



Triple A for Citizens; Access to Information, Advice and Active Help Project National Report of Turkey

DRAFT

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Project Leader:



EU Partners:



West Balkans and Turkey:



Table of Contents

- 1. Executive Summary 2
- 2. Pre face– Introduction to the Project..... 3
- 3. Historical Context of Citizens Information Services 4
- 4. Legal Framework Review..... 6
 - Constitution..... 6
 - The Law on Attorneys..... 7
 - Regulations on Juridical Aid Supplied by Bar Associations 7
 - Right to Information 7
 - Ombudsman 8
 - Human Rights Institution of Turkey 9
 - E-Government 9
- 5. Availability of Citizens Information & Assistance Services 9
 - Citizens Information & Assistance Services Offered by Rights Based CSOs..... 10
- 6. Identified Gaps in Availability of Citizens Information & Assistance Services 13
- 7. Conclusion and Recommendations 13

1. Executive Summary

This report was prepared by the Civil Society Development Centre (STGM) in Turkey based on research on citizens' information and assistance services in Turkey undertaken under the Triple A project. The main goal of this report is to present an overview of existing information and assistance services in Turkey and make recommendations on how such services might be strengthened. As part of the research, STGM sent a questionnaire to over 4,000 organisations based in Turkey. The research contained in this report includes analysis of responses received from 30 organisations.

Civil Society Organizations (CSOs) provide legal aid and advice services in Turkey. In particular, rights-based organisations engage in public advocacy for establishing rights-based laws on critical issues, carry out activities to raise citizens' awareness on the importance of a rights-based approach in judicial procedures, and generally inform citizens of their rights.

Results of the questionnaire and the desktop research shows that in addition to the provision of information on rights and legal proceedings, some organisations also offer consultancy services and active legal help in line with their expertise and strategy. Voluntary participation, contributions of lawyers to these services are quite limited due to legal restrictions.

Along with the CSOs legal aid services Bar Associations are the most active non-governmental organisations in providing advice and active help for citizens. Bar Associations only provide juridical aid and their services are regulated by law.

This report provides a short historical overview of the existence of citizen's information services, an overview of the applicable legal framework, and the current availability of existing information and assistance services. Finally, recommendations are made for the improvement both for users and providers of these services.

An integrated field that has the capacity to inform the citizens on their rights and responsibilities, to provide consultancy and to actively help is not institutionalized in Turkey. In writing this report we should credit the report prepared by Hak Temelli Politikalar için Humanist Grup Derneği (Humanist Group Association for Rights Based Policies). This report is based on the field research undertaken by the association and maps the situation of the citizens' information and legal aid services in Turkey in 2013. As indicated within the report Turkey is lacking the existence of a comprehensive system which informs and helps citizens' on topics such as consumer's rights, tax system, municipal services, accommodation, social benefits, wages, social security and retirement. Therefore as being the least established areas of legal aid and services targeting specialist and/or marginalised groups contributes a considerable part of the report. The appreciations and recommendations of the report can be considered as an introduction for a wider debate on the issue.

2. Pre face– Introduction to the Project

The project Triple A for citizens - access to information, advice and active help - is a project implemented in the framework of the European Commission's Partnership programme for Civil Society organisations¹. The implementing partners are as follows: the lead organisation European Citizen Action Service (ECAS), Belgium; National Foundation for Civil Society Development (NFCSD), Croatia; Association for Democratic Initiatives (ADI), Bosnia and Herzegovina; Civil Rights Program (CRP/K), Kosovo; Lawyers' Committee for Human Rights (YUCOM), Serbia; Association of Civil Society Development Centre (STGM), Turkey; Law Centres Network (LCN), UK; National Association of Citizens Advice Bureaux (NACAB), Romania; National Association of Citizens Information Services (NACIS), Ireland.

