing assets, the judge must take into account which partner is receiving custody of the children and provide sufficient means to support them. Legal provisions in both communities requiring equal pay for men and women performing the same job are enforced effectively at the white collar level, but Turkish Cypriot*

women employed in the agricultural and textile sectors routinely are paid less than their male counterparts.

### **Estonia 1998**

*Violence against women, including spousal abuse, was the subject of increasing discussion and media coverage. According to women's groups and law enforcement officials, family violence is not pervasive. Rape and attempted rape occur relatively infrequently. In the first 7 months, there were reports of 32 rapes and 9 attempted rapes, compared with 69 rapes and 17 attempted rapes for 1997. However, studies show that 40 percent of crime in the country goes unreported, including domestic violence. Even when the police are called, the abused spouse often declines to press charges.*

*Discussion of the role and situation of women has been extensive, especially in the wake of the Fourth World Conference on Women held in Beijing in 1995, as well as during former Social Affairs Minister Siiri Oviir's run for the presidency. A Center of Women Citizens was established in May and in October a roundtable of women's organizations was founded. Women have the same legal rights as men and are legally entitled to equal pay for equal work. Nevertheless, although women's average educational level was higher than men's their average pay was lower, and the trend did not seem to be improving. There continue to be female- and male-dominated professions. Women constitute slightly more than half of the work force. They also carry major household responsibilities.*

## **Finland 1993**

*Women enjoy a wide array of social benefits that provide them with considerable economic independence. The government-established Council for Equality coordinates and sponsors legislation to meet the needs of women as workers, mothers, widows, and retirees. In 1985 Parliament passed a comprehensive equal rights bill which mandates equal treatment for women in the workplace, including equal pay for "comparable" jobs. In practice, comparable worth has not been implemented because of the difficulty of establishing criteria, but the Government, employers, unions, and others continue to work on implementation plans. Women's average earnings are 80 percent those of men and women still tend to be segregated in lower paying occupations. While women have individually attained leadership positions in the private and public sectors, in general there are disproportionately fewer women in top management jobs. Industry and finance, the labor movement and some government ministries remain male-dominated. Women are not permitted to serve in the military. Despite the large number of female elected officials, women feel excluded from the innermost circles of political power. The Government's Equality Ombudsman monitors compliance with regulations against sexual discrimination. Of the 114 complaints submitted to the Ombudsman between January 1 and September 15, 1993, 102 had been processed, and violation of the law was established in 29 cases.*

*The law provides stringent penalties for violence against women; this provision is vigorously enforced by the police and the courts. The Union of Shelter Homes and municipalities maintain about 55 shelters for female, male and child victims of violence in homes all over the country. The annual number of calls to the police relating to domestic violence is no longer centrally compiled, but is estimated at some 10,000 to 12,000 per year. Shelter home officials estimate that the figure is less than half of the number of actual incidents.*



## Hungary 1998

*Spousal abuse is believed to be common, but the vast majority of such abuse is not reported, and victims who step forward often receive little help from authorities. While there are laws against rape, often it is unreported for cultural reasons. Police attitudes towards victims of sexual abuse are often reportedly unsympathetic, particularly if the victim was acquainted with her abuser. New laws passed in 1997 recognize rape within marriage and increase the penalties for six other crimes. Women's rights organizations claim that 1 woman in 10 is a victim of spousal abuse and that societal attitudes towards spousal abuse are "archaic." The Government statistics office reported 392 rapes nationwide in 1997 and 154 for the first 6 months of 1998; in addition, there were 2,162 cases reported of assaults against women in 1997 and 1,127 cases of assault for the first 6 months of 1998.*

*Legally, women have the same rights as men, including identical inheritance and property rights. While there is no overt discrimination against women, the number of women in middle or upper managerial positions in business and government is low. Women are heavily represented in the judiciary and in the medical and teaching professions.*

*The law does not prohibit sexual harassment in the work place. A 1995 report prepared under the auspices of the U.N. to evaluate compliance with the Convention on the Elimination of Discrimination Against Women termed sexual harassment in the workplace as "virtually epidemic." Women's groups report that there is little support for efforts to criminalize sexual harassment and that harassment is tolerated by women who fear unemployment more than harassment. In the first case of its kind, a woman won her court case after suing a potential employer for sex discrimination after the employer advertised for men only. A Women's Secretariat is being established in the Ministry of Social and Family Affairs to address women's issues better.*

## Latvia 1999

*Despite legal protections, international observers and human rights groups are growing increasingly concerned about problems facing women. Although no overall statistics are available, sources indicate that domestic violence against women, often connected with alcohol abuse, is a significant and underreported problem. Women who are victims of abuse often seem to be uninformed about their rights and reluctant to seek redress through the justice system. Human rights groups assert that the legal system, including the courts, tends to downplay the seriousness of domestic violence and that the police are sometimes reluctant to make arrests in such cases.*

*There are no shelters designed specifically for battered or abused women. There is one shelter in Riga where homeless women with children may reside for up to 2 months. Likewise, there are no specific rape or assault hot lines; however, there are two crisis hot lines managed by NGO's.*

*Police do not compile figures for domestic violence as a distinct category. Instead, episodes are placed under more general categories such as assault or battery. However, police figures on rape show a decrease in rape cases over the past 3 years. During the year, 69 cases were reported.*

*Both adult and child prostitution are widespread, often linked to organized crime, and abetted by economic problems. Prostitution in Riga is increasing, and trafficking in women for prostitution abroad also is increasing (see Section 6.f.). Although there is no official estimate of the number of prostitutes, unofficial figures suggest that 10,000 to 15,000 persons work as prostitutes. The NHRO reports that adult prostitutes have no legal protections. Engaging in prostitution is technically against the law; however, generally neither the prostitutes nor their clients are prosecuted. There are no state institutions to assist prostitutes. However, the private Latvian Center for Gender Problems provides medical help and social support for prostitutes.*

*Sexual harassment of women in the workplace is reportedly common. Cultural factors tend to discourage women from coming forth publicly with complaints of abuse.*

*Women possess the same legal rights as men. The Labor Code prohibits women from performing "hard jobs or jobs having unhealthy conditions," which are specified in a list agreed upon between the Cabinet and labor unions. Moreover, the code bans employment discrimination. In reality women frequently face hiring and pay discrimination, especially in the emerging private sector. According to the Central Statistics Bureau, the number of women in the lower income brackets exceeds that of men by 75 percent, while men outnumber women two to one in upper income levels. It is not unusual to see employment advertising that specifically seeks men. Women apparently have not brought any discrimination suits before the courts. The Ministry of Welfare has designated a one-person office with responsibility for gender issues.*

*Women's advocacy groups are growing in size and number. They are involved in finding employment for women, lobbying for increased social benefits, assisting victims of domestic abuse, and opposing the hazing of military recruits.*

## Lithuania 1999

*Abuse of women at home is reportedly common, especially in connection with alcohol abuse by husbands, but institutional mechanisms for coping with this problem only slowly are being formed. A women's shelter funded in part with Norwegian assistance is now in operation. According to one sociological survey published in 1997, 20 percent of women reported experiencing an attempted rape, while another 33 percent reported having been beaten at least once in their lives. During the first 6 months of the year, 108 rapes were reported. Official statistics on the incidence of abuse of women in the home are not filed separately from other categories of assault. Persons convicted of rape generally receive sentences of from 3 to 5 years in prison.*

*Trafficking in women for the purpose of forced prostitution is a problem (see Section 6.f.).*

*The Constitution provides for equal rights for men and women; however, women continue to face discrimination. Official policy specifies equal pay for equal work. The Law of Realization on Equal Rights and Opportunities for Women and Men came into effect on March 1. The Office of the Ombudsman for Equal Opportunities of Women and Men was established May, and the Seimas appointed lawyer Ausra Burneikiene as Ombudsman. The Ombudsman's office is an independent public organization, accountable to the Seimas, which oversees the implementation of the law and investigates complaints concerning violations of gender discrimination and sexual harassment. Generally, men and women receive the same pay for comparable work, but women are underrepresented significantly in some professions and in the managerial sector as a whole. Women are underrepresented in businesses. Significant inequalities in society based on gender continue, and there are still very conservative views about the role of women. During the year, the Ministry of Education and Science abolished preferential university entrance criteria for men and women. During the year, the Equal Opportunities Ombudsman also closely followed admission examinations to high schools. The Ombudsman received no complaints based on gender discrimination.*

## **Malta 1999**

*No widespread pattern of family violence against women is apparent, but continuing reports of such incidents make plain that the problem exists. During the first 9 months of 1999, 263 cases of domestic violence were reported, and 11 cases of rape were reported to the police. A special police unit and several voluntary organizations provide support to victims of domestic violence. For women who are threatened or physically abused, the Government also maintains an emergency fund and subsidizes shelter beds. During the year 111 women used the shelters.*

*The Government set up a hot line in 1996 to assist victims of abuse through counseling and through referrals to legal assistance and shelters. A committee was set up during 1998 to review existing family legislation and propose amendments dealing with domestic violence. Its proposals are being considered by the Ministry of Social Policy.*

*Prostitution is a serious offense under the law, and heavy penalties are reserved for organizers. Rape and violent indecent assault carry sentences of up to 10 years. The law treats spousal rape the same as any other rape. Divorce and abortion are not legal.*

*The Constitution provides that all citizens have access, on a nondiscriminatory basis, to housing, employment, and education. While women constitute a growing portion of the work force, they are underrepresented in management. Cultural and traditional employment patterns often direct them either into traditional "women's jobs" (such as sales clerk, secretary, bank teller, teacher, or nurse) or into better paying jobs in family-owned businesses or select professions (i.e., academia or medicine). Therefore, women generally earn less than their male counterparts, and many leave employment upon marriage.*

*Women's issues are handled by the Department of Women's Rights under the Minister of Social Policy. The Minister is a prominent member of the Government who is also Deputy Prime Minister and the Nationalist Party's deputy leader. Legislation enacted in 1993 granted women equality in matters of family law, and a 1991 constitutional amendment committed the government to promote equal rights for all persons regardless of sex. The Government has taken steps to ensure that legislation is gender neutral to the degree possible. Redress in the courts for sexual discrimination is available. The Government's policy on gender abandoned the concept of introducing gender-based quotas in the civil service. An internal study and a proposal to increase the representation of women in the public sector is under consideration by the Commonwealth Secretariat.*

## Poland 1998

*Violence against women continues to be a problem. According to statistics released by the Public Research Center in October 1997, 9 percent of women polled admitted to being repeatedly beaten by their husbands. Approximately 11 percent of respondents admitted to knowing women who were beaten repeatedly while approximately 60 percent admitted to knowing women who were beaten on at least one occasion. However, women's organizations warn that the number of women suffering from domestic abuse is probably much higher. They explain that battered women usually refuse to admit abuse even to themselves. Violence against women remains hidden, surrounded by taboos and accompanied by shame and guilt, particularly in small towns and villages. Government and police statistics do not differentiate between male and female victims of violence. In addition the Government has not supplied public information on the problem. Police intervene in cases of domestic violence, and husbands can be convicted for beating their wives. Sentences for abuse of family members range from 3 months to 5 years (raised from a maximum sentence of 6 months under the previous Criminal Code) or from 2 to 10 years if the victim attempts suicide as a result of the abuse. However, statistics suggest that a large majority of convictions result in suspended sentences.*

*A 1997 seminar on combating violence against women organized by the Women's Rights Center revealed that law enforcement officials and prosecutors rarely treat domestic violence seriously. Former victims of violence participating in the seminar complained about investigations that dragged on for several months, as well as about procedures that were intimidating, unfamiliar, and unfriendly.*

*The law has no provision for restraining orders to protect battered women against further abuse. For example, in divorce cases for example, courts frequently grant a divorce but do not issue a property settlement, sending the woman back to live with the abusive husband. This problem is exacerbated by the lack of alternative housing. Women's advocacy groups also have complained about the small number of state-supported shelters for battered women. Minister of Family Affairs Kazimierz Kapera stated in the spring that scarce money for family services should be spent on keeping families together rather than helping battered women. In November 1997, he suspended a program offered by the U.N. Development Program for training of psychologists and lawyers who treat victims of family violence.*

*Trafficking in women is illegal, and several specific provisions in the Criminal Code address this problem. Those convicted of trafficking in women or children may be sentenced to prison for 3 to 10 years. A provision of the new Criminal Code threatens those convicted of luring individuals to work as prostitutes abroad with a prison sentence of 1 to 10 years. However, incidents of trafficking are on the rise. According to police statistics, 84 cases of such trafficking were reported in 1997. The bulk of these cases involved women being induced to work as prostitutes in Western Europe after being promised work as domestic workers, nurses, nannies, or teachers. The perpetrators are most often the acquaintances of family or friends but have been known also to include job agencies, talent scouts, and matchmaking services. Verdicts have been delivered in 20 of the 84 cases, with the courts sentencing perpetrators to, on average, 10 years' imprisonment. However, the actual number of trafficking cases is likely much higher as most victims do not want to speak about*

*their experiences out of fear or shame. Poland also serves more and more frequently as a transit country for trafficking in women from other countries, particularly the former Soviet Union and Bulgaria. Women from these countries often are forced into prostitution in Poland, then sent on to European Union countries as well as Switzerland and Israel.*

*According to unofficial estimates, approximately 3,000 Bulgarian women "work" in Poland, in most cases under the control of international criminal networks.*

*Public discussion of the problem of sexual harassment is relatively new, but women increasingly are talking about the problem and speaking out against it. While laws specifically addressing sexual harassment do not exist, social awareness is increasing, as are mechanisms with the potential to deal with the problem. For example, the new Criminal Code, states that whoever takes advantage of a position of power in a relationship to gain sexual gratification may be sentenced to prison for up to 5 years. According to a Supreme Court advisory opinion, such a relationship can occur between employers and employees, between supervisors and subordinates, or between teachers and students. However, this provision can only be used when sexual harassment occurs between a supervisor and an individual in a subordinate position. It may not be used when harassment occurs between persons of equal rank.*

