



Republic of Turkey

Animal Protection Index 2014 ranking: E

Animal Protection Index Indicators

Goal 1: Recognition of animal sentience and the importance of animal protection as a societal value

1. Animal sentience is formally recognised in legislation and/or policy

Ranking: C

Part 1: Verification
<p>There is legislation with partial application</p> <p>The Animal Protection Law (Law 5199, 2004) governs animal protection in Turkey. Although the term animal is not defined in the Law, the definition of wild animal includes all vertebrates and invertebrates, thus suggesting that all such species are included in the scope of the Law. The Law also makes reference to both domestic and wild animals so it also appears that no category of animals has been excluded.</p> <p>Although this law does not contain a formal recognition of animal sentience, elements of sentience are recognised. Provisions including Article 1 contain a prohibition on causing suffering, and Article 14 prohibits causing psychological pain. This therefore recognises that some elements of sentience exist in relation to at least some species of animals.</p> <p>It is recommended that this is extended to a formal recognition of sentience, to include positive as well as negative physical and mental states, and to apply at least to all vertebrates.</p>
Part 2: Assessment
<p>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p> <p>The Animal Protection Law recognises animal welfare as an individual issue and demonstrates some understanding of animal sentience. Wider government stakeholders are brought into this recognition,</p>

<p>for example through the formation of animal welfare committees under Article 15. As such an understanding of animal sentience should be introduced into wider governmental strategies. However at present the legislation lacks a full recognition of animal sentience and as such, it is not fully effective to make animal welfare a mainstream concern of society in Turkey.</p>
<p>Are there economic and societal barriers to improving this aspect of animal welfare?</p>
<p>It appears from the content of current legislation that improving animal welfare in Turkey through extending the recognition of animal sentience in that legislation should be possible. However it appears that in practice there is a lack of commitment from the government to pushing animal welfare forward. For example, the Animal Protection Law legislates for regulations to be made to implement and expand on the provisions of that Law, but there appears to be no publicly available evidence that any such regulations have been made.</p>
<p>Are enforcement mechanisms in place in policy and legislation?</p>
<p>There are enforcement mechanisms for contravention of those provisions of the Animal Protection Law that recognise some elements of sentience, including the prohibition on neglecting the care of animals or causing them physical and psychological pain under Article 14 (Article 28(k)). These are limited to administrative fines and are not included in the criminal offences with enforcement mechanisms in the Penal Code.</p>

2. The government has pledged in principle support for the Universal Declaration on Animal Welfare

Ranking: G

<p>Part 1: Verification</p>
<p>There is no government support</p>
<p>The government has not pledged in principle support for the Universal Declaration on Animal Welfare.</p> <p><u>Note:</u> The Universal Declaration on Animal Welfare is a proposed formal international acknowledgment of a set of principles giving animal welfare due recognition among governments and the international community. An expression of support for the UDAW demonstrates a government’s commitment to working with the international community to improve animal welfare.</p>
<p>Part 2: Assessment</p>
<p>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p>
<p>There is no support for the UDAW. Support for the UDAW would be a first step into integrating animal protection considerations into different discussion tables, becoming a soft law source for decision makers interested in improving animal protection in the country. The government is encouraged to pledge in principle support.</p>
<p>Are there economic and societal barriers to improving this aspect of animal welfare?</p>
<p>Although the existence and content of current legislation on animal protection suggests that support</p>

for the UDAW could be possible, the low level of implementation and enforcement of that legislation demonstrates that there are barriers to improvement here.

Are enforcement mechanisms in place in policy and legislation?

There is no policy or legislation relevant to this indicator.

3. There are animal protection laws that prohibit causing animal suffering either by a deliberate act of cruelty or by a failure to act

Ranking: B

Part 1: Verification

There is legislation

Article 14(a) of the Animal Protection Law prohibits conduct including intentionally mistreating animals, carrying out cruel and unfair action, neglecting their care and causing them physical and psychological pain. The concept of suffering is established by this reference to “physical and psychological pain”. It appears (from the reference to vertebrates and invertebrates in the definition of “wild animal”) that both vertebrates and invertebrates are protected by this provision, to the extent that any such animal could be said to be capable of suffering physical or psychological pain. There is no distinction made here between domestic/captive and wild animals, so all categories of animal appear to be covered here.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The provisions in legislation are positive and should go some way towards making animal welfare a mainstream concern in the country. However, the government does not appear to have passed secondary implementing regulations as envisaged by the Animal Protection Law, and media and NGO reports persist about serious welfare concerns associated in particular with stray dogs, such as dogs being poisoned and dogs being neutered by unqualified personnel and then returned to locations different from where they were caught.¹

Are there economic and societal barriers to improving this aspect of animal welfare?

Despite the provisions set out in legislation, it appears that allocation of resource to this issue is not currently a priority for the government. The government is invited to clarify its measures with respect to humane population control of dogs.

Are enforcement mechanisms in place in policy and legislation?

Article 24 of the Animal Protection Law provides that anyone who acts in breach of the provisions of the Law and in this manner seriously neglects the animals in their care or causes them pain, suffering or damage will be banned from keeping animals.