The Triple A project aims to encourage non-governmental organisations to provide information, advice and active help to citizens on their rights in the Western Balkans and Turkey. It also seeks to promote the role of civil society in giving citizens a voice and holding governments to account. By aggregating the complaints and evidence they receive, citizens' information and legal advice services should be able to influence government policy on key reforms and their implementation. The immediate objective is to spread the citizens' advice concept to Western Balkans and Turkey.

Triple A for citizens - access to information, advice and active help - is the organising framework and strategy for the partnership:

Access to information: Everyone has an equal right to "come to our door", irrespective of income, status, language or belief and be treated with dignity and respect. People should be able to find and access information about their rights in the most convenient way possible. Equal access requires reaching out to those most in need as a result of having a modest income or being in vulnerable situations because of a disability, social exclusion, or other reason.

Advice: Citizens must find a free, personal, independent, confidential and impartial service they can trust. This can take the form of self-help manuals or interactive tools to resolve an issue through preventative action. In certain circumstances, however it is necessary to go into individual circumstances to find a solution face-to-face. In all cases, citizens should receive the same high level of service and care.

Active help: Citizens should not be left in situations of impasse, or having to start the whole process over again each time they seek assistance. In a small number of cases it is necessary to go further often in cooperation with more specialised services (i.e. in debt, housing or social entitlements), pro-bono legal support or assistance towards preparing an administrative or judicial appeal. There is consensus that the *one-stop shop* is the right approach since many citizens have a range of interrelated questions, i.e. about housing, social benefits, their wages or pension and expect to find at least a first answer without being sent from one service to the next. This is also the approach favoured by funders, particularly at a time of cuts in public expenditure. The trend is to encourage more advice services to come together and also for smaller ones to merge into larger units with wide geographical scope in order to achieve economies of scale.

¹ Regional and Horizontal Programmes Ref. EuropeAid/132438/C/ACT/Multi.

Providing assistance to citizens is an important service in its own right, but it should not be seen as an end in itself. Preventative or problem-solving action can help solve individual problems, but there is a general interest in using this experience to seek solutions for those who do not approach the service. The experience of Triple A can be analysed and turned into evidence that can serve as the basis for advocating for changes in law and policy.

In the framework of the project two key preparatory activities are envisaged:

- Mapping of the existing citizens assistance and free legal advice organisations in the region through the use of surveys and face to face interviews;
- Feasibility study which should propose models for effective provision of services in the Western Balkans and Turkey.

These activities will be followed by an open call for proposal to civil society organisations to submit projects for sub-granting. The selected pilot projects (two per country making ten in total) should help embed the Triple A concept in the Western Balkans and Turkey and create the forefront of sustainable citizen oriented services. The projects will benefit from a series of capacity building activities constituting in three study visits to assistance and advice services in the United Kingdom, Romania and Ireland and a mentoring scheme which will bring experts from the EU to the region to help set up and run the services on the ground.

The second stage of the projects will depend on the results and impact of the ten pilot projects. The extension of the sub-granting to Macedonia and Montenegro, which are currently not covered by the project, would be the most logical development. Creation of a regional network of citizens' advice and active helps services would also constitute a useful and necessary step should the Triple A concept prove its worth and generate tangible results in the five countries.

3. Historical Context of Citizens Information Services

An integrated field that has capacity to inform the individuals and citizens on their rights and responsibilities, to give consultancy and to active help does not exist as an institutionalized field in Turkey. Turkey is lacking the existence of a comprehensive system which informs and helps citizens' on topics such as consumer's rights, tax system, municipal services, accommodation, social benefits, wages, social security and retirement. Existing services which can be regarded within the scope of citizens' information services are limited either by a unique field or a specific target group. Also within the services that can be regarded as citizen's information services, the coordination and coherence is limited and not systematic.

