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INTRODUCTION

This study is one of eight country assessments of civil society capacities conducted as a preliminary activity within the EC-funded project Technical Assistance to Civil Society Organisations (TACSO) in the IPA Countries (EuropeAid/127427/C/SER/Multi/5), implemented by SIPU International, during the period August 2009 – July 2011. The aim of the study is to provide a comprehensive assessment of civil society in Turkey and the environment that it works in, including its strengths and weaknesses, and its impacts to date and the challenges it faces to its further development. The study is based upon a combination of desk research embracing all relevant documentation, including legal and financial legislation applicable to civil society, previous civil society mappings and evaluations, situation analyses, policy documents and country-specific academic literature, and a consultative stakeholder analysis carried out by means of focus groups, interviews and questionnaire surveys with civil society organisations (CSOs), government actors, donor organisations and other institutional players. The study is an integral part of the project inception and it provides the premise for the majority of other project activities by serving as the basis of the development of regional as well as national work plans to be implemented during the project's duration.

In line with the project's Terms of Reference and SIPU's technical proposal, the study understands civil society in the following two complementary ways:

1. All organisational structures whose members have objectives and responsibilities that are of general interest and who also act as mediators between the public authorities and citizens. This definition clearly emphasises the associational character of civil society, while also accentuating its representational role. Civil society would include a variety of organisational types, including, NGOs, mass movements, cooperatives, professional associations, cultural and religious groups, trades unions and grassroots community groups (CBOs), etc.
2. A space for views, policies and action supportive of alternatives to those promoted by government and the private sector. This definition places the emphasis on social inclusion, social and political pluralism and the rights of expression in developing a participatory democracy.

The paper is composed of four sections:

- Section one provides an analysis of the civil society environment, including the legal framework governing CSOs and their work, the current donor opportunities and other sources of civil society funding, the government mechanisms for cooperation with and support of civil society and the policy framework determining government-civil society relations and public perceptions and support for civil society and its activities.
- Section two gives an overview of the main features of civil society: the types of organisation represented and their key organisational characteristics, the types of activity they carry out and their main sectoral interests, their geographical distribution and way they are structured within an overall civil society architecture. CSOs are assessed according to their technical, organisational and institutional capacities, including human resources and technical skills, strategic strengths, analytical capabilities, external relations with other actors including other CSOs, government and the community, and material and financial stability and resilience.

- Section three summarises the main achievements of civil society to date, noting key milestone achievements and broader social impacts, and also identifies shortfalls in civil society performance in need of strengthening and further development.
- Section four sums up the most important institutional and organisational capacity needs of civil society in the country and identifies key strategic issues for the implementation of the project. By way of conclusion, recommendations are made for both the project's regional work plan and country-specific work plan.

1. THE CIVIL SOCIETY ENVIRONMENT

1.1 Legal framework – an analysis of relevant law and financial regulations

With the adoption of a new Law on Foundations in February 2008, the legal framework in Turkey governing the operations of all CSOs, including associations, short-term “platforms,” and foundations, has been significantly improved and brought in line with international standards for enabling civil society activity.

In the period between 1980 to 2004 freedom of association, and so also the autonomy of civil society, was highly restricted.¹ Government interference in CSOs and limitations on freedom of expression routinely violated universal human rights. The introduction of a new modern Law on Associations in 2004, as part of the wider reform process underway to harmonise Turkey's legal system with the Copenhagen Criteria established by the EU for candidate countries, re-established civil society's right to function independently of the state, free of undue external interference. However, among political circles, the cultural shift from state control towards civic liberties and a culture of democracy is still taking place; CSOs continue to experience frequent and unwarranted interference in their activities. Vague wording in regulations and contradictions between different laws lead to inconsistent application of the rules and allow government authorities too many discretionary powers over civil society. Associations and foundations are free to engage in advocacy activities and criticise the Government, but doing so still entails the possibility of legal sanction by the State. In particular, CSOs perceived as promoting a politically oppositional discourse against state ideology report that they are discriminated against by the authorities and are unofficially blacklisted. In the EC's Turkey 2009 Progress Report (on progress towards accession to the EU) it was observed that “associations still face disproportionate scrutiny of their activities, which in some cases has led to judicial proceedings.”

Bureaucratic restrictions on CSOs' fundraising activities, limited access to a poorly defined public benefit status and partial tax exemptions and incentives to charitable giving available to only a narrow range of CSOs, are major obstacles to the development of a comprehensive and enabling financial framework for civil society.

Associations

An association is defined as a membership organisation founded by a minimum of seven individuals or legal entities for the pursuit of common not-for-profit purposes. There are no restrictions on associations receiving financial support from, or lending financial support to political parties.

¹ Freedoms previously enjoyed by civil society were removed by governments as part of general clampdowns civic rights after three military coups d'états between 1960 and 1980.

The Law on Associations also provides for associations to form temporary, informal (not registered) “platforms” or coalitions, with other CSOs, including associations, foundations and trades unions, to carry out a single common purpose.

Registration is formally a simple procedure lasting no more than 30 days. However, many CSOs complain that in practice the process is slow and complicated. The Civil Code (2001) forbids discriminatory behaviour on any grounds by an association; this regulation has been used by the registration authorities to exert influence at registration on the stated purposes of CSOs wishing to promote the rights and interests of their members or target groups.²

Foundations

Foundations are defined as non-membership organisations established by an individual(s) or legal entity / entities managing private property or a financial endowment for the benefit of the public or other charitable purposes. The new Law on Foundations establishes a single set of regulations governing all types of foundation spanning the Ottoman and Republican eras, including “old” Muslim foundations established in the Ottoman period, minority foundations established by non-Muslim communities in the Ottoman period and “new” foundations based on cash endowments in the period after the founding of the Turkish Republic in 1923.³

The new Law makes the establishment of a new foundation considerably easier than in the past by specifying a vastly lower minimum amount of assets needed for establishment. In 2009 this qualifying threshold was set at 50,000 TL (approx. 23,000 EUR), which will be subject to a yearly review.

Another key innovation is that foundations may now open branch offices outside Turkey, or otherwise operate abroad, without seeking government authorisation. In accordance with the principle of reciprocity, foreigners are now able to establish new foundation in Turkey. Further, foundations are now authorised to receive grants from foreign funders without seeking government permission.

Public benefit status

CSOs may apply to be granted public benefit status, which confers on the organisation very limited benefits to fundraising, by allowing a donor to deduct a donation against tax. In addition, public benefit status extends the possibility of preferential treatment via direct government funding and participation in joint projects with the government.

Public benefit activity is defined differently for associations and foundations. The Law on Associations defines “public benefit” in the broadest of terms as those purposes and activities that “contribute to social development and bring solutions to social problems.” In a separate regulation applying to all CSOs, it is also described as pertaining to “health, social

² A recent example is the rejection of a CSO application on the grounds of a clause in the association’s statute specifying a minimum representation of women on the governing board.

³ There are in fact 5 categories of foundation in Turkey:

- Mazbut vakıf: Foundations established before the enforcement of the Turkish Civil Code. These foundations are managed by the Directorate General of foundations.
- Mülhak vakıf or Family Foundations: established before the Turkish Civil Code and their managed by members of the family of the original founders
- Cemaat vakfı or Community Foundations: established by non-muslim communities
- Trademen’s Foundations: managed by officers elected by members of the particular trade
- New Foundations: established according to the provisions of Turkish Civil Code No 4721, after 1923

aid, education, scientific research and development, culture and environment protection and forestry”⁴

The final decision for the awarding of public benefit status rests directly with the Council of Ministers. There are no clear rules for selection, the process is obscure and decisions appear to be taken arbitrarily according to personal and political considerations. Owing to these and other procedural shortfalls, in 2006 only 474 associations (or 1% of the total) and 222 foundations (approx. 7%) had achieved public benefit status.

Fundraising

CSOs may freely raise funds by applying for national or international grants, project tenders and public funds. They may also generate income from membership subscriptions and by raising money on their assets. Other forms of fundraising, including public collections, door-to-door soliciting of cash donations, internet and other forms of public campaigning, are regulated by the **Law on Aid Collection**. This law stipulates that CSO members and their employed agents cannot carry out fundraising without first gaining the permission of the local (provincial) authorities. If fundraising is conducted outside the jurisdiction of the local authority, the CSO must seek permission from the relevant authority where they intend to collect money.

The powers to grant permission are discretionary and CSOs often complain that authorities treat CSOs differentially for apparently obscure reasons. CSOs’ complaints are of importance, as the public collection of funds and internet fundraising have in recent times become the preferred methods of fundraising for the majority of CSOs in Turkey. In addition, government authorities are also authorised to waive the obligation to gain permission for the collection of aid, a power which has on occasion been exercised to give unfair advantage to organisations closer to the ruling party circles⁵

Tax exemptions

CSOs are exempt from profit / income tax on their ordinary fundraising activities, although tax is incurred on all economic activities. They are liable for most other taxes, including the payment of VAT on goods and services and also the 25% tax levied on rent for office premises.

Under the new Law on Foundations, all foundations are exempt from both gift and inheritance taxes.