¹ <http://www.dw.de/istanbuls-forgotten-dogs-struggle-for-survival/a-16997550>; <http://kangal.ca/dogs-in-turkey/turkish-animal-welfare-bill-is-it-working/>

Article 28(k) of the Law provides that anyone breaching the anti-cruelty prohibitions in Article 14(a) is subject to pay an administrative fine of two hundred and fifty million Lira (since devaluation in 2005, two hundred and fifty Lira), and to have the animal confiscated.

4. a. There are laws that apply to animals used in farming including rearing, transport and slaughter

Ranking: D

Part 1: Verification
<p style="color: #E67E22;">There is legislation with partial application</p> <p>The general anti-cruelty provision in Article 14(a) of the Animal Protection Law applies to this category of animals.</p> <p>Article 10 of the Animal Protection Law provides that the care, feeding and transport of farm animals and arrangements aimed at ensuring their welfare and security during slaughter will be determined by a regulation to be issued by the Ministry of Agriculture and Rural Affairs. However, at present there appears to be no publicly available evidence of such regulation having been made.</p> <p>Article 12 of the Law provides that the slaughter of animals will be carried out, taking into account religious requirements, without frightening or startling the animal, in the least painful manner possible and as quickly as possible. Religious slaughter rules will be determined by the Ministry in charge of the Directorate of Religious Affairs.</p> <p>Article 9 of the Law on Veterinary Services, Plant Health, Food and Feed (Law 5996 of 2010) provides that the owners or keepers of animals are responsible for satisfying the sheltering, care, feeding, health and other needs of animals, to ensure animal welfare. The rules for animal welfare during sheltering, transport, pre-slaughter and slaughter are to be determined by the Ministry of the Environment and Forestry in an implementing regulation. It is not clear whether such regulation has been made.</p>

Part 2: Assessment
<p style="color: #E67E22;">Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p> <p>The livestock industry is extensive in Turkey and affects tens of millions of animals. Considering this scale, despite recognising the welfare of farm animals as an individual issue requiring attention in legislation, the lack of publicly available policy or secondary legislation re-enforcing the basic legislative provisions means that Turkish legislation is not currently effective to bring the issue to public attention in the country.</p> <p>There is concern from animal welfare groups over the protection of farm animals imported into Turkey from the European Union.² A consistent lack of regard shown for farm animals during the transportation process shows that there are significant barriers to improving animal welfare in the</p>

² For example: <http://www.ciwf.org.uk/our-campaigns/investigations/transport-investigations/investigation-live-animal-exports-from-the-european-union/>

country.

In relation to Turkey's application to join the European Union, the European Commission reported in 2013 that "implementation of animal welfare legislation remained limited", that no progress had been made on welfare at slaughter since the previous report, and that further structural and administrative efforts are required.³ The Food and Veterinary Office of the European Commission also reported in 2007 that there were problems related to animal welfare in poultry plants inspected.⁴

Are there economic and societal barriers to improving this aspect of animal welfare?

Secondary legislation is envisaged under both the Animal Protection Law (Article 10) and the Law on Veterinary Services, Plant Health, Food and Feed (Article 9) but does not appear to have been passed. In addition, despite the existence of a long-standing application for Turkey to join the European Union with requirements to align legislation and policy in various areas including farming, protection for farm animals has not yet met the requirements of the European Union. It therefore appears as though there is a lack of commitment to improving the welfare of farm animals through legislation and policy in Turkey, demonstrating that there are still significant barriers to improvement in this area.

Are enforcement mechanisms in place in policy and legislation?

Article 24 of the Animal Protection Law provides that anyone who acts in breach of the provisions of the Law and in this manner seriously neglects the animals in their care or causes them pain, suffering or damage will be banned from keeping animals, and Article 28(k) provides that anyone breaching the prohibitions in Article 14(a) and (e) is subject to pay an administrative fine of two hundred and fifty million Lira (since devaluation in 2005, two hundred and fifty Lira), and to have the animal confiscated.

If secondary regulations are made under Article 10 of the Animal Protection Law, breach of those regulations would be subject to an administrative fine under Article 28(g) of that Law. Similarly, if regulations are made under Article 9 of the Law on Veterinary Services, Plant Health, Food and Feed, breach of those regulations would be subject to an administrative fine under Article 36(g) of that Law. However at present no such regulations have been made.

4. b. There are laws that apply to animals in captivity

Ranking: D

Part 1: Verification

There is legislation with partial application

The general anti-cruelty provision in Article 14(a) of the Animal Protection Law applies to this category of animals.

Article 22 of the Animal Protection Law provides that "management and municipalities are obliged to arrange zoos in a manner suited to natural habitats, or ensure that they are so arranged. The

³ http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/tr_rapport_2013_en.pdf at 4.12

⁴ 2.8.4, DG Sanco 7356/2007 Final report on mission to Turkey

principles and procedures relating to the establishment and operation of zoos will be determined by a regulation issued by the Ministry having obtained the opinion of the Ministry of Agriculture and Rural Affairs". However, there appears to be no publicly available evidence that any such secondary legislation has been made.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The limited scope of existing legislation for this category of animals does not appear to be effective to make their welfare an issue of mainstream concern in the country. Concerns have been expressed about poor welfare of animals in captivity by tourists.⁵ However, it appears from some visitor reports posted on the Internet that conditions may be improving in some zoos for animals in Turkey.⁶

Are there economic and societal barriers to improving this aspect of animal welfare?