Unions, trade associations and bar associations have been very active since the early 1990s in providing access to information for citizens on their rights. Many organisations have had recourse to specialized committees (Human Rights Committee, Children's Rights Committee, and Women's Rights Committee). The service of these national based Committees mainly focused on providing legal advice upon the demand of citizens. The committees of trade unions, and Bar Associations fulfilled the gap created by the absence of rights based civil society organizations. The committees were mainly focused on providing legal support to the citizens who do not have access to legal support and these first examples of citizens legal aid committees were lacking an international perspective.

One of the prominent organizations providing legal assistance is Human Rights Association-İnsan Hakları Derneği (HRA-IHD)². HRA was established in 1986 with the goal to work on human rights and freedoms. One of the main activities of IHD was providing legal assistance for the victims of torture and maltreatment of government officials.³ Establishment of IHD followed by the foundation of Human Rights Foundation of Turkey⁴ in 1990-both organizations were, and still do, provide legal assistance to victims of human rights abuses.

Another good example of prominent of citizen advice service is Mor Çatı Kadın Sığınma Evi-Mor Çatı Women's Shelter⁵, established in 1990. Mor Çatı is working on the establishment of women shelters, elimination of violence against women and giving support to female victims of violence.. One of the first acts of support Mor Çatı provided was the legal aid given to the victims of violence.

In 2000s, as regulations on establishment and management of a CSO liberalized⁶, more and more CSOs were established in Turkey. Another important factor on further development of the civil sphere in Turkey is connected to Turkey's accession process to the EU. As a result of the political and financial support of the EU, the number of rights based CSOs increased and more and more CSOs managed to secure organizational sustainability. During this time, CSOs have become more active in providing access to information services on citizens' rights. In addition CSOs gained more expertise on the subjects they are working with and thanks to the developments of telecommunications technologies-decreasing communication costs, more CSOs managed to reach more and more people with their advice services.

In addition to rights-based associations exemplified above, Bar Associations in Turkey are providing juridical aid to citizens since 1990s. Juridical aid services of the Bar Associations and the CSOs' legal aid services became different due to qualifications and scope of the services. Juridical aid of the Bar Associations are limited with the juridical processes and limited with the appointment of a lawyer by the Bar in order to represent the citizens during juridical processes.

The Turkish Code of Criminal Procedures was amended in 1992⁷ and inserted a new Article 138, which provides that persons accused of an offence who cannot afford a lawyer are entitled to legal

2 www.ihd.org.tr

3 For more information on establishment of IHD http://ekutuphane.ihop.org.tr/pdf/kutuphane/22_128_0000-00-00.pdf (only in Turkish)

4 For more information on establishment of TIHV <http://www.tihv.org.tr/index.php?english-1>

5 For more information on Mor Çatı <http://www.morcati.org.tr/en/about-us/our-story> (in Turkish and English)

6 One of the important steps was the change of Associations Law. A comprehensive report comparing new and the old laws and recommendations of a CSO by TUSEV can be found here, <http://tusev.org.tr/userfiles/image/Image/tusev%20association%20law%20report%202004.pdf>

7 Law No. 3842 A Law Amending Certain Provisions of the Code of Criminal Procedures and Establishment and Trial Procedures of the State Security Courts Law. (Ceza Muhakemeleri Usulü Kanunu ile Devlet Güvenlik Mahkemelerinin Kuruluş Ve Yargılama Usulleri Hakkında Kanunun Bazı Maddelerinde Değişiklik Yapılmasına Dair Kanun)

representation from a lawyer at the expense of the state. In accordance with the Law of Criminal Procedure numbered 5377⁸ enacted in 2005 Bar Associations have the duty to provide free lawyers whenever needed.

For those people who cannot afford a lawyer, afford court costs, and consequently cannot enjoy the right to access justice for economic reasons a lawyer is appointed by the Bar Associations and court costs waived.. Such services are regulated by the amendments made in 2011 to the Attorneyship Law (Law No. 4667)⁹ and Code of Turkish Civil Procedure of 2011 (No.6100)¹⁰. The legal framework gives Bar Associations the mandate and authority to provide free juridical aid.

