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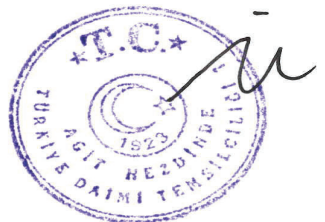
**PERMANENT MISSION OF THE REPUBLIC OF TURKEY  
TO THE ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE  
VIENNA**

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The Permanent Mission of Turkey to the Organization for Security and Cooperation in Europe (OSCE) presents its compliments to the Permanent Missions/Delegations of the participating States to the OSCE and to the Conflict Prevention Centre (CPC) and with reference to its Note no: Z-2021/17260111/32631965 dated 13 April 2021 (FSC.EMI/66/21), has the honour to submit Turkey's response to the Questionnaire on the "Code of Conduct on Politico-Military Aspects of Security" for 2021.

The Permanent Mission of Turkey to the OSCE avails itself of this opportunity to renew to the Permanent Missions/Delegations of the participating States to the OSCE and to the CPC the assurances of its highest consideration.

Vienna, 4 August 2021



Encl.

-Permanent Missions/Delegations of the participating States to the OSCE  
-Conflict Prevention Centre

Vienna

**QUESTIONNAIRE ON THE CODE OF CONDUCT ON  
POLITICO-MILITARY ASPECTS OF SECURITY**

**Section I: Inter-State elements**

**1. Account of measures to prevent and combat terrorism**

**1.1. To which agreements and arrangements (universal, regional, sub regional and bilateral) related to preventing and combating terrorism is your State a party?**

Turkey is party to most of the international conventions drafted under the auspices of the United Nations (UN) and its specialized agencies and the International Atomic Energy Agency (IAEA) as well as Council of Europe (CoE) pertaining to the fight against terrorism. These conventions are listed below;

(1) Convention on Offences and Certain Other Acts Committed on Board Aircraft (14 September 1963),

(2) Convention for the Suppression of Unlawful Seizure of Aircraft (16 December 1970),

(3) Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (2010)-Beijing Convention (18 September 2013).

(4) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, Including Diplomatic Agents (14 December 1973),

(5) Convention on the Physical Protection of Nuclear Material (CPPNM) (26 March 1980) and 2005 Amendment to the CPPNM (8 May 2016),

(6) International Convention for the Taking of Hostages (17 December 1979),

(7) Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (on March 1988),

(8) Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (14 October 2005),

(9) Convention on the Marking of Plastic Explosives for the Purpose of Detection (01 March 1991),

(10) International Convention for the Suppression of Terrorist Bombings (15 December 1997),

(11) International Convention for the Suppression of Financing of Terrorism (09 December 1999),

(12) European Convention on Suppression of Terrorism (27 January 1977),

(13) CoE Convention on the Prevention of Terrorism (16 May 2005),

(14) CoE Convention on Laundering, Search, Seizure, and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (16 May 2005),

(15) International Convention for the Suppression of Acts of Nuclear Terrorism (14 September 2005),

(16) Agreement on Illicit Traffic by Sea, implementing article 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (31 January 1995).

(17) Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (1 June 2018)

Turkey is an active member of the Global Coalition Against DAESH and is co-chairing the Working Group on Foreign Terrorist Fighters which focuses on supporting and encouraging actions that directly complement and support Coalition efforts to eliminate DAESH.

Turkey assumes the co-leadership of Counter Terrorism Confidence-Building Measures along with Afghanistan and UAE within the framework of Istanbul Process, which is an initiative aiming at regional cooperation to address problems faced by the Heart of Asia countries, through confidence-building measures.

Turkey has served as the co-chair of the Global Counter Terrorism Forum (GCTF), since its creation in 2011, for almost 5 years, until it handed over its responsibilities to Morocco on 13 April 2016. Turkey continues to be the co-chair of the Horn of Africa Working Group, together with the EU within the GCTF. The GCTF was launched on 22 September 2011 to act as a platform to share unique experiences; channel national contributions into joint civilian-led counter terrorism efforts and contribute to the implementation of the global counter-terrorism framework of the UN.

In addition, Turkey contributes to the budget of the Terrorism Prevention Branch of the UN Office for Drug Control and Crime Prevention (UNODC) in Vienna, and makes efforts within NATO by hosting the NATO Centre of Excellence on Defence Against Terrorism (COE-DAT) in Ankara, being NATO Department Head (DH) for counter terrorism, providing courses, seminars, workshops and mobile education training with the participation of nearly 14.000 personnel from 116 nations so far.

At bilateral level, Turkish Interior Ministry has signed cooperation agreements with 92 countries in the field of security cooperation, combating terrorism and organized crime, illicit trafficking in narcotic drugs, psychotropic substances as of January 2018. Financial Crimes Investigation Board has also concluded numerous MoU's with its counterparts on the prevention of money laundering and financing of terrorism.

Coast Guard Command has signed an agreement on the cooperation in border security with Black Sea littoral states (Bulgaria, Georgia, Romania, Russian Federation and Ukraine). Pursuant to this agreement, the parties will prevent trafficking of narcotic drugs and their derivatives, ammunition, explosives, poisonous and radioactive substances, oil smuggling, managing irregular migration. This agreement will further enhance relations between parties and will be conducive to the prevention of proliferation of weapons of mass destruction which is crucial counter-terrorism. This agreement is still on the agenda of the Grand National Assembly of Turkey (GNAT).

Furthermore, the exchange of information via secure internet environment with the Black Sea littoral states, which are instrumental in managing irregular migration and combating organized crime, has been achieved. Establishing a similar system with other neighbouring States is aimed.

**1.2. What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?**

Pursuant to Article 90 of the Constitution, international agreements duly put into effect carry the force of law.

Domestic legislation on counter-terrorism is given below;

- (1) The Turkish Criminal Code (Law No. 5237),
- (2) The Turkish Criminal Procedural Code (Law No. 5271).
- (3) The Counter-Terrorism Act (Law No. 3713),
- (4) The Law on Enforcement of Punishments and Security Measures (Law No. 5275),
- (5) The Law on the Prevention of Financing of Terrorism (Law No. 6415),
- (6) The Law on Compensation of Damages Arising from Terrorism and Combating Terrorism (Law No. 5233),
- (7) The Law of Witness Protection (Law No. 5726)
- (8) The Law on Prevention of Laundering Proceeds of Crime (Law No. 5549),
- (9) The Law on Provincial Administration (Law No. 5442)
- (10) The Regulation on Employment of Relatives and Family Members of Those Who Have Fallen Victim to Terrorist Activities or Those Who Were Injured,
- (11) The Regulation on Compensation of Damages Arising from Terrorism and Combating Terrorism,
- (12) The Regulation on Measures Concerning Prevention of Laundering Proceeds of Crime and Financing of Terrorism,

(13) The regulations on employment opportunities in public institutions of relatives of martyrs and disabled persons as well as disabled persons who have ability to work.

### **1.3. What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?**

As terrorism constitutes crime, the law enforcement is vested with the task of preventing and combating terrorism. The powers of the law enforcement and limits thereto are set in the Law on Powers and Tasks of Police Forces (Law No. 2559) and the Law on Organisation, Powers and Tasks of Gendarmerie (Law No. 2803). Turkish Armed Forces (TAF) is employed in combating terrorist in situations where the Local Governor so requests pursuant to Article 11/D of the Provincial Administration Act 5442. The place and duration is specified by the Governor.