Secondary legislation is envisaged under the Animal Protection Law (Article 22) but does not appear to have been passed, leaving this category of animals with very little protection and no legislative measures on issues such as ability to perform natural behaviours. It therefore appears as though there is a lack of commitment or resources with respect to improving the welfare of captive animals through legislation and policy in Turkey, demonstrating that there are still significant barriers to improvement in this area.

Are enforcement mechanisms in place in policy and legislation?

Article 24 of the Animal Protection Law provides that anyone who acts in breach of the provisions of the Law and in this manner seriously neglects the animals in their care or causes them pain, suffering or damage will be banned from keeping animals, and Article 28(k) provides that anyone breaching the anti-cruelty prohibitions in Article 14(a) is subject to pay an administrative fine of two hundred and fifty million Lira (since devaluation in 2005, two hundred and fifty Lira), and to have the animal confiscated.

If secondary regulations are made under Article 22 of the Animal Protection Law, breach of those regulations would be subject to an administrative fine under Article 28(n) of that Law. However it appears that at present no such regulations have been made.

4. c. There are laws that apply to companion animals

Ranking: C

Part 1: Verification

There is legislation

The general anti-cruelty provision in Article 14(a) of the Animal Protection Law applies to this category of animals. In addition, Article 14(c) and (d) prohibits selling domestic pets to persons who

⁵ <http://www.turkeycentral.com/topic/15460-a-visit-to-a-turkish-zoo/>

⁶ <http://www.hurriyetdailynews.com/izmir-wildlife-park-makes-both-animals-and-visitors-happy.aspx?pageID=438&n=0824095152401-2009-08-24>

have not received training in animal care, or to those under 16 years old.

Companion animals are specifically referred to in the “principles” of the Law in Article 4, which states that “It is a principle that the owners of cats and dogs being fed and accommodated in communal areas are expected to have them sterilised in order to prevent uncontrolled reproduction. Furthermore, those who wish to breed from the said animals must register all young animals born and are responsible for their care and/or distribution”, although this appears to be a statement of intention rather than a legal requirement.

Article 5 requires that those who sell domestic animals and pets are obliged to take part in certified training programmes. Those who produce and trade in domestic pets are obliged to take precautions in relation to necessary anatomic, physiological and behavioural characteristics in order not to endanger the health of pet owners, the breeding mother or the young.

Article 6 approaches the issue of “ownerless animals”, thus including stray dogs and cats. It is prohibited to kill these animals except where permitted by the Animal Health Police Law. They are required to be taken to animal shelters established or permitted by the local authorities.

Articles 5 and 6 also provide that the conditions for owning and keeping domestic pets and procedures relating to training on animal welfare, and the procedures for catching and keeping ownerless animals in shelters, will be determined in regulations to be issued by the Ministry in coordination with the Ministry of Agriculture and Rural Affairs, but no such regulations appear to have been made.

Article 8 prohibits the surgical alteration of a domestic pet’s appearance for non-medical purposes. Article 11 prohibits animal fighting.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The welfare of companion animals is highlighted as an individual issue within the Animal Protection Law. As such the legislation makes steps towards introducing the topic into the mainstream agenda in Turkey. However, despite the positive content of much of the law, including some good provisions on stray population management which include a ‘Catch, Neuter, Release’ strategy, there remains a problem of stray/roaming dog and cat populations in the country. Media and NGO reports persist that suggest that the legal provisions have not been implemented and enforced, and that there are serious welfare concerns associated in particular with stray and roaming dogs, such as dogs being poisoned and dogs being neutered by unqualified personnel and then returned to locations different from where they were caught.⁷ In addition, the government has made recent attempts to replace these provisions with approaches that would have significant adverse impacts on the welfare of dogs and cats in the country, proposing that stray or roaming dogs and cats should be caught and placed permanently in shelters or enclosed “natural parks”⁸. The original amendments were subsequently withdrawn by the government after a series of public demonstrations⁹. Although this is a

⁷ <http://edition.cnn.com/2012/10/19/world/europe/turkey-animal-rights-fight/>; <http://kangal.ca/dogs-in-turkey/turkish-animal-welfare-bill-is-it-working/>

⁸ http://www.ifaw.org/united-states/news/amending-turkeys-animal-welfare-law-would-be-bad-news-street-dogs?fb_action_ids=3234589163933

⁹ <http://www.todayszaman.com/news-294114-report-govt-withdraws-controversial-amendment-to-animal-protection-law.html>