The right to a legal remedy and access to justice are addressed in the Code of Turkish Civil Procedure (No. 1086)¹¹ (Articles 465-472) by regulating exemptions from court fees.

4. Legal Framework Review

In Turkey a code regulating the citizen's information offices or law centres does not exist. In this section existing legal framework and also citizens' right to information, legal aid mechanisms and related regulations are summarized.

Constitution

The Constitution of the Republic of Turkey foresees the respect for human rights and fundamental freedoms. Article 10 guarantees equality of all individuals before the law¹², although Article 16 provides that foreign nationals may have their "fundamental rights and freedoms ... restricted by law in a manner consistent with international law". Article 36 further provides that everyone has a right to redress before the courts and benefit from a fair trial. No courts may refuse to hear cases within their jurisdiction.

http://www.tbmm.gov.tr/tutanaklar/KANUNLAR_KARARLAR/kanuntbmmc076/kanuntbmmc076/kanuntbmmc07603842.pdf

8Law No: 5377. The Law Amending the Turkish Criminal Law <http://www.tbmm.gov.tr/kanunlar/k5377.htm>

9 Law No. 4667 Avukatlık Kanununda Değişiklik Yapılmasına Dair Kanun, <http://www.tbmm.gov.tr/kanunlar/k4667.html>

10 Law No. 6100 Hukuk Muhakemeleri Kanunu can be reach here (only in Turkish) <http://www.tbmm.gov.tr/kanunlar/k6100.html>

11Law No. 1086 Hukuk Usulü Muhakemeleri Kanununun Bazı Maddelerinin Değiştirilmesi Dair Kanun

12 Article 10 of the Constitution provides that "All individuals are equal without any discrimination before the law, irrespective of language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such considerations.

The Law on Attorneys

The Law on Attorneys (No.1136)¹³ regulates the legal profession in Turkey. This contains provisions setting out under what circumstances attorneys are to offer free services including advice and active help and sets out detailed requirements for the provision of these services.

Article 35 of the law specifies the work which only qualified lawyers registered with a bar association may undertake in Turkey and includes providing an opinion in legal matters, litigating and defending the rights of individuals and legal entities before the courts, arbitrators, and other bodies invested with judicial powers, and managing all documentation associated with these activities.

Article 63 of the law also regulates the work of attorneys. Law prohibits the work of those as an attorney who are not registered to a bar association.

Regulations on Juridical Aid Supplied by Bar Associations

The Turkish Code of Civil Procedure (No.6100) governs civil proceedings and provides for the exemption from court fees. The section on 'Legal Aid' regulates the conditions under which individuals can make use of free legal aid. Individuals with limited economic means can make use of legal aid provisions and allowed to be exempt from court fees.

The purpose of legal aid is to make attorneyship services available to those who lack the wherewithal to pay attorneyship fees and jurisprudence costs with a view to overcoming the obstacles to the right of the individual to seek justice and to ensure equality in exercising the right to seek justice (Legal Aid Regulations Of The Union Of Bar Associations Of Turkey Article 1).

While juridical aid answers an important societal need it is different from legal aid services. As a result of the legal regulation Bar Associations are single service providers on the field.

Right to Information

Law no. 4982 Law on the Right to Information¹⁴ came into effect on April 24, 2004. As indicated at the Article 1 of the law, the object of the law is to regulate the procedure and the basis of the right to information according to the principles of equality, impartiality and openness that are the necessities of a democratic and transparent government. According to the law everybody has the right to access information and local and national government bodies obliged to give information upon request of the citizens. Restrictions and exceptions of the rule also indicated at the law. As summarized by Yaman Akdeniz at his detailed report, limitations of the law provides a long list of exemptions.

