

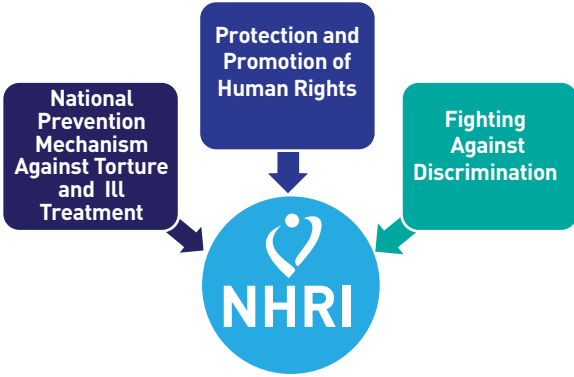




## Human Rights and Equality Institution of Turkey (Hrei of Turkey)

The Human Rights and Equality Institution of Turkey, affiliated to the Ministry of Justice, with public legal entity status and administrative and financial autonomy, established by law No. 6701 based on the international law to which we are a party in the field of human rights. Human Rights and Equality Institution of Turkey composed of the presidency and the board. The Board shall consist of eleven members elected by president. The Board shall exercise its duties and powers under its own responsibility and independently.





## Purpose of Establishment and Duties Areas

HREI of Turkey was established on the basis of human dignity and the purpose listed below and act in line with these principles.

- Protection and promotion of human rights,
- Guaranteeing individuals' right to equal treatment, prevention of discrimination in the exercise of legally recognized rights and freedoms and which will carry out actions in line with these principles,
- Effectively fight against torture and ill-treatment and act as National Preventive Mechanism.

## Receiving Application and Ex Officio Inquiring Power

HREI of Turkey has the right to examine the allegations of violation of the right to equal treatment, discrimination or torture and ill-treatment on the basis of the application. In case of claims of other human rights violations, the applicant cannot make an application and, if necessary, the Institution may start an ex officio investigations on the relevant case.



# Applications and Reconciliation

Each and every natural person and legal person who claim to have suffered from violations of non-discrimination can apply to the Institution. Applications to the Institution may be filed via governorates in provinces and sub-provincial governorates in sub-provinces. Persons deprived of their liberty or taken under protection may also apply to the Institution. There shall be no fee charged for applications.

Before applying to the Institution, those concerned shall demand that the relevant party remedy the practise they allege as contrary to the law. In cases where such demands are turned down or are not replied within thirty days, then they may apply to the Institution. However, where it is likely that damages arise which are irremediable or difficult to remedy, the Institution may accept applications without seeking such condition.



Applications filed at the Institution within the legal period for filing a court case shall suspend such period. There can be no application filed about the acts related to the exercise of legislative and judicial powers, decisions of The Council of Judges and Prosecutors nor about acts excluded from judicial review under the Constitution.

Depending on the nature of the inquiry, the Head may invite the parties to reconciliation of its own initiative or upon request after the opinions have been received. The reconciliation may involve the cessation of the alleged practise of violation of human rights or discrimination or solutions that will bear such consequence for the victim or be in the form of payment of a certain compensation to the victim. Reconciliation shall be concluded within at latest one month. Findings, statements or explanations obtained during negotiations of reconciliation cannot be used as evidence in any investigation and prosecution or in any court case.



## — Sanctions

It is imperative that the information and documents requested by the Institution by indicating the reason thereof concerning the matter under inquiry or examination be submitted within thirty days following the date of communication of such request. The Institution imposes an administrative fine of five hundred Turkish Liras to two thousand Turkish liras on public institutions and organizations and other natural and legal persons who do not comply with such obligations and without a justification for a specified period of time.

If the applications cannot be settled by reconciliation and it is determined that there has been a violation of the prohibition of discrimination, the Institution may impose fines up to 15 thousand Turkish Liras.



## Protection and Promotion of Human Rights

Inquiring into, examining, taking a final decision on and monitoring the results of violations of human rights - ex officio is the duty and authority of the Institution.

- Right to life
- The Right to Freedom and Security
- Respect for Private Life
- Freedom of Religion and Conscience
- Freedom of Expression
- Right to Work
- The Right to Protection of the Family
- Right to Social Security
- Right to Health
- The Right to Education

Working in all areas of human rights is one of the duties of HREI of Turkey. In this context, the Institution mandated to:

- Increase public awareness through information and education by using mass media.
- Contribute to the preparation of the relevant sections in the national education curriculum.

- Work jointly with universities. It contributes to the establishment and establishment of curriculum of universities related to human rights and equality.
- Contribute to the establishment and implementation of the principles of human rights and equality education programs of public institutions and organizations.
- Monitor and evaluate the legislative work related to its field of duty and informs the relevant authorities of its opinions and suggestions.
- Publish special reports on the task field when necessary.
- Monitor and evaluate international developments in the field. Cooperates with international organizations.
- Turkey is a party to monitor the implementation of international human rights conventions. In the process of preparing the reports that the state is obliged to present within the framework of international conventions, it shall also express its opinion by taking advantage of the relevant non-governmental organizations.
- Prepare annual reports to be submitted to the Presidency and the Presidency of the Turkish Grand National Assembly.







TÜRKİYE  
İNSAN HAKLARI VE  
EŞİTLİK KURUMU

AYRIMCILIKLA MÜCADELE  
İSTİŞARE KOMİSYONU  
TOPLANTISI

22 Ekim 2018 / ANKARA



## Fighting Against Discrimination

It is prohibited under the Law No. 6701 to discriminate against persons based on the grounds of sex, race, colour, language, religion, belief, sect, philosophical or political opinion, ethnical origin, wealth, birth, marital status, health status, disability and age. Public institutions and agencies, professional bodies with public institution status, natural persons and legal persons established under private law providing services of education and training, judiciary, law enforcement, health, transportation, communication, social security, social services, social assistance, sports, accommodation, culture, tourism and similar services shall not discriminate, in respect of their activities, against persons who use or have applied to use or wishing to be informed of such services.

# National Prevention Mechanism Fighting Against Torture and Ill Treatment

National preventive mechanism indicates the system put in place to carry out regular visits to places where persons are deprived of their liberty within the framework of the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

HREI of Turkey fighting against torture and ill-treatment within the scope of the relevant legislation; examine, investigate, decide on applications or ex officio and follow the results. Within the scope of the National Preventive Mechanism, persons deprived of their liberty or taken under the protection of the State,

- Penal Institutions,
- Custody Centers
- Refugee Camps,
- Removal Centers,
- Rehabilitation Centers,
- Psychiatric clinics etc..

pays regular visits to detention places with or without notice, explains to the public if deemed necessary by the Board. It examines and evaluates reports of visits to penitentiary institutions and detention centers, provincial and district human rights boards and other persons, institutions and organizations.



# Participation and Cooperation with Civil Society

The Institution cooperates with public institutions and organizations operating within the scope of protection of human rights and fighting discrimination, non-governmental organizations, professional organizations, universities, trade unions, social and professional organizations, press and broadcasting organizations, researchers and other relevant persons, institutions and organizations. The Institution may form commissions.



# NHRI

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**HUMAN  
RIGHTS AND  
EQUALITY  
INSTITUTION  
OF TURKEY**



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