<p>positive sign that parts of society are concerned about the welfare of this category of animals, the government's actions suggest that there remains a lack of understanding on the issues surrounding the management and welfare of stray animal populations.</p>
<p>Are there economic and societal barriers to improving this aspect of animal welfare?</p>
<p>Secondary legislation is envisaged under the Animal Protection Law (Articles 5 and 6) but does not appear to have been passed. The government's recent proposals on stray population management for dogs and cats also demonstrate that there are barriers to improvement here. However the reaction of the public to these proposals suggests that, with government will do to so, improvement may be possible.</p>
<p>Are enforcement mechanisms in place in policy and legislation?</p>
<p>Article 24 of the Animal Protection Law provides that anyone who acts in breach of the provisions of the Law and in this manner seriously neglects the animals in their care or causes them pain, suffering or damage will be banned from keeping animals, and Article 28(k) provides that anyone breaching the prohibitions in Article 14(a), (c) or (d) is subject to pay an administrative fine of two hundred and fifty million Lira (since devaluation in 2005, two hundred and fifty Lira), and to have the animal confiscated.</p> <p>If secondary regulations are made under Article 5 of the Animal Protection Law, breach of those regulations would be subject to an administrative fine under Article 28(b) of that Law. However at present no such regulations have been made. No enforcement mechanism is envisaged in relation to regulations to be made under Article 6.</p>

4. d. There are laws that apply to animals used for draught or recreational purposes

Ranking: D

<p>Part 1: Verification</p>
<p>There is legislation with partial application</p>
<p>The general anti-cruelty provision in Article 14(a) of the Animal Protection Law applies to this category of animals. In addition, Article 14(b) prohibits forcing an animal to carry out actions that are clearly beyond its strength, and Article 14(i) prohibits working animals when they are ill, when two thirds of their pregnancy is completed or when they have recently given birth.</p> <p>Article 11 of the Animal Protection Law prohibits organising animal fighting. Traditional shows with folkloric value which do not involve violence may be organised by obtaining permission from the provincial animal welfare committee, with the approval of the Ministry. There is no further provision relating to animals used for recreational purposes, including in circus performances.</p>
<p>Part 2: Assessment</p>
<p>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</p>
<p>The limited scope of the current legislation does not sufficiently address the issues surrounding</p>

animals used in draught and for recreational purposes. There is no publicly available evidence of secondary legislation or policy to give further protection. Recent proposals to ban dolphin parks and animal circuses were unsuccessful. ¹⁰
Are there economic and societal barriers to improving this aspect of animal welfare?
This does not appear to be a priority for government work and spending; there are barriers to progress and improving the welfare of animals in draught and recreation in Turkey.
Are enforcement mechanisms in place in policy and legislation?
Article 24 of the Animal Protection Law provides that anyone who acts in breach of the provisions of the Law and in this manner seriously neglects the animals in their care or causes them pain, suffering or damage will be banned from keeping animals, and Article 28(k) provides that anyone breaching the prohibitions in Article 14(a), (b) or (i) is subject to pay an administrative fine of two hundred and fifty million Lira (since devaluation in 2005, two hundred and fifty Lira), and to have the animal confiscated. Article 28(h) provides that anyone who breaches the prohibition on animal fighting in Article 11 is subject to a more substantial fine of one billion two hundred and fifty million Lira (since devaluation, one thousand two hundred and fifty Lira) per animal.

4. e. There are laws that apply to animals used for scientific research

Ranking: C

Part 1: Verification
There is legislation
<p>The general anti-cruelty provision in Article 14(a) of the Animal Protection Law applies to this category of animals.</p> <p>Article 9 of the Animal Protection Law addresses the use of animals in scientific research, stating that it is a principle that animals can be used in medical and scientific experiments but not for non-scientific diagnosis, treatment or experiments. Animals can be used for testing in scientific studies where there is no other option. Organisations carrying out testing will be permitted to do so by ethical committees established or to be established by them, as determined by regulations issued by the Ministry of the Environment and Forestry. The secondary Regulation on Animal Testing Procedure and Operation of Ethics Committee (28914 of 2014) provides extensive guidance on topics including the training and education of those involved in animal testing and the animals isolated for use. The regulation establishes committees whose responsibility it is to oversee the welfare of animals used in experiments in cooperation with an animal welfare unit. The process by which the use of animals in experimentation is justified and monitored is outlined in Article 15 of the Regulation which contains reference to the principle of the Three Rs. Local committees are tasked with monitoring project submissions and process, including ensuring the principle of the Three Rs is observed. Article 90(b) of the Penal Code requires experiments on animals to occur by providing that a certain number of animals must be used in experimentation before any experimentation can occur using</p>

¹⁰ <http://www.hurriyetdailynews.com/ban-on-dolphin-parks-and-circuses-lifted-from-animal-protection-bill.aspx?pageID=238&nID=67725&NewsCatID=339>

human subjects.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
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By passing secondary legislation specifically focused on the use of animals in experimentation, including the Three Rs principle and addressing some welfare needs, the Turkish government has recognised this as an individual issue and has taken some steps to make the welfare of this category of animals a mainstream concern of society.

However Article 90 of the Penal Code entrenches the use of animals in experiments within primary legislation, without reference to the use of alternatives to animal experiments, and makes failure to do so a criminal offence. This contradicts the Three Rs principle.