Deductibility of Charitable Contributions

In theory, there are generous incentives for charitable giving from individuals and businesses. Up to 5% of annual income can be claimed against tax for both categories of donor. The scheme has limited application for individuals, as it only applies to earners not subject to pay-as-you-earn tax through the workplace. More importantly, however, is that tax deductions can only be claimed on donations to the small number of CSOs with public benefit status.

Under the new Law on Foundations, donations, grants or expenses made by natural or legal persons for the maintenance, repair, restoration and landscaping of cultural properties

⁴ Ministry of Finance General Communiqué of Corporation Tax, serial No.83 02092003

⁵ Until now 18 CSOs have been given the power to collect aid without permission.

that belongs to foundations will be fully deductible – with or without public benefit status – from income or corporate taxes.

1.2 Donors and funding opportunities

EU pre-accession funds

The EU is now the most important international source of funding for CSOs in Turkey. As a candidate country, most EU funds are managed by the Turkish government through the Central Finance and Contracts Unit as the focus point of the EU's Decentralised Implementation System (DIS) for country support.⁶

Since 2007, EU support to Turkey has supplied by the **Instrument for pre-Accession Assistance (IPA)**. Funds targeted directly as civil society fall under the first two IPA components: IPA I covering transition assistance and institution building and IPA II covering cross-border cooperation. Collectively, funds for civil society are administered under the EC's **Civil Society Facility** which aims to increase the overall capacities, accountability and credibility of CSOs, to enhance CSOs' services and their role in the democratic process, to reinforce dialogue and to strengthen ties between CSOs within the region and with their counterparts in the EU, and to develop CSOs' consultation towards citizens and public authorities. Broadly these are to be achieved through three types of projects: civil initiatives and capacity building, a "People to People" programme, and partnership actions.

As a candidate country, Turkey is also eligible for IPA components III, IV and V, regional development, human resources development and rural development, respectively. In principle, a variety of grant schemes and service contracts funded under these components are open to CSO participation.

1. **IPA 2007 Turkey – Civil Society Dialogue II.**⁷ Three grant schemes amounting to 4.2 million EUR to establish cooperation, partnerships and dialogue between the civil societies of Turkish and EU counterparts on Culture and Arts; Fisheries and Agriculture.

The Project will also provide financial assistance to NGOs via **Micro Grant Schemes** through small-scale projects (i.e. organising and/or participating one-off meetings, conferences, seminars, workshops, etc.) which should take place in the framework of the Turkey-EU civil society dialogue. Micro Grant Schemes also target supporting participation of NGOs to EU events.

2. **EIDHR:** Large scale global grants (administered by Brussels), as well as Turkey-specific small grants (administered by the EC delegation to Turkey) are available to CSO activities contributing to the promotion and reinforcement of democracy, rule of law, human rights and fundamental freedoms. 2009 Turkey programme will award grants ranging from 50,000 – 140,000 EUR, to a total EC contribution of 1.2 million EUR with the objectives:

⁶ The EIDHR Turkey fund is the only EU programme which is still managed by the EC delegation to Turkey.

⁷ This is a continuation of the Civil Society Project, funded under Pre-IPA finance, which came to an end in November 2009. Co-financed by the EC, the Project implemented four Grant Schemes amounting to 19.3 million EUR, aiming to intensify and diversify contacts between Turkey and EU members states: Towns and Municipalities (5 m. EUR), Professional Organisations (3 m. EUR), Universities (9.3 m. EUR), Youth Initiatives for Dialogue (2 m. EUR).

- to strengthen the involvement of organised civil society in the shaping of local and national policies regarding human rights and democratic reform through: (a) building towards consensus on controversial areas of policies (b) pursuing common agendas in areas where some consensus exists
 - to empower under-represented groups (including, but not limited to women; youth; Roma; lesbians, gays, bisexuals and trans-gendered) for active citizenship and enhance their participation and representation in organised civil society
- 3. Cultural Bridges** – an initiative to support the Civil Society Dialogue between the EU and Turkish counterparts during 2009-2010. Multicultural projects targeting large audiences in the fields of arts and culture.

Other international donors

Netherlands

- 1. MATRA Pre-Accession Program** – Within the overall remit of contributing to the further development of an open, pluralist, democratic society, firmly embedded in the rule of law in Central and Eastern Europe, this programme provides support for “twinning,” that is, direct cooperation between local NGO's and Dutch NGO's that offer support for projects carried out with and by their partners in Eastern or Central Europe and Turkey.
- 2. MATRA-KAP** - small scale grants to a maximum of 15.000 EUR over 12 months, for CSO project in the fields of legislation and law, public administration, public order and police, information and media, human rights/minorities, environment, environmental authorities, labour & social policy, culture, welfare, health care, housing, education.

Sweden: As of 2009, SIDA is supporting CSOs worldwide (including Turkey) through the agency of 15 Swedish framework NGOs. These “framework organisations” are of two types. 1. umbrella organisations, which prepare and pass on funding applications from their member organisations for SIDA funding. Member organisations then cooperate with organisations in developing countries. 2. organisations that develop and run their own development cooperation programmes and sign partnership agreements directly with CSOs in developing countries.

Within the overall aim of support to the continued democratization process and respect for human rights, as well as to contribute to the establishment of European common value systems in Turkey, SIDA support to civil society in Turkey focuses on improving rights for women, minority groups and disabled people. Particular prioritization is given to poor people in southeast Turkey, where the Kurds mainly live.

The Consulate General of Sweden’s section for cooperation between Turkey and Sweden promotes contacts through cultural and academic exchange programmes, in which the Swedish Institute is among the participants. The different programmes are aimed at promoting Turkey’s efforts towards EU membership; for example by increasing the mutual understanding of traditions, religion, culture and for equality and other areas.

SIDA has recently announced a global initiative to support individuals, CSOs and other social actors working to support democracy and freedom of expression. The first call for proposals, worth 100 million SEK (approx. 9.6 million EUR) was launched in November 2009.

Other embassies – provide small funds for CSOs, including the German Embassy, British Embassy, Finnish Embassy, American Embassy, Canadian Embassy, and Japanese Embassy.

Semi-Public Funds

These funds are supported by the IPA program for development programmes run by the Ministry of Education, Regional Development Agencies, the Employment Agency and other public institutions. CSOs are eligible to apply for projects within these broad programmes.

- 1. Regional Development Agencies (RDAs)** – have been established in regions defined according to a NUTS II classification⁸ with a mandate to promote and coordinate regional development through public-private cooperation and to establish a pipeline for investments (from IPA III and later, on Turkey's eventual accession to the EU, EC structural funds under objective 1 of EU regional development strategy) with the long-term aim of eliminating disparities in socio-economic development between the regions. The RDAs are defined as public-private organisations, which included some civil society participation on the governing bodies, along with a majority of local government and business stakeholders. The RDAs have a budget of 274 million EUR, of which 42 million EUR are provided from Turkey's national budget. Although much of this money will be allocated to large infrastructure projects, opportunities will arise for the inclusion of CSOs in a variety of social and economic development projects.
- 2. Social Support Program:** In the context of the South-eastern Development Program (GAP), a flexible funding mechanism, Social Support Program (SODES) was developed in 2008 in order to meet the social needs in the region. In 2008, a total of 398 projects were funded amounting to approximately 20 million EUR. SODES is open for both local authorities and CSOs. Although SODES is an important opportunity for CSOs providing social services, concerns have been voiced by CSOs owing to the lack of transparency in the project-selection process.

Government funding

Government is not a regular funder of civil society in Turkey, and total government support of CSOs is relatively insignificant. Only a very small number of CSOs receive state resources, usually by means of project partnerships, rather than grant allocations or service contracts. Poor coordination between government and civil society and the lack of formal procedures for defining government support to CSOs means that there is very little information available which can shed light on the frequency and size of government-CSO project partnerships.

Business and private sources of CSO support

Turkey has a long and rich history of philanthropy. In the Ottoman era, the "vakıf," was the predominant institutional means of the philanthropic provision of public services. Vakıfs are the most common form of philanthropy in the Islamic tradition, and today most large family enterprises have established Vakıfs for supporting social causes.

Despite this tradition, corporate giving to civil society and for development purposes, rather than providing direct relief and social services remains a novelty. Rich industrialists and their vakıfs are important sources of corporate social responsibility, but this tends to be channelled into building projects and support for institutions, such as schools, hospitals and art or cultural centres. Giving directly to CSOs and other development actors is still in its

⁸ *Nomenclature d'unités territoriales statistiques* - a hierarchical 3-level statistical territorial classification, combining population criteria with socio-economic development indicators in use in EU countries for administrative purposes, especially in determining allocation of EU structural funds in support of regional policy. NUTS II regions usually cover territories with populations between 800,000 and 3 million.

infancy. Companies are increasingly giving to CSOs, and indeed in the larger more developed towns, such as Istanbul, CSOs often boast many corporate donors, but corporate giving is usually in the form of one-off gifts, confusing “charity” with for clearly defined strategic support. In addition, a study by UNDP (2008b) noted that while companies invariably have a positive attitude to issues such as community involvement or environmental protection, they are reluctant to support CSOs working on human rights, or gender issues or employee participation and rights.