In accordance with Article 11/J of the Provincial Administration Act No. 5442, in terms of counter-terrorism, TAF could be commissioned when law enforcement bodies considered to be inefficient/incapable.

Security forces that have been tasked with the establishment and preservation of public order (TAF, Gendarmerie, Coast Guard and Police) carry out this mission by conducting operations towards establishing internal security within the framework of rules and principles specified by both international agreements and domestic legislation.

Pursuant to the Law on Provincial Administration (Law No. 5442), security guards are also locally assigned to protect the life, security and property of the population living in villages and those security guards contribute to the security forces in fighting terrorism.

Security forces are deployed in accordance with the principles of proportionality and necessity when undertaking tasks concerning counter-terrorism.

Coast Guard Command which was founded by Law 2692, serves as a law enforcement agency for protecting and securing Turkish waters and enforcing the laws. All law enforcement tasks and responsibilities pursuant to present regulations are carried out by this Command.

Coast Guard Command is also tasked with providing escort to foreign warships traversing Turkish Straits and visiting Turkish ports during the time of their passage and stay along with providing escort and protection to vessels shipping dangerous, chemical and poisonous material including LPG and LNG.

### **1.4. Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining *inter alia* to:**

- Financing of terrorism,
- Integrated Border Management,

- Travel document security,
- Container and supply chain security,
- Security of radioactive sources,
- Use of the Internet and other information networks for terrorist purposes,
- Legal co-operation including extradition,
- Safe havens and shelter to terrorists and terrorist organizations.
- Preventing Human Trafficking.

The international conventions and agreements to which Turkey is a party are listed in paragraph 1.1. It is useful to reiterate the fact that the export and import of the materials covered by Law 5201 on the Control of Industrial Enterprises Producing Vehicles and Equipment of War and Arms, Ammunition and Explosive Material are subject to the official permission of the Ministry of National Defence with the knowledge of Turkish General Staff (TGS) and Ministry of Foreign Affairs in order to provide protection against terrorism and enhance the struggle against it.

The Law 6415 on the Prevention of Financing of Terrorism was adopted at the Grand National Assembly of Turkey on 7 February 2013 and came into effect following the approval by the President and publication in the Official Gazette on 16 February 2013.

The law provides the principles and procedures on the implementation of the United Nations Security Council Resolutions 1267 (1999), 1988 (2011) and 1989 (2011), without any delay, through decision of the President of Republic. The law regulates asset freezing requests made by foreign countries and those requests made by Turkey to other countries.

The adoption of this law is an important step by all standards as it brings significant amendments to the Turkish counter-terrorism legislation. The Law has repealed Article 8 of the Counter-terrorism Law which previously defined offences related to financing of terrorism and redefined these offences so as to comply with the international standards. As foreseen by the FATF, the Law introduced a mechanism of asset freezing, which is a new kind of administrative measure in Turkish legal system.

Turkey is a party to the major instruments in legal co-operation including extradition, namely the European Convention on Mutual Assistance in Criminal Matters and the European Convention on Extradition under which most of the mutual assistance and extradition requests are responded.

Adherence to proper implementation of international instruments especially in the field of extradition and mutual legal assistance are of vital importance in combating terrorism

effectively. One of the major difficulties encountered in this respect is the lack of co-operation in extradition of persons who have been prosecuted for terrorism related crimes.

Additionally, Coast Guard Command conducts intensive operations in the Aegean Sea for managing irregular migration. Terrorist organisations also raise funds through involvement in irregular migration. As such, investigations reveal that those groups involved in terrorism take commissions from irregular migrants in return for their travels and also from who are provided financial aid by charities and international organisations. These funds constitute one of the main means of financing terrorism. Turkey has put in place a broad array of mechanisms to disrupt or stop the flow of foreign fighters. Turkey is continuously enhancing security measures to stop and intercept foreign terrorist fighters at airports and other border crossing points through Risk Analysis Units established specifically for this purpose. Turkey has begun to counter threat of foreign terrorist fighters since 2011 and called for source countries to take necessary legal and administrative measures to prevent departure and travel of FTFs from their countries. In this context, Turkey, as of June 2018, has included about 63.700 foreigners in the no-entry list since the Syrian crisis erupted. More than 6.500 foreigners have been deported since 2018 within the scope of measures against DAESH.

Turkey, in line with the Security Council resolutions 2178 (2014), 2199 (2015) and 2396 (2017), has launched a comprehensive strategy and taken effective measures to combat DAESH's finances and disrupt and prevent the terrorist organization from raising, moving and using funds. Turkey also takes part in the Coalition's Working Group on counter financing. At the same time, as an active member of FATF, Turkish Financial Intelligence Unit (MASAK) also cooperates with other FIUs.

Border control, also known as border security, is extremely important in controlling and examining all those who enter or leave a country, especially today, in a world full of terrorist threats and criminal acts. Border security is one of the means through which national security is provided. The management of the border units and protection of the borders are performed according to the related laws and regulations of Turkey. According to Turkish Law 3497 Turkish Land Forces is responsible for security of all land borders between legal border crossing points.

Border units perform their duties by conducting surveillance, patrol, reconnaissance and ambush operation in the area of their responsibility, uninterruptedly in every weather and terrain conditions to prevent the entry of terrorists and terrorists' weapons, including weapons of mass destruction, and also irregular migration, smuggling and other cross-border crimes.

Turkey has been conducting humanitarian mine clearance on the south and eastern borders, in order to supplement integrated border management system related construction.

Turkey continues mine clearance by utilizing Military demining units and IPA funded projects (Eastern Border Mine Clearance Project Phase III) under supervision of Turkish Mine Action Center (TURMAC) which was established in accordance with Law No:6586 on the Establishment of a National Mine Action Center and Amendment of Some Other Laws in January 2015.

Border Security and Management Course is conducted in Turkish PfP Training Center for Turkish nationals and foreign participants from NATO and Partner countries. The aim of the course is to identify the functions and responsibilities of international/national organizations in integrated border security and control for combating terrorism.

Turkey, along with its 911 kilometers land border with Syria and 384 kilometers with Iraq employs effective and robust measures to prevent smuggling activities. Turkey pursues a zero-tolerance policy regarding illegal cross-border activities.

After the beginning of the Syrian crisis, in response to increasing lawlessness on the other side of the borders, Turkish land forces, law enforcement and security forces stepped up their efforts to counter all threats to our security including smuggling activities stemming from Syria.

These enhanced measures targeting smuggling networks were introduced in 2012, and preceded the capture of two major oil fields in Syria and Iraq by DAESH in June and July 2014 and months before the adoption of UN Security Council Resolution 2170 in August 2014 and 2199 in February 2015 respectively.

Turkey, in accordance with UN Security Council resolution 2199 (2015) regularly provides information to the UN Security Council Al-Qaida Sanctions Committee about the incidents of smuggled oil and amount of oil seized in the border area with Syria and Iraq although the link between material seized and DAESH or Al-Nusra Front (ANF) terrorist groups cannot be identified. Owing to the enhanced and effective border security measures the amount of smuggled oil has been reduced considerably. This is clear justification of Turkey's determination to fight any illicit trade activity across our borders.