*The Constitution provides for equal rights regardless of sex and grants women equal rights with men in all fields of family, political, social, and economic life, including equal compensation for work of similar value. However, in practice women frequently are paid less for equivalent work, mainly hold lower level positions, are discharged more quickly, and are less likely to be promoted than men. Ministry of Labor statistics indicate that 60 percent of the unemployed are women and that, despite a generally higher level of education, women earn on average 25 percent less than men.*

*Women are employed in a wide variety of professions and occupations, and a number of women occupy high positions in government and in the private sector. However, legal barriers, such as clauses in social insurance law limiting child sick care benefits to women only and mandating earlier retirement for women, can encourage discrimination in hiring. The law does not address equality in hiring practices (there are no legal penalties for discriminatory behavior in this area), and advertisements for jobs frequently indicate a gender preference. Although women have access to a number of previously forbidden careers since the Labor Code was modified in 1996, they still are prevented from working underground or in jobs that require heavy lifting.*

*The Ombudsman for Human Rights monitors the rights of women within the broader context of human rights. Observers note that the broad scope of the office's mandate dilutes its ability to function as an effective advocate of women's issues. Within the Cabinet, the Government Plenipotentiary for Family Affairs replaced the Government Plenipotentiary for Women and the Family, a change that many women's rights groups perceived as an example of discrimination. Several women's rights NGO's exist. Among the most notable are the Polish Foundation for Women and Family Planning and the Women's Rights Center. These groups are active advocates of gender equality and advance their goals through research, monitoring, and publishing. Several church-sponsored women's advocacy organizations also exist, but their cooperation with other women's NGOs is limited.*

*No progress occurred during the year in amending the 1962 Citizenship Law, which discriminates against women by refusing them the same right as men to transmit citizenship to their foreign-born spouses.*

### **Romania 1999**

*Violence against women, including rape, continued to be a serious problem. Both human and women's rights groups credibly reported that domestic violence is common, and a September report by the U.N. Children's Fund (UNICEF) emphasized that violence against women in the workplace is not uncommon as their subordinate position exposes them to greater risk. According to UNICEF, the country has an average of 108 sexual incidents per 1,000 women and 41 assaults per 1,000 women. Under a government pilot project begun in 1997, a shelter for victims of domestic violence opened in Bucharest in 1997. The shelter can accommodate only four persons. It received 490 calls for help during 1998 on a hot line, and registered 230 walk-in victims. Prosecution of rape is difficult because it requires both a medical certificate and a witness, and a rapist can avoid punishment if he marries the victim. There is no specific legislation dealing with spousal abuse or rape, and successful prosecution of spousal rape is almost impossible. Police are often reluctant to intervene in instances of domestic violence.*

*Trafficking in women for the purpose of forced prostitution continues to be a growing problem. Several domestic prostitution rings are active (see Section 6.f.).*

*The Constitution grants women and men equal rights. However, in practice the Government does not enforce these provisions, nor do the authorities focus attention or resources on women's issues.*

*Few resources are available for women who experience economic discrimination. Despite existing laws and educational equality, women have a higher rate of unemployment than men, occupy few influential positions in the private sector, and earn lower than average wages. In 1996 the Government created a department in the Ministry of Labor and Social Protection to advance women's concerns and family policies. This department organizes programs for women, proposes new laws, monitors legislation for sexual bias, targets resources to train women for skilled professions, and addresses the problems of single mothers, especially in rural areas. In 1998 this department organized with the U.N. Development Program a series of conferences on "promoting gender politics." An ombudsman was created within the department for child, woman and family protection in 1998, but the total budget for women's programs for the year was less than \$75,000 (1.4 billion lei).*

## Slovak Republic 1999

*Violence, particularly sexual violence against women, remains a serious and underreported problem. According to Ministry of Interior statistics, both domestic and public violence against women has been increasing: 1,000 cases of public violence were registered in 1997, compared with 276 in 1985. Domestic violence in 1997 included 2,656 cases, compared with 1,874 in 1995 when statistics first were kept. One NGO's regional research showed that 38 to 40 percent of women were victims of domestic violence. Police estimate that two-thirds of female rape victims fail to report their cases. Police treat spousal abuse, other violence against women, and child abuse in the same way as other criminal offenses; sections in the Criminal Code specifically address rape, sexual abuse, and trafficking in women.*

*Legislation has not yet recognized and specified the term domestic violence. There is one consulting center for abused women in the country. There is no shelter for battered women, but several NGO's continue to advocate the idea strongly. However, there is a family shelter for victims of child and spousal abuse. In the view of some NGO's, the lack of relevant data on domestic violence is used by police authorities to downplay the extent of domestic violence.*

*As a result of amendments to the Criminal Code that took effect in 1994, prostitution is not illegal. However, the code prohibits activities related to prostitution, such as renting apartments for conducting prostitution, spreading sexually transmitted diseases, or trafficking in women for the purpose of prostitution. Trafficking in women is a problem, and the Government views it with concern (see Section 6.f.).*

*Women are equal under the law. They have the same property, inheritance, and other legal rights as men. However, discrimination against women remained a problem. According to sociological studies, women receive approximately 85 percent of men's wages for similar work. However, the definition of similar work is not defined precisely. For example, women may have fewer years' experience on the job due to time spent out of the work force raising a family.*

*In December 1997, the Gender Center for Equal Treatment of Men and Women was founded. The Center is an independent NGO that cooperates with the U.N. Development Program and the Government. The Government's Coordinating Committee for Women's Affairs (including NGO's) drafted a national action plan for women that was adopted by the Government in September 1997. The plan presents a thorough analysis of the situation of women and proposes specific measures to resolve existing problems in the next decade, including reducing violence against women, protecting women's health, and reducing women's economic disadvantages. In contrast to the past, a number of organizations emerged in the past 10 years promoting women's issues and interests.*



## **Slovenia 1998**

*The awareness of spousal abuse and violence against women is on the rise. In 1996 51 men were convicted of rape (latest statistic available). There are three shelters for battered women, which are partially funded by the State. The shelters operate at capacity (about 40 beds combined) and turn away numerous women every year. In cases of reported spousal abuse or violence, the police actively intervene, and criminal charges are filed.*

*Equal rights for women are a matter of state policy. There is no official discrimination against women or minorities in housing, jobs, education, or other walks of life. Marriage, under the Constitution, is based on the equality of both spouses. The Constitution stipulates that the state shall protect the family, motherhood, and fatherhood.*

*In rural areas, women, even those employed outside the home, bear a disproportionate share of household work and family care because of a generally conservative social tradition. However, women are frequently encountered in business and in government executive departments.*

*Equal pay for equal work for men and women is the norm. Although both men and women suffer from the loss of work and both sexes have the same average period of unemployment, women are still found more often in lower paying jobs. On average, women's earnings are 85 percent of those of men.*

### Sweden 1993

*Although there is no institutionalized job discrimination based on sex, surveys show that women are underrepresented in higher paying jobs, particularly in business, and often receive less pay for equal work. Institutionalized efforts to extend equality between the sexes continued in 1993. Sweden's largest political party, the Social Democrats, decided that half of all party nominations at all political levels would go to women. Possibly due to the recession and the "last hired, first fired" discrimination experienced by women, the percentage of women in the work force employed full-time fell in 1993 for the first time in the postwar period, to 75.9 percent.*

*Employers are required to base hiring decisions on merit and to pursue actively the goal of equality. A public official [the Equality Ombudsman] investigates complaints of sex discrimination in the labor market. However, in 1993 the Ombudsman received little attention and is perceived to have made little progress. Most cases reported to her were withdrawn before completion due to some resolution having been reached between the parties or a decision by the complainant to withdraw the case. Sexual harassment is prohibited by law. The issue of sexual harassment at work received continued high attention in 1993. Several work places started programs to prevent such practices.*

*Rape and abuse of women continued to receive a great deal of attention. Laws protect abused women from having their abusers discover their whereabouts or contact them. In a few cases, women have been helped to obtain new identities and homes. In 1992 the Government decided to provide bodyguards for women in extreme danger of being assaulted by former male companions. Those in slightly less danger have been provided with electronic alarms that can summon the police, methods which the women report have significantly improved their quality of life and sense of security. The abusers typically are prosecuted and sentenced to jail terms or psychiatric treatment. Both national and local governments support voluntary groups that provide shelter and help to abused women. The number of reported rapes, some 1,400 yearly, has remained at approximately the same level since 1989.*

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### **Austria**

*Although there are no accurate statistics available on the number of women abused annually, violence against women was believed to be a problem. Police and judges enforced laws against violence; however, there were estimates that less than 10 percent of abused women filed complaints. The Association of Houses for Battered Women estimated that one-fifth of the country's 1.5 million adult women had suffered from violence in a relationship. An amendment to the 1997 Law on the Protection Against Violence in the Family extends the period during which police can expel abusive family members from family homes. In 2002, an injunction to prevent abusive family members from returning home was applied in 3,944 cases. The Government also sponsored shelters and help lines for women.*

*Trafficking in women was a problem (see Section 6.f.). While prostitution is legal, trafficking for the purposes of prostitution is illegal.*

*Of the 1,616 new cases brought to the Ombudsmen for Equal Opportunity in 2002, 313 were complaints of sexual harassment. The Federal Equality Commission, as well as the Labor Court, may order employers to compensate victims of sexual harassment. The law prohibits sexual harassment, and the Government effectively enforced those laws.*

*There are no legal restrictions on women's rights. A Federal Equality Commission and a Federal Commissioner for Equal Treatment oversee laws prescribing equal treatment of men and women. The new coalition Government reestablished a ministry for Health and Women's Affairs, headed by Maria Rauch-Kallat.*

*An estimated 57 percent of women between the ages of 15 and 60 were employed; on average, women earned only 79 percent of what men earn for the same work. Women were more likely than men to hold temporary positions and also were disproportionately represented among those unemployed for extended periods of time.*

*Although labor laws provide for equal treatment for women in the civil service, women remain underrepresented. To remedy this circumstance, the law requires hiring women of equivalent qualifications ahead of men in all civil service areas in which less than 40 percent of the employees are women, including police; however, there are no penalties for failing to attain the 40-percent target.*

*Female employees in the private sector may invoke equality laws prohibiting discrimination of women. The Federal Equality Commission may award compensation of up to 4 months' salary if women are discriminated against in promotions because of their sex. The Commission also may order legal recompense for women who are denied a post despite having equal qualifications. In October, Parliament passed a law stating that parents in companies with more than 20 employees, who have children under the age of seven, have the right to work part-time.*

*Women are allowed to serve in the military forces voluntarily. At year's end, there were 226 women--of a standing force of approximately 35,000--serving in the military forces, including 4 commissioned officers. There were no restrictions on the type or location of assignments of women.*

*Women's rights organizations were partly politically affiliated, and partly autonomous groups. They usually received wide public attention when voicing their concerns. The Government continued to provide government subsidies to these groups.*

## Belgium

*Societal violence against women was a problem. The law defines and criminalizes domestic violence with the aim of protecting married and unmarried partners. The law allows social organizations to represent victims of domestic violence in court with the victim's consent. The law allows police to enter a home without the consent of the head of household when investigating a domestic violence complaint. According to the law's proponents, the police do not use it enough. By year's end, the Government had not implemented other provisions of the law that required it to establish and maintain a database of statistics on domestic violence. Spousal rape is illegal, but no data was available on the number of persons charged or convicted of spousal rape.*

*A number of government-supported shelters and telephone help lines were available across the country. In addition to providing shelter and advice, many offered assistance on legal matters, job placement, and psychological counseling to both partners. Approximately 80 percent of these organizations' budgets were provided by one of the three regional governments.*

*The law prohibits organizing prostitution or assisting immigration for the purpose of prostitution, but not prostitution itself. Trafficking in women remained a problem (see Section 6.f.).*

*Sexual harassment is illegal. The Government has implemented procedures to monitor sexual harassment claims. The Sexual Harassment Act provides that victims of sexual harassment have the right to sue their harassers and that sexual harassment can be a form of sexual discrimination. The Act also prohibits discrimination in hiring, working conditions, promotion, wages, and contract termination. Most cases of sexual harassment were resolved informally.*

*The Constitution and the law provide for the equal treatment of men and women. The Government actively promoted a comprehensive approach to the integration of women at all levels of decision-making. In June, the Ministry of Labor's Division of Equal Opportunity became a new agency, the Institute for the Equality of Men and Women. This Institute is authorized to initiate lawsuits if it finds that equality laws have been violated.*

*In 2002, the net average salary for a woman was 84 percent of the national net average salary.*

## **Bulgaria**

*Domestic violence against women was a serious problem. Although there were no official statistics on its occurrence, it was estimated by the NGO Animus Association Foundation (AAF) that one in five women suffered from spousal abuse. The law exempts from state prosecution certain types of assault if committed by a family member, and the Government generally did not assist in prosecuting domestic assault cases unless the woman was killed or injured permanently. Courts and prosecutors tended to view domestic abuse as a family matter rather than a criminal problem; as a result, police often were reluctant to intervene in cases of domestic abuse, even if a woman called them seeking protection or assistance.*

*The Government did not take steps to combat violence against women, and did not provide shelter or counseling for women. In Sofia, the NGO Nadya Center provided shelter to battered women, and the AAF operated a crisis center that provided short-term emergency shelter for female victims of violence. There were also 15 crisis centers around the country operated by local NGOs that provided assistance to female victims of violence. The AAF reported that it periodically received client referrals from the police. During the year, the IOM reported sheltering 90 women and girls and AAF sheltered 50 women.*