1. **Sabancı Foundation** – this charitable organisation of a major family conglomerate runs the most important business-funded CSO grants scheme, the Social Development Grant Program. The Foundation promotes an equitable environment in which women, youth and persons with disabilities have access and equal opportunities to actively participate in society. The first Grant Program was launched in 2009 and awarded five grants totalling of 1 million TL (approx 460,000 EUR). The 2010 competition was announced in September 2009 and focuses on social justice, economic participation, and social participation.
2. **Coca-Cola:** Coca-Cola, through the foundation Life Plus, provides small-scale funding for CSOs working in the field of environmental protection.
3. **Bolu Community Foundation** was established by a group of 32 local business and civil society leaders and aims to promote the well-being of Bolu province by supporting CSO projects which address the social and economic development of the community.
4. **Turkish Philanthropic Fund**, strictly an American organisation, is the first diaspora organisation of the Turkish-American community which employs the community foundation model. The Fund acts as a means by which donors can support innovative community initiatives that have the potential to create social change.
5. **Other funds:** Many corporations give funds under their corporate social responsibility programs. These programs are not monitored by the CSOs and public authorities. The state has no general policy regarding corporate funds.

For the grassroots CSO, individual face-to-face giving within the tradition of community philanthropy, is an important source of finance. This form of personal giving is the mainstay of finances for an estimated 9,000 “hometown” associations, and is a convenient way of supporting one’s original community for the millions who have migrated from rural parts to the large urban centres (Bikmen 2008). On the other hand, studies show that while 80% of all individuals give, only 18% support a CSO. In addition, 70% of individuals who give do so in the form of religious giving, while 32% of all donations to CSOs are intended to assist faith-based organisations, especially those engaged in mosque building (TUSEV 2009).

1.3 Government mechanisms for civil society – government cooperation and the policy framework determining government – civil society relations

There are no government structures or other institutional mechanisms in Turkey to facilitate regular contact and coordination with civil society. There is also no overarching legal framework defining the possible forms that cooperation between government and civil society might take, as well as the broad roles and responsibilities both sectors should fulfil vis-à-vis each other. In a similar way, central government has not developed a policy or a

strategic approach to its relations with CSOs and to its possible role in supporting the strengthening of civil society.

The EC's 2009 Progress Report recognises that there is growing awareness in public institutions, and in the public at large, of the crucial role to be played by CSOs in the accession process. However, progress is slow, and in Turkey's last National Programme for the Adoption of the EU Acquis (dated 2008) neither objectives nor a plan of action were specified for enabling civil society's development and for government's closer coordination with CSOs.

The State Financial Management Law 5018 (Article 29) establishes the basis for state agencies, ministries and departments to provide CSOs "assistance." This is considered a positive element in the legal framework regulating cooperation as explicitly authorises government actors to include CSOs in their budgets. However, this enabling law is not supported by concrete measures that would "operationalise" the relationship (ECNL 2006)

Consultations and dialogue between the public administration and CSOs are carried out principally through mechanisms established by the EC for furthering the EU accession process. TAIEX meetings⁹ (which bring national CSOs, public administration and international expertise together to discuss specific issues relating to Copenhagen Criteria), yearly EC Progress Reports (for CSOs provide information from localities) and public administration programmes funded by the EC (with civil society participation) are the main mechanisms by which information is exchanged and dialogue carried out between CSOs and public administration.

1.4 Government (local and national) institutional capacities for engaging civil society

Central government

Recent legislation (Regulation for Procedures and Guidelines in Preparing Legislation – 2006) establishes the right, if vaguely defined, of CSOs to participate in the decision-making process at both national and local levels. In the absence of concrete mechanisms to facilitate the implementation of this right, CSO participation in policy dialogue and the legislative drafting process takes place infrequently in an *ad hoc* and often uncoordinated manner. While a general assessment would perhaps emphasise the lack of state and civil society cooperation, there is clearly an encouraging trend of including CSOs among stakeholders to be consulted at both the national and local levels. In recent times central government has included CSOs in a number of joint policy commissions and council, where cooperation has proved fairly successful in areas concerning social policy, service delivery and poverty alleviation, but disappointingly negative on issues such as human rights and minority rights (the Alevi and Kurdish issues) (TUSEV 2009). The Ministry responsible for European Affairs holds a single CSO consultation each year, but these meetings have not proved productive owing the lack of attention paid to establishing an agreed-on agenda.

⁹ TAIEX meetings are organised by the Secretariat General of EU Affaires in Turkey. Technical Assistance and Information Exchange (TAIEX) is an instrument of the Directorate-General Enlargement of the European Commission. TAIEX helps countries with regard to the approximation, application and enforcement of EU legislation. It is largely demand driven and channels requests for assistance and contributes to the delivery of appropriate tailor-made expertise to address problems at short notice.

In a similar way parliament approved legislation in 2006 to encourage, but not require, consultation with CSOs in its work in reviewing and adopting new legislation. In particular, it is expected that CSOs are to play an important consultative role on the many new laws that will be required as part of the EU accession process. As is the case with government, parliament consults CSOs on an ad hoc and selective basis, and in the absence of clear objectives and frameworks, CSOs are not accorded adequate access or representation (TUSEV 2009).

Local government

The three laws relating to sub-national administration¹⁰ (provincial and municipal level) all contain provisions for CSO participation in strategic and development planning, social policy and service delivery and as advisors to the municipal assemblies and as members of advisory multi-stakeholder City Councils.

CSOs *may* be invited to sit on commissions for managing social services and the annual budget, but are not granted a vote. Participation is limited to those CSOs with relevant specialist knowledge.

CSOs are to be consulted by mayors and provincial governors, along with other professional and civic actors, during the preparation of strategy and long-term development plans. There is little detail specifying the extent and nature of the consultation process. This is very much an experimental process – both concerning the undertaking of strategic planning by local governments, and the consultation process with CSOs. This process is still being pioneered.

Advisory bodies or city councils may be established by local stakeholders, including CSOs, representatives of vocational chambers, trade unions, notaries, public authorities, universities, political parties and. While the councils have no decision-making powers, they have an agenda-setting role, as the municipality must discuss issues raised at the City Council. Their remit is wide-ranging, including the development of the city vision, protection of rights of city dwellers, social solidarity, sustainable development and environmental issues, transparency, accountability of local governments, participation of people to local decision making and implementation of principles concerning local administration. This possibly represents the arena where currently CSOs can achieve greatest participation in the dialogue and policy-making process.

Although the above measures have been in force for some three or four years, one assessment from 2009 (TUSEV) was that “such initiatives are still very new, and how they are or will actually reflect practices is still unknown.”

1.5 Public perceptions and support of civil society and its various segments

Public perceptions of CSOs and civil society in Turkey are complex and changing. A recent survey (January 2009) undertaken by CSDC confirmed the view (...) that a growing number of the population regard CSOs in a positive light. 63% of those surveyed associate CSOs and voluntary organisations generally with values of democratic rights, unity and solidarity, and view them as a source of positive power. However these views are in stark contrast to those of the remainder who comprise a considerable minority (37%) which holds civil society in

¹⁰ The Municipality Law – defining the powers and privileges of Municipalities; the Metropolitan Municipalities Law – defining the powers and privileges of cities and the Special Provincial Administration Law – relating to the elected, decentralized provincial assembly and also the de-concentrated provincial administration.

deep suspicion, associating it with terror, fear and social unrest. This illustrates the continuing influence of the devastating effects of the 1980 coup, which turned political engagement into an action to be strictly avoided and created an atmosphere in which CSOs were widely believed to be linked to criminal gangs or clandestine terrorist groups.

An indication that democratic values and confidence in the possibility of exercising one's right to speak out and act independently without fear of sanction are gaining currency in Turkey is the survey finding that positive assessments of civil society are considerably more prevalent among younger citizens, while older generations are much more inclined to persist in their fear of CSOs. Positive regard for civil society also correlates strongly with higher socio-economic wellbeing.

The overall findings of the survey are extremely positive in light of the fact that social trust in Turkey is very low and compares unfavourably with the majority of states of similar economic development as Turkey (TUSEV 2006). However, low trust is almost certainly a determining factor in the very low participation rates in CSOs. In 2006, general participation in CSOs through membership was estimated at only 5% (TUSEV 2006), with CSOs working on education, culture and arts benefiting from the highest membership rates (11.7%) and those with the lowest membership rates were women's organisations with 3.9%. A survey of youth conducted by UNDP for the 2008 National Human Development Report put youth participation in civil society at only 4% (UNDPa 2008).

Numbers of members per organisation is another way at looking at public participation in CSOs. According to the Department of Associations, 83,000 associations currently comprise a total membership of 7.2 million. This indicates an average membership of 86 per organisation. It is difficult to assess the significance of this datum for organisational relevance and effectiveness without other information specific to CSO mode of operation, mission and target group size, but overall it shows that membership of CSOs has remained almost constant over the last five years. When an increase of 13,000 in the total number of CSOs over this period is taken into account, average membership per CSO has dropped from around 100 to the present 86.

A large majority of people (61%) understand CSOs in their traditional role of humanitarian assistance associated with the Vakifs, associating them with "donation and solidarity." However, although individual giving is almost universal in Turkey, only modest numbers support CSOs, the majority preferring to give directly to those in need. The likely reason for this, however, is that people do not have much to give and it is a question of personal priority, rather than low trust in civil society.