Turkey employs effective and enhanced measures for border security. In this context;

- Measures at the Turkish-Syria and Turkish-Iraq borders have been enhanced by additional personnel, patrols and equipment, air defence and reconnaissance units.
- Turkey has also strengthened physical security measures along its 911 kilometers border with Syria. Within this context, Turkey is in the process of establishment of "Syrian Border Physical Security System" which includes the construction of 837 kilometers of concrete wall. 836 kilometers of this wall has already been completed. This project is



expected to cost 300 million US Dollars. At the same time the number of border patrol stations is increased, 396 kilometers barbed wire is installed, along 472.000 meters part of Syrian border illumination poles is installed at every 50 meters, 1,988 kilometers length of border patrol path is improved and 906 kilometers road and 22 watchtowers are constructed.

- Since May 2017 Turkey has also strengthened physical security measures along its border with Iran. In this context, Turkey is in the process of establishment of “Iran Border Physical Security System” which includes construction of concrete Wall and border patrol road. The construction of 148.85 km of concrete wall has been already completed.

- By precautions taken, it is recorded that the smuggling (goods, oil, weapons, cigarettes and narcotics) and illegal crossing incidents occurring in the border area have decreased significantly.

Both security and stability of Iraq and Syria are directly linked with Turkey’s south border security and preventing DAESH attacks. As a result of terrorists’ attacks, Turkey lost more than 500 innocent citizens. In this regard, Operation Euphrates Shield (OES) is a counter-DAESH effort in support of the Syrian National Army (SNA). In order to stop DAESH attacks to Turkey and to clear its elements from the positions they control along our borders, FSA backed by TAF and Coalition Air Forces have launched the OES which is based on the notion of self-defence as codified under the UN Charter Article 51. In addition, there are also several UN Security Council Resolutions call upon to prevent and suppress DAESH, such as 2214 (2015) and 2249 (2015). The objectives of OES are; to ensure border security in accordance with the UN self-defence law and to prevent threats/attacks from DAESH terrorist organization that directly target at Turkey. Turkish military is the only army which fought a chest to chest combat against DEASH on the ground. As an indirect result of this operation;

- OES helped displaced people return to their homeland,
- The civilians in the region were protected from the terrorists’ atrocities.

Later, Turkey experienced continued harassment including rocket and mortar fires beyond border and observed many hostile preparations against her. PKK/ /YPG tried to export terror into Turkey. Again, in cooperation with SNA, Turkey conducted two more counter-terrorism operations in northern Syria, namely Operation Olive Branch (OOB) in the west side of the Euphrates and Operation Peace Spring (OPS) in the east side of the Euphrates. These two operations are carried out on the basis of the right to self-defence as enshrined in the Article 51 of the UN Charter and the relevant United Nations Security Council Resolutions on the fight against terrorism, in particular 1373 (2001), 1624 (2005), 2170 (2014) and 2178 (2014).

The objective of OOB and OPS is to ensure our border security, prevent establishment of a terror corridor in north of Syria, provide security and stabilization in the operation areas, eliminate all terrorist groups including PKK/YPG and DAESH, safeguard all friendly and brotherly people of the region from oppression and cruelty of terrorists and enable displaced Syrians to return their homeland safely and voluntarily.

These three operations are conducted with respect to the territorial integrity and unity of Syria, and with utmost care to avoid any harm to civilians, elements of brother/ally countries, historical, cultural and religious sites in the area. To minimize collateral damage, maximum precision in targeting has been applied, even to the extent of often slowing down the operations. During the planning and execution phases of the operations, only the mentioned terrorist elements and their hideouts, shelters, emplacements, weapons, vehicles and equipment have been targeted.

With the operations, Turkey cleared an area of more than 8.000 square kilometers from the terrorists, along Turkey's border with Syria.

Almost 650 kilometer-long stretch of the Turkey's-Syria border (out of 911 km) from Afrin to Jarablus and from Tel Abyad to Rasulayn is now a terror-free zone.

All the efforts to stabilize and support the region together with other involved state organizations resulted in the return approximately 450.000 Syrians to their homeland.

## **2. Stationing of armed forces on foreign territory**

### **2.1. Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.**

TAF sends troops abroad under international agreements that Turkey is a party to (for example North Atlantic Treaty or UNSC resolutions). Pursuant to Article 92 of the Constitution, the Grand National Assembly of Turkey (GNAT) has the power to decide to send TAF elements abroad, other than in those cases where international agreements to which Turkey is a party require to do so. The latter constitutes the exception to the general rule.

Apart from the Constitution, Article 129 and 130 of the Rules Procedure GNAT, and Article 5 of the Law of War and Mobilization No.2941, the President of Republic, after soliciting the view of TGS, is also authorized to send TAF abroad pursuant to international agreements that Turkey ratified.

The Law No. 5442 mentions the term "border operations". In Article 11/D, it is indicated that "Where governors see that it is not possible to or actually fail to prevent events likely to happen or actually happening in the province, or implement the contemplated measures with the existing forces, they shall call for help, through the most expedient means

possible, from the Ministry of Interior, and, where necessary, from the nearest land, naval and air unit command including the border units of the Land Forces Command in order to deploy the law enforcement forces of other provinces and other forces earmarked for such task.” Also for border issues, it is specified that “In the case of incidents occurring in the border provinces or in the regions adjacent to such provinces and in the event it has been found out that the perpetrators, subsequent to their actions have sought shelter in the territory of a neighbouring country, upon request of the governor, the commander in charge may, with the purpose of capturing or neutralizing of the perpetrators, each time through requirement, plan and conduct a cross-border operation for limited objectives through the land, air and naval forces as well as the elements of the Gendarmerie General Command by taking approval from neighbouring countries.”

Turkey has 199 personnel in Bosnia-Herzegovina within the contribution to EUFOR ALTHEA Operation.

### **3. Implementation of other international commitments related to the Code of Conduct.**

#### **3.1. Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence – and security – building as an element of indivisible security are implemented in good faith.**

Changes that have occurred in the OSCE area since 2007 have brought about a new political and security environment. Challenges that have emerged from this new environment must be dealt with in order to establish greater security, stability and prosperity.

Arms control, disarmament and non-proliferation constitute an integral part of Turkish foreign and security policy. Turkey is party to all major international and regional agreements and initiatives in these fields and actively contributes to their implementation and promotion.

Turkey regards the OSCE as an important instrument to enhance security through openness, transparency, dialogue, and cooperation among its participating States. The OSCE has a particular role in the consolidation of Euro-Atlantic and Eurasian space stability due to its set of norms, principles, commitments and mechanisms relating to the politico-military, humanitarian, economic, and environmental dimensions.

Turkey is state party to all arms control and CSBM arrangements which have been negotiated within the broader context of the OSCE, namely the Treaty on Conventional Forces in Europe (CFE), the Treaty on Open Skies (OS) and Vienna Document 2011 (VD). These arrangements are the major components of the Euro-Atlantic and Eurasian conventional security architecture built upon the principles of indivisibility of security as well as cooperative and comprehensive security.

The document on "Confidence and Security Building Measures in the Naval Field in the Black Sea" is an important step towards establishing a functioning CSBM regime in the Black Sea. Turkey continues to support the implementation of Article IV of the Dayton Peace Accord by providing observers for Inspection/Escort Teams.