*The AAF operated a 24-hour hotline for women in crisis, including victims of trafficking, with trained volunteers as well as professional therapists to counsel victims. The hotline also provided volunteers to assist victims in obtaining other necessary services including medical exams and treatment, reissued identity documents, and information on housing and employment opportunities.*

*Spousal rape is a crime, but it rarely was prosecuted. The courts prosecuted rape, although it remained an under-reported crime because of the stigma which society attached to the victim. The maximum sentence for rape is 8 years; convicted offenders often received a lesser sentence or early parole. According to the Prosecutor's Office, during the year, 168 persons were convicted on charges of rape and 298 persons (including 1 woman, 33 minors, 1 foreigner, and 3 police officers) were indicted on rape charges.*

*Prostitution is not prohibited by law; however, a variety of activities often associated with prostitution, such as pimping, are illegal (see Section 6.f.). Forced prostitution is illegal, but remained a serious problem. According to the Prosecutor's Office, during the year, a total of 12 persons were convicted on charges of forced prostitution and 50 persons (including 9 women, 1 minor, 1 foreigner, and 1 police officer) were indicted on forced prostitution charges. Poor socio-economic conditions contributed to a disproportionate number of Romani women drawn into organized prostitution.*

*Trafficking in women was a serious problem (see Section 6.f.).*

*The law does not prohibit sexual harassment, and it was a widespread problem, particularly in the clothing assembly industry. A survey conducted by the Agency for Social Research (ASR) in 2002 found that approximately 40 percent of women had suffered sexual harassment in the workplace.*

*The Constitution prohibits privileges or restrictions of rights on the basis of gender, and women were not impeded from owning or managing businesses, land, or other real property and do not suffer from discrimination under inheritance laws; however, women faced discrimination both in terms of job recruitment and the likelihood of layoffs. The new anti-discrimination law, expected to take effect in 2004, aims to prohibit and punish gender-based discrimination.*

*The Government did not have programs to address economic discrimination or integrate women into the mainstream of society and the economy, although much NGO activity was focused on these areas. Of the women's organizations that existed mainly to defend women's interests, the two largest were the Women's Democratic Union in Bulgaria and the Bulgarian Women's Association.*

## Cyprus

*Spousal abuse in the government-controlled area was a problem and continued to receive attention. An NGO working with domestic abuse victims reported that, during the year, the number of telephone calls to its hotline had increased 15.8 percent. Women constituted 86 percent of the reported victims. A small professional staff ran the NGO and relied on a volunteer staff to answer calls received by its hot line. The NGO also operated a shelter for battered women and children in Nicosia, which served 25 women and 18 children during the year.*

*The law establishes clear mechanisms to report and prosecute family violence and provides that the testimony of minors and experts such as psychologists may be used as evidence to prosecute abuses. The law also provides for prison terms for the abuse of family members. Doctors, hospital workers, and education professionals are required to report all suspected cases of domestic violence to the police. Many victims refused to testify in court. Under the law, spouses cannot be compelled to testify against each other. In cases where a spouse was the victim and the only witness and she refused to testify, the courts were forced to drop the case. Very few cases tried in the courts resulted in convictions.*

*Domestic violence in the Turkish Cypriot community was reportedly a problem, but there was little discussion of it in public. Domestic violence cases were rare in the Turkish Cypriot legal system, since they were typically considered a family matter. "Honor" crimes, in which women were victimized or killed by relatives for acts that allegedly dishonored the family, have not occurred for many years in either the government-controlled area or in the Turkish Cypriot community. No "honor" crime-related deaths or injuries were reported on the island during the year.*

*In the government-controlled area, the law does not prohibit "voluntary" prostitution; however, sexual exploitation and trafficking of adults and children is a felony. It is illegal to live off the profits of prostitution and to procure women for prostitution. There were credible reports that women continued to be trafficked for sexual exploitation in both communities (see Section 6.f.).*

*In December 2002, the Government enacted a law against sexual harassment in the workplace. In the Turkish Cypriot community, the basic law contains no provision specific to sexual harassment, however victims could pursue such cases under other sections of the criminal code. Sexual harassment was not discussed widely in either community, and any such incidents largely were unreported. Throughout the island, women generally have the same legal status as men. Both Greek and Turkish Cypriot women married to foreigners have the right to transmit citizenship automatically to their children.*

*Turkish Cypriot law on marriage and divorce provides for relatively equal treatment of husbands and wives. A wife may retain her surname but must also add the husband's surname. In cases of divorce, the court decides on a fair distribution of the family's assets, with each partner assured a minimum of 30 percent. In dividing assets, the judge must take into account which partner is receiving custody of the children and provide sufficient means to support them.*



*Laws in both the government-controlled area and the Turkish Cypriot community that require equal pay for men and women performing the same work were enforced effectively at the white collar level. However, Turkish Cypriot women in the north working in the agricultural and textile sectors were routinely paid less than their male counterparts.*

## Czech Republic

*The extent of violence against women was unknown; however, some studies indicated that it was more common than publicly acknowledged. ROSA, a nongovernmental organization (NGO) that provides direct assistance to victims of domestic abuse, estimated that 1 in 10 women in domestic situations were emotionally or physically abused and that 30 percent of the abusers were university-educated. According to a 1999 survey by White Circle of Safety, an association for crime victims, approximately 50 percent of incidents of domestic violence were associated with alcohol, 34 percent with a domestic disagreement, and 30 percent with mental illness on the part of the abuser. Only 21.5 percent of domestic violence victims notified police or turned to the police for assistance.*

*On December 11, Parliament amended the Criminal Code to recognize domestic violence as a distinct crime, punishable by up to 8 years in prison. The bill goes into effect on June 1, 2004. Prior to the amendment, the law did not specifically address spousal abuse; however, the Criminal Code covered other forms of domestic violence. An attack was considered criminal if the victim's condition warranted medical treatment for 7 days or more and caused the victim to miss work. If medical treatment was necessary for less than 7 days, the attack was classified as a misdemeanor and punished by a fine of not more than approximately \$109 (3,000 crowns), an amount roughly equivalent to a quarter of the average monthly wage. Repeated misdemeanor attacks did not result in stricter sanctions against the abuser.*

*The police trained some specialized personnel to handle cases of domestic violence. The police did not work regularly with welfare and medical services. However, training materials to help police officers improve the identification and investigation of domestic violence and sexual abuse cases and to help sensitize them in the treatment of victims of abuse were introduced into both the introductory and continuing education curriculums. A local NGO provided police with pamphlets to give victims informing them of their rights, options, and organizations that provide assistance. In April, White Circle of Safety trained 40 police officers on dealing with victims of domestic violence and avoiding secondary victimization.*

*According to Elektra, a crisis center for abused women, rape victims and victims of abuse could seek psychological counseling through a number of hotlines and crisis centers, including the White Circle of Safety, which provided free psychiatric and legal counseling, and Riaps, a hotline that counseled persons who had suffered some form of abuse. According to NGOs, there were 107 state-supported shelters located in most major cities and towns that took in women who were victims of rape or abuse. NGOs also provided medical and social assistance to women on a local level. NGOs reported that there were not enough spaces available in shelters to meet the demand.*

*According to police statistics, there were 597 rapes reported countrywide by the end of November. According to the Ministry of Justice, there were 147 convictions for rape throughout the country in 2002. Researchers and NGOs estimated that approximately 3.3 to 7 percent of rape victims filed reports with the police. According to experts, both rape and domestic violence were greatly underreported. There were no laws specifically addressing spousal rape.*

*Gender studies experts reported that women were ashamed to report or even speak about rape, and that police often were neither appropriately trained nor behaved in a helpful manner toward rape victims. The Ministry of the Interior offered a training program in protocols for investigating family violence and sexual offenses in order to improve police responsiveness and prosecution efforts.*

*Prostitution is legal, while pimping is prohibited by law; however, local communities have the right to regulate prostitution and enforce restrictions on it. The Interior Ministry estimated that up to 25,000 persons worked in the sex industry during the year. Prostitution and sex shops were prevalent, particularly in regions bordering Germany and Austria where international vehicular traffic was heaviest. Romani women and women in the high unemployment zones of northern Moravia and Bohemia were at the greatest risk of being drawn into prostitution.*

*Trafficking in women was a problem (see Section 6.f.). The Government maintained a comprehensive awareness and prevention program designed to address problems of trafficking, abuse, and violence against women.*

*The labor law prohibits sexual harassment, which is defined as unwanted, inappropriate, or offensive sexual behavior, the acceptance or rejection of which could be interpreted by the employee being harassed as affecting his or her status in the workplace. Studies have concluded that approximately one-half of all women have experienced sexual harassment in the workplace.*

*Women and men are equal under the law, and, in principle, women enjoyed equal property, inheritance, and other rights with men. By law, women receive equal pay for equal work. Although women constituted approximately half of the labor force, they were employed disproportionately in professions with a lower median salary than were men. Women's median wages lagged behind those of men by almost 25 percent. The Council for Equal Opportunities for Men and Women monitored gender issues and advised the Government on its efforts to enforce equal gender rights.*

*The law prohibits discrimination based on gender, and repeated offenses are punishable by fines of up to approximately \$36,300 (1 million crowns); however, in practice, employers were free to consider gender, age, or attractiveness when making hiring decisions and often blatantly used these factors in advertising jobs and making employment decisions. The unemployment rate for women exceeded that for men (11.2 percent to 8.7 percent), and a disproportionately small number of women held senior positions.*

*In May, the Government amended a resolution that set priorities and procedures for the enforcement of gender equality in the workplace. Among the changes was an increased focus on incorporating gender equality into government media policy; a requirement to adopt concrete measures to balance gender representation in governmental management positions; and an increased focus on women in rural areas.*

*Among the active women's rights groups were Feminismus.cz and ProFem. The former actively promoted women's rights and gender studies programs, while the latter supported more grassroots-level organizations throughout the country.*

## Denmark

*Violence against women was a problem, which the Government took steps to combat with its 2002 action plan that included: A pilot project offering violent family members therapy in the form of dialogue with their victims and health care professionals; an amendment to the Social Services Act that sets minimal living standards for shelters; increased funding for shelters; and authorization for the police to remove the violent person from the household. In November, the Government initiated a new phase of the action plan: Informative posters and signs about violence against women were hung in buses and trains, and brochures about how to get help were placed in doctors' offices, pharmacies, and other public places. An umbrella nongovernmental organization (NGO) reported that in 2002 women's crisis shelters were contacted 9,420 times, compared with 10,483 times in 2001. A total of 1,935 women stayed at shelters during 2002. There were 500 reported rapes in 2002 and 188 during the first 6 months of the year. The Institute for Public Health estimated that at least 65,000 women were exposed to domestic violence each year, and that domestic violence affected approximately 30,000 children. Rape, spousal abuse, and spousal rape are criminal offenses, and the Government effectively prosecuted those accused of such crimes. Statistics were not available regarding the numbers of abusers who were prosecuted, convicted, and punished. The Government also took steps to combat forced marriage among immigrant groups.*

*Trafficking in women for the purpose of prostitution was a problem, which the Government took steps to combat (see Section 6.f.). Prostitution was legal, but pimping, coercion into prostitution, solicitation of prostitution from a minor, and trafficking were illegal.*

*The law requires equal pay for equal work, but, in practice, female workers earned about 14 percent less than their male counterparts. The law prohibits job discrimination on the basis of sex and provides recourse, such as access to the Equal Status Council, for those affected. Women held positions of authority throughout society, although they were underrepresented in senior business positions and as university professors. Women's rights groups lobbied the Government on matters of concern, such as wage disparities and parental leave. Only 41 percent of women from ethnic minority groups were active in the labor market, in contrast to 75 percent of other women. The Government continued to take steps to bring more women from minority groups into the labor market.*

## **Estonia**

*Violence against women, including spousal abuse, reportedly was common and continued to be the subject of discussion and media coverage. Neither domestic violence nor marital rape is criminalized, although they could be prosecuted under existing law. Rape and attempted rape occurred infrequently. In the first 9 months of the year, there were reports of 73 rapes and 18 attempted rapes, compared with 67 rapes and 10 attempted rapes for all of 2002. However, studies showed that 40 percent of crime, including domestic violence, went unreported. Even when the police were called, the abused spouse often declined to press charges due to societal pressure.*

*There were reports that women were trafficked for prostitution (see Section 6 f.).*

*Sexual harassment existed but was not reported officially. Although sexual harassment is not specifically mentioned in the penal code, it is possible to prosecute such cases under Code provisions on "Violation of Gender Equality." Although women have the same legal rights as men under the law and are entitled in theory to equal pay for equal work, this was not the case in practice. While women's average educational level was higher than that of men, their average pay in general was lower, and there continued to be female- and male-dominated professions. Women constituted slightly less than half of the work force; they also carried most major household responsibilities.*

*The Estonian Women's Studies and Resource Centre, Civil Training Center, Round Table of Harju County Women, and other nongovernmental organizations (NGOs) worked to promote women's rights.*

## Finland

*Violence against women continued to be a problem. Although police statistics annually report around 3,000 cases of domestic violence (with one-fifth of the victims being men), research indicated the actual incidence may be significantly higher. The law criminalizes rape, spousal rape, and domestic abuse, and in recent years courts slightly increased sentences for rape. Unconditional sentences have been lengthened by 6 months: Up from 18 months to an average of 2 years.*

*The number of calls to the police concerned with domestic violence was not compiled centrally, but it was estimated at 10,000 to 12,000 annually, an estimate that shelter officials believed understated by one-half the number of actual incidents. The Union of Shelter Homes, as well as the municipalities, maintained 23 shelter homes for female, male, adult, and child victims of violence. Officials also established shelter homes for minors, primarily 15- to 18-year-olds. Most persons seeking shelter were women between 25 and 35 years of age, either married or in a common-law relationship, and nearly one-third were immigrants.*