2. CSO ORGANISATIONAL CAPACITIES

2.1 Overview of the civil society community in Turkey

Structure of civil society

According to data obtained from state Departments for Associations at the Ministry of the Interior and TUSEV there currently approximately 83,000 associations and 4,500 foundations active in Turkey. In addition, there are a few thousand chambers of commerce, agricultural and housing cooperatives and trades unions (TUSEV 2006).

Civil society organisations are active in all of Turkey's 81 provinces, but their distribution is very uneven. There is a marked concentration of CSOs in urban areas, especially the three largest cities, Istanbul, Ankara and İzmir. CSO representation in eastern, north-eastern, central and southern Anatolian regions is particularly weak, while post-conflict conditions in the south-east has led to an increase in CSOs in recent years (TUSEV 2006). The urban concentration of foundations is more conspicuous than that of associations.¹¹

While CSOs are clearly growing in number and the sector is developing rapidly, the majority of CSOs remain small, relatively weak outfits at an early stage in their organisational development. Their progress is typically attributable to the mobilisation of support from a small circle of individuals in the community. At the other end of the scale, the emergent civil sector is dominated by a small number of large, financially strong urban-based organisations with competent professional staff. Very often, these "Mega CSOs" (TUSEV 2006) have been established by well-known and capable figures from the private, public and academic sectors, who have been able to exploit their personal networks to attract significant private and public funding, recruit accomplished and prominent board members and thus lay the foundations for developing strong professional teams and high-quality programmes with broad geographical scope (TUSEV 2006).

Lack of suitable data from government sources makes it difficult to arrive at a useful typology of CSOs and their structures.¹² In particular, it is impossible to determine the exact percentage of associations have a member-benefit mandate (such as mutual solidarity organisations, and sports and social clubs) as opposed to having a mission oriented to providing benefits to wider public interests (such as the environment, education or youth).

Member-benefit organisations covering religious services (especially mosque building), sport and community solidarity comprise something over 50% of all CSOs (approximately 45,000). These organisations depend on small donations from their members and the community to carry out their work. Among these member-benefit organisations and all types of association, mosque-building associations are the most common. In 2006, according to the Department of Associations, there were 12,760 associations dedicated to building mosques, followed by a further 8,590 organisations providing social assistance to the community (TUSEV 2006).

The most numerous category of solidarity organisations are hometown associations, founded by internal migrants from rural areas to the large cities as a means of mutual support in their new environment and as a vehicle for investing in their village or town of

¹¹ In 2006, over 30% of all associations and over 51% of all foundations were located in Istanbul, Ankara and İzmir (TUSEV 2006).

¹² See Annex 3 for a typology used by TUSEV in the 2006 Civicus CSI report, embracing CSO types outside of associations and foundations.

origin. These comprise approximately 10% of the total of Turkey's 83.000 associations, over half of which are located in Istanbul, Ankara and Izmir.

Vocational solidarity organisations comprise another important segment of registered associations whose combined membership covers around 10% of Turkey's population. These organisations exist to defend the vocational interests (crafts, trades and such like) of their members. To a large extent they concentrate on catering for members' social and recreational interests through services given by coffee houses, bars and social activity centres and are therefore generally considered to lie outside the broad umbrella of civil society concerns (including voluntary action for a common aim, service provision, participation, and providing a counterbalance to the state). However, a further group of Business or Trade Associations, also registered as associations, exist as pressure groups to advance the interest of their own members and / particular sector. In some cases (e.g. TUSAID - Turkish Businessmen and Industrialists Association),

These vocationally oriented groups are not to be confused with the professional associations (such as bar associations), which are formally organised as public bodies, rather than CSOs,¹³ for self-regulation and the upholding of professional standards. Compulsory membership and subscription fees render these organisations financially and institutionally strong. Individuals are free to establish professionally based voluntary associations independently from these public bodies, but there are few examples of this kind of CSO operating in Turkey.

Community-based organisations, such as sports clubs and disability organisations are often organised within formal national or regional federations or confederations according to declared "common objectives."¹⁴ These wider unions, however, are poorly organised and rarely able to fulfil their purpose of enhanced sector integration and representation. The establishment of limited CSO "platforms" (see above section 1.1) and informal coalitions, according to sector of activity (e.g. education, youth, Environment) is becoming increasingly common, although generally effective cooperation and networking between CSOs in the country remains poorly developed (see below section 2.5).

Under the aegis of foreign assistance, especially EU-funded programmes, a limited structure of civil society support organisations, resource and training centres has developed, as well as a network of Turkish experts on civil society and CSO management. The majority of organisations offering CSOs support for their organisational development, as well as in carrying out technical tasks, such as project development and fundraising, are situated in the main urban centres. The only organisations dedicated solely to capacity building activities with the Civil Society Development Centre (CSDC), based in Ankara, but also running four local support centres. The Third Sector Foundation of Turkey (TUSEV) is a research, resource and lobbying centre dedicated strengthening the legal, fiscal and operational infrastructure of the non-profit sector in Turkey. The Bilgi University Civil Society Centre is a unique university-based education body established to train CSO members, professionals and volunteers.

¹³ Professional associations are classed as public bodies owing to corporatist practice in the State in the period of 1960s – 1990s.

¹⁴ In 2006 there were a total of 265 federations and 8 confederations, as well as 9 trades union confederations registered in Turkey (TUSEV 2006). One of the largest federated structures is the Confederation of Disabled of Turkey, composed of 5 federations covering a total of 600 associations. The Alevi Bektashi Federation and Caucasus Associations Federation are the other examples for umbrella bodies. The Voluntary Organisations Foundation is the representative body established by faith-based CSOs.

Field of operation / activities

In general, civil society activities in Turkey continue to be dominated by charitable giving, self-help and the provision of services in the community. Traditionally, foundations have been an invaluable means of social support and investment in public resources, easing the burden on a fiscally weak and bureaucratically inefficient State unable to meet the challenges of service delivery. Wealthy foundations continue to concentrate in these areas, and are particularly active in building and modernising schools, universities, hospitals and museums.

Although the general public understands civil society in terms of charity and direct social assistance and the vast majority of CSOs promote solidarity and philanthropy, an increasing number of associations, on the other hand, are beginning to turn their attention to tackling the underlying causes of poverty and social, political and civic injustice. In 2006 the Civicus CSI Index report concluded that civil society in Turkey had reached a turning point from which CSOs were increasingly ready to go “beyond service delivery to engage more actively in the process of legislation reform and other activities to hold the state accountable.” Since 2005, CSDC has worked with over 1,000 of the more than 8,000 CSOs on its database, and its staff has observed that almost all of these organisations are aiming to work in some way on strengthening democratic participation and civil rights (personal communication), even if the total number of CSOs in the country promoting values such as good governance, human rights, democracy, active citizenship and pluralism remains small.

That being said, it appears that CSOs, especially in rural areas and small towns, are not aware of their potential to provide input to relevant government institutions and the public administration to influence social policy. CSOs are not aware of approaches to development and theories of social change. Therefore, rights-based approaches, result-based programming and participatory approaches are rarely used by the CSOs working in the field of social assistance (such as groups representing people with disability, and those seeking to promote employment and enhance health, education and other social services).

Increasingly, CSOs of all sorts perform a function of informing and educating citizens on key policy issues and their rights and entitlements.

The CSDC database of almost 8,400 CSOs reveals civil society carries out a wide range of activities and covers a diversity of target groups. Self help (Solidarity or mutual support organisations) followed cultural activities and folklore (usually in the community) are the most common CSOs activities. The promotion of the Environment, sports and education and health services are all common areas of activities, as too are the promotion of business / professional concerns and the interests of women. Organisations supporting human rights amount to only 1% of the total, those working to advance democracy number only 21, or only 0.25%, while only 4 or the 8,397 organisations listed promote gay and lesbian rights.

2.2 Human resources and technical skills

Very few associations and foundations in Turkey are able to employ salaried managers and expert professionals; outside of the big cities CSOs are almost entirely dependent on volunteer labour and temporary paid assistants engaged on short-term contracts for the duration of time-limited projects. Consequently, staff structures are unstable and staff numbers and available skills fluctuate as scarce funding sources come and go.

Generally, CSOs are rarely managed by professionals who have experience or expertise in CSO or other forms of organisational management. It is also quite common for relatively well developed and well financed organisations to be lacking in suitable management know-how and systems. Individuals with the requisite skills and experience tend to find employment in the private sector where they can command considerably higher salaries than in the non-profit sector. CSO managers at all levels of civil society are typically activists who have progressed to higher executive positions with little or no training of CSO or other types of management.

The common absence in CSOs of an enabling organisational culture and an understanding of organisational development militates against internal synergies, effective internal communication and a joint, inclusive approach to planning. Very often governance and management bodies are poorly linked. It is common for decision makers in CSOs to be unaware of performance in the field and to take decisions without proper consideration of field knowledge and best practice which are detrimental to the organisations long-term performance and sustainability.

A great many CSOs are vestigial in structure being dependent on a single charismatic leader for organisational vision and everyday administrative and management functions. CSO leaders are more often than not male and middle-aged, a characteristic which is particularly marked in foundations. A 2006 survey (Çarkoğlu cited in TUSEV 2006) noted that over 80% of executives in 500 foundations were reported to be men, with an average age of 52 years old.