13 Law No. 1136 Avukatlık Kanunu can be reach here (Only in Turkish)

<http://www.barobirlik.org.tr/Detay5432.tbb>

14Law no. 4982 The Right to Information <http://www.resmigazete.gov.tr/eskiler/2003/10/20031024.htm> (in Turkish) http://www.bilgiedinmehakki.org/en/index.php?option=com_content&task=view&id=7&Itemid=8 (in English)

Articles 15-28 of the law lists the exemptions.¹⁵ Right to Information Law have also been criticized by other law professionals and CSOs¹⁶.

Law on the Right to Information also brings the establishment of Right to Information.

Assessment Council (Bilgi Edinme Değerlendirme Kurulu-BEDK)¹⁷. The Council's activities were regulated according to article 14 of the Law No. 4982 and councils deal with appeals on rejected Right to Information requests. A report prepared by academics, on the work of the council shows that the work of the council cannot be regarded as a legitimate organization¹⁸.

Ombudsman

On September 12, 2010 a referendum was held in Turkey to amend the constitution¹⁹. Amendments covered the establishment of an Ombudsman institution. As a result of the amendment of Article 74 of the constitution, which regulates right to petition citizens, an Ombudsman institution was established. The Institution's mission is to deal with problems that may arise between state institutions and citizens. According to the amendment every citizen would be granted the right to request information and apply to the Ombudsman. Following the amendment of Article 74, Law No. 6328 on May 2012 came into force regulating the work of the Ombudsman.

The institution was established under the Grand National Assembly of Turkey's (TBMM) Presidency and will investigate complaints regarding the functioning of the administration. The public chief auditor was elected by the TBMM on November 28, 2012 following a secret vote for the duration of four years. The election of the first chief Ombudsman, Mehmet Ömeroğlu, raised objections from both opposition parties²⁰, rights based CSOs in Turkey and also international CSOs²¹ concerns.

15 Prof Yaman Akdeniz's 2008 Turkey's FOI Report can be reached here

http://www.bilgiedinmehakki.org/en/index.php?option=com_content&task=category§ionid=4&id=4&Itemid=11

16 Rights To Information, An article written by a prominent lawyer Fikret İlkiz can be reached here

<http://www.bianet.org/bianet/insan-haklari/124886-bilgi-edinmeme-hakki> (only in Turkish)

17 <http://www.bedk.gov.tr/>

18 http://www.bilgiedinmehakki.org/tr/index.php?option=com_content&task=category§ionid=4&id=5&Itemid=14 (in Turkish)

19 For a detailed report on constitutional amendments,

<http://arsiv.setav.org/public/HaberDetay.aspx?Dil=tr&hid=44410&q=constitutional-referendum-in-turkey>

20 <http://www.hurriyetdailynews.com/ombudsman-under-fire-for-his-verdict-on-dink.aspx?pageID=238&nID=35881&NewsCatID=338>

21 <http://www.hurriyetdailynews.com/human-rights-watch-slams-new-ombudsman.aspx?pageID=238&nID=36572&NewsCatID=339>

Human Rights Institution of Turkey

Law on Human Rights Institution²² came into effect on April 24, 2004. As indicated in the Article 1 of the law, the object of the law is to regulate establishment of the Human Rights Institution of Turkey (TIHK), its mission and its competencies. According to Article 17 of the law, TIHK is responsible for the investigation of the applications on human rights abuses, evaluate the results of the investigations and coordinate the studies on measures to stop human rights abuses. .

Citizens can submit their applications on human rights abuses they have been subjected to, to the TIHK²³. TIHK can conduct an investigation following the application from the citizens and the process can be finalized with a recommendation from the institution.

Establishment of the TIHK has been a subject of discussion amongst rights based CSOs in Turkey and during the process of making the law on the TIHK, human rights CSOs raised their concerns regarding the organizational structure and operation of the TIHK²⁴

E-Government

Turkey has adopted a website that provides information to the public on their rights <https://www.turkiye.gov.tr>. This web site provides one single portal for all e-services of all public institutions including central and local governmental bodies. Citizens can make inquires on various issues such as legal files, taxes, penalties, consumer complaints, employment, commercial tenders, communication device registries, military services, education, residence address modifications, social security, health services, land titles and legislative procedures.