*The number of reported rapes was estimated to be approximately 550. The true number of rapes remained unknown since some victims were reluctant to come forward, particularly if the victim knew the perpetrator, and three of every four rapes were committed by a known assailant.*

*An Interior Ministry investigation into reports of "prostitution camps" determined that the activity involved prostitutes renting facilities at tourist campsites in which to meet clients. Russian crime syndicates apparently organized this activity.*

*Trafficking in women for the purposes of sexual exploitation was a problem (see Section 6.f.).*

*Administration of equality issues was divided between two units in the Ministry of Social Affairs and Health: The Office of the Ombudsman for Equality and the Gender Equality Unit. The Ombudsman for Equality continued to operate within the Ministry of Social Affairs and Health as an independent authority monitoring compliance with the Equality Act. The Gender Equality Unit had responsibility to prepare and develop the Government's equality policy in cooperation with the other ministries, to help mainstream gender equality, and to handle tasks related to the European Union's (EU) equality law and policy and international activities. The Government's Council for Equality coordinated and sponsored legislation to meet the needs of women as workers, mothers, widows, or retirees.*

*The Constitution calls for the promotion of gender equality in social activities and working life--the latter particularly in the determination of remuneration--and the country has a comprehensive equal rights law; however, in practice, comparable worth has not been implemented because of the difficulty of establishing criteria. Women's average earnings were 82 percent of those of men, and women tended to be employed in lower paying occupations. While women individually have attained leadership positions in the private and public sectors, there were disproportionately fewer women in top management jobs. Industry and finance, the labor movement, and some government ministries remained male dominated. More than half of the country's physicians and over 65 percent of the medical students were women.*

*Women served in the armed forces. Of the 79 complaints processed by the government's Equality Ombudsman between January 1 and September 25, 16 were judged to be violations of the law. In such cases, the law provides for correction of the situation as well as compensation for the complainant.*

## France

*The Penal Code prohibits rape and spousal abuse, and in general these laws were enforced; however, violence against women remained a problem. The Ministry of Interior reported that there were 10,408 rapes and 15,394 instances of other criminal sexual assault during the year. In 2002, there were 10,460 rapes and 15,743 instances of other criminal sexual assault; in 2001 there were 1,610 (including both genders and minors) convictions for rape. The penalties for domestic violence vary according to the type of crime and range from 3 years' imprisonment and a fine of approximately \$56,250 (45,000 euros) to 20 years in prison. The penalty for rape is 15 years in prison, which may be increased due to other circumstances (such as the age of the victim or the nature of the relationship of the rapist to the victim). The Government sponsored and funded programs for women who were victims of violence, including shelters, counseling, and hot lines. Numerous private associations also assisted abused women.*

*In August, the death of a French actress abroad from an apparent domestic dispute brought publicity to the problem of domestic violence in France. In July, the Government released a 2000 study by the Ministry of Social Affairs on domestic violence that found that 1 adult woman in 10 is the victim of domestic violence, and that 6 women die each month at the hands of their partners.*

*Press reports and NGOs reported that a "repressive atmosphere" existed in some suburbs of Paris dominated by immigrants from North African countries, causing women in these neighborhoods to feel intimidated. Some men in these suburbs reportedly intimidated women whom they perceived as violating social norms. This abuse ranged from verbal abuse to physical assault and rape. After the killing of 17-year-old Sohane, burned alive by an ex-boyfriend in a suburb of Paris in 2002, a women's rights movement emerged among inhabitants of these "difficult neighborhoods" around Paris. In March Sohane's sister and other young women led a 30,000-person march through 23 cities in France to raise public awareness of the situation for women in these neighborhoods. Representatives of the Government have met with members of this women's movement and supported the march. The man who killed Sohane confessed to the killing but claimed it was "involuntary;" his trial began in October and remained ongoing at year's end.*

*In September, the High Council on Integration (HCI), a government body, published a report that approximately 70,000 girls in France between 10 and 18 years old, primarily from North Africa, sub-Saharan Africa, and Turkey, were threatened with forced marriages. Women and girls may seek refuge at shelters if they are threatened with forced marriages, and parents can be prosecuted for forcing their children into marriage. The Government offers some education programs to inform young women of their rights, and the HCI said it is important to distinguish between arranged and forced marriages. The age of consent for marriage is 18 for males and 15 for females; however, many of these marriages take place overseas and are often designed to facilitate immigration. French consulates abroad attempted to prevent forced marriages for immigration by requiring proof that marriages took place with the consensual presence of both spouses before issuing visas.*



*In September, the High Council on Integration also published a report indicating that the country is home to 35,000 women who are victims of female genital mutilation (FGM), the majority of whom are immigrants from Africa, Asia, and the Middle East. The practice is illegal and may be punished by up to 20 years imprisonment; however, in most cases the FGM was believed to take place outside of France. Cases were seldom reported to the authorities, and most were discovered in routine school medical examinations. Several NGOs exist to prevent FGM and worked with the Government to educate women about their rights.*

*Prostitution is legal; acting as a pimp is illegal. Trafficking in women for the purpose of sexual exploitation was a problem (see Section 6.f.). A government agency, the Central Office on the Treatment of Human Beings (OCRTEH), addresses trafficking in women, prostitution, and pimping.*

*The law prohibits sex-based job discrimination and sexual harassment in the workplace. The Social Modernization Law of 2003 prohibits harassment by colleagues as well as supervisors, places on the employer the burden of proof that discrimination did not take place, and creates a mediation process to help workplaces address problems with harassment.*

*The law requires that women receive equal pay for equal work; however, this standard often was not met in practice. Reports by various governmental organizations and NGOs have indicated that men continued to earn more than women, and that unemployment rates continued to be higher for women than for men. The National Institute of Statistics and Economic Studies reported that the unemployment rate for women was approximately 2 percent higher than the unemployment rate for men. From January to October, the unemployment rate for women remained between 10.5 and 10.7 percent.*

## Germany

*Violence against women was a problem and was thought to be underreported; nationwide statistics are not compiled, but the Ministry of Family, Seniors, Women and Youth estimated that there were approximately 45,000 cases per year of domestic violence against women. In 2002, countrywide, 8,615 cases of rape were reported, 724 (9.2 percent) more than in 2001. The law prohibits violence against women and the Government has implemented a number of legal and social structures to combat it. Societal attitudes toward such violence are strongly negative, and legal and medical recourse were available. During the year, the Government conducted campaigns in schools and through church groups to bring public attention to the existence of such violence and supported numerous projects to combat the problem. There were 435 "women's houses," including 115 in the eastern states (excluding Berlin), where victims of violence and their children could seek shelter, counseling, and legal and police protection. In the last few years, the Federal Ministry for Families, Seniors, Women and Youth commissioned a number of studies to obtain information on violence against women, sexual harassment, and other matters. The law provides for removing a violent husband or male domestic partner from a shared dwelling.*

*Prostitution is legal. Lawmakers have approved new rules affording prostitutes more benefits, such as the chance to enter the social security system and to use the courts to obtain payment for their services.*

*Trafficking in women was a problem (see Section 6.f.).*

*Sexual harassment of women was a recognized problem. The press reported on sexual harassment in the workplace and in public facilities. Unions, churches, government agencies, and NGOs ran a variety of support programs for women who experienced sexual harassment and sponsored seminars and training to prevent it.*

*The Government continued to implement its multiyear action plan, "Women and Occupation." The program promoted the equality of women and men in the workforce, including increased vocational training for women, greater representation of women in political advisory councils, and the promotion of female entrepreneurs through government grants and participation in regional projects earmarked for women. The Federal Ministry for Families, the Elderly, Women, and Youth also announced a multiyear initiative designed to increase the number of women and girls who receive training in information technology (IT) and in media careers, with the goal of raising the number of IT-training slots to 60,000 by 2003 and the share of female IT-trainees to 40 percent by 2005. The law provides for equal pay for equal work; however, in practice many employers categorized individual jobs held by women differently from the same job held by a man, thereby creating inequalities in pay for men and women. Union contracts typically identified categories of employment in which participants are to be paid less than 100 percent of the wage of a skilled laborer covered by the same contract. Women were represented disproportionately in these lower-wage scale occupations. In general, a woman's average monthly income was lower than a man's average monthly income. However, if factors such as differences in age, qualification, occupational position, structure of employment or seniority are taken into consideration, women usually were not*

*discriminated against in terms of equal pay for equal work, although they were underrepresented in well-paid managerial positions.*

## Greece

*Violence against women was a problem. While the law prohibits all violence, it does not specifically prohibit domestic violence. The General Secretariat for the Equality of the Sexes (GSES), an independent government agency, provided counseling and assistance to domestic violence victims. The reported incidence of violence against women was low; however, the GSES believed that the actual incidence was high. The GSES estimated that only 6 to 10 percent of the victims contacted the police, and only a small fraction of those cases reached trial. Conviction rates for rape were low for first time offenders, but sentences were harsh for repeat offenders. While nonconsensual sex in any setting is a crime, law enforcement and courts did not treat spousal rape as harshly as extramarital rape.*

*The GSES claimed that police tended to discourage women from pursuing domestic violence charges and instead encouraged them to undertake reconciliation efforts. The GSES also claimed that the courts were lenient when dealing with domestic violence cases. The GSES, in cooperation with the Ministry of Public Order, continued training courses for police personnel on how to treat domestic violence victims.*

*Two GSES shelters for battered women and their children, in Athens and Piraeus offered services, including legal and psychological help, but often were inadequately staffed. The GSES operated a 24-hour emergency telephone hotline for abused women. In June, the Ministry of Health and Welfare started the Emergency Social Care Unit (EKAKB), which operated a hotline providing referrals and psychological counseling. An interministerial committee composed of the GSES, the Ministry of Public Order, the Ministry of Health and Welfare, and the Ministry of Justice, shared information on women's issues.*

*Prostitution is legal at the age of 18. Prostitutes must register at the local prefecture and carry a medical card that is updated every 2 weeks. It was estimated that fewer than 1,000 women were legally employed as prostitutes; approximately 20,000 women, most of foreign origin, worked as illegal prostitutes. According to experts, a significant number of these women were trafficking victims (see Section 6.f.). Many anti-trafficking activists alleged that police accepted bribes from traffickers or were involved in trafficking rings.*

*The law prohibits sexual harassment. Trade unions reported that lawsuits for sexual harassment were very rare, and only four women filed such charges in the past 4 years. In all four cases, the courts reportedly imposed very lenient civil sentences. The General Confederation of Greek Workers (GSEE) women's section reported that sexual harassment was a widespread phenomenon, but that women were discouraged from filing charges against perpetrators by family members and coworkers, since they believed they might be socially stigmatized.*

*The law provides for equal pay for equal work; however, according to official statistics in 2001, women's pay amounted to 76.2 percent of men's pay.*

*Although relatively few occupied senior positions, women continued to enter traditionally male-dominated occupations such as the legal and medical professions in larger numbers. Women also were underrepresented in labor unions' leadership.*

*According to the women's section of the GSEE, 58.6 percent of the country's long-term unemployed were women, while women constituted only 38 percent of the work force.*

*The GSES operated two regional employment offices for women, in Thessaloniki and Patras, and provided vocational training programs for unemployed women and programs to reinforce entrepreneurship, subsidies to women setting up businesses, and information and counseling to unemployed women. It also operated childcare facilities to enable unemployed women to attend training courses and look for a job.*

## Hungary

*Domestic violence against women was believed to be common, but the vast majority of such abuse was not reported, and victims who came forward often received little help from authorities. The NGO Women Against Violence Against Women (NANE) reported that 20 percent of women were threatened by or were victims of domestic violence and that one woman per week was beaten to death. NGOs also reported that there was insufficient emphasis on the protection of female crime victims. Police and prosecutors usually were unsympathetic to victims of domestic abuse.*

*The laws criminalize spousal rape. Women's rights organizations claimed that 1 woman in 10 was a victim of spousal abuse and that societal attitudes towards spousal abuse were archaic. The law prohibits domestic violence and establishes criminal penalties for those convicted of such acts. During the year, there were no known prosecutions for domestic violence.*

*Although there are laws against rape, for cultural reasons, the crime often was unreported. Police attitudes toward victims of sexual abuse reportedly were often unsympathetic, particularly if the victim was acquainted with her abuser. During the year, women were victims of 82,243 reported crimes. NGOs claimed that the police were unwilling to assist victims in one-third of the reported cases.*

*Each county police station has a victim's protection unit. Police recruits received training from representatives of NGOs and international organizations on proper responses to rape and sexual assault cases. Victims of domestic violence could obtain help and information via a national hotline or at one of several shelters. The hotline operated intermittently for 3 hours each day, and a message system was activated when a counselor was unavailable in person. Shelters provided short-term refuge, and their locations were concealed to protect victims.*

*Prostitution is illegal; however, municipal governments may establish "tolerance zones" where such activity may occur. The first tolerance zone, established in the eastern city of Miskolc in 2002, was closed down by the local government, while a new zone was established in Budapest.*

*Trafficking in women for the purposes of sexual exploitation was a serious problem (see Section 6.f.).*

*The Penal Code does not prohibit sexual harassment in the workplace, and it was a widespread problem. Women's groups reported that there was little support for efforts to criminalize sexual harassment and that sexual harassment was tolerated by women who feared unemployment more than harassment. The Labor Code, which regulates questions of security in the workplace, provides for sentences of up to 3 years' imprisonment for sexual harassment; non-violent acts of sexual harassment may also be prosecuted under the defamation statutes. During the year, no charges were brought under this provision of the Labor Code.*