Voluntarism is extremely weak in Turkish society, so CSOs are constrained in their ability to engage sufficient numbers of motivated and skilled volunteers. The majority of CSOs interviewed for this report declared that they have either insufficient number of volunteers or none at all. A World Values 1999 survey indicated that only 1.5% of the citizens reported to have been involved in voluntary activities. In recent years, there has been a positive trend in promotion of voluntarism and total numbers of people volunteering in civil society has grown. Some universities, especially private universities, encourage their students to work voluntarily in CSOs, but these pioneering initiatives are insufficient to establish an adequate volume of volunteer services in society.¹⁵

As might be expected from the above, the average CSO faces considerable shortfalls in the basic technical skills required for running an effective organisation. Poor fundraising skills and low capacity for financial management are among those most commonly mentioned. PCM capabilities are generally insufficiently developed, especially those necessary for effective project development, project management and impact assessment and evaluation. Low levels of technical infrastructure contribute to CSOs' challenges in these areas: nationally, there is only one computer registered for between every 4 or 5 CSOs (that is, 17,081 computers for 83,000 associations). This characteristic appears to be positively linked with overall socio-economic disparities in the country. Thus, while 41% of associations in the prosperous Marmara region in the north-west have at least one computer, in the poorer

¹⁵ Sabancı University requires volunteer work as a pre-requisite for graduation. CSOs like TOG (Social Volunteers Foundation of Turkey) promote university students to establish networks of student clubs, while organisations such as the Corporate Volunteer Council aim to match employees and employers of the companies with CSOs.

South Eastern Region and the East Anatolia Region, this figure is only 4.4% and 3.1% respectively.¹⁶

As a sector, civil society is poorly equipped to carry out successful advocacy and policy analysis and otherwise influence public policy substantively. The effect of poorly developed skills in this area is compounded by the weak base of participation by the Turkish citizenry and the restricted space allowed by government and public administration to CSOs for engagement in these activities. Advocacy is practiced mainly by specialist human rights organisations, and selected special interest groups with a rights-based agenda, such as women's organisations, some youth groups, and representatives of discriminated minorities, such as the gay, lesbian, bisexual and transgender groups. It has been observed, however, that many of these advocates, such as the main human rights organisations, are facing difficulties in sustaining their activities. Lack of funding, very limited volunteer capacity, and selective policies towards local partners are the main difficulties faced. One of the hurdles which weaken the effectiveness of human rights organisations is that neither branches nor headquarters of these organisations have a multi-annual strategy identifying the short-medium and long term to strengthen their impact.

In addition, most CSOs have no specialised staff for dealing with the media and they pay little attention to publicising their work and maintaining good relations with the public.

2.3 Strategic strengths of CSOs in Turkey

Strategic thinking and capacities are particularly weak in Turkish CSOs. More than 95% of CSOs have neither long-term strategic plans nor short-term (yearly) action plans. CSOs are managed on a daily basis, with key decisions (typically restricted to routine operational concerns and project activities) taken by managing boards only a short-time before the event. Only in the case of special events, such as annual celebrations (such as 8 March Women's Day, or 10 December Human Rights Day) will some CSOs undertake preparations within a moderately extended time-frame of up to two months.

A root cause of poor strategic direction is the poor quality or absence of a clearly articulated organisational Vision embracing an overarching, long-term social objective. In addition, governance bodies – boards of directors and assemblies – function poorly and provide little in the way of strategic leadership for management and staff. As noted above, many CSOs are in effect “one-man organisations,” in which all leadership and management capacities (in indeed most other administrative capabilities) are concentrated in one person.

A corollary of poor strategic thinking, which itself contributes further to the strategic shortfall, is the typically low level of effective financial planning in Turkish CSOs. Funding insecurity and the inability to plan effectively to mitigate its effects – such as by devising means of recruiting volunteers or mobilising greater community support – make long-term planning difficult to carry out with any conviction.

¹⁶ Data from the Directorate of Associations suggests that CSOs' access to computers and their use of IT is considerably advanced than the figures on computer ownership would suggest. According to the Directorate, 47.860 of the total of 83.000 associations regularly use its “E-association Web Page,” indicating that almost half of the registered associations have online communication with the Directorate.

2.4 Analytical capacities

Poor strategic direction of CSOs is a clear indication of generally low levels of analytical capacities in civil society necessary also for needs assessment, problem solving, intelligent programme design, advocacy and policy dialogue. Especially lacking in Turkish CSOs is basic social research to identify community needs and its causes in order to establish evidence-based programming and project design.

The CSDC database lists 94 (or 1.1% of its 8397 CSOs) as being dedicated to research activities. These are by-and-large elite think tanks, providing policy inputs at the centre, but are poorly connected with both the grassroots and the greater mass of CSOs. They are usually founded by university academics and are particularly active in researching foreign policy, international trade and macro-economics.¹⁷ There is a visible gap between think-tank organisations and human rights organisations, in particular. Channels for exchanging studies, reports, and researches produced by specialized organisations in cooperation with CSOs are insufficient. Despite efforts by CSDC and the Human Rights Joint Platform (IHOP) to publicise these studies more widely, their impact on CSOs in terms of influencing civil society programming is very limited.

2.5 Relationships with other actors –networking and partnerships

CSO – CSO relationships

There is a low level of cooperation and networking between CSOs in the country and the cooperation between CSOs in Turkey and other countries or regions is very limited despite the attempts of EU to develop dialogue with CSOs in the EU area. Women’s and youth groups are the exceptions in having developed relatively good relations with CSOs and networks active in EU region.

However, the trend in Turkey is for CSOs to work together increasingly through informal sector-based networks and issue-based “platforms. Environmental and women’s CSOs are particularly well networked both at the regional and national levels, to the extent that it is possible to talk of environmental and women’s “movements” in Turkey.¹⁸ Human rights CSOs and other rights-based organisations are also following the trend of networking in order to raise their voice and increase their reach.¹⁹ CSOs rarely cooperate in meaningful ways at the local level. CSDC is currently leading a project to facilitate the establishment of local networks in Adana, Denizli, Eskişehir and Diyarbakır provinces.

There are a limited number of CSO email services in use for maintaining a flow of information between organisations. The two most prominent are the yahoo groups, STK Duyuru (“CSO Announcements”) with 3,437 members, and its youth sister group, STK Gençlik (CSO Youth) with 3,956 members, which inform members of civil society issues and activities on a daily basis.

¹⁷ Examples include: CESRAN – Centre for Strategic and Research Analysis -: foreign policy; TESEV – Turkish Economic and Social Studies Foundation -: foreign policy, business and (local) governance; TEPAV – Turkish Economic Policy Research Foundation -: economy, foreign policy and governance.

¹⁸ Environmental CSOs are coordinated by TÜRÇEP, the Environmental Platform of Turkey.

¹⁹ See Annex 5 for a list of important CSO networks formed in the past three or four years.

Nationally, at the sector level civil society is poorly integrated. There are no national networks and no recognised CSO representative organisations around which CSOs may speak to each other or, more importantly, communicate with the government and other sectors. Poor integration at this level also means that there are few accepted standards within civil society and no mechanisms for effective self-regulation.

CSO – state and government relationships

This area is described in detail in sections 1.3 and 1.4

The ongoing EU accession process has led to the creation of a set of independent multi-stakeholder bodies and structures to monitor the implementation of reforms and to hold the state accountable (Reform Monitoring Group, Prison Monitoring Boards, Human Rights provincial boards and presidency, Human Rights Advisory Councils²⁰). However, these bodies have not established sound consultation mechanisms with CSOs. The lack of an ombudsman and national human rights institutions is also a contributor factor here.

CSO relationships with other actors

Other key not-for-profit actors, such as trade unions, vocational chambers, and political parties show little enthusiasm to work with CSOs, mainly because they view CSOs as powerless and therefore as more or less irrelevant. This assessment also impacts negatively on CSOs in their relations with the mainstream media, to which they generally face difficulties in gaining proper access.

Regarding civil society relations with business, both CSOs and companies tend to understand these relations in terms of project funding, which is becoming increasingly available as the concept of corporate philanthropy gains currency in the country. However, the CSI Index report (TUSEV 2006) found that many businesses feel frustrated with CSOs' general lack of capacity and project management skills, leading them to concentrate their support for civil society in a few better known and developed professional NGOs (or those in their personal network). Understanding and practice of business responsibility to civil society and the community in a wider sense (corporate social responsibility) and the development of partnerships and other forms of inter-sector support and cooperation remains vestigial.

2.6 Material and financial stability and resilience

Most CSOs in Turkey are very weak financially. In general, foundations are financially more secure than associations, owing no doubt to their basis in an endowment or some form of material property. A majority of foundations own their own premises, while associations will generally occupy rented office space. The vast majority of associations have an annual income of less than (usually considerably less than) 25,000 EUR, the minimum amount, as calculated by CSDC, necessary for the smallest organisation to cover rent and operational costs, excluding wages for a professional staff.

²⁰ In 2009, the Government of Turkey introduced a Law on the Establishment of a Human Rights Council of Turkey, the third attempt in five years to found such a body. This law has been sharply criticised by the Human Rights Joint Platform (IHOP) for not ensuring that the Council will be truly independent from government and for its failure to provide for meaningful civil society participation and introducing mechanisms to ensure the Council accountability towards the general public.