Turkey values the activities of RACVIAC-Centre for Security Cooperation, which helps to foster a climate of dialogue among the nations in the Balkans on issues of common concern and interest as well as providing opportunities for joint trainings including in the field of arms control and CSBMs.

Turkey is party to the Ottawa Convention, aimed at preventing the use, production, stockpiling, transfer of Anti-Personnel Land Mines (APLM) and ensuring their destruction, since 01 March 2004. Turkey has destroyed all its stockpiles of APLMs except its stockpiles retained for training purposes, which is stated in Art 3 of the Convention. Since the establishment of the Turkish Mine Action Centre (TURMAC) in 2015, more than 121.090 APMLs/UXOs (unexploded ordnance) were demolished and approximately twenty-seven million m<sup>2</sup> of contaminated land were cleared from mines by means of non-technical survey and mine clearance activities by utilizing national military assets and EU/national funds.

**3.2. Provide information on how your State pursues arms control, disarmament and confidence - and security - building measures with a view to enhancing security and stability in the OSCE area.**

Turkey fulfils its commitments stemming from the arms control, disarmament and CSBM agreements mentioned in paragraph 3.1 in good faith as well as in accordance with the general principles of international law, including the principle of reciprocity. Thus, Turkey, in cooperation with other parties, contributes to creating a politico-military environment conducive to enhancing security and stability in the Euro-Atlantic and Eurasian area.

In practical terms, Turkey fully abides by the numerical limitations set by the CFE Treaty regime, shares its military data with and accepts inspections from all non-defaulting parties in line with the provisions of the CFE Treaty regime and the Vienna Document. Furthermore, Turkey is one of the few state parties to the Treaty on Open Skies which operates its own national aerial platform while conducting observation flights.

Turkey is an active participant to the relevant multilateral processes and initiatives aimed at improving the implementation of the existing agreements as well as modernizing them.

Turkey is also party to regional security cooperation mechanisms such as RACVIAC and "Confidence and Security Building Measures in the Naval Field in the Black Sea" and

plays an active role in promoting peace and stability in the Balkans, the Caucasus and the Black Sea basin.

In conformity with the Maritime Traffic Regulations for the Turkish Straits, all vessels carrying weapon and ammunition and intending to pass through Turkish Straits are requested to provide "end user certificates" in SP-1 reports in order to determine whether the shipment is legal and compatible with relevant international obligations. The same practice also applies for air transportation. As indicated in the Aeronautical Information Publication (AIP) of Turkey, all cargo flights, carrying dangerous goods are requested to provide "end user certificates" in order to obtain overflight and/or landing/take-off permissions in Turkish airspace.

Turkey plans and implements partnership with OSCE countries in humanitarian mine action with relevant countries such as Bosnia and Herzegovina, Croatia, Azerbaijan. Training and visits to share knowledge and experience between TURMAC personnel and their counterparts were organized. TURMAC representative attended OSCE FSC (Forum for Security Co-operation) plenary meeting in January 2020 as a speaker and shared TURMAC's experience and expertise in humanitarian mine action in Turkey.

## **Section II: Intra-State elements**

### **1. National planning and decision-making process**

#### **1.1. What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?**

Pursuant to the Constitution, defence budget of MoD is determined by budget statutes enacted annually. The President of Republic prepares the budget law proposal and submits it to the Grand National Assembly of Turkey (GNAT). The Central Government Budget Law Proposal is prepared in accordance with the Constitution and pursuant to the Public Financial Management and Control Law No.5018. In this regard, the administrations from budget proposals, taking into account the main economic indicators in the "Medium-Term Program" (Three Year) and the appropriation ceiling in the "Medium-Term Fiscal Plan" (Three Year). Ministry of Defence which is budget proposal is in the Central Administration Budget Law Proposal, is submitted by the President to the GNAT.

On the other hand, data related to defence expenditures of country is processed within the scope of exchange of information criteria, which is regulated by the Article 15 (15.1 to 15.4) of the OSCE Vienna Document-2011 and in accordance with the Standardized Reporting Form that is one of the UN Military Expenditure Reporting Forms specified in

paragraph 15.3. In this context, defence expenditures of our country, including support data, are regularly reported to OSCE.

The principles pertaining to the deployment and representation of Turkish Armed Forces (TAF) have been specified in the Constitution. The Chief of Turkish General Staff is the Commander of the TAF, appointed by the President of Republic and in time of war, exercises the duties of Commander-in-Chief on behalf of the President of Republic. President of Republic is responsible for maintaining national security preparation of TAF for defence of the country. Nevertheless, decisions concerning war, deploying elements of TAF abroad, and permitting foreign troops on Turkish territory belong to the GNAT.

The authority for budgeting, procurement activities, defence industry, scientific surveys, political, legal, social, financial and budgetary services, construction and mapping, is vested in the Ministry of Defence (MoD). TAF are composed of land, naval, air, and special operations forces. Gendarmerie General Command and Coast Guard Command operate as law enforcement agencies under the Ministry of Interior. However, during mobilization or in time of war, upon the decision of President of Republic, some of their units are assigned to the respective forces (Gendarmerie units under the Command of Land Forces whereas Coast Guard units under the Command of Naval Forces). Commander of the TAF has the authority to command and control TAF and is responsible for ensuring effective conduct of military operations.

Turkey applies “Planning, Programming and Budgeting System (PPBS)” in order to use resources allocated for national defense in the best possible way. The PPBS is a three-year cyclic process, which covers 20-year beyond period.

The President of Republic has the authority to approve all multi-year procurement contracts of TAF modernization projects with respect to national defence requirements that are stated in the Strategic Objectives Plan. For the requirements of Gendarmerie General Command and Coast Guard Command in the same context, this responsibility belongs to the Ministry of Interior.

Allocations and allotments required by the Strategic Objectives Plan of TAF are placed in the annual budgets of Ministry of Defence. Annual budget statutes are enacted by the GNAT and approved by the President.

We have been preparing our forces for future challenges by running several modernization programmes. Our ultimate objective is to make our armed forces more robust, deployable, responsive, rapid, sustainable and technologically superior.

**1.2. How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?**

Turkey is party to the UN Charter and supports preservation and maintenance of international peace and stability which was framed by UN Charter, in particular, Article 2(4) of the Charter defining prohibition of unlawful use of force and Article 51 of the Charter defining self-defence. Turkey's loyalty to these principles constitutes the most important guarantee for its neighbours.

**2. Existing structures and process**

**2.1. What are constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?**

TAF is under effective, democratic and political control of the GNAT and President of Republic, within the framework of the Constitution. TAF's powers, tasks, responsibilities and limitations designated by law are guarantor of democratic control of the TAF.

Relations between MoD and TGS have been designated by a systematic and statute. The Ministry of Defence Budget proposal, which is also include TGS budget proposal, have been approved by GNAT. GNAT has the power and discretion of making necessary reductions and establishing supervision over the defence budget proposed by President of Republic, while it approves the defence budget.

TAF functions under effective control of the Minister of National Defence and President of Republic and GNAT in the performance of its mission which takes place according to statutes designated by the limits of democratic legitimacy. In this regard, military tasks and missions have been directed and conducted pursuant to national security policies of the State designated by the President of Republic.