Are there economic and societal barriers to improving this aspect of animal welfare?
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Provisions embedded in current legislation require experiments to be carried out on animals with criminal penalties for failure to comply. This acts as a significant barrier to progress and improving the welfare of animals used in scientific research.

Are enforcement mechanisms in place in policy and legislation?
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Article 24 of the Animal Protection Law provides that anyone who acts in breach of the provisions of the Law and in this manner seriously neglects the animals in their care or causes them pain, suffering or damage will be banned from keeping animals, and Article 28(k) provides that anyone breaching the prohibition in Article 14(a) is subject to pay an administrative fine of two hundred and fifty million Lira (since devaluation in 2005, two hundred and fifty Lira), and to have the animal confiscated.
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Article 28 (f) provides that anyone breaching the regulations made under Article 9 is subject to a substantial fine of two hundred and fifty million Lira (since devaluation in 2005, two hundred and fifty Lira), and anyone carrying out unauthorised testing is subject to a fine of one billion Lira (since devaluation, one thousand Lira).
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4. f. There are laws that apply to wild animals

Ranking: E

Part 1: Verification

There is legislation with partial application

The general anti-cruelty provision in Article 14(a) of the Animal Protection Law applies to this category of animals.

Wild animals are specifically referred to in the principles of the Law in Article 4, which states that "It is a principle that wild animals will not be removed from their natural habitats, and animals which are living freely in nature will not be captured and deprived of their freedom", although this appears to be a statement of intention rather than a legal requirement.

Article 10 provides that arrangements relating to the trade in wild animals will be determined in a regulation to be issued by the Ministry. It is not clear whether any such regulation has been made.

Article 16 gives provincial animal welfare committees the “exclusive aim of protecting animals.....keeping in mind the decisions of the Central Hunting Commission relating to the protection of hunting and wild animals”, thus bringing wild animals into their remit, although it is not clear whether these committees have been set up.
 The Land Hunting Law (4915 of 2003) aims to provide for sustainable hunting and wildlife management and protection. Article 6 prohibits the use of poisons and traps for hunting.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The Animal Protection Law, although apparently relevant to wild animals, does not contain detailed provisions for this category of animals.
 Although the Land Hunting Law does prohibit some forms of hunting that result in poor welfare, it also makes provisions for hunting by tourists using methods including bow and arrow (Article 16) and thus legitimises some practices that may result in poor animal welfare. There is evidence of many tour companies operating within Turkey specifically for foreign tourists to hunt wild animals.
 The government also encourages fur farming as a solution to the demand for hunting animals with poison or traps (so as not to damage their pelts) for fur¹¹, and acknowledges that angora rabbits may be “shorn” by having their hair pulled out by hand, despite this being “banned in some countries for animal welfare”¹².

Are there economic and societal barriers to improving this aspect of animal welfare?

Current acceptance of hunting and encouragement of hunting as a revenue-earning tourist activity presents a barrier to improvement. Government encouragement of the farming of animals for fur and acceptance of cruel practices with respect to the angora industry also present barriers to improvement. The government is encouraged to address these welfare issues.

Are enforcement mechanisms in place in policy and legislation?

Article 28(k) of the Animal Protection Law provides that anyone breaching the prohibition in Article 14(a) is subject to pay an administrative fine of two hundred and fifty million Lira (since devaluation in 2005, two hundred and fifty Lira), and to have the animal confiscated.
 There is no evidence of relevant enforcement mechanisms under the Land Hunting Law.

Goal 2: Presence of effective governance structures and systems

5. The government has assigned responsibility and accountability for improving animal protection at a high government level and has provided resources

¹¹ <http://www.tarim.gov.tr/Konular/Animal-Husbandry/Fur-Farming>

¹² <http://www.tarim.gov.tr/Konular/Animal-Husbandry/Information-For-Breeders>

Ranking: F

Part 1: Verification
There is legislation with partial application
<p>The Ministry of the Environment and Forestry is given powers in various parts of the Animal Protection Law to produce the secondary legislation needed to support the provisions within that law. Where appropriate, other governmental ministries (such as the Ministry of Agriculture and Rural Affairs) are required to be consulted in this process. However the Ministry of the Environment and Forestry no longer appears to exist; it seems to have been replaced by the Ministry of Forestry and Water Affairs¹³, whose remit does not include animal protection. Neither do the stated responsibilities of the Ministry of Food, Agriculture and Livestock¹⁴ include animal welfare.</p> <p>Article 15 of the Animal Protection Law sets out the structure and attendance of provincial animal welfare committees, which are to have the “exclusive aim of protecting animals”. Additional responsibilities include overseeing local animal welfare volunteers, providing education and outreach programmes and supporting animal shelters. Article 16(a) requires these committees to fulfil the duties in the law “as the legal representative of animals for their protection and during their use”. Article 16(b) and (c) require the committees to devise annual, five year and ten year plans and projects and to report on the implementation of these plans to the Ministry of the Environment and Forestry. However no such plans and progress reports could be found in the research of this report, and the named ministry appears to no longer exist.</p>
Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
<p>Although the Animal Protection Law clearly gives responsibility to the Ministry of the Environment and Forestry for the production of relevant secondary regulations, in consultation with other relevant government departments where relevant, there is no evidence that any such regulations or guidance materials have been made, or that this responsibility now rests with a current government ministry.</p>
Are there economic and societal barriers to improving this aspect of animal welfare?
<p>It is assumed that the government has both human and financial resources available to improve the welfare of animals in the country, in particular through the production of secondary regulations covering areas of particular concern as highlighted in the current legislation. However, it appears that no such production of secondary regulations has taken place since the Animal Protection Law was made in 2004. This suggests that there are significant barriers to improvement and that this is not a priority for government work and spending.</p>
Are enforcement mechanisms in place in policy and legislation?
<p>Although the Ministry of the Environment and Forestry has powers to make secondary regulations, the Animal Protection Act does not require that this is done or give a timescale for this to be done. Therefore there appear to be no enforcement mechanisms relevant to this indicator.</p>