5. Availability of Citizens Information & Assistance Services

Within the scope of the Triple A project a survey was conducted. The survey focused on the activities of CSOs on citizens access to information services, CSOs' activities related to active help, obstacles that CSOs face in giving legal aid services and recommendations from CSOs on citizens information services. Considering the high numbers of CSOs active in Turkey and limitations of the questionnaire STGM also conducted a desktop research and interviews with leading CSOs giving such services. As a matter of course results of the survey and the desktop study is not reflecting the whole picture of citizens' information and legal aid services in Turkey. On the other hand we believe the report is valuable as it reflects the approach and experiences of rights based CSOs.

Results of the questionnaire shows that a considerable amount of CSOs in Turkey are to some extent engaged in citizens information and assistance services with or without naming the service. While considerable time and labour of CSOs has been reserved to such services most of the CSOs do not label their work as citizens information or legal aid service and most of the CSOs do not advertise the work they do due to the risk of not having the capacity to answer the high numbers of demand they will be facing.

22 Law no. 6332 Law on Human Rights Institution <http://www.resmigazete.gov.tr/eskiler/2012/06/20120630-2.htm>

23 <http://www.ihb.gov.tr/Basvuru.aspx>

24 Joint Press Announcements of Human Rights CSOs can be reach here

http://ihop.org.tr/index.php?option=com_content&task=category§ionid=4&id=36&Itemid=92

On the other hand, whilst especially rights based CSOs in Turkey are providing legal aid and citizens information services within the limitations of their capacities, civil sphere in Turkey is lacking a Citizens Advice Bureau's type service provider with a wide scope and expertise. Organizations offer legal advice and consultancy services to applicants in their respective areas of expertise. However, only lawyers enrolled to a Bar Association are permitted by law to provide active legal representation or offer legal opinions. Therefore, other organisations depend on their capacity to hire lawyers when providing active legal help. In other words, having sufficient funds is often a pre-condition for organisations to have the capacity to offer active legal help. Helsinki Citizens Assembly's Refugee Programme, and Transparency International's Transparency Centre, Kaos GL's legal aid programme are examples of legal aid and assistance with a hired law professional. In most cases volunteers with expertise, and volunteering lawyers are answering the demands of citizens. Some CSOs like Özge-Der work in cooperation with Bar Associations related committees.

Citizens Information & Assistance Services Offered by Rights Based CSOs

In order to create a deeper understanding of the services offered by the CSOs, in addition to the results supplied by the survey, we need to summarize some of the ongoing activities of rights based CSOs in Turkey. Considering as fact, citizens information and assistance services are mainly offered by rights based CSOs the desktop research mainly focused on rights based CSOs. We should also express that Citizens Information & Assistance Services Offered by Rights Based CSOs are not limited to the examples given.

Human Rights

İnsan Hakları Derneği-IHD (Human Rights Association), Mazlum-Der (The Association of Human Rights and Solidarity for Oppressed People), Türkiye İnsan Hakları Vakfı-THIV (Human Rights Foundation of Turkey) as being prominent CSOs active in the elimination of human rights abuses in Turkey are offering citizens information and assistance services on human rights abuses, torture, maltreatment to the citizens in need. While none of the organizations mentioned above have reserved communication channels for the questions and assistance demands of the citizens, web pages of the organizations mentioned involves the contact details. Upon demand of citizens IHD, THIV and Mazlum-Der offer legal assistance to the citizens in need of legal aid related to the human rights abuses. This legal aid mostly supplied by volunteer law professionals or volunteers who have expertise on the specific issue, like discrimination.

While none of the organizations reports the number of the assistance they supplied, yearly reports of the organizations implies the existence of legal assistance offered by the organizations.

Humanist Bureau

Also provides consultancy services on children rights, human rights for public, private, national and international institutions, local governments, universities, CSOs, political parties, and individuals within the framework of European Union and international legislation. As mentioned at the introduction of this report, Humanist Bureau's study on citizen's information services is one of the important sources of information on the issue.