Furthermore, Governors who are the representatives of the State, Government and all the Ministries in the localities where they serve and who are the heads of the administrative mechanisms in their respective cities, are responsible for the establishment, conduct and supervision of governance. Governors are also the superiors of all law enforcement organizations and they have the power to inspect law enforcement agencies.

The conditions set forth in the Article 13 of the Constitution constitute the limits of the powers of the security forces.

In this regard, actions and decisions of security forces;

- Must be regulated by a law,

- Must be in conformity with the conditions specified in the relevant article of the Constitution,
- Must be compatible with the letter and spirit of the Constitution,
- Must not prejudice the substance of the fundamental rights and freedoms,
- Must not contravene requirements of democratic society and the secularist republic and,
- Must not be contrary to the principle of proportionality,

Moreover, concerning law enforcing units, the Law on the Establishment of the Law Enforcement Monitoring Commission has been published in the Official Gazette on 20 May 2016. The Law aims at rendering the functioning of law enforcement complaint system more effective and swift, as well as enhancing its transparency and credibility. With the Law Enforcement Monitoring Commission, allegations of crimes that have been committed by law enforcement officers (from the Turkish National Police, the Gendarmerie, and the Turkish Coast Guard Command), or any act, attitude or behaviour which call for administrative disciplinary measure with respect to those officers shall be documented into a central registry system and be duly followed up (Article 1). Violations that are linked to the military duties of the Gendarmerie, and the Turkish Coast Guard Command personnel are beyond the scope of the Law (Article 1/3).

**2.2. How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?**

Pursuant to Article 125 of the Constitution, all actions and decisions of the administration are subject to judicial review and the jurisdictions of administrative branches have been designated by law. In this regard, those government employees who do not act in compliance with the limits specified by law can be subject to administrative and civil actions. Judicial oversight of the administration and the liability of government employees with respect to damages and offences that have arisen due to their personal negligence constitute some of the basic tenets of the system.

**2.3. What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?**

Armed forces, security forces and security guards and their services are carried out within the confines of the law and in full compliance with the Constitution. In this regard, TAF and the Government act in coordination. Since, pursuant to Article 92 of the Constitution, the decision to send elements of TAF abroad and to receive foreign military



forces into the country rests solely on a decision to be made by GNAT, nobody can arbitrarily or relying on his own discretion decide to use armed forces.

However, if the country is subjected to sudden armed aggression, while the GNAT is adjourned or in recess, and it thus becomes imperative to decide immediately on the use of the armed forces, the President of Republic can decide on the use of Turkish Armed Forces.

### **3. Procedures related to different forces personnel**

#### **3.1. What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?**

Rules and procedures for enlisting have been specified in the Law on Recruitment (Law No.7179) in accordance with Article 72 of the Constitution. Nevertheless, the rules and procedures for absolving military service in exchange for financial contribution or other form of compensation and absolving military service in exchange for working in other governmental agencies are designated by President of Republic.

Recruitment activities of TAF are conducted in compliance with objective criteria and everyone with the necessary qualifications specified by law and regulations have equal opportunity to serve. Recruitment is carried out based on the principle of equality and is open to free competition. All recruitment activities are conducted transparently with all necessary information duly announced to the public. Judicial review is possible for all personnel acquisition activities.

Any military personnel (including privates and conscripts) who think that their rights or interest pertaining to either military service or private affairs have been prejudiced have the right to file a complaint or application to their commanders beginning from their immediate superior, with respect to Articles 25-26 of the Law on Internal Service of TAF (Law No. 211) or file a case in Court of law.

The civilians have been employed in the TAF since 1965. They have similar rights and obligations with the public servants. They are also bound by certain arrangements of the Military Law. They are employed at positions that require expertise on specific areas, and additionally at financial, technical, and administrative positions at units and HQs. The amount of civilian personnel to be recruited is determined by the Ministry of Treasury and Finance according to requirements of the positions which are needed by TAF and ministerial structures. There is no discrimination for women regarding job opportunities as civil servants.

For contracted personnel;

The contracted officer system, which has been implemented since 2003, aims to meet the officer needs between Lt. and Capt. ranks, and to provide flexibility and control over the officer strength in the system, particularly at higher ranks. However, a percentage of qualified

contracted officers can be transferred into permanent status in accordance with the TAF officer requirements. Contracted NCOs have minimum two-year college degree. There are also specialists and contracted soldiers in TAF which constitutes %51.6 of the professional personnel.

Professionalization of the TAF is still underway. As of March 2019, %43 of the military personnel is composed of professionals (officer, NCO, enlisted specialist, contracted recruits).

### **3.2. What kind of exemptions or alternatives to military service does your State have?**

Every male Turkish citizen is under obligation of compulsory military service. However, pursuant to Article 16 of the Law No.7179, those who are not physically or mentally eligible for military service are exempted from this obligation if documented by a health report provided by a competent authorized hospital.

Another exemption specified in the Article 42 of the Law No.7179, is for the brothers of those who have died and for both brothers and sons of martyrs who became victim of terrorism during their military service. Those categories of citizens are not enlisted unless they declare that they voluntarily want to be enlisted.

Turkish citizens who have gained Turkish citizenship by way of migration and who have enlisted or accomplished their military service in the state that they have migrated from, are also exempted from military service.

Recruitment Law (Law No.7179) permits students to complete their high education (in the universities or institutes for L.L.M. or Ph.D. programs), before they are conscripted provided that they preserve their student status and are not older than 32.

In the conscription system the draftees serve in different positions in the military structure. The first one is the service in enlisted status. This status is applied to the draftees who have high school or lower degree of education. The service period for these draftees is 6 months.

The second form is the service in officer status. It's applied to the draftees who have four-year college or higher degree of education. The length of service is 12 months, and these personnel serve in the rank of 3rd Lt.

The third form is the service in NCO status. It's applied to the draftees who have two year occupational collage or higher degree of education. The length of service is 12 months, and these personnel serve in the rank of subordinate staff sergeant.

There are also special arrangements for citizens working abroad. More than 5 million Turkish Citizens live in abroad. In order to help them protect their rights and status in the

countries they live in, a special arrangement is in effect since 1980, which allows them to complete their obligatory military service by paying a compensation fee. The pre-condition to benefit from this right is minimum 3 years of ongoing employment, either as an employee or employer in a foreign country.

All other male Turkish citizens are equal before the law with respect to performance of military service whose duration is specified by the same Law.

There is no waiver in the Turkish domestic law for conscientious objection.

### **3.3. What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?**

Manpower structure and requirements of the Turkish General Staff are determined in accordance with the predetermined “Force Structure”. Today the availability of weapons and means of war that will bring superiority as for quality and quantity and the availability of the manpower that will use them effectively are of great importance. Therefore, the manpower of the TAF has a structure that consists of professional military service and compulsory military service system. In this structure females are also employed in appropriate status and branches according to their academic background and physical abilities. No discrimination is made in the legislation and implementation phase of the legislation governing the personnel rights, such as employment and living standards as well as appointment, promotion, health, salary etc. of female officers and NCO’s.

It has been ensured by statutes for military personnel to seek their rights in order to have an effective remedy either through administrative or judicial means. Right to petition, information, and effective remedy are guaranteed by the Constitution and military personnel have the same opportunities in exercise of these rights with non-military citizens. Any crimes perpetrated in the military are investigated without requiring a complaint by the plaintiff or victim. The commanders and the superiors are responsible for the enactment of the relevant statutes in this regard.