¹³ <http://www.cem.gov.tr/erozyon/MainPage/About/History.aspx?sflang=en>

¹⁴ <http://www.tarim.gov.tr/Sayfalar/EN/Anasayfa.aspx>

Goal 3: Implementation of animal protection standards

6. The government is actively engaged with the OIE to improve animal welfare internationally, regionally and nationally

Ranking: F

Part 1: Verification
<i>Policy is being discussed or developed</i>
The government's engagement with the OIE is limited to reporting on animal disease and disease simulation exercises. Although the Ministry of Agriculture and Rural Affairs does give links on its website to reports released by the OIE, there is no publicly available evidence of an established relationship or engagement with the OIE on issues relating to animal welfare.

Part 2: Assessment
<i>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</i>
There is no publicly available evidence of a strategy or recommendations for long term engagement with the OIE on animal welfare. It is recommended that the government explore this relationship further.
<i>Are there economic and societal barriers to improving this aspect of animal welfare?</i>
It is assumed that there are no significant human or financial resource related barriers for Turkey to improve animal welfare in the country through furthering engagement with the OIE. In addition the government's reports to the OIE on animal disease control shows that the government recognises the role which the OIE can play in animal health and this could be a good starting point for engagement on animal welfare.
<i>Are enforcement mechanisms in place in policy and legislation?</i>
There is no legislation or policy relevant to this indicator.

7. The government has incorporated the OIE's guiding principles for animal welfare and its animal welfare standards into policy and legislation

Ranking: D

Part 1: Verification

There is legislation with partial application

A number of the provisions in the Animal Protection Law, and in particular in the Law on Veterinary Services, Plant Health, Food and Feed, fall in line with the OIE's guiding principles and standards on animal welfare.

Section two of the Law on Veterinary Services, Plant Health, Food and Feed covers animal health, welfare and zootechnics. This law focusses on animals used in the food chain in Turkey but Article 2 states that provisions can also be applied to pet animals and animals used in experiments. Article 9 addresses animal welfare and focusses on production systems, transport and slaughter of farm animals in line with parts of the OIE Terrestrial Animal Health Code. However its content is brief and it is envisaged in the law that it will be expanded upon by an implementing regulation, which does not appear to have been made.

There are significant gaps in Turkish legislation in comparison with the OIE's guiding principles and standards on animal welfare. For example, legislation referring to aquatic animals and the control of stray dog populations is largely absent and the detailed secondary legislation necessary to implement the current legislation has also not been found.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Many of the aspects of the OIE's guiding principles and standards on animal welfare are recognised through specific provisions in the current legislation. However detailed secondary legislation is necessary to give effect to these and this secondary legislation does not appear to have been made since the Animal Protection Law was enacted in 2004.

Are there economic and societal barriers to improving this aspect of animal welfare?

It is assumed that there are no significant human or financial barriers for the government to improve animal welfare through linking animal protection legislation with the OIE's guiding principles and standards. However the lack of secondary legislation production since 2004, despite this being envisaged by various parts of the Animal Protection Law, shows that this is not a government priority.

Are enforcement mechanisms in place in policy and legislation?

Those provisions of the Animal Protection Law which mirror parts of the OIE's guiding principles and standards have enforcement mechanisms in the form of administrative fines.

8. The government publishes reports on progress towards goals set to monitor and improve standards of animal welfare

Ranking: E

Part 1: Verification

There is legislation with partial application

Article 16(b) and (c) of the Animal Protection Law require the provincial animal welfare committees to devise annual, five year and ten year plans and projects and to report on the implementation of

these plans to the Ministry of the Environment and Forestry. It is not clear whether these are required to be made available to the public.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Although the Animal Protection Law does make provision for plans and progress reports to be produced by provincial animal welfare committees, no such documents appear to have been made publicly available. In addition it is not clear whether any of these committees have been established; the secondary implementing regulations governing the establishment of the committees do not appear to have been enacted.

Are there economic and societal barriers to improving this aspect of animal welfare?

It is assumed that the government has the human and financial resources available to improve animal welfare through publishing reports on progress towards goals and targets. However, as no evidence has been found of any reports or the necessary secondary legislation being produced since the law was made in 2004, it appears that this is not a government priority and there are barriers to improvement here.