*Women had the same rights as men, including identical inheritance and property rights. The number of women in middle or upper managerial positions in business and government remained low, and, in practice, women received lower pay than men*

*in similar positions and occupations. The number of women in the police and the military has risen over the past several years, and women were well represented in the judiciary and in the medical and teaching professions. During the year, the Government upgraded a division to promote equal opportunity, formerly under the Ministry of Employment and Labor Affairs, to a new status in a different office, headed by the Minister Without Portfolio for Equal Opportunity.*

## Ireland

*Domestic violence and emotional abuse were problems, although there were modest improvements. The Garda recorded 10,248 incidents of domestic violence in 2002. In addition to 18 rape crisis centers, there were 15 women's shelters and 13 women's centers throughout the country, funded in part by the Government. The rape crisis centers are able to provide support through immediate telephone contact and one-on-one counseling. A Voluntary Housing Capital Assistance Scheme and a Voluntary Housing Subsidy Scheme provide long- and short-term housing options for victims of sexual violence. All Garda received training on the investigation of cases of domestic violence, rape, and sexual assault. Garda also attended training lectures on causes and effects of domestic violence and techniques for interviewing victims of domestic violence.*

*In 2002, the Dublin Rape Crisis Center reported receiving 11,808 counseling calls in all categories (child sexual abuse, adult rape, adult sexual assault, sexual harassment), which continued an upward trend in frequency of calls. The center estimated in 2002 that 37 percent of rape victims reported the crime to police, and the conviction rate in reported domestic violence incidents was 6 percent.*

*The law criminalizes rape within marriage, and the Civil Legal Aid Act provides for free legal advice to victims in cases of serious sexual assault. In rape cases, the State brings the case against the accused, with the complainant (victim) acting as a witness. The Sex Offenders Act of 2001 provides that "separate legal representation will be provided to complainants in rape and other serious sexual assault cases where application is made to adduce evidence or to cross-examine the complainant about his or her past sexual experience."*

*The law prohibits discrimination against women in the workplace and provides for protection and redress against discrimination based on gender and marital status; however, inequalities persisted regarding pay and promotions in both the public and the private sectors. The Equality Tribunal and the Equality Authority are the main statutory bodies that enforce and administer the discrimination laws. Women constituted 49 percent of the labor force but were underrepresented in senior management positions. An Equality Authority study showed that less than half of the organizations surveyed had an equality policy in place and that only 36 percent had provided equality or diversity training. In 2002, the earnings of women averaged 85 percent that of men. As a way to combat this gender gap, the Government increased the minimum wage, created more childcare facilities, funded childcare for those in employment training, and worked through the National Framework Committee on the Development of the Family Friendly Policies to increase flexibility in the workforce. The Government contributed \$292 million (234 million euros) to its equal opportunities childcare program during the past 4 years.*

*The Maternity Protection Act provides a woman with 18 weeks of paid maternity leave, an additional 8 weeks of unpaid leave, and the right to return to her job. The Parental Leave Act allows a child's mother and father each to take 14 weeks of unpaid leave to care for a child under the age of 5. Although each parent has a separate entitlement to parental leave, the leave is not transferable, i.e., the mother*



*cannot take the father's leave or vice versa. Parental leave does not affect a mother's right to maternity leave.*

## Italy

*Violence against women remained a problem. The NGO Telefono Rosa, which provides a hotline through which abused women may obtain legal, medical, and other assistance, reported that 33 percent of calls it received involved physical violence in the home, a decline from 37 percent in 2002. Thirty-five percent of the cases involved psychological violence and 13 percent economic violence; 85 percent of the total cases involved repeat instances of violence.*

*Legislation protects women from physical abuse, including by family members, allows for the prosecution of perpetrators of violence against women, and shields women who have been objects of attack from publicity. Law enforcement and judicial authorities are not reluctant to prosecute perpetrators of violence against women, but victims sometimes did not press charges due to fear, shame, or ignorance of the law. According to Telefono Rosa, approximately three out of four women who experienced violence declined to report it to the authorities. However, Telefono Rosa also noted that the entry of more women into the police force contributed greatly to a willingness of female victims of violence to cooperate with police. The law treats spousal rape in the same manner as any other rape.*

*Individual acts of prostitution in private residences are legal. Trafficking of women into the country for prostitution remained a problem (see Section 6.f.).*

*In September, Parliament approved new legislation introducing new definitions of sexual harassment and other abuses in the workplace. The new law strengthens a code of conduct on workplace harassment, attached to national sectoral labor contracts, agreed to in 1999 between the Labor Ministry and major trade union confederations.*

*Women enjoy legal equality with men in marriage, property, and inheritance rights. Males and females enjoy equal access and treatment with regard to education, health, and other government services.*

*As a result of liberal maternity leave laws introduced to benefit women, some employers have found it advantageous to hire men instead. The law requires civil service recruiters to explain in writing their motives for hiring or promoting a man rather than a woman as a manager. The rule applies in offices where women managers number less than a third of the total. A 2002 study indicated that women constituted 51 percent of civil servants, but only 24 percent had high-level assignments.*

*The law regulates night work for pregnant women who are mothers of one or more children below the age of 3 and women with disabilities.*

*According to research conducted in 2001 by an independent research center, women's salaries were 26.6 percent lower than men's for comparable work. Women were underrepresented in many fields, such as management, entrepreneurial business, and the professions. In public education, women represented 80 percent of the personnel but only 22 percent of general directors, 37 percent of executives, 33 percent of inspectors, and 33 percent of union members. At the end of 2002, the*

*National Statistical Institute (ISTAT) reported that employed women were more likely to have a high school diploma (52 percent) than employed men (41 percent). Employed women did better in higher education; the comparable figures for a university degree were 14.4 percent for women and 10.9 percent for men. In October, 11.4 percent of females were unemployed, compared with 6.6 percent of males. Youth unemployment (ages 15 to 24) was 24.7 percent for men and 31.4 percent for women.*

*Women have been integrated quickly into the military ranks; in March, there were 1,652 women in the armed forces. The law provides for voluntary female military service.*

*A number of government offices worked to ensure women's rights. The Ministry for Equal Opportunity is headed by a woman, and there is an equal opportunity commission in the office of the Prime Minister. The Labor Ministry has a similar commission that focuses on women's rights and discrimination in the workplace, as well as equal opportunity counselors who deal with this problem at the national, regional, and provincial government levels. However, many counselors had limited resources with which to work. Many NGOs, most of which were affiliated with labor unions or political parties, actively and effectively promoted women's rights.*

## Latvia

*Although no overall statistics were available, observers reported that domestic violence against women, often connected with alcohol abuse, was significant and underreported. Police statistics for domestic violence were grouped in more general categories, such as assault or battery. The Criminal Code specifically criminalizes rape but does not recognize spousal rape. During the year, 106 rape cases were reported. Victims of abuse often were uninformed about their rights and were reluctant to seek redress through the justice system. Human rights groups asserted that the legal system, including the courts, tended to downplay the seriousness of domestic violence and that the police were reluctant at times to make arrests in such cases.*

*There were no shelters designed specifically for battered or abused women. There was one shelter in Riga where homeless women with children may reside for up to 2 months. There are no specific rape or assault hot lines; however, NGOs managed two crisis hotlines.*

*Prostitution is legal (although procuring is not), but the NHRO reported that adult prostitutes had no legal protections. Prostitution was widespread and often was linked to organized crime. The Government estimated that 3,000 persons worked as prostitutes. There were no state institutions to assist prostitutes; however, the private Latvian Center for Gender Problems provided medical help and social support for prostitutes. Trafficking in women for prostitution was a problem (see Section 6.f.).*

*Sexual harassment of women in the workplace, although illegal, reportedly was common. Cultural factors tended to discourage women from coming forth publicly with complaints of abuse.*

*Women possess the same legal rights as men. The Labor Code bans employment discrimination; however, in practice women frequently faced hiring and pay discrimination, especially in the emerging private sector. The Labor Code also prohibits women from performing "hard jobs or jobs having unhealthy conditions," which are specified in a list agreed upon by the Cabinet and labor unions.*

*The labor law prohibits work and pay discrimination based on gender and requires employers to set equal pay for equal work. The law also defines workplace gender-based discrimination.*

*Women's advocacy groups grew in size and number and were involved in finding employment for women, lobbying for increased social benefits, and assisting victims of domestic abuse.*

## Lithuania

*Societal violence, particularly alcohol-related domestic violence, against women reportedly was common; however, official statistics on the incidence of abuse of women in the home are not reported separately from other categories of assault. Institutional mechanisms for coping with this problem developed slowly, and the law does not criminalize specifically domestic violence. If such violence takes place in the home, the victim must file a complaint. Few such complaints were filed because women preferred to avoid publicity and were not confident that the courts would punish their assailants. Thirteen women's shelters provided assistance to victims of violence. A 2002 study by the Women's Information Center indicated that 80 percent of women experienced psychological abuse in the workplace or at home, 35 percent experienced physical violence, and 17 percent were sexually abused. The law specifically criminalizes rape. From January to August, 211 rapes were reported. Persons convicted of rape generally received sentences of from 3 to 5 years in prison.*

*Prostitution is illegal under the Criminal Code. The penalty for prostitution is a fine of \$85 to \$140 (300-500 litas) for a first offense. Trafficking in women for the purpose of prostitution was a problem (see Section 6.f.).*

*The Constitution provides for equal rights for men and women; however, women continued to face discrimination. The Equal Opportunities Ombudsman is an independent agency, accountable to the Parliament, which oversees the implementation of the law and investigates complaints concerning gender discrimination and sexual harassment. The ombudsman also has some enforcement powers in this regard, and the new Criminal Code contains criminal sanctions for discrimination or harassment. The Law on Equal Opportunities provides for positive discrimination (affirmative action) toward women and forbids indirect discrimination and discrimination in the service sector. In May, the Government adopted a program, Equal Opportunities of Women and Men, 2003-04, to reduce violence against women and trafficking in women and later co-founded a nongovernmental organization (NGO), The Center for Development of Equal Opportunities, to help implement the program.*

*Official policy requires equal pay for equal work. Women made up about one-half of the employed population, and, at the end of 2002, their average pay was 81 percent that of male employees. Women were underrepresented significantly in some professions, business, and the managerial sector as a whole. Significant societal gender inequalities persisted, but recent surveys and studies indicated that conservative views about the role of women were declining--a trend also reported by the media.*

*For the year ending in March, the ombudsman received 72 complaints and initiated 34 investigations. Most of the complaints concerned discrimination against men due to problems in "old" legislation and discrimination against women in the workplace. The ombudsman, together with women's organizations, continued a public awareness campaign and a number of projects to advance gender equality. The number of registered violations of the equal opportunities law by state institutions again decreased substantially; however, enforcement of the law in private businesses remained a problem.*



## Luxembourg

*There were instances of domestic violence, which the Government took steps to address. In September, the Government passed a law on domestic violence, which took effect on November 1. The law stipulates that a batterer will be removed from the house for 10 days; this can be extended an additional 3 months. The law is gender neutral. Police press the charges so that a victim may no longer be intimidated into dropping charges. Penalties may include fines and imprisonment. In addition, if a person has been to an NGO for assistance, the police must act proactively to go to speak with the person. Starting in December, the country provided a hotline for perpetrators, such as aggressive men. During the year, shelters provided refuge to 428 women and 519 children, compared with 399 and 460, respectively, in 2002. In addition, the Government provided financial assistance to domestic violence victims. Information offices set up to respond to women in distress reported that they received 3,013 telephone calls during the year, compared with 4,708 telephone calls in 2002. The Government funded organizations that provided shelter, counseling, and hot lines.*

*There were anecdotal reports that women were trafficked to the country for sexual exploitation (see Section 6.f.).*

*Women enjoyed the same property rights as men under the law. In the absence of a prenuptial agreement, property is divided equally upon the dissolution of a marriage. The law mandates equal pay for equal work, and the Ministry for the Promotion of Women had a mandate to encourage a climate of equal treatment and opportunity; however, according to government reports, women were paid 20 to 30 percent less than men for comparable work. The Government cited the interruption in the careers of women caused by childbirth and their maternal roles as one reason for the disparity. There were no work-related discrimination lawsuits. Women constituted 33 percent of the work force.*

## Malta

*Reports of domestic violence against women showed a small increase. Between January and August, the Police Domestic Violence Unit received 147 reports of domestic violence, compared with 205 reports for the entire year 2002. A special police unit and several voluntary organizations provided support to victims of domestic violence. There was a hotline to assist victims of abuse through counseling and referrals to legal assistance shelters. The Government provided support to victims of domestic violence through the Department of Welfare for the Family and its Social Welfare Agency known as Appogg. A Government-supported shelter for women and children operated during the year. The Government also maintained an emergency fund and subsidized shelters. The Government provided financial support to a shelter operated by the Catholic Church, and provided funds for its enlargement.*

*Rape and violent indecent assault carry sentences of up to 10 years' imprisonment. The law treats spousal rape in the same manner as other rape. Divorce is not legal.*

*Prostitution is a serious offense under the law, and stiff penalties are reserved for organizers. Although exact figures were not available, there were some prosecutions during the year. The law was enforced in such cases and included prison sentences of between several months to 2 years. Four foreign women were given a 4-month jail term, suspended for 1 year, then deported for actions inconsistent with their non immigrant visa status.*

*The Constitution provides that all citizens have access, on a nondiscriminatory basis, to housing, employment, and education; however, while women constituted a growing portion of the work force, they were underrepresented in management. Cultural and traditional employment patterns often directed women either into jobs traditionally occupied by women (such as teachers or nurses) or into jobs in family-owned businesses or select professions (academia or medicine). As a result, women generally earned less than their male counterparts.*