Officers, NCOs, enlisted specialists, conscripts, contracted recruits who became veterans are medically treated in Veterans Physical Therapy and Rehabilitation Training and Research Hospital.

The High Military Court of Appeals and The High Military Administrative Court of Appeals and military courts were abolished by constitutional amendment in 2017. The mandates of these courts have been transferred to civilian courts. With these Constitutional Amendment Bill in peacetime only disciplinary courts may be formed. In the state of war, military courts may be formed to prosecute offences committed by military personnel related to their duties.

TAF Discipline Law No.6413 regulates military personnel disciplinary rules.

#### **4. Implementation of other political norms, principles, decisions and international humanitarian law.**

##### **4.1. How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through training programmes and regulations?**

All executive personnel are subjected to the trainings on human rights and law of armed conflict (LOAC). The education period encompasses programs in specified schools and centres, special courses and training programs. As for the unit commanders, the training programs are realized in a more detailed and comprehensive manner international operations (peace keeping, peace support operations etc.).

International conventions in the field of international humanitarian law and LOAC oblige the states parties to train their military personnel who are responsible for the application of these conventions. Therefore, in order to fulfill the relevant obligations and to perform the tasks specified primarily in the Constitution and other relevant laws and regulations, relevant training programmes are provided to TAF personnel on LOAC not only in the schools and centres within the country but also through seminars, conferences, courses and official visits that are carried out. Especially before the deployment of the personnel, trainings on basic human and cultural rights and gender issues are provided by TAF.

Bearing in mind the responsibility to internalize the principles set under the International Humanitarian Law and LOAC; it is ensured that;

- the rules and conventions related to LOAC are translated into Turkish,
- the legal consultants in TAF are trained accordingly,
- the army commanders are well briefed on the content of the conventions,
- methods and equipments of warfare are examined to determine their level of compatibility to LOAC,
- necessary measures are taken and the regulations are prepared on the use of distinguishing emblems (like TRC/ICRC),
- the precautions for navy hospital ships, airplanes and other sanitary ware are taken,
- the soldiers who have the combatant status and bear the right to be a prisoner of war are ensured to be identified through proper identification.

Furthermore, The General Staff has constantly review training plans and programmes to ensure the rules of International Humanitarian Law are to be included at all levels and phases aiming to integrate these with soldiers' daily life.

The Law of Armed Conflict Course is conducted in Turkis Pfp Training Center for Turkish nationals and foreign participants from NATO and Partner countries. The aim of this course is to provide an understanding of legal aspects of Armed Conflicts and to empower their ability and skills to implement their nations's commitment to adhere to international legal instruments that control the use of force and treatment of persons in the context of all types of military operations including those that involve international cooperations.

#### **4.2. What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?**

The fact that military personnel will be responsible in front of civil and penal law due to any unlawful actions that they have committed, is taught to military personnel by real-time applications that are held beginning from early military schools and then continued during their service periods, via personnel development programs.

Article 125 of the Constitution stipulates that "all actions and decisions of the administration is subject to judicial review and the administration has to compensate for the damages resulting from its conduct". Pursuant to this regulation, all government employees including military personnel are under the obligation of compensating for the damages that they caused.

According to Article 90 of the Constitution stipulating that "international agreements duly put into effect bear the force of law", all government employees including military personnel are obliged to comply with international agreements that Turkey is a party to.

The government employees are also subject to the Turkish Penal Code (Law No. 5237). Likewise, TAF gives importance to the training of LOAC. The objective, in this regard is to train the military personnel down to private level who will possibly engage with the enemy, and to provide them with the ability to develop a reflex in applying these rules. Moreover, military personnel are trained in a way to understand that they must also act in accordance with "jus in bello" rules that emanate from the agreements that Turkey has ratified and that otherwise, they will be personally responsible in accordance with both international and domestic law.

#### **4.3. How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?**

Abovementioned rights and freedoms are ensured in the Constitution. Discrimination has been defined as an offense in the Turkish Criminal Code (Law No. 5237). All necessary training is provided in order to ensure that no discrimination takes place within TAF.

Similarly, Turkish citizens from different religions are allowed to practice the obligations of their religions and they are entitled to have sufficient time off during their religious days.

In the introduction part of the Constitution, a general framework of the governmental agencies including TAF has been established regarding their duties and responsibilities by stipulating that "Nation's decision is absolute, sovereignty belongs to Turkish Nation without any exception and no organ or person that was empowered to exercise its power on behalf of the Turkish Nation, can deviate from the legal order which was outlined by liberal democracy and its qualifications that was specified in the Constitution; that the principle of separation of powers does not mean any superiority among the state organs but purports a collaboration between them; that superiority solely belongs to the Constitution and Statutes".

In Article 10 of the Constitution, it is emphasized that all are equal before the law and have equal rights, regardless of their language, race, color, gender, political conviction, philosophic belief, religion, denomination, etc.; and that all governmental agencies including TAF are under the obligation of acting in accordance with the principle of equality before the law.

The task given to TAF is specified in Article 35 of the Law on Internal Service of TAF (Law No. 211). Pursuant to this article, the mission of TAF is to protect and watch over the Turkish territory and the Turkish Republic that was established by the Constitution.

In this regard, there is no scope for any elements to exist within or outside the hierarchical chain of TAF, who are not accountable or under control and who cannot be inspected by Constitution or other legal means.

**4.4. What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?**

Fundamental rights and freedoms guaranteed by the Constitution are also valid for military personnel. Principle of equality, that is one of the fundamental rights specified in the Constitution, is also enshrined in the activities of TAF and all activities of TAF are carried out accordingly. Discrimination is an offense defined and punished in the Turkish Criminal Code (Law No. 5237). Furthermore, all kinds of political activities were banned for TAF personnel by the Law No. 211 and any conduct against this prohibition has been defined as an offense under Turkish Military Criminal Code (Law No. 1632). Those personnel who violate these rules are prosecuted. In addition to regulations mentioned, TAF Discipline Law No. 6413 includes regulatory provisions on these matters as well.

TAF also gives utmost importance to political impartiality. In this regard, TAF has a model role and status. All necessary administrative and legal measures required to ensure political impartiality of TAF are taken.

Pursuant to Article 68 of the Constitution and Article 11 of the Law on Political Parties (Law No. 2820), "judges, prosecutors, members of high judicial organs including High Court of Accounts, officials of government agencies that fall under the status of "government employee", even other governmental officials that do not fall under the category "worker" with respect to the job that they perform, members of TAF, and students at the time of pre-high education can not be a member of a political party". Pursuant to Article 43 of the Law No. 211, "Members of TAF can not engage in any political activity." For this reason, it is forbidden for the members of TAF to be a member of political parties and societies, to engage in political demonstrations and meetings, to give speeches, and to write memorandums. As a result of these regulations, members of TAF have remained politically impartial and neutral.

Members of TAF can in no way engage in political activities, except in cases where they enjoy their Constitutional rights regarding right to vote in general elections and right to information.