Asylum Seekers

Mülteci-Der (Association for Solidarity with Refugees), Sığınmacılar ve Göçmenlerle Dayanışma Derneği-SGDD (Association For Solidarity With Asylum Seekers and Migrants), Helsinki Yurttaşlar Derneği-HYD (Helsinki Citizens Assembly), İnsan Kaynağını Geliştirme Vakfı-İKGV (Human Resource Development Foundation) are the CSOs active on the rights of asylum seekers and giving legal aid to asylum seekers in Turkey.

The legal aid programme of İKGV dates back to 2001 and İKGV is still giving legal aid to asylum seekers. Mülteci-Der, based in İzmir-one of the main entry points of asylum seekers in Turkey also gives basic legal aid to asylum seekers in İzmir.

HYD's Refugee Support Programme on the other hand can be regarded as the widest assistance programme of all with professional lawyers that have expertise on international law and refugee law. Asylum seekers who are registered in the United Nations High Commission of Refugees (UNHCR) in Turkey can for legal assistance about their applications to HYD.

SGDD's working in cooperation with UNHCR, gives basic support to asylum seekers in Turkey. SGDD's support is limited to the application process of asylum seekers in seeking asylum.

Children's Rights

Özge-Der (Association for Solidarity with Freedom-Deprived Juvenile), incepted its Youth Support Line (www.genclikdestekhatti.org) project in 2012. Initially, the Youth Support Line aimed to support young detainees during their rehabilitation into society. As a result of unexpected demand Özge-Der widened the scope of the hotline and nowadays answers diverse needs of children and youngsters. In order to answer demands for legal assistance Özge-Der is working closely with Ankara Bar Association's Children's Rights Committee and volunteer lawyers.

Gündem Çocuk (Agenda Child Association) in answering questions on the rights of children and legal aid demands of citizens, foresaw a need for a legal aid programme. The organization is developing a project for the establishment of a hotline to meet indetified need for legal aid.

Women's Rights

Being one of the prominent CSOs giving legal aid to the victims of violence Mor Çatı continues its work to date. According to the latest report published by the organization 654 women accessed the services provided, this included legal consultancy by the volunteer lawyers. Morçatı also provided lawyers via the Bar Associations to women in need (Mor Çatı, 2013-First Half Report)

Along with Mor Çatı, KAMER Vakfı (Women's Center Foundation) is one of the women's CSOs giving legal aid to women in need. KAMER's hotline named Urgent Support Hotline is open 24 hours a day. Urgent Support Hotline's target group is women who need legal and physiological support related to the violence they have been exposed to. In addition to legal and physiological support KAMER also gives employment consultancy via its hotline. According to the statistical data published on KAMER's

web page, in 2011 4620 women (51.6% of total applications to the organisation) demanded legal support²⁵ and the vast majority of the applications were guided to reach legal aid.

Environmental Rights

Çevre Hukuku Derneği-ÇHD (Association of Environmental Law) gives legal aid on issues related to environmental issues to citizens and also to the CSOs working on environmental issues. ÇHD also works closely with the Bar Associations. While they do not have a visible special citizens information and legal aid service a large part of the work load of ÇHD is occupied with legal aid.

LGBTT Rights

Almost all of the LGBTT organizations (Kaos GL, Lambda İstanbul, Pembe Hayat and Siyah Pembe Üçgen) gives legal aid to citizens, One of the organizations giving support with the contributions of a lawyer is Siyah Pembe Üçgen's support programme. The organization has a hotline reserved for legal aid calls and a lawyer of the organisation is reachable 24 hours. Thanks to the financial support of an international donor organization, Siyah Pembe Üçgen managed to continue its legal aid and legal assistance during 2013 without interruption.