*The Ministry of Social Policy oversaw women's issues, and the Department for Women in Society and the National Commission for the Advancement of Women handled such issues. The Commission's program continued to focus on broader integration of women into society. It advised the Government on the implementation of policies in favor of equality of the sexes. The Department for Women in Society was responsible for the implementation of initiatives and guidelines set by the Commission. The Equality for Men and Women Act was passed in January.*

*Women enjoyed equality in matters of family law and the Government promoted equal rights for all persons regardless of sex. The Government took steps to provide gender-neutral legislation, and redress in the courts for sexual discrimination was available.*



## Netherlands

*Societal violence against women was a problem. According to government estimates, 20 percent of women ages 20 to 60 had suffered from physical violence in a relationship at some point in their lives, and an additional 2.4 percent had suffered from very serious violence. Only about 12 percent of cases were reported to the police, and complaints were filed in approximately 6 percent of the incidents. There were approximately 75 deaths annually from domestic violence. The maximum sentence for marital rape is 8 years' imprisonment. Spousal abuse carries a one-third higher penalty than ordinary battery. Societal costs caused by violence against women were estimated at \$188 million (150 million euros) per year.*

*In 2002, the Government launched a 50-point action plan to reduce and prevent household violence. The measures included increased sanctions on perpetrators, more assistance to victims, and a national awareness campaign aimed particularly at ethnic minorities.*

*Prostitution is legal if the person is 18 years of age or older and engages in the work voluntarily; however, organizing the prostitution of another person is a crime even if done with the consent of the prostitute. It is illegal to force a person into prostitution (see Section 6.f.). The Government reasoned that decriminalizing prostitution, licensing and establishing strict standards for brothel operators, and improving working conditions and health care for prostitutes, while at the same time prohibiting the employment of minors and illegal immigrants, would make prostitution less susceptible to criminal organizations trafficking in women and children. However, trafficking for the sake of prostitution remained a problem, despite strong government efforts to prevent it (see Section 6.f.). There were approximately 25,000 prostitutes, approximately half of whom were illegal immigrants from non-EU countries.*

*The law requires employers to take measures to protect workers from sexual harassment; however, a 2000 Social Affairs Ministry study estimated that 10 percent of female workers were sexually intimidated in the workplace each year. The Government funded an ongoing public awareness campaign and has taken measures to counter harassment among civil servants.*

*The law mandates equal pay for equal work, prohibits dismissal because of marriage, pregnancy, or motherhood, and provides the basis for equality in other employment-related areas. A legislatively mandated Equal Treatment Commission actively pursued complaints of discrimination in these areas as well as allegations of pay discrimination.*

*Although women increasingly entered the job market, traditional cultural factors and an inadequate number of day care facilities discouraged women from working. Female unemployment was approximately 6 percent. The social welfare and national health systems provided considerable assistance to working women with families. Women were eligible for 16 weeks of maternity leave with full pay. The Parental Leave Law allows both parents to take unpaid full-time leave for 3 months and to extend that leave for more than 6 months to care for children up to 8 years old. Persons working fewer than 20 hours per week also were entitled to parental leave.*

*The Social Affairs Ministry reported that women often were underemployed, had less chance of promotion, and held lower level positions than men, primarily because of their part-time work status. According to the Ministry of Social Affairs and Employment, women working in the private sector on average earned 23 percent less than men, although, when adjusted for level of experience and expertise required for the jobs, this differential fell to 7 percent.*

*The Government provided affirmative action programs for women, and collective labor agreements usually included provisions to strengthen the position of women.*

## Poland

*Violence against women continued to be a problem. In a 2002 public opinion poll, 12 percent of women stated that they had been victims of domestic violence, while 7 percent stated that they had been beaten on multiple occasions. Additionally, 43 percent of respondents stated that they knew at least one woman who was physically abused by her husband. Police statistics indicated that approximately 74,000 women were victims of domestic violence in 2002. Women's organizations asserted that the number of women suffering from domestic abuse is probably much higher because battered women usually refused to admit abuse even to themselves. Violence against women remained hidden, particularly in small towns and villages. Physical abuse is illegal and spousal rape is treated in the same manner as other types of rape.*

*Police intervened in cases of domestic violence. The police, in cooperation with the State Agency for Solving Alcoholic Problems, use the "blue card," a record-keeping system designed to document incidents of spousal abuse. However, the program had limited effect due to inadequate funding. Sentences for abuse of family members range from 3 months to 5 years, or from 2 to 10 years if the victim attempts suicide as a result of the abuse. Most convictions resulted in suspended sentences. A police spokesman stated that there were 23,921 cases of family abuse reported in 2002, of which 213 involved particularly severe abuse. According to NGOs, courts often treated domestic violence as a minor crime, pronouncing lenient verdicts or dismissing cases.*

*In 2002, 2,345 rape cases were reported. However, women often were unwilling to report the crime and NGOs estimated that the actual number was 10 times higher than reported.*

*The Government had a vice-ministerial level Plenipotentiary for the Equal Rights of Women and Men. During the year, the Plenipotentiary focused on development of a National Program for Women, which the Government approved in August, and the introduction of new anti-discrimination provisions into the labor code. Parliament passed the revised labor code, which was signed by the President in December. In addition, NGOs operated 15 centers to assist victims, provide preventive treatment and counseling to perpetrators, and train personnel working with domestic violence victims. The Office of Victims' Rights Spokesman at the Ministry of Internal Affairs and Administration was responsible for ensuring that violence victims were treated with respect by law enforcement and the judicial system. The office provided legal and psychological assistance for victims and their families.*

*The law does not provide for restraining orders to protect battered women against further abuse. In divorce cases, courts frequently granted a divorce without issuing a property settlement, forcing women to return to abusive husbands. This problem was exacerbated by a lack of alternative housing. Women's advocacy groups also complained there were a small number of state-supported shelters for battered women.*

*Prostitution is legal; however, pimping or paying for sexual activity is illegal. Due to a crackdown on prostitutes who work along major thoroughfares and at truck stops,*

*much of the prostitution industry moved to brothels, massage parlors, or agencies offering escort services. Police estimated that there were 7,000 prostitutes in the country of whom 3,000 worked in one of the 700 agencies in operation and 3,400 worked in hotels, pubs, discos, and on the streets. The remaining 600 prostitutes worked on major thoroughfares and at truck stops.*

*Trafficking in women for the purpose of sexual exploitation was a problem (see Sections 6.f.).*

*While there are no laws specifically addressing sexual harassment, social awareness of the problem continued to increase, and there are mechanisms available to deal with the problem. For example, the Criminal Code states that whoever takes advantage of a position of power in a relationship to gain sexual gratification may be sentenced to up to 3 years in prison. According to a Supreme Court advisory opinion, such a relationship can occur between employers and employees, supervisors and subordinates, or teachers and students; however, this provision can be invoked only when alleged sexual harassment occurs between a supervisor and an individual in a subordinate position.*

*The Constitution provides for equal rights regardless of gender and grants women equal rights with men in all areas of family, political, social, and economic life, including equal compensation for work of similar value. However, in practice women frequently were paid less for equivalent work, mainly held lower level positions, were fired more readily, and were less likely to be promoted than men. The 2003 government statistical bulletin indicated that men had a higher employment rate (50.7 percent) than women (38.1 percent) and that women had a higher unemployment rate. In July, 51.2 percent of those unemployed were women, despite the fact that they comprised a smaller share of the population actively seeking work. Despite having a generally higher level of education, women earned on average 30 percent less than men. The labor code prohibits discrimination in hiring, and the employer has the burden of proof to show that discrimination did not occur. Women are prohibited from working underground or in jobs that require heavy lifting. Apart from the Constitution, there are no laws that provide equal rights for women.*

*Women were employed in a wide variety of professions and occupations, and a number held high positions in government and the private sector. In agriculture, women comprised 20 percent of all principal managers of farms. Men and women had the right to take time off to care for a sick child. The pension law requires earlier retirement for women (age 60) than for men (age 65), with the result that women received approximately 60 percent of the average pension received by men. However, women may appeal forced retirement at age 60 to the labor court.*

*On January 14, the Sejm passed a National Development Plan that included programs to promote the equalization of women with men in all areas of work, society, and politics.*

*The Ombudsman for Human Rights monitored women's rights within the broader context of human rights; however, the broad scope of the office's mandate diluted its ability to function as an effective advocate of women's issues. There are several women's rights NGOs, including the Polish Foundation for Women and Family Planning and the Women's Rights Center, that were active advocates of gender equality and advanced their goals through research, monitoring, and publishing.*

*There were also several church-sponsored women's advocacy organizations, but their cooperation with other women's NGOs was limited.*

## Portugal

*Domestic and other violence against women reportedly was a common but partially hidden problem for which few sought legal recourse. In the first half of the year, the Association for Victim Support (APAV), a non-profit charitable organization that provided confidential and free services to victims of any type of crime nationwide, received 5,006 requests for assistance via its toll-free hotline and at its offices in 13 cities. The individuals seeking help (more than 86 percent of whom were women) reported 9,928 crimes, 90 percent of which were a form of domestic violence. The Commission for Equality and Women's Rights ran 14 safe houses for domestic violence in the country and also had a 24-hours-a-day, 7 days-a-week phone service.*

*The law provides for criminal penalties in cases of violence by a spouse, and the judicial system prosecuted suspects accused of abusing women; however, traditional societal attitudes still discouraged many battered women from recourse to the judicial system. The law defines domestic violence as a public crime, which obliges the police to follow through on reports of domestic violence. This gives police and the courts more leverage to prosecute such cases, and removes some of the burden on the abused women to file charges. The Penal Code grants any interested party the ability to file charges in domestic violence cases.*

*Parliament continued to address the problem of domestic violence through legislative initiatives. Under the law, perpetrators of domestic violence may be barred from contact with their victims, and in extreme cases, the police may order the immediate expulsion of a perpetrator from the victim's dwelling. The law also calls for the development of new programs to teach anger management to perpetrators and to assist victims with the professional development necessary to live independent lives. The law establishes a national support network and a system of compensation for victims of domestic violence. Another law provided for the expansion of the system of shelters for victims. The Government also strengthened educational campaigns for the public and specialized training for the police.*

*Neither prostitutes nor clients are punishable under the law, and prostitution was common. Under the law, only pimping, brothels, and the registration of prostitutes are illegal. Trafficking in women for the purpose of prostitution continued to be a problem (see Section 6.f.). Prostitution was linked closely to other types of organized crime, particularly international narcotics trafficking. The NGO Nest operated economic and social recovery programs for prostitutes.*

*Sexual harassment is defined as a sex crime if perpetrated by a superior in the workplace. The penalty is 2 to 3 years' imprisonment. As in the case of domestic violence, socially ingrained attitudes discouraged many women from taking advantage of the legal protection available. The Commission on Equality in the Workplace and in Employment, comprised of representatives of the Government, employers' organizations, and labor unions, is empowered to examine, but not adjudicate, complaints of sexual harassment; however, it received few such complaints.*

*The Civil Code provides for full legal equality for women. As of October, women comprised 51.6 percent of the total population and 51.7 percent of the unemployed.*

*Out of the 396,601 students enrolled in higher education in 2002, 57 percent were women. Although women increasingly were represented in business, science, academia, and the professions, their average salaries were about 30 percent less than men's. The Commission for Equality and for Women's Rights (CIDM) continued to press for improved conditions for women.*

*The Commission on Equality in the Workplace and in Employment reviewed numerous complaints of discrimination by employers against pregnant workers and new mothers, who were protected by law. The law provides for 120 days of maternity leave with full pay and benefits. After return to work, a new mother (or father) may take time off every day to nurse or feed an infant. If pregnant or nursing women or new fathers are fired, they may take their complaint to the Government Equality Commission (CITE), which addresses equal opportunity complaints. If CITE finds that the employee's legal rights were violated, the employer must reinstate the worker and pay double back pay and benefits for the time at work missed due to the wrongful firing.*

## Romania

*Violence against women, including rape, continued to be a serious problem. Both human and women's rights groups reported that domestic violence was common. According to a 2002 U.N. survey, 45 percent of women have been verbally abused, 30 percent physically abused, and 7 percent sexually abused. In May, a law was adopted that made police intervention possible in domestic violence cases. There is no specific law to address spousal abuse or rape. The prosecution of rape cases was difficult because it required both a medical certificate and a witness, and a rapist could avoid punishment if he married the victim. The successful prosecution of spousal rape cases was almost impossible. A law passed in January mandated the same penalties for rape and sexual abuse without regard to the victim's gender.*

*There were reports of trafficking of women (see Section 6.f.).*

*The Constitution grants women and men equal rights; however, in practice the Government did not enforce these provisions, nor did authorities focus attention or resources on women's issues.*

*The law prohibits any act of gender discrimination, including sexual harassment. Few resources were available for women to deal with economic discrimination. Despite existing laws and educational equality, women had a higher rate of unemployment than men, occupied few influential positions in the private sector, and earned lower wages. A department in the Ministry of Labor and Social Protection advanced women's concerns and family policies. It organized programs for women, proposed new laws, monitored legislation for sexual bias, targeted resources to train women for skilled professions, and addressed the problems of single mothers, especially in rural areas. There is an Ombudsman in the Department for Child, Woman, and Family Protection to resolve complaints of discrimination.*