#### **4.5. How does your State ensure that its defence policy and doctrine are consistent with international law?**

Pursuant to Article 90 of the Constitution "international agreements duly put into effect bear the force of law. No appeal to the Constitutional Court shall be made with regard to these agreements, on the grounds that they are unconstitutional. In the case of a conflict between international agreements, duly put into effect, concerning fundamental rights and freedoms and laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail. Members of TAF are under obligation of complying with the provisions of international agreements. This obligation also stems from the fact that the defence policy and doctrine must be in accordance with international law. Moreover, Article 92 of the Constitution includes regulatory provisions on the matters of both state-of-war announcement and TAF to be commissioned abroad.

### **Section III: Public access and contact information**

#### **1. Public access**

##### **1.1. How is the public informed about the provisions of the Code of Conduct?**

Every citizen has the right to ask and gather information he/she needs from the relevant institutions on the implementation of the Code of Conduct in accordance with the Law on Right to information (Law No. 4982).

**1.2. What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?**

Same as explained in paragraph 1.1 above.

**1.3. How does your State ensure public access to information related to your State's armed forces?**

Turkish citizens and foreigners who have a permanent residence in Turkey, together with foreign legal persons, provided that the information they require is in relation to their field of activity and with respect to the principle of reciprocity, can file an application to the military agencies within the framework outlined by the Law on Right to Information (Law No. 4982).

Useful information is being continually posted on the web sites and social media pages belonging to military agencies.

DoD web site: [www.msb.gov.tr/en-US](http://www.msb.gov.tr/en-US)

DoD Twitter address: [@tcsavunma](https://twitter.com/tcsavunma)

Press conference is conducted by Ministry of Defence regularly or when needed. In addition, Minister of defence makes interview with national and international media representatives.

**2. Contact Information**

**2.1. Provide information on the national point of contact for the implementation of the Code of Conduct.**

Turkish Ministry of Foreign Affairs, Deputy Directorate for OSCE, Arms Control and Disarmament.

Tel: + 90 312 292 1794

Fax: + 90 312 287 5660

Address: Dr. Sadik Ahmet Caddesi No: 8 06100 Balgat/Ankara Turkey.



## ANNEX-I

### IMPLEMENTATION OF UNSCR 1325 ON WOMEN, PEACE AND SECURITY

#### Overall :

Turkey considers the United Nations Security Council Resolution (UNSCR) 1325 on “Women, Peace and Security” as an important milestone in terms of addressing the disproportionate and unique impact of armed conflict on women. It is believed that severe effects of conflicts in various geographies on women and girls continue to constitute a significant problem that needs to be thoroughly examined by international community. The UN member states should ensure women’ equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.

#### **1. Main Policies and Practice regarding Female Soldiers in the Turkish Armed Forces**

a. The general personnel policy of the TAF regarding female soldiers is based on two categories: "female officers" and "female non-commissioned officers" (NCOs) who serve in various services and ranks. According to the regulations within the framework of this policy, it is essential that female officers and NCOs are appointed to the posts which are most suitable with regard to their education, experience, personal skills and capacities, just as their male colleagues, in order to best utilize the qualifications of female officers and NCOs effectively as an integral part of human resources.

b. For the purpose of ensuring the continuity and sustainability of the activities conducted by the TAF in wartime and peacetime, female officers and NCOs are posted together with their male colleagues, according to the requisites of the post and without gender discrimination, in combat troops, combat support troops and combat service elements, various-level HQs, recruiting units, military factories as well as technical and social facilities.

c. The legal regulations and existing practices are regularly reviewed and research and development efforts are made in light of the acquired experiences and studies for the purpose of appointing female officers and NCOs in the most suitable posts, determining the terms and conditions of their duties, increasing their numbers as well as facilitating their employment without gender discrimination both in the execution of their duties and in their access to various level positions.

d. Female officers and NCOs serving in the TAF enjoy the full rights that their male colleagues have. They also have additional rights of leave of absence due to pregnancy and maternity.

e. Concerning the appointments of female officers and NCOs who are married to their colleagues, female officers are appointed to the same garrisons with their spouses in order to protect the unity of family. If the spouse works in another state institution, the post of the spouse is also taken into consideration.

f. Female officers and NCOs whose spouses are appointed to foreign countries for permanent duties can take an unpaid leave for up-to four years, on their request, without losing their positions. Their rights regarding pensions and retirement are protected within internal regulations. Their promotion rights are advanced as long as their spouses' missions.

g. Female officers and NCOs who are married to a colleague from a different service can be transferred to the services of their spouses in order to maintain unity of family.

h. TAF are represented by personnel in the annual meetings of NATO Committee on Gender Perspectives (NCGP). TAF is closely in contact with this Committee and follows their every activity, send TAF's male and female personnel for gender trainings (genad and genad train of trainer courses in SWEDINT) which is related with NCGP.

## **2. Organization**

a. Within the TAF women are employed only as officers and NCOs.

b. Total number of female officers and NCOs within the TAF is 971<sup>1</sup> (907 Officers and 64 NCO's) as of March 2021. The percentage of female officers is 2.82 % to the total number of the TAF's officers and the percentage of female NCOs is 0,1 % to the total number of the TAF' NCOs.

## **3. Employment**

a. It is essential in the TAF to appoint female officers and non-commissioned officers to appropriate duties by considering their personal skills, training, experience as well as their potentials, without gender discrimination.

b. In this scope, female officers and non-commissioned officers are employed in various posts in troops, headquarters and agencies including United Nations and NATO duties in the country and abroad as well as in all branches of the TAF excluding armour, infantry and submarine.

c. No discrimination is made in the legislation and implementation phase of the legislation governing the personal rights, such as employment and living standards as well as appointment, promotion, health, salary etc. of female officers and non-commissioned officers.

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<sup>1</sup> Gendarmerie and Coast Guard female personnel number are excluded.

#### 4. Recruitment and Conscription

a. In accordance with the Military Service Law effective in our country, every male Turkish citizen is obliged to complete military service. Female Turkish citizens are not under such obligation. Regular female officers and non-commissioned officers serving in the TAF join the armed services voluntarily.

b. Since male conscripts meet the needs of the TAF, there are no plans for female nationals to be bound by compulsory military service.

c. The conscription, training and classification of female officers and non-commissioned officers in the status of professional soldiers are implemented as follows:

##### (1) Conscription and Training

(a) Female officers: They are classified under two categories; namely regular and contracted female officers. Regular Officers are trained in Military Academies in accordance with the provisions of the relevant law and manpower plans and/or are graduates of universities. Contracted officers are graduates of universities.

(b) Female non-commissioned officers are chosen among university graduates to work in a contractual status.

(c) Regular officers graduated from Military Academies start their duties after they complete 4-year-education and contracted officers start their duties after they are given military training in service schools or training centres following the preliminary contract.

##### (2) Classification

(a) The classification system allows the employment of female officers and non-commissioned officers in accordance with their capabilities, training and experience and provides them with skills, capacity and personal improvement.

(b) The following criteria are taken as basis in the preliminary and reclassification of female officers and non-commissioned officers:

- (I) Personnel requirement of the arms
- (II) Health conditions of the personnel
- (III) Intellectual capabilities of the personnel
- (IV) Education level, experience, personal talents and interests of the personnel
- (V) Physical profile
- (VI) Personal preferences

(c) Female officers who are currently combatant in the Armed Forces can be reclassified to be transferred to auxiliary arms by considering the abovementioned criteria.