In general, CSOs are financially unstable and rarely possess the fundraising skills, strategic vision and creativity, as well as flexibility in working practices to overcome this basic insecurity.

As with many other facets of Turkish civil society, CSOs in the metropolitan areas, such as Ankara and Istanbul, tend to be financially stronger than those in smaller towns and cities. The financially weakest CSOs are those in East Anatolia followed by the Central Regions, and the inland areas of the Aegean Region and the Black Sea Region.

In the absence of a suitable architecture of civil society programme and project support from both government and foreign sources, membership fees usually form the mainstay of CSO finance. However, membership numbers are rarely sufficient firstly, to provide financial security and secondly, to fund programme activities (see above section 1.5).²¹

While CSOs undertake collection of small contributions directly from individuals, this is time-consuming and often fraught with bureaucratic and legal restrictions (see above, section 1.1). In some regions, door-to-door collection and street campaigns are frowned upon as begging. Larger organisations, such as the Turkish chapters of Greenpeace, which mobilises donations from around 20,000 individuals, and Amnesty International, conclude, however, that with proper organisation, this kind of fundraising is both feasible and can be effective in generating sizable income.²²

3. CIVIL SOCIETY MILESTONE ACHIEVEMENTS, IMPACTS AND CHALLENGES

3.1 Milestone achievements and impacts in the country

Women's empowerment and promotion of women's rights

Increasing activity in all regions of the country since the early 2000s by women's organisations promoting gender equality and women's rights has done much to raise the awareness of women on their rights, as well as increase solidarity and self-support mechanisms among women and their associations, and also influence legislation and government policy on a limited number of occasions. Examples of significant achievements of the women's "movement" in Turkey include:

- Establishment of the **Kamer Women's Network** in 23 provinces in the East and Southeast of Turkey. Through the Ka-Mer (Women Centre), the network maintains SOS hotlines against honour crimes and domestic violence and has developed regular dialogue with duty bearers (governors, social services and the security service) in order to establish effective institutional response to violence against women and better application of the law. It has also mobilised women to establish their own enterprises.
- **Gender-based reforms to the Penal Code, 2004.** As a result of a concerted three-year campaign led by women's CSOs by means of a Working Group on the Reform of the

²¹ For example, with an annual subscription fee of 25 EUR, an organisation would need 250 members to cover ¼ of the estimated minimum of 25,000 EUR / a necessary for ensuring operational viability. However, the average association membership currently stands at only 86.

²² It should be noted that in the past Amnesty International has experienced resistance to its face-to-face fundraising by the state authorities, which insisted on a narrow interpretation of the provisions of Law on Collection of Aids. Two years ago the government blocked Amnesty's bank accounts for a while, as punishment for its apparent transgressions.

Penal Code from a Gender Perspective (with the participation of NGO representatives, jurists, bar associations and academics from all regions of Turkey), the new Turkish Penal Code of 2004 included 30 amendments collectively advancing gender equality and protection of sexual and bodily rights of women and girls in Turkey.

- **Increased representation of women** in political parties, Parliament and Municipalities, as a result a pre-election campaign held in 2007 by more than 100 women's organisations under the guidance of CSO KA-DER (The Association for Support and Training of Women Candidates) to pressurise political parties into adopting 30% quotas of women on their election lists. While not universally successful, the outcome was an increase in women parliamentarians from 4.36% to 9.1% (or 50) of the total 550.
- The development of a limited network of 52 shelter houses across the country owing to vigorous campaigning by women's CSOs (in 2004 there were only 8 shelter houses, and the country's first shelter, which folded after 8 years, opened as late as 1990).

Establishment of a human rights agenda

While civil society has had very limited impact in influencing social policy regarding human rights and rights-based social change, a growing number of CSOs with a human rights mandate and their increasing willingness to cooperate with one another has succeeded in raising visibility and public awareness of key issues concerning human rights, in particular, freedom of speech, freedom from torture, the right to trial, women's rights and children's rights.

An early, but important case was the Initiative against Violations of Freedom of Thought, a civil disobedience movement that started in 1995 as a protest against the prosecution of an author for the publication of a text in a German magazine. The movement, which included the re-publication of the offending texts and the prosecution of CSOs and activists, carried on for over ten years. While substantive changes to policy and the law eventually owed more to international pressure, not least the adoption of the EU Copenhagen Criteria, the Initiative had a strong impact on raising public awareness on the issue of freedom of thought – in part perhaps because the main signatories were well-known intellectuals, artists and politicians.

In 2006, the Civicus CSI index recorded the opinion of key informants that CSOs have been influential in promoting human rights issues which fall under the framework of harmonisation of Turkish law with the EU *acquis*.

3.2 Shortfalls in CSO performance

Leadership of civil society

Civil society lacks a national network or some form of elected council or forum which may provide the sector with leadership and representation. Certain key organisations, such as TUSEV²³ and CSDC by default represent civil society views in public and with the government, owing to their prominence and high capacities; however, they cannot substitute for a more formal and inclusive leadership structure which allows for effective

²³ TUSEV is formally a coalition of foundations, originally 23 in number, but now numbering over 100.

sector-wide debate, articulation of agreed-on civil society positions to the government and other actors, as well as the implementation and monitoring of standards within civil society.

Influencing public policy

Despite the best efforts of the small number of human rights organisations and CSOs promoting rights-based agendas in support of certain vulnerable or discriminated groups (women, national minorities, GLBT etc), civil society under performs in influencing government policy. While a wider range of CSOs declare that they are prepared to engage the government in social policy dialogue – in areas such as, health, education, employment, and economic policy – most are in reality inactive in this field and do not possess the necessary analytical, organisational and financial resources.

Capacity shortfalls apart, all CSOs face considerable institutional challenges to engaging in substantive policy dialogue. On the one hand, civil society is hindered by continuing excessive interference by state institutions and public administration bodies and also by a lack of “space,” owing to an absence of viable mechanisms for working with government and a the generally obscure and unresponsive nature of public authorities towards civil society. On the other hand, civil society itself is deficient in the internal cooperation and coordination necessary for effective policy dialogue.

Holding the state and private sector to account

There is low civil society activity in upholding democratic principles and standards of good governance, including transparency and accountability in public life. Very few CSOs are dedicated to promoting democracy and there is an almost total absence of organisations providing a “watch dog” role of public administration and, in particular, the private sector. Of especial concern is civil society’s unwillingness or inability to engage in the fight against corruption and in overseeing the national budgetary process.²⁴

Mobilising constituency support

Despite growing public acceptance and understanding of civil society, CSOs are poorly supported by the general public and citizens are reluctant to support CSO activities, either by giving financially or participating in CSO activities. CSOs do insufficient to communicate with the public generally, research and address constituency needs, engage the community and encourage participation in their programming and activities.

²⁴ These conclusions hold true despite the launching of two high-profile CSO-led campaigns in the 1990s against the arbitrary power and corruption of the state and corporate business. 1. A corruption scandal at the highest levels in 1996, involving government, the military and criminal syndicates, provoked public outrage which resulted in the campaign “one minute for darkness for a lifetime of light,” by which attention was draw to the need for greater transparency and accountability in public life by people turning lights on and off at the same time each day. 2. The Bergama Campaign run by villager in cooperation with Turkish and international environmental groups in protest of the gold mining activities of a European company supported by attractive government concessions. The campaign lobbied unsuccessfully on health and environmental grounds to have the concession revoked. CSOs involved were later tried in court on charges of treason for having accepted foreign funding (TUSEV 2006).

In 2008, following the elections for Turkish Grand National Assembly, the musician Şanar Yurdatapan established an initiative which pioneers civil society oversight of government decision making. The project, entitled “Joint Working Groups,” brings CSOs and parliamentarians in 20 cities together discuss the main problems of cities.

4. CONCLUSIONS

4.1 Summary of strategic issues of relevance to the project

- Turkey is still undergoing political transition towards establishing a democratic culture. Consequently, understanding among government circles and public administrations of civil society, its values and its role in a modern democracy remains at a low level. Raising the frequency and quality of government-civil society dialogue and cooperation will demand carefully targeted facilitation of government and public administration actors. As the country's process towards European integration is the main driving force of its transition, the project, as an EC initiative, is well placed mediate between government and civil society.
- Turkey's long tradition of philanthropy, through the institution of the Vakif, and the large size of its dynamic private economy, suggest that there are considerable potential private domestic sources for funding CSO programmes. To do this, assistance needs to be extended to corporate foundations and large enterprises, as well as CSOs promoting civil society, to advance greater and more widespread support of civil society activities, built upon a better understanding of civil society and its role in supporting social development (as opposed to charity), building human resource capacities and promoting democracy within a free-market economy.
- The capacity needs of Turkey's civil society are extensive. Turkey is a very large country and there are considerable disparities between the capacity levels and geographical representation of CSOs across the country. In addition, government-civil society cooperation remains at a low level of development both at the state and the local levels. Project resources, both time and money, are limited; the project needs to make difficult choices early on as to where best to concentrate these resources, vis-à-vis both CSO capacity building and government-civil society relations. Does the project focus at the grassroots in the rural areas in an effort increase responsiveness towards more isolated and often poorer populations, or does it concentrate on CSOs in larger towns, in order to reach a greater number of organisations and a greater overall population? Does the project focus assistance to CSO policy dialogue at the centre, in order to contribute to wider political processes as well as establish broader countrywide momentum for better civil society-government relations, or does it concentrate on specific local-level processes which have the potential to produce outcomes with more significant impact of limited scope?