Service Providers on Disability Rights

Ruh Sağlığında İnsan Hakları Derneği-RUSİHAK (Human Rights in Mental Health Initiative) began providing legal aid via its hot line Hukuk Hattı- (Legal Aid Hotline) in 2010. Support generated via hotline that lasted 1 year and finalized with the end of the project. Acknowledging the need RUHİSAK relaunched the service in 2013 with the support of the EC. The Hotline will be in service until 2015. The service consists of one social worker, one psychologist and a part-time lawyer giving legal aid to the people who need support on mental disability issues.

Service Providers for CSOs

Istanbul Bilgi Üniversitesi STK Eğitim ve Araştırma Birimi-Istanbul Bilgi University NGO Training and Research Centre

Bilgi University NGO Training and Research Centre accept legal aid demands of CSOs via its e-mail address. Legal aid to CSOs is given in cooperation with the universities Human Rights Law Research Centre.

Sivil Toplum Geliştirme Merkezi Derneği (STGM)- Association of Civil Society Development Centre

Since its inception in 2005, STGM gives legal support to rights based CSOs and for citizens wanting to start up a CSO. STGM also publishes previously answered questions via its web page. The search engine at STGM's web page allows CSOs to narrow the results of previously answered questions.

Şeffaflık Derneği- Transparency International Turkey

Transparency International Turkey initiated the Advocacy and Legal Advice Centre²⁶ with the financial support of the European Instrument for Democracy and Human Rights (EIDHR) and the EU Turkey

²⁵<http://www.kamer.org.tr/2011%20Y%C4%B1l%C4%B1%20C5%9Eiddet%20Ba%C5%9Fvurular%C4%B1na%20ait%20istatistikler.ppt>

Delegation. The Legal Advice Centre works in order to raise the consciousness of individuals about what they can do when they encounter corruption and about the current legal and institutional attitudes towards combating corruption.

6. Identified Gaps in Availability of Citizens Information & Assistance Services

With regards to the results of the survey and findings of the desktop research conducted, identified gaps in availability of citizens information and assistance services are,

- A citizen's information and assistance services bureau does not exist in Turkey. Citizens mostly consult rights based CSOs on a specific issue. On the other hand an expert institution with the capacity of informing citizens on several issues does not exist in Turkey.
- For most of the rights based CSOs giving legal aid services sustainability of these services is mostly connected to the continuation of financial support of international donor organizations.
- Some service provider CSOs intentionally do not advertise their services due to the potential risk of receiving more applications or requests than they have the capacity to deal with.
- Legal regulations hinder attorneys' pro bono work. Legally, attorneys cannot work voluntary and follow up cases and give legal support.
- Weak financial capacity of CSOs is the biggest obstacle to CSOs employing an attorney.
- Right to Information Law has a restrictive influence on the right to information.
- Authority of and the impact of the Human Rights Institution is limited.
- The number of Kurdish speaking staff is not enough to meet the demand.

7. Conclusion and Recommendations

Existing Services Provided

Most of the CSOs giving legal aid services do not have the capacity to sustain regular and continuing services. 12 of the 25 organizations answering the relevant question in the survey indicate their need to increase capacity on this issue.

Most of the service provider CSOs use internet based technologies in order to gather and disseminate information.

86% of the organizations indicated that they are forwarding the applications that do not match their expertise to an expert CSO

Most of the participants identified government information services as complicated and not easy to use.

Structure of Organisations

Most of the organisations are funded through donors and membership contributions. Some have income from provided services. Very few have access to government funds or public donations.

26 http://www.seffaflik.org/Detay_en.asp?MenuID=138&GID=107&sayfa=About%20Call%20for%20Transparency%20Centre

Some of the organizations cannot monitor and evaluate their activities related to citizen information services due to lack of capacity.

While staff capacities are varied, most organisations (76%) have less than 25 people working and/or volunteering.

People using current services

Most users are in the age group 26-45, which will probably be the target group for this project.

There is no sufficient reporting on beneficiaries of legal aid services.