## **Slovak Republic**

*The Criminal Code specifically prohibits rape, sexual abuse, domestic violence, and trafficking in women. Police treated spousal abuse, other violence against women, and child abuse in the same way as other criminal offenses. Some activists claimed that more specialists working with women and child victims were needed, particularly with increasing caseloads. There were 418 cases of violence reported in the first 6 months of the year, 8 times the rate reported in 2000. Police estimated that two-thirds of female rape victims failed to report their cases. In January, new domestic violence laws that strengthen victims' rights took effect. The law expands the definition of possible perpetrators of domestic violence to include people other than spouses, defines specific acts of violence that are prosecutable, and increases sentences for perpetrators. NGOs continued to advocate an additional amendment that would permit police physically to remove and ban the offender from the victim's place of residence. As supported by the U.N. Committee for Human Rights in its response to the country's second periodic report, NGOs continued to press for more funding and space in safe houses for victims of domestic violence (see section 4).*

*Prostitution is legal; however, the Criminal Code prohibits activities related to prostitution such as renting apartments for prostitution, spreading sexually transmitted diseases, or trafficking in women for the purpose of prostitution. Trafficking in women was a problem (see Section 6.f.).*

*There were reports of coerced or forced sterilization, particularly of Romani women (see Sections 1.f. and 4).*

*Women are equal under the law. They have the same rights as men to property and inheritance; however, discrimination against women remained a problem in practice. According to studies, women earned approximately 30 percent less than men; experts claimed that this was due to large numbers of women working in low-paid occupations, such as the education or social services sectors.*

*The Gender Center for Equal Treatment of Men and Women, an independent NGO that cooperated with the U.N. Development Program and the Government, dealt primarily with claims of unfair treatment of women in the workplace but also focused on mobilization and job creation for women.*

## **Slovenia**

*Violence against women occurred and was underreported; however, awareness of spousal abuse and violence against women increased. SOS Phone, a nongovernmental organization (NGO) that provided anonymous emergency counseling and services to domestic violence victims, received thousands of calls throughout the year. The Government partially funded 3 shelters for battered women, which operated at capacity (approximately 40 beds combined) and turned away numerous women. In cases of reported spousal abuse or violence, the police actively intervened and prosecuted offenders.*

*Prostitution is illegal but decriminalized. Anti-trafficking authorities and NGOs informally estimated that as many as 80 bars and clubs across the country could be engaged in prostitution. Trafficking in women for the purpose of sexual exploitation was a problem (see Section 6.f.).*

*The law does not explicitly prohibit sexual harassment; however, it may be prosecuted under sections of the Criminal Code that prohibit sexual abuse. Sexual harassment and violence remained serious problems.*

*Government policy provides for equal rights for women and there was no official discrimination against women or minorities in housing, jobs, or education. Under the Constitution, marriage is based on the equality of both spouses, and the Constitution stipulates that the State shall protect the family, motherhood, and fatherhood.*

*In rural areas, women, even those employed outside the home, bore a disproportionate share of household work and family care, because of a generally conservative social tradition. However, women frequently were active in business and in government executive departments. Although both sexes had the same average period of unemployment, women frequently held lower paying jobs. On average, women's earnings were 89 percent of those of men.*

## Spain

*Violence against women, particularly domestic violence, remained a problem. According to the Government, as of November, 64 women and 35 men had been killed as a result of domestic violence, and women had filed 13,016 criminal complaints and 32,996 misdemeanor complaints against their husbands or male partners. The Government continued to take steps to reduce violence against women.*

*The law prohibits rape and spousal abuse. As of November, 1,514 reports of rape had been received. There were 54 Civil Guard units that assisted battered women and 43 similar units in the National Police. There were 53 offices that provided legal assistance to victims of domestic violence and approximately 225 shelters for battered women. A 24-hour free national hotline that advised women or where to find local assistance or shelter operated during the year. The Ministry of Labor and Social Affairs also operates the Women's Institute, dedicated to women's issues.*

*The Government of Catalonia and the Chief Public Prosecutor signed an agreement providing that a doctor should examine female immigrants in Catalonia in danger of suffering from female genital mutilation (FGM) "ablation" when traveling to their countries of origin and again upon return. If they were victims of FGM, the parents could lose custody of the child. Also, in the province of Girona, a protocol prohibiting FGM prevented six such cases from being performed on young girls during the year.*

*Prostitution is not itself illegal, but forcing others into involuntary prostitution and organizing prostitution rings are illegal. Trafficking in women and minors for the purpose of prostitution was a problem (see Section 6.f.). An NGO, Proyecto Esperanza (Project Hope), was contracted by the Government to provide protection, housing, and counseling support to women who were the victims of trafficking or other abuse.*

*The law prohibits sexual harassment in the workplace; however, as of November, the Women's Institute reported 283 complaints of sexual harassment. Although prohibited by law, discrimination in the workplace and in hiring practices persisted.*

*Discriminatory wage differentials continued to exist. A report during the year by the General Workers' Union showed that the average hourly income of women was 86 percent of the average hourly income of men. In addition, the Minister of Social Affairs reported that while as of June 30, women constituted 38.33 percent of the work force, they held only 16.13 percent of senior management positions. By June 30, the female unemployment rate was 15.79 percent, almost twice the 7.95 percent rate for males on the same date. Women outnumbered men in the legal, journalism and health care professions, but still played minor roles in many other fields. In June, the Ministry of Labor presented the National Action Plan to eradicate wage discrimination. Any accusation of salary discrimination must be investigated within 24 hours, and the final report from the Labor Inspection Office must be completed within 2 months (down from 9 months, previously).*

*Employers were exempted from paying social security benefits to temporary workers who substituted for workers on leave for maternity, child adoption, or similar*

*circumstances. A ministerial order to increase women's presence in sectors in which they are underrepresented provided a 2-year reprieve from paying social security taxes to employers who hired women in these sectors.*

## Sweden

*Violence against women remained a problem. During the year, 16,758 cases of assault against women (excluding rape) were reported, compared with 21,420 in 2002. Most involved spousal abuse. An average of 30 murders of women and girls are reported each year, half of them by men closely related to the victim. Rape is illegal, and the law does not differentiate between spousal and non-spousal rape. The number of reported rapes of persons over age 14 was 1,851, compared with 1,791 in 2002. The law provides that rape may be prosecuted as sexual assault instead of the more serious crime of rape, based on a determination of the level of resistance offered by the victim. At year's end, the Government was working on legislation that would expand the criminal definition of rape.*

*The law provides complainants with protection from contact with their abusers. In some cases, authorities helped women obtain new identities and homes. The Government provided electronic alarms or bodyguards for women in extreme danger of assault. Both national and local governments helped fund volunteer groups that provided shelter and other assistance to abused women, and both private and public organizations ran shelters. There was a hot line for victims of crime, and police were trained to deal with violence against women. Authorities apprehended and prosecuted abusers. The typical sentence for abuse is a prison term--14 months on average--or psychiatric treatment. However, women's organizations complained about short sentences and early release of offenders.*

*In June, the Government allocated approximately \$16 million (128 million SEK) over a 3-year period to provide protected housing for young women vulnerable to honor-related violence from family members. This action was part of the Government's increased focus on honor killings after the 2002 killing of Fadime Sahindal by her father because she refused an arranged marriage. The killing received international attention because Sahindal had publicly charged her father and brother with threatening her life in a 1998 court case in which her father ultimately received a suspended sentence and her brother received probation.*

*The law specifically prohibits the purchase or attempted purchase of sexual services. Trafficking in women for purposes of sexual exploitation was a problem (see Section 6.f.).*

*The law prohibits sexual harassment and specifies clearly employers' responsibilities to prevent and, if applicable, to investigate sexual harassment in the workplace and to formulate and post a specific policy and guidelines for the workplace. Employers who do not investigate and intervene against harassment at work may be obliged to pay damages to the victim. As with other forms of discrimination, women and men may file complaints with the courts or their unions.*

*The law requires employers to treat men and women alike in hiring, promotion, and pay, including equal pay for comparable work. Some sectors of the labor market showed significant gender disparities, many with a strong preponderance of either men or women. In 2001, women's salaries averaged 90 percent of men's salaries, adjusting for age, education, and occupational differences. To combat gender discrimination in the long term, the Equal Opportunities Act requires employers, in*

*both public and private sectors, actively to promote equal opportunities for women and men in the workplace. The Equal Opportunity Ombudsman, a public official, investigates complaints of gender discrimination in the labor market. Complaints may also be filed with the courts or with the employer, with mediation by the employee's labor union. During the year, 146 cases were registered: Women filed approximately 90 percent, and 50 percent concerned salary issues. The number of discrimination complaints related to pregnancy rose to 30, compared with 10 in 2002.*

*All employers with more than 10 employees must prepare an annual equality plan, including a survey of pay differences between male and female employees. The equal opportunity Ombudsman reviews these plans. The law requires from every employer a survey made with a union representative analyzing wage differences. If gender is found to be the cause for a difference in salary, pay must be equalized within 3 years.*

## Turkey

*Violence against women remained a problem, and spousal abuse was serious and widespread. The law prohibits spousal abuse; however, complaints of beatings, threats, economic pressure, and sexual violence continued. Citizens of either sex could file civil or criminal charges for abuse but rarely did so. The Law for Protection of Family provides that victims of spousal violence may apply directly to a judge for assistance. The law authorizes judges to warn abusive spouses and order them to stay away from the household for 6 months. Judges may order further punishments for those who violate such orders. According to women's rights advocates, authorities enforced the law effectively, although outside of major urban areas, few spouses sought assistance under the law.*

*According to the Family Research Institute in the Prime Minister's office, beating in the home was one of the most frequent forms of violence against women. In March, Istanbul Bilgi University announced the results of a study involving a sample group of 6,440 married or divorced women in 25 provinces. According to the study, 31.5 percent of the women were beaten by their husbands; 21.5 percent were beaten by their fathers before being married; and 41 percent entered into arranged marriages. Approximately 35 percent of the group said they would file a complaint if their husbands beat them, up from 29 percent in a similar 1997 survey.*

*Spousal abuse was considered an extremely private matter involving societal notions of family honor, and few women went to the police. Police were reluctant to intervene in domestic disputes and frequently advised women to return to their husbands.*

*The law allows women to apply for restraining orders against their husbands and therefore to avoid having to leave their own homes. Observers and government officials noted that this provision has been very successful in some of the cities and rural areas of the country, but less so in the more traditional southeast. The law is limited to spouses and does not address some other sources of violence, such as in-laws.*

*The law prohibits rape; however, laws and ingrained societal notions made it difficult to prosecute sexual assault or rape cases. Women's rights advocates believed cases of rape were underreported.*

*According to women's rights advocates, there were nine government-operated guest houses and two NGO-operated shelters that provided services to battered women; in addition, the Child Protection and Social Services Agency provided legal services to victims of domestic violence through 53 community centers.*

*"Honor killings"--the killing by immediate family members of women suspected of being unchaste--continued in rural areas and among new immigrants to cities; according to media reports, there could be dozens of such killings every year. They were most common in conservative, Kurdish families in the southeast or among migrants from the southeast living in large cities. In July, Parliament revoked a law under which perpetrators of honor killings received reduced sentences. However, Parliament left intact another law allowing for reduced sentences for crimes committed "in the heat of anger" or under "unjust provocation." Women's rights*

*advocates said perpetrators of honor killings continued to benefit from sentence reductions under this law. Because of sentence reductions for juvenile offenders, observers noted that young male relatives often were designated to perform the killing.*

*According to the women's advocacy group Flying Broom, honor killings and other problems confronting women were more intensely debated in the media and in society than in previous years. TRT television broadcast a 3-month series of daily programs on women's issues during the year.*

*In June, Semse Allak died from injuries suffered when she was stoned by relatives in Mardin Province for becoming pregnant by Halil Acil, who was killed in the same attack. Allak's unborn child also died. Two relatives were charged for the killings. The case continued at year's end. In November, a 15-year-old girl in Diyarbakir died after being attacked by her 16-year-old brother for becoming pregnant out of wedlock. The brother was detained, and the case continued at year's end.*

*Human rights organizations continued to report a high rate of suicides among young girls, particularly in the southeast and east. Observers said forced marriages and economic problems contributed to the suicides. A 2001 study in Batman Province concluded that an early marriage could be a catalyst to suicide for young girls with physical and psychological problems.*

*Unlike in previous years, HRF recorded no reports of forced "virginity testing."*

*Prostitution was legal; however, police made numerous arrests involving foreigners working illegally as prostitutes. Trafficking in women was a problem (see Section 6.f.).*

*The Association of Turkish Female Lawyers and other women's rights advocates criticized some articles of the Penal Code as discriminatory to women. Discriminatory Penal Code articles provide that: Rape is considered a crime against society, rather than a crime against the individual; rape between spouses is not legally considered rape; rapists and kidnappers may avoid punishment if they marry their victims; and punishment for rape is greater if the victim is married, lesser if the victim is single, and even less if the victim is single and not a virgin. Ambassador Hansjorg Kretschmer, Head of the European Commission Representation to the country, said in a December speech that the Penal Code "fails to offer the basic necessary amendments needed to recognize and protect women's human rights."*

*Parliament has not revised its internal code to conform with its January 2002 overturning of a regulation that prohibited female civil servants from wearing pants in the workplace.*

*The Directorate General on the Status and Problems of Women, under the authority of the State Minister for Women's and Children's Affairs, was responsible for promoting equal rights and raising awareness of discrimination against women. The Government has not adopted organizing legislation for the Directorate General, which was set up in 1990; as a result, it has not been able to expand beyond its limited staff of 42.*



*Particularly in urban areas, women were well represented in the professions, business, and the civil service and constituted more than one-third of university students. However, they continued to face discrimination in employment to varying degrees. Women were generally underrepresented in managerial-level positions as well as in government (see Section 3). Women generally received equal pay for equal work in professional, business, and civil service positions, although a large percentage of women (as well as men) employed in agriculture and in the trade, restaurant, and hotel sectors worked as unpaid family labor.*

*According to a UNICEF report released during the year, the literacy rate for women in 2000 was 77 percent, compared with 94 percent for men. However, in rural areas the rate could be as low as 50 percent for women. One reason for the higher rate for men was that men must serve in the army; if they did not know how to read, they were taught upon entry. In addition, families in rural areas often attached greater importance to the education of boys than girls.*

*Independent women's groups and women's rights associations existed but have not significantly increased their numbers or activities, mostly due to funding problems. There were many women's committees affiliated with local bar associations. Other organizations included the Association for Supporting and Training Women Candidates (Ka-Der), Flying Broom, the Turkish Women's Union, and the Foundation for the Evaluation of Women's Labor. Women continued to be very active in ongoing debates between secularists and more religiously oriented women, particularly with respect to the right to choose whether to wear religious head coverings in public places, such as government offices and universities (see Section 2.c.).*

### 3) Statistische Analyse (basierend auf UNDP)

Die Eurostat-Datenserie „geschlechtsspezifischer Lohnunterschied“ wurde bislang nur für die **EU-15** erhoben, weshalb eine Analyse dieser Frage weitgehend auf vorhandene UN-Daten zurückgreifen muss.