4.2 Needs assessment conclusions

The civil society environment

- With the introduction of the new Law on Foundations in 2008, the legal framework governing operations of all CSOs in Turkey has been brought in line with international standards for enabling civil society. However, the laws continue to be applied inconsistently and government authorities retain many discretionary powers over civil society which they continue, on occasion, to use to impede CSO activities, particularly advocacy and monitoring in the fields of human rights and democratic governance.

- The financial and tax framework for CSOs is unsatisfactory, owing to bureaucratic restrictions on fundraising activities, low levels of tax exemptions for CSOs, and an arbitrary and obscure process for gaining public benefit status necessary to potential donors to benefit from generous incentives for charitable giving.
- The funding architecture is inadequate to meet the needs of the emergent civil society. Total amounts available from all donors are too low to meet organisational and programme activities. Government is not a regular funder of civil society and its contribution to civil society is relatively insignificant. Other domestic sources of CSO finance, such as corporate philanthropy, “new” foundations and community giving have considerable under-developed potential.
- The EU is the major source of foreign finance of CSOs, which in totality is the only reliable, but inadequate, means of civil society funding activities to promote human rights, good governance and democracy.
- There are no government structures or other institutional mechanisms in Turkey to facilitate regular contact and coordination with civil society. Legal provision for government- civil society cooperation is rudimentary.
- Government consults with CSOs on policy matters infrequently, usually within the framework of specially convened policy commissions. Government is wary of engaging CSOs in dialogue on issues such as human rights and minority rights, as opposed to social policy. In the main, public authorities do not consider that CSOs should play a role in policy making. At the central level, consultation with government usually occurs under the auspices of EU initiatives.
- At the local level, a limited set of opportunities for CSOs to engage in the policy-making process, usually in a consultative capacity, have been legislated for. A variety of consultative mechanisms have been established unevenly across the country, and their use as a means of government-civil society dialogue is still being tested.
- Public acceptance and understanding of civil society as a promoter of democratic values and a means of social solidarity is growing, although a significant minority of the population still views CSOs with acute suspicion.
- Public support of civil society, including financial contributions to CSOs, remains low. Only a small proportion of the population participates in civil society activities and voluntarism in Turkish society is poorly developed.

CSO organisational capacities

- Civil society in Turkey is still at an early stage of its development and the average CSO is a small organisation, dependent unskilled, volunteer labour with limited human and organisational capacities.
- CSOs are unevenly distributed across the country, with a marked concentration of organisations in the country’s three largest cities. CSO representation is particularly weak in poorer, rural regions in the East, North-East and South Anatolia.
- Various forms of member-benefit and solidarity organisations comprise the largest categories of CSOs. Those dealing with human rights, governance issues and the promotion of democracy are among the least numerous.

- A limited structure of civil society support organisations exist across the country, although there are very few organisations specialising in CSO and civil society capacity building.
- In general, civil society continues to focus on charitable giving, self-help activities and the provision of services in the community.
- CSO capacities for carrying out advocacy and engaging in policy dialogue are extremely limited.
- Most CSOs suffer from serious shortfalls in basic technical skills, such as in PCM, fundraising and financial management, but also face considerable challenges in recruiting experienced and qualified managers.
- Strategic thinking and capacities are particularly weak in Turkish CSOs. Programme planning is very rarely carried out. Very often, CSOs do not have a clearly articulated organisational Vision in place. Governing boards often function poorly and do not provide strategic leadership.
- Low levels of analytical capacity within the sector are serious impediments to effective needs assessment and programme design and readiness of CSOs to carry out advocacy and engage in policy dialogue.
- Although informal networking according to specific issues and selected projects is growing in popularity, cooperation and communication between CSOs is at a low level and organisations are generally poorly networked. In particular, civil society has little involvement in international networks, and rural CSOs are poorly connected with often larger organisations in the metropolitan areas. Exceptions to the above are environmental CSOs, and, in particular, women’s organisations promoting women’s rights and gender equity.
- Financial weakness, including insufficient funds and lack of stable and predictable income, afflicts most CSOs. This is due to poorly developed fundraising and programme development skills, but also to the absence of a suitable architecture of financial support for civil society activities.

4.3 Recommendations for the regional project work plan

- The project should support civil society dialogue and facilitate CSO networking in the project region in order to develop joint actions and share experience and know-how for solving problems and developing appropriate methodologies.
- Carry out a comparative analysis of the 8 project country CSO needs analyses in order to identify shared capacity-building needs and synergies between country projects.
- Facilitate internships and staff exchanges among CSOs in the region, in order develop individual skills and gain knowledge of different organisational approaches to common problems.
- Develop a regional on-line database of project outputs and outcomes, including learning materials, monitoring reports and analyses, in order to promote learning, increase the range of the project and ensure greater project visibility.

- Facilitate regional CSO partnerships on cross-cutting issues such as, discrimination, anti-corruption measures, minority rights, gender equality, the environment, etc. Cross-cutting themes should be identified by the comparative analysis of the project country CSO needs analyses and by means of early regional dialogue activities.
- As all states covered by the project are Council of Europe members, the project should promote the CoE's Code of Good Practice for Civil Participation in the Decision Making Process, as an instrument to encourage governments adopt a more accepting position towards CSO efforts establish cooperation with government authorities. Although the document is not binding for member states, described by the CoE as a "collection of good practices", it does provide useful leverage to develop relations between state and CSOs.

4.4 Recommendations for the country specific work plan

- Provide training and process facilitation to CSOs to assist them develop lobbying capacity – including consensus building, research, joint action planning, legal drafting and lobbying skills – for tabling amendments and new regulatory rules to existing laws.
- The CoE is planning a project to train CSO representatives and public servants in developing partnerships and the Code of Good Practice. The project will be implemented by CSDC and TUSEV. The TACSO team should cooperate closely with the CoE project and complement its activities with further facilitation, support and appropriate training.
- Identify the best examples of the few instances, past and present, of effective CSO participation in the decision-making process – at both national and local levels. Using the lessons learnt and the best practice from these cases, the project should hold joint learning workshops for selected public servants and CSO representatives working in related areas in order to promote further government-civil society dialogue and cooperation.
- Provide training to CSOs in policy dialogue and approaches to developing cooperation with government bodies. Training modules should include subjects such as, the reciprocal roles of CSOs and public authorities and the theory of democratic governance, the administrative structure of central and local governments, possible opportunities and threats, types of cooperation and conditions necessary for civil participation, as well as more conventional trainings in advocacy, policy research and dialogue. These trainings should draw on the experiences and employ the services of relevant capacity building organisations, as well as foreign and local experts with experience in civil participation.
- Work with the state authorities to establish a framework for a government strategy for cooperation with civil society. The key point of government contact should be the Secretariat General for EU Affairs, which would play the lead in outlining the general framework. The Prime Minister's office (Under Secretary) should participate as a coordinating agent of line ministries and public institutions.
- Facilitate CSO relations with the Turkish Grand National Assembly (TGNA). An opportunity for CSOs to influence the TGNA in order to establish principles or rules for future TGNA-civil society relations is currently available. A committee of the TGNA is working on a revision of the internal regulations of the TGNA, which are now some 35 years old. CSOs have the opportunity to persuade the Committee to include specific

provision defining and regulating CSOs' to Parliament. Currently there are no clearly defined rules governing participation of CSOs in meetings of either permanent or temporary commissions and working committees of the TGNA. There are also no more general rules or guidelines CSOs working with Parliament and parliamentarians. The project could aim to establish a CSO working group charged with preparing a proposal for the above rules. The proposal would be subject to wider consultation and input from the CSO community, before finally being shared with the TGNA Committee.

- Provide organisational capacity building, via training, coaching and mentoring to CSOs in the following areas: strategic planning, action planning, communication and relations with the media, advocacy campaigning, lobbying, budgeting and financial planning, reporting and analytical skills. Wherever possible work in cooperation with existing capacity-building organisations, such as CSDC and local CSOs providing capacity support at the provincial and local levels.
- Support and provide capacity assistance to networks and umbrella organisations. Apart from support specifically relating to mediation, establishing consensus and partnership formation, capacity support should include subjects listed above. Owing to networks' potential to create "critical mass" which is important for establishing legitimacy in work with public authorities, as well as their role in integration – of CSO activities, as well cross-sector approaches – project resources set aside for capacity building should prioritise assistance to networks, rather than individual CSOs.