(d) Female officers in the air force are not reclassified as long as they fulfil the flight requirements for their duties.

## **5. Training**

a. There are equal opportunities with respect to the training of female and male soldiers in the TAF. The training is given in Military Academies and in other military training institutions.

b. Female cadets in the Military Academies are provided with four-year-undergraduate education. Besides academic training, at the end of four-year-military training, female officers graduating from Military Academies acquire the knowledge and competence regarding their duties.

c. Female officers who successfully complete their education/training in Military Academies are provided with branch training in the service schools of their respective military arms.

d. The curriculum and education programmes of the female cadets in Military Academies are prepared according to contemporary scientific and technological standards, requirements of the country and related services, in a way to allow postgraduate level training and education of the cadet.

e. Female officers who joined the TAF in the status of contracted officers after graduating from university and by signing preliminary contract in accordance with related legislation are trained for six months to become an officer. Those who complete the training successfully are provided with branch training in the military arms service schools from which they graduated in the rank of second lieutenant. Those who complete branch training successfully, start their duties in the units/institutions to which they are appointed after finishing their training.

f. Female officers, who will join the TAF in the status of contracted non-commissioned officer designate, following the preliminary contract, are subject to training to acquire the title of non-commissioned officer. Those who successfully complete this training receive six-month-occupational orientation training in the rank of staff sergeant and those who are successful start their duties in the units/institutions to which they are appointed.

g. Female and male officer/non-commissioned officer candidates both in Military Academies and two-year colleges as well as in Service Schools in the status of

contracted officer/non-commissioned officer in the TAF are subject to the same academic and military training programmes and opportunities without any discrimination.

h. In addition, regarding to UNSCR 1325;

(1) To prepare female/male participants to field and staff positions at operational/tactical command level with the provided knowledge on gender perspective concept, doctrine, procedures, operational experiences, techniques and with the exercise of gained knowledge “Gender Awareness in Peace Support Operations” Course in PfP-TURKEY is held for officers and NCO’s. It will continue to be conducted on a periodical basis. Besides, the course is open for all military and civil personnel from NATO, Partner Countries and with which Turkey has bilateral military relations.

(2) There are trainings for each level in TAF. Basic one is Training for Conscripts which is supported by EU. Training includes legal empowerment, fundamental human rights, women’s right and gender equality, and children’s right. Project aims to design, realize and evaluate a training programme that will raise conscripts’ awareness, senses of responsibility and sensitivity on certain issues, in order to make them conscious and responsible members of the society.

(3) This training aims to raise the awareness of conscripts on ensuring higher education levels for woman, women’s impact on economic life, legal equality and violence against women. At the end of training on women’s rights and gender equality, participants will be able to;

(a) Explain the importance of women’s rights and gender equality. Analyse and assess the causes and effects of gender inequality both on a local and international context.

(b) Make an initiative to question/analyse their conventional view on women and transform them in a positive way.

(c) Acknowledge the importance of gender equality and defending women’s rights.

In addition to these issues, activities to be executed and studies to be done both in UN, NATO and other international and national institutions are being followed up closely.

## **6. International Peacekeeping and NATO Missions**

a. In accordance with UN Security Council Resolution 1325, female officials, including soldiers and civil servants, are assigned to NATO and other International Peace Support Operations in which TAF participate, without any discrimination. During the

assignment, the requirements of the unit participating in the peacekeeping operations and the training level, capabilities and capacity of the personnel are taken into consideration.

b. Female officers, NCO's, military nurses and civil servants in the TAF have served in Resolute Support Mission (RSM) and in peacekeeping operations ISAF, KSFOR, IFOR, SFOR, EUFOR, UNIFIL. TAF experience shows that in addition to female soldiers regular duties, they play an important role in establishing relations with local populations as well as organizing courses and social activities for local women and children, especially in challenging areas. Having female officers and NCOs in every mission is important because it signals that gender equality and women's involvement is taken seriously and a female presence is essential for reaching local women and hearing about their needs and visions for the future. It also helps for gender analysis, gender disaggregated data collection.

c. Additionally, in accordance with UN Security Council Resolution 1325 Women Peace and Security; since January 2015, full-time serving Turkish GENAD's have participated in Resolute Support Mission-RSM Kabul/Afghanistan. The primary tasks are training, advising, assisting, mentoring and supporting relevant units, and functions as well as the leadership of the Afghan National Security Forces. Tasks are continuing during the transition of security responsibility from ISAF-RS to Afghan National Security Forces-ANSF. GENAD provides subject matter expertise to the Commander and staff on UNSCR 1325 and Gender dimensions. Gender Training has been provided for all staff to increase awareness on how the integration of Gender Perspective can enhance operational effectiveness.

## **7. Career Building**

a. Female officers and NCOs serving in TAF are included in the professional development program implemented for all officers and NCOs without any discrimination.

b. The professional development program implemented for the officers in the Turkish Armed Forces consists of four stages:

### **(1) Basic Professional Development Stage:**

It covers the period beginning from the rank of second lieutenant to the rank of senior captain. During this stage, officers participate in those courses regarding the tasks of a platoon and company commander and those who fulfil the required conditions receive post-graduate education in service war colleges and other educational institutes at home and abroad. All War Colleges, Military Academies, Institutes are functioning under the authority of the National Defence University, MoD.

Female officers are allowed to attend the entry examination of service war colleges and to be appointed to the command posts in the TAF as a staff officer after being successful in the related examinations and study.

In addition, all personnel are encouraged without any discrimination to follow the post-graduate education covered by the professional development program.

(2) Advanced Professional Development Phase:

At this stage covering the period from the rank of senior captain to the rank of major, the officers attend preparatory courses for the office of battalion commander and staff officer. Successful service officers attend the course for commandership and office of staff officer.

(3) Final Professional Development Stage:

This stage covers the rank of lieutenant colonel. The officers under this scope serve as staff officer and battalion commander.

(4) Advanced Commandership and Managership Stage:

This stage covers the rank of colonel. The officers in this stage are assigned as the senior staff, troop, regiment commander and deputy commander in order to prepare for managerial duties. Furthermore, the eligible colonels are subject to training at the Military Academies.

c. The NCOs are subject to preparatory courses for their troop and staff offices related to their branch and specialty and also professional development program involving on-the-job training.

The professional development program prepared for the NCOs is divided as follows:

(1) "Basic Professional Development Stage" extends from the rank of staff sergeant to the rank of first sergeant,

(2) "Advanced Professional Development Stage" extends from the rank of first sergeant to the rank of command sergeant major,

(3) "Final Professional Development Stage" extends from the fourth year of the rank of sergeant major to the rank of command sergeant major.

## **8. Conclusion**

a. The common personnel policy of TAF related to female soldiers covers the employment of the qualified female officers and non-commissioned officers of relevant class, branch and rank. Within the framework of this policy, it is essential that the female officers and non-commissioned officers are assigned to most suitable office in terms of best use of

their qualifications, training, experiences, personal skills, and their current capacity without discrimination, like their male counterparts.

b. Female soldiers in the TAF, without any gender discrimination, are employed as commissioned and NCOs in the entire task fields including the combat units.

c. In order to enhance the employment rate through suitable assignment of our female soldiers and to improve their acquired personal rights, the current legal legislation and experiences are being reviewed continuously and adjustments are made accordingly.