Are enforcement mechanisms in place in policy and legislation?

Although the requirement for plans and progress reports is set out in legislation, this is the responsibility of committees which are envisaged to be set up under secondary regulations, which do not appear to have been made. There are therefore no enforcement mechanisms relevant to this indicator.

Goal 4: Provision of humane education

9. Animal care and protection are included in the national education system

Ranking: D

Part 1: Verification

There is legislation with partial application

Educational activities are specifically referred to in the principles of the Animal Protection Law in Article 4, which states that "It is a principle that local authorities, in cooperation with voluntary organisations, must ... carry out educational programmes", although this appears to be a statement of intention rather than a legal requirement.

Article 16(g) states that provincial animal welfare committees are required to organise educational activities relating to the care, protection and sustenance of animals. However it is not clear whether any of these committees have been established; the secondary implementing regulations governing

the formation of the committees do not appear to have been enacted.
 Article 20 requires that the Turkish Radio and Television Board, and private television channels, should reserve at least two hours per month and private radio stations should reserve at least half an hour per month for educational broadcasts to promote the protection and welfare of animals.
 There is no evidence of legislation requiring humane education in the school curriculum.

Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The use of provincial committees to deliver educational activities is positive, but there is no evidence that any such committees have been established. The secondary regulations envisaged by the Animal Welfare Law for the implementation of these committees do not appear to have been enacted.

The use of mainstream media to promote the protection of animals to the population of Turkey using both radio and television on a regular basis is also positive.

However, there is no evidence in Turkish legislation that educational programmes related to animal welfare are introduced into the school level national curriculum.

Are there economic and societal barriers to improving this aspect of animal welfare?

It appears that there are no substantial resource barriers to improving animal welfare in Turkey through introducing animal welfare to the national curriculum, or similar. However the lack of implementation of the existing provisions of the law, such as the use of provincial committees to deliver educational activities, suggests that this is not a priority for the government.

Are enforcement mechanisms in place in policy and legislation?

Although the requirement for educational activities is set out in legislation, this is the responsibility of committees which are envisaged to be established under secondary regulations, which do not appear to have been made. There are therefore no enforcement mechanisms here.

Article 20 of the Animal Protection Law, which requires that educational messages relating to animal protection are broadcast on both radio and television in Turkey, provides that the Ministry of Education and the Radio and Television High Board are responsible for monitoring this.

Goal 5: Communication and awareness

10. The government works with others to improve animal protection by consulting and engaging relevant stakeholders, including NGOs

Ranking: E

Part 1: Verification

There is legislation with partial application

Throughout the Animal Protection Law a wide variety of stakeholders are referred to, predominantly through provisions referring to the secondary legislation necessary to underpin the law. The law also assigns responsibilities to the provincial animal welfare committees, which are to include representation from voluntary organisations and veterinarians. Article 18 of the Animal Protection Law also provides that the title of “local animal welfare officer” will be given to volunteers who undertake responsibility for the survival of ownerless animals, in particular cats and dogs. These are to be selected by the provincial animal welfare committees. It does not appear that any financial support is envisaged for these volunteers. It is also unclear whether any of these committees have been established; the secondary implementing regulations governing the setup of the committees do not appear to have been enacted.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The provisions in the Animal Protection Law that aim to include relevant stakeholders in the provincial animal welfare committees are positive and should help to improve animal welfare in the country. However the supporting secondary regulations necessary to give effect to this do not appear to have been made and there is limited evidence of current interaction with stakeholders.
Are there economic and societal barriers to improving this aspect of animal welfare?
It is assumed that there are no significant resource related barriers, human or financial, preventing the government from improving animal welfare through consultation of relevant stakeholders. This is recognised in legislation as an important issue, but there is no publicly available evidence that the secondary legislation necessary to provide the working principles of consultation with the provincial animal welfare committees has been passed, since the law was enacted in 2004. It therefore appears that there are barriers to improvement as this is not a government priority.
Are enforcement mechanisms in place in policy and legislation?
Although the requirement for consultation is set out in legislation, this falls under the operation of committees which are envisaged to be established under secondary regulations, which do not appear to have been made. There are therefore no enforcement mechanisms relevant to this indicator.

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Republic of Turkey: Socioeconomic information

Politics

Where not otherwise noted, information for this section has been sourced from the Economist Intelligence Unit's (EIU) country profiles.

Government type

Parliamentary republic

Capital

Ankara

International law organisation^{15 16}

Non-party state to the ICC and has not submitted an ICJ jurisdiction declaration

Suffrage¹⁷

18

Legal system

Civil law¹⁸

Executive branch

Head of state: President Abdullah Gul

Prime minister: Recep Tayyip Erdogan

Judicial branch

Turkey has a number of Supreme Courts, including the Constitutional Court and the Court of Cassation/Supreme Court¹⁹. The Court of Cassation has "final decisions on conflicts concerning private and criminal law"²⁰, while the Constitutional Court examines "the constitutionality, in respect of both form and substance, of laws, decrees having the force of law"²¹. The Constitutional Court has 17 members, who are selected by the Grand National Assembly of Turkey and the President of the Republic, and the Court of Cassation has 23 civil chambers and 15 criminal law chambers, each chamber with a president and 9 members²².