Annex 1 Acronyms and abbreviations used in the text

CEDAW	Convention of the Elimination of all Forms of Discrimination Against Women
CESRAN	Centre for Strategic and Research Analysis
CoE	Council of Europe
CSCD	Civil Society Development Centre (<i>tur.</i> STGM)
CSI	Civil Society Index
CoE	Council of Europe
CSO	Civil Society Organisation
EC	European Commission
EIDHR	European Instrument for Democracy and Human Rights
EU	European Union
EWL	European Women's Lobby
GLBT	Gay Lesbian Bi-sexual and Trans-gender
ICC	International Criminal Court
IDP	Internally Displaced Person
IHOP	Human Rights Joint Platform
IPA	Instrument for Pre-accession Assistance
KA-DER	The Association for Support and Training of Women Candidates
LGBT	Lesbian, Gay, Bisexual, Transvestites and Transsexuals
NGO	Non-Governmental Organisation
RDA	Regional Development Association
SIDA	Swedish Agency for International Development
SIPU	Swedish Institute for Public Administration
SODES	Social Support Programme
TACSO	Technical Assistance to Civil Society Organisations
TEPAV	Turkish Economic Policy Research Foundation
TESEV	Turkish Economic and Social Studies Foundation
TGNA	Turkish Grand National Assembly
TÜRÇEP	Environmental Platform of Turkey
TUSAID	Turkish Industrialists' and Businessmen's Association
TUSEV	Turkish Third Sector Foundation
UNDP	United Nations Development Programme

Annex 2 Research methodology

Research for this Needs Analysis was conducted over a period of one month during September and October 2009, by two local experts on Civil Society, Feray Salman and Levent Korkut.

The research proceeded from a comprehensive desktop review of legal and financial regulations relevant to civil society in Turkey, as well as the most important documentation available on the state and development of civil society in the country, including previous civil society assessments and mappings, relevant evaluations of civil society programmes and other contextual material.

Primary data was provided by a series of four regional group Information-Gathering Meetings with between 15 and 20 CSOs at a time.²⁵ Care was taken when selecting CSOs to ensure the participation of a variety of CSO types of different sizes and stages of organizational development, as well as broad geographical representation. The following information was gathered from CSOs at each meeting: the size and type of the CSO; vision and mission; working methods and methodologies; legal problems; human resources; analytical capacity; financial capacity; members and volunteers; governance and management; relations with public bodies and joint activities; results and impact of CSOs; relations with universities, media and public; networking; and expectations from capacity development institutions and the TACSO project.

Regional meetings were backed up by individual meetings with representatives of prominent associations, foundations, international NGOs and also government and other public authorities in Ankara and Istanbul. The aim of these visits was to obtain an up-to-date understanding of CSO fundraising and related issues and relations between public bodies and CSOs. Meetings lasted between two and four hours.

Analysis of data and writing of the report was conducted over a period of 15 days and a first draft was completed in November 2009.

²⁵ See Annex 6 for a full list of CSOs and other organisations consulted.

Annex 3 Typology of CSOs

Box 1. Typology of CSOs proposed by 2006 Civicus CSI report embracing CSO types outside of associations and foundations.

- **CSOs (Civil Society Organizations and/or Non-Governmental Organizations):** Private, non-profit citizen organizations: Think tanks, cultural groups, organizations working mainly for public benefit (as opposed to member benefit). Tend to be foundations and associations (most common legal form).
- **Business or Trade Associations:** Includes associations with restrictive corporate/business person membership and mainly act as pressure groups to advance interests of their own members and/or a particular sector. However some of these organizations (mainly TUSIAD, Turkish Businessmen and Industrialists Association which is one of the largest) also commissions policy papers and makes public statements/pressure on the government regarding social and political reforms (e.g. education, etc.). They are legally organized as associations.
- **Trade Unions:** Organized associations of the workers in an industry or profession working for the protection and furtherance of their rights and interests. Membership is voluntary but can be pressured in some environments. State employees have unions but are not allowed to strike. They have a separate law governing their organizational structure.
- **Professional Associations:** Includes chambers and associations which require membership for the specific profession or sector (e.g. accountants, artisans, doctors, etc.). They are established by the government and have a separate law governing their organizational structure.
- **Citizen Based Organizations (CBOs):** Grassroots based organizations such as mosque building and township associations (which are associations established in cities by migrants of a certain town to support one another and send remittances back home to communities).

Source. TUSEV 2006: 39

Annex 4 CSO activities

Table 1. Classification of CSOs on CSDC database by field of activity

Other	1582
Solidarity	1028
Culture, arts, folklore	719
Environment	614
Business associations & chambers of commerce	507
Education	493
Women	440
Sports	408
Health	359
Humanitarian aid	273
Disability	268
Trades unions	256
Development and economics (energy 2)	227
Youth	195
Children	171
Consumer rights	125
Research	94
Cooperatives: agricultural and housing	92
Human rights	89
Services	80
Politics	55
Tourism	50
Journalist associations	49
Community development	44
Legal services	38
Animal rights	37
Agriculture	27
Democracy	21
Family	17
Search and rescue	15
Human resources	12
History	8
Gay and lesbian rights	4
TOTAL	8397

Source. CSDC online database: <http://www.stqm.org.tr/eng/veritabani.php>

Annex 5 CSO networks in Turkey

Examples of prominent CSO networks formed in the last three or four years include:

- Turkish Penal Code Women Coalition;
- EWL Turkey Coalition, comprising 93 women organisations;
- Women’s Coalition for Political Participation, initiated by KADER in 2003 and now number over 40 organisations;
- CEDAW Coalition;
- Coalition for Shelters;
- Human Rights Joint Platform (IHOP), established in 2005 by four leading human rights organisations in Turkey;
- International Children’s Centre (ICC) Turkey Coalition on Children’s Rights;
- Ankara Children’s Rights Platform;
- Coordination and Collaboration Network for the rights of Asylum Seekers and Refugees: 6 CSOs working in the field of the rights of asylum seekers and refugees established the network with the support of IHOP;
- LGBTT Rights Platform established in 2006 with the technical support of the CSDC. The platform produced monitoring reports on violations of LGBTT rights in 2008;
- Ankara Children Rights Platform: Established in 2006 by 9 organisations acting in the field of child rights in Ankara;
- Autism Platform of Turkey establishment with facilitation from CSCD
- Migration Platform also established with support from CSCD. The Platform has published a strategy, has developed a project for the social rights of IDPs which has attracted finance from the EU under the EIHDR Turkey programme;
- Justice for Children Initiative, initiated by 50 organisations with the support of IHOP to deal with a specific theme in the field of juvenile justice system. This is a rare example of active advocacy to create awareness and understanding of specific human rights – in this case, concerning the situation of Kurdish children who are involved in social demonstrations and are treated as “terrorists” by the judiciary. The final result was the Government’s proposal for amendment in the Anti-Terror Law to improve the situation of children. The draft Law is in the Parliamentary Commission on Justice.

Annex 6 List of organisations consulted

Regional Information-Gathering Meetings

1. Diyarbakır, 2 October 2009

Survival of Hasankeyf's Initiative
New Spring Social Services Association
SARMAŞIK – Fight Against Poverty
SELIS Women Association
CEREN Woman Association
Cilo Nature Association
Euphrates and Tigris Culture and Art Association
Diyarbakır Art Center Association
Hakkari Economic Development Association
Human Rights Association Elazığ Branch
Development Center Association
Kurdish Language Research and Development Association
Kurdish Writers Association
Mezopotamya Solidarity Association
Savur Education and Culture Association
Silopi Disabled People Association
Siverek Development Association
Siverek Women Solidarity and Culture Association
Social Research Association
Van Hearing Impaired People Association
Children under Same Roof

2. Adana, 9 October 2009

East Mediterranean Civil Society Platform
Turkish POW Association Adana Branch
Association for Solidarity of Disabled People Employed in Public Sector
Balkan Turks Solidarity Association
Association for Solidarity with Elder People
Street Children Association
Six Point Visually Disabled People Association
Çukurova University Synergy Group (Student group)
Mediterranean Migration Association
Adana, Culture, Education, Art and Research Foundation
Happy Family Strong Society Association
Adana Youth Union Association

Environmental Protection and Development Association
Solidarity with Woman Candidates Association (KADER) Adana Branch
Human Rights Association Adana Branch
Mersin European Union Association
One Step Forward Association

Ankara, 15 October 2009

Advisors of Parliamentarians Association
Turkish Re-freedom for Children Foundation (Rights of children in prisons)
Human Rights of Disabled People Association
Association of Solidarity with Asylum Seekers and Refugees
KAOS GL -Association for Gay and Lesbians
ÖZGE-DER (Children rights association)
Migrants Association
Turkish Third Sector Foundation
Mersin Association of Roma People
Association to Fight Against HIV
Femin-Art Trabzon (Trabzon Feminist women initiative)
Capitol Women Platform
Women Artists Association
Denizli Sivil Society Platform
Turkish Disabled People Confederation

Eskişehir, 17 October 2009

Eskişehir North Caucasus Culture and Solidarity Association
Seyyit Battal Gazi Foundation
Turkish University Graduate Women Association
Eskişehir Local Civil Initiative
Civil Society Development Center Association
Wheat Seed Association
Eskişehir Scouts for Environment and Health
Union of Consumers
Solidarity with Woman Candidates Association (KADER)
Eskişehir Cooks Association
Federation of Eskişehir Migrants Associations
Association of Hearing Disabled People
Eskişehir City Council
Ensar Foundation
Association of Disabled People

Eskişehir Woman Entrepreneurs Association

Individual Meetings

Istanbul

Life Plus Foundation

Sabancı Foundation

TUSEV (Turkish Third Sector Foundation)

Amnesty International Turkey

Greenpeace Mediterranean Branch

Turkish Economic and Social Studies Foundation

Bilgi University

Is There Anybody Foundation

Turkish Volunteer Organizations Foundation

Ankara

Ministry of Interior Associations Directorate

General Secretary of European Union

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