

Turkey Announces Rules and Procedures for Human Rights and Equality Institution

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Principles and procedures have entered into force for the Turkish Human Rights and Equality Institution ("**Institution**"). These include occupational and ethical rules for staff, along with procedural requirements for making complaints to the Institution about alleged discrimination based on sex, race, colour, language, religion, belief, sect, philosophical and political view, ethnic origin, wealth, birth, marital status, health condition, disability or age.

The Regulation on Principles and Procedures of Implementation of Law on Turkish Human Rights and Equality Institution ("**Regulation**") was published in Official Gazette number 30250 on 24 November 2017, entering into effect on the same date.

Significant provisions include:

- An administrative fine between 1,000 and 15,000 Turkish Lira can be imposed on persons responsible from a violation. Administrative fines must be paid within one month. However, a fine may be reduced to a warning on one occasion. The administrative fine will increase by 50% if the violation is repeated.
- If a lawsuit is filed during the Institute's examination and research, covering the same subject matter, the Institute will render a decision stating that the application has become devoid of essence.
- Applications made to the Institution within the statutory limitation period will stop this term.
- If the Institute makes one of the following decisions, the statutory limitation period will continue from the date the Institute notifies the related party:
 - Non-examination decision.
 - Reasoned non-admissibility.
 - Dismissal.
 - Reconciliation.
 - Decision that the claim is devoid of essence.
- If the Institution confirming that an action/decision constitutes discrimination, the offending person/entity is expected to remove the effects of this by taking a new action/decision. If this does not occur within 30 days, then the statutory limitation period for filing a lawsuit against this party will continue running where it was left off.
- The President, board members and staff:
 - Must declare property (as per Law number 3628 on Declaration of Property, Anti Bribery and Corruption).
 - Are prohibited from receiving presents from parties with whom they have business service or relationship of interest.
- Applications regarding alleged discrimination can be delivered by hand, e-mail, fax, or via an electronic system established by the Institution. Applications can also be made via the governor's office (in cities) or district governorship's office (in districts).
- Applications must be made in Turkish language and include all documents related to the application (unless an exception applies).
- The Institution must keep identity information confidential regarding persons under guardianship or protection, as well as children and victims (if requested).

- Certain places will be required to provide education on human rights and anti-discrimination. These places will be determined by the Institution in future.

The Regulation also addresses qualifications and working principles for expert witnesses, composition and working principles for commissions and chambers, as well as examinations by the national examination mechanism.

Please see this [link](#) for full text of the Regulation (only available in Turkish).

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