**Faktenanalyse<sup>5</sup> Bedingung „Kluft der Geschlechter“ schließt sich:**

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<sup>5</sup> zur maschinenlesbaren Form der für 1995 erhobenen Gleichstellungspolitik-Variablen aus dem Human Development Report 1998 des UNDP vgl. <http://www.undp.org/hdro/hdrs/1998/english/98gem.htm>

geordnet nach dem Ist-Zustand der Gleichstellungspolitik, 2001 – Kriterium „gleicher Lohn“

Länderko- de	Gleicher Lohn 2001 (gleicher Lohn = 1)	Weltrang "gleicher Lohn" 2001	Gleicher Lohn, Mitte der 90-er Jahre (gleicher Lohn = 1)	Weltrang gleicher Lohn, Mitte der 90- er Jahre	absoluter Rangverbesserun- g/Verschlechterun- g bei der Gleichstellungspol- itik in der Weltgesellschaft in den letzten 5 – 10 Jahren	Weltrang bei den Ranggewinnen/Verl- usten Bewegung hin- zu "gleicher Lohn" in der letzten Dekade
Denmark	0,71	1	42	3	2	17
Finland	0,7	3	42	4	1	21
Latvia	0,7	4	44	2	-2	41
Sweden	0,68	6	45	1	-5	50
Slovakia	0,65	8	41	8	0	31
Estonia	0,63	11	42	6	-5	51
Poland	0,62	13	39	14	1	23
Slovenia	0,62	14	39	15	1	24
United Kingdom	0,6	19	38	21	2	18
Hungary	0,58	21	39	17	-4	49
Romania	0,58	22	37	23	1	25
Germany	0,57	23	35	27	4	15
Czech Republic	0,55	25	39	18	-7	54
Netherlan- ds	0,53	27	34	28	1	26
Portugal	0,53	28	34	29	1	27
Austria	0,5	29	34	30	1	28
Cyprus	0,47	34	28	43	9	3
<b>Turkey</b>	<b>0,46</b>	<b>37</b>	<b>36</b>	<b>25</b>	<b>-12</b>	<b>58</b>
Greece	0,45	39	32	38	-1	37
Italy	0,45	40	31	39	-1	38
Belgium	0,44	43	34	32	-11	57
Spain	0,44	44	30	41	-3	46
Ireland	0,4	48	27	48	0	33

Quelle: eigene Zusammenstellungen und Berechnungen nach UNDP, 2003 und UNDP, 1998. 60  
Länder mit kompletten Daten

## Faktenanalyse:

### Dynamik der Gleichstellungspolitik

geordnet nach der Bewertung der **Fortschritte in der Gleichstellungspolitik** der letzten 10 Jahre – Kriterium „gleicher Lohn“

Länderko de	Gleicher Lohn 2001 (gleicher Lohn = 1)	Weltrang "gleicher Lohn" 2001	Gleicher Lohn, Mitte der 90-er Jahre (gleicher Lohn = 1)	Weltrang gleicher Lohn, Mitte der 90-er Jahre	absoluter Rangverbesserung/Versc hlechterung in der Weltgesellschaft in den letzten 5 bis 120 Jahren	Weltrang bei den Ranggewinnen/Verluste n Bewegung hin zu "gleicher Lohn" in der letzten Dekade
<b>Cyprus</b>	<b>0,47</b>	<b>34</b>	<b>28</b>	<b>43</b>	<b>9</b>	<b>3</b>
Germany	0,57	23	35	27	4	15
Denmark	0,71	1	42	3	2	17
United Kingdom	0,6	19	38	21	2	18
<b>Austria</b>	<b>0,5</b>	<b>29</b>	<b>34</b>	<b>30</b>	<b>1</b>	<b>28</b>
Finland	0,7	3	42	4	1	21
Netherla nds	0,53	27	34	28	1	26
<b>Poland</b>	<b>0,62</b>	<b>13</b>	<b>39</b>	<b>14</b>	<b>1</b>	<b>23</b>
Portugal	0,53	28	34	29	1	27
<b>Romania</b>	<b>0,58</b>	<b>22</b>	<b>37</b>	<b>23</b>	<b>1</b>	<b>25</b>
<b>Slovenia</b>	<b>0,62</b>	<b>14</b>	<b>39</b>	<b>15</b>	<b>1</b>	<b>24</b>
Ireland	0,4	48	27	48	0	33
<b>Slovakia</b>	<b>0,65</b>	<b>8</b>	<b>41</b>	<b>8</b>	<b>0</b>	<b>31</b>
Greece	0,45	39	32	38	-1	37
Italy	0,45	40	31	39	-1	38
<b>Latvia</b>	<b>0,7</b>	<b>4</b>	<b>44</b>	<b>2</b>	<b>-2</b>	<b>41</b>
Spain	0,44	44	30	41	-3	46
<b>Hungary</b>	<b>0,58</b>	<b>21</b>	<b>39</b>	<b>17</b>	<b>-4</b>	<b>49</b>
<b>Estonia</b>	<b>0,63</b>	<b>11</b>	<b>42</b>	<b>6</b>	<b>-5</b>	<b>51</b>
Sweden	0,68	6	45	1	-5	50
<b>Czech Republic</b>	<b>0,55</b>	<b>25</b>	<b>39</b>	<b>18</b>	<b>-7</b>	<b>54</b>
Belgium	0,44	43	34	32	-11	57
<b>Turkey</b>	<b>0,46</b>	<b>37</b>	<b>36</b>	<b>25</b>	<b>-12</b>	<b>58</b>

Quelle: eigene Zusammenstellungen und Berechnungen nach UNDP, 2003 und UNDP, 1998. 60  
Länder mit kompletten Daten

Gleicher Lohn: relativ gute Ausgangsposition (Rang Erfüllung des gleichen Lohns  
Mitte der 90-er Jahre besser als der Median der Weltgesellschaft), weitere über dem  
Median der Weltgesellschaft liegende Verbesserungen:

Germany  
Denmark  
United Kingdom  
Finland  
Poland  
Slovenia  
Romania  
Netherlands  
Portugal  
Austria  
Slovakia

Gleicher Lohn: relativ gute Ausgangsposition (Rang Erfüllung des gleichen Lohns Mitte der 90-er Jahre besser als der Median der Weltgesellschaft), aber unter dem Median der Weltgesellschaft liegende Verbesserungen gegenüber Mitte der 90-er Jahre, oder sogar weitere Verschlechterungen:

**Turkey**

Czech Republic  
Estonia  
Sweden  
Hungary  
Latvia

Gleicher Lohn – relativ schlechte Ausgangsposition (Rang Erfüllung des gleichen Lohns Mitte der 90-er Jahre schlechter als der Median der Weltgesellschaft), aber über dem Median der Weltgesellschaft liegende Verbesserungen gegenüber Mitte der 90-er Jahre

Cyprus

Gleicher Lohn – relativ schlechte Ausgangsposition (Rang Erfüllung des gleichen Lohns Mitte der 90-er Jahre schlechter als der Median der Weltgesellschaft), aber unter dem Median der Weltgesellschaft liegende Verbesserungen gegenüber Mitte der 90-er Jahre, oder sogar weitere Verschlechterungen

Belgium  
Spain  
Italy  
Greece  
Ireland

**UNDP Machtbeteiligungsindex** (Gender Empowerment Index), misst die verstärkte Machtbeteiligung der Frauen als der benachteiligten Hälfte der Menschheit; *gender empowerment* bedeutet eine stärkere Vertretung der Frauen in den gesetzgebenden und administrativen Körperschaften, einen verbesserten Zugang der Frauen zu Berufen auf der Ebene der Manager, der professionellen und technischen Beschäftigten und einen höheren Anteil der Frauen an den erwirtschafteten Einkommen. Gemessen wird die Machtbeteiligung der Frauen mit dem Frauenmachtbeteiligungsindex der Vereinten Nationen (Gender Empowerment Index; GEM), der die genannten Größen kombiniert und auf einen Index der von 0 (schlechtestes Land) bis 1 (bestes Land) projiziert.

geordnet nach den Rangverbesserungen, Mitte der 90-er Jahre bis 2001

Länderkodie	GEM value 2001Machtbeteiligungsindex 2001	GEM value mid 1990sMachtbeteiligungsindex Mitte der 90-er Jahre	Welt-Rang GEM-Index Mitte der 90-er Jahre	Welt-Rang-GEM-Index 2001	Zugewinn/Verlust des weltweiten Ranges Gleichstellungspolitik
Cyprus	0,542	0,379	50	33	17
Latvia	0,576	0,436	42	29	13
Estonia	0,56	0,458	37	32	5
Ireland	0,683	0,554	20	16	4
Slovenia	0,582	0,475	30	27	3
Netherlands	0,794	0,689	9	6	3
Greece	0,519	0,438	41	38	3
Belgium	0,695	0,6	18	15	3
Austria	0,782	0,686	10	7	3
United Kingdom	0,675	0,593	19	17	2
Spain	0,709	0,617	15	14	1
Poland	0,594	0,494	26	25	1
<b>Turkey</b>	<b>0,29</b>	<b>0,281</b>	<b>57</b>	<b>57</b>	<b>0</b>
Slovakia	0,598	0,516	24	24	0
Romania	0,46	0,402	48	48	0
Portugal	0,647	0,547	21	21	0
Germany	0,776	0,694	8	8	0
Sweden	0,831	0,79	2	3	-1
Finland	0,801	0,725	4	5	-1
Denmark	0,825	0,739	3	4	-1
Czech Republic	0,579	0,527	22	28	-6
Italy	0,561	0,521	23	31	-8
Hungary	0,518	0,491	27	39	-12

Quelle: eigene Zusammenstellungen und Berechnungen nach UNDP, 2003 und UNDP, 1998. 60 Länder mit kompletten Daten

Länderkodie	GEM value 2001 Machtbeteiligung index 2001	GEM value mid 1990s Machtbeteiligung index Mitte der 90-er Jahre	Welt-Rang GEM-Index Mitte der 90-er Jahre	Welt-Rang-GEM-Index 2001	Zugewinn/Verlust des weltweiten Ranges Gleichstellungspolitik
Sweden	0,831	0,790	2	3	-1
Denmark	0,825	0,739	3	4	-1
Finland	0,801	0,725	4	5	-1
Netherlands	0,794	0,689	9	6	3
Austria	0,782	0,686	10	7	3
Germany	0,776	0,694	8	8	0
Spain	0,709	0,617	15	14	1
Belgium	0,695	0,600	18	15	3
Ireland	0,683	0,554	20	16	4
United Kingdom	0,675	0,593	19	17	2
Portugal	0,647	0,547	21	21	0
Slovakia	0,598	0,516	24	24	0
Poland	0,594	0,494	26	25	1
Slovenia	0,582	0,475	30	27	3
Czech Republic	0,579	0,527	22	28	-6
Latvia	0,576	0,436	42	29	13
Italy	0,561	0,521	23	31	-8
Estonia	0,560	0,458	37	32	5
Cyprus	0,542	0,379	50	33	17
Greece	0,519	0,438	41	38	3
Hungary	0,518	0,491	27	39	-12
Romania	0,460	0,402	48	48	0
Turkey	0,290	0,281	57	57	0

**Zwischenbilanz:** Die Staaten, die bereits Mitte der 90-er Jahre eine bessere Gleichstellungspolitik besaßen (GEM > 0.5), und ihre chancengleichheitspolitische Position in der Weltgesellschaft weiter verbesserten, waren in EU-Europa Irland, die Niederlande, **Österreich**, Belgien, das Vereinigte Königreich, und Spanien. Deutschland, Portugal und die Slowakei haben ihre Situation weder verbessert noch verschlechtert, ihr chancenpolitischer Weltrang blieb gegenüber der Mitte der 80-er Jahre gleich. Die Staaten, die Mitte der 90-er Jahre noch chancengleichheitspolitische Vorreiter waren (GEM > 0.5), aber etwas von ihrem chancengleichheitspolitischen Vorsprung einbüßten, waren im Europa der per 1. Mai 2004 erweiterten EU Italien, die Tschechische Republik, Schweden, Dänemark und Finnland. Chancengleichheitspolitische Nachzügler mit einem GEM Index von < 0.5 Mitte der 90-er Jahre, die gleichstellungspolitisches Terrain wettmachen konnten, waren im erweiterten Europa Zypern, Lettland, Estland, Slowenien und Polen. Ein chancengleichheitspolitischer Nachzügler im erweiterten Europa mit einem GEM Index von < 0.5 Mitte der 90-er Jahre, der sogar weiter gleichstellungspolitisches Terrain in der Weltgesellschaft verloren hat, war Ungarn. Rumänien und die Türkei konnten ihre schlechte Ausgangsposition nicht verändern.