Legislative branch

Turkey has a unicameral parliament (Meclis) consisting of 550 members elected every four years.

Political parties

Justice and Development Party (AKP), Republican People's Party (CHP), Nationalist Action Party (MHP)

¹⁵

http://treaties.un.org/Pages/ViewDetails.aspx?src=TR&EATY&mtdsg_no=XVIII-10&chapter=18&lang=en#11

¹⁶ [http://www.icj-](http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3)

[cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3](http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3)

¹⁷ [http://aceproject.org/epic-](http://aceproject.org/epic-en/CDTable?question=VR001#g)
[en/CDTable?question=VR001#g](http://aceproject.org/epic-en/CDTable?question=VR001#g)

¹⁸ [http://www.juriglobe.ca/eng/sysjuri/class-](http://www.juriglobe.ca/eng/sysjuri/class-poli/droit-civil.php)
[poli/droit-civil.php](http://www.juriglobe.ca/eng/sysjuri/class-poli/droit-civil.php)

¹⁹

http://www.nyulawglobal.org/globalex/Turkey1.htm#_The_Judiciary

²⁰

http://www.nyulawglobal.org/globalex/Turkey1.htm#_The_Judiciary

²¹

http://www.nyulawglobal.org/globalex/Turkey1.htm#_The_Judiciary

²² <http://www.justice.gov.tr/judicialsystem.pdf>, pp.34 & 35

Economics

Where not otherwise noted, information for this section has been sourced from the World Bank.

The BMI forecasts real GDP growth of 2.6% in 2014²³. The second half of 2013 saw a relaxation of credit, stimulating private consumption. Exports are expected to benefit from the recovery in Europe, especially high value-added products, such as "cars, durable consumer goods"²⁴. The same is expected for the tourism industry, as 60% of tourists are European²⁵. A negative aspect of the economy remains Turkey's current account deficit, the second highest in the world; a "source of vulnerability for the Turkish economy"²⁶. In the longer term, the EIU forecasts real GDP growth to average out at 3.8% for the period 2013-30²⁷.

Main trading partners (2012)²⁸

Import

Russia - 11.3%
Germany - 9.0%
China - 9.0%

Export

Germany - 8.6%
Iraq - 7.1%
Iran - 6.5%

²³ <http://www.businessmonitor.com/turkey##>

²⁴ <http://coface.com/Economic-Studies-and-Country-Risks/Turkey>

²⁵ <http://coface.com/Economic-Studies-and-Country-Risks/Turkey>

²⁶ <http://coface.com/Economic-Studies-and-Country-Risks/Turkey>

²⁷ <http://country.eiu.com/article.aspx?articleid=390960823&Country=Turkey&topic=Economy&subtopic=Long-term+outlook&subsubtopic=Summary>

²⁸ <http://country.eiu.com/article.aspx?articleid=761513660&Country=Turkey&topic=Summary&subtopic=Fact+sheet>

Commodities (2012)²⁹

Imports

Fuel - 14.3%
Chemicals - 12.5%
Machinery - 10.5%

Exports

Textiles & clothing - 17.2%
Transport equipment - 10.6%
Agro-industry - 9.0%

GDP (current USD, 2012)

\$789,257,487,572

GDP per capita, PPP (2012)

\$18,348

Labour force, total (2012)

26,634,365

Currency

Lira

Equivalence to 1 USD

1.9757

Central government debt, total, (% of GDP, 2011)

45.9

Manufacturing, value added (% of GDP, 2012)

20

Agriculture, value added (% of GDP, 2012)

9

Industry, value added (% of GDP, 2012)

29

²⁹ <http://country.eiu.com/article.aspx?articleid=761513660&Country=Turkey&topic=Summary&subtopic=Fact+sheet>

Exports (% of GDP) (2012)
26

Imports (% of GDP) (2012)
32

Services, etc., value added (% of GDP)
(2012)
62

Unemployment rate, (% 2011)
9.8

Education expenditure (% of GDP, 2012)
NA

Adjusted savings: Education expenditure
USD (2011)
20,284,141,449

Population: ages 0-14 (% of total) (2012)
26

Population: ages 15-64 (% of total) (2012)
67

Population: ages 65 and over (% of total)
(2012)
7

Population living in rural areas (% of total)
(2012)
28

Population living in urban areas (% of total)
(2012)
72

Society

Where not otherwise noted, information for this section has been sourced from the World Bank.

Total population (2012)
73,997,128

Religion³⁰
Muslim (98.0%), Unaffiliated (1.2%), Christian (0.4%), Other religions (0.2%)

Languages
Turkish³¹

Population growth, annual % (2012)
1.3

³⁰ <http://features.pewforum.org/grl/population-percentage.php>

³¹ <http://country.eiu.com/article.aspx?articleid=811045265&Country=Turkey&topic=Summary&subtopic=BASIC+data>

