

PRELIMINARY OBSERVATION

TÜRKIYE

STATUS OF IMPLEMENTATION – VICTIM ASSISTANCE

COMMITTEE ON VICTIM ASSISTANCE

(Burkina Faso, the Netherlands, Slovenia (Chair) and Zambia)

Intersessional Meetings

18-20 June 2024

1. The Committee welcomes the submission by Türkiye of updated information on its victim assistance activities.

1. Based on the Article 7 report as well as additional information provided in 2023 in response to Committee's observations, the Committee presents the following preliminary observations.

Mine casualties

2. Türkiye reported 11 casualties in 2023 of which 9 persons were injured and 2 individuals were killed, showing significant decrease comparing to casualties reported in previous years; 32 in 2022, 38 in 2021 and 67 in 2020. Türkiye reported a total of 4,156 mine victims, disaggregated by gender, age, military, civilian and number of accidents caused the casualties.

3. The Committee appreciate Türkiye's efforts to provide disaggregated data on total casualties registered and would welcome further information on indirect victims such as affected family members.

VICTIM ASSISTANCE ACTIONS:

Strengthen partnerships and integrate victim assistance into broader national policies, plans and legal frameworks and designation of a government entity to oversee the integration (Action #33 and Actions #1 and #6)

4. Türkiye reported that the Turkish Mine Action Centre (TURMAC) monitors social, medical, psychological and economic assistance provided to mine victims and it works with relevant authorities such as the Ministry of Family and Social Services (MOFLSS) and the Ministry of Health (MOH) to ensure girls, women, boys, and men benefit equally from victim assistance services, such as emergency and continuing healthcare, physical rehabilitation, psychological and psycho-social support, economic inclusion.

5. Türkiye reported the concept of 'mine victim' is primarily used within the framework of the Anti-Personnel Mine Ban Convention, not within the relevant ministries as mine survivors are considered as persons with disabilities, thus services provided to persons with disabilities is inclusive of mine victims.

Develop and implement measurable, realistic, and time-bound national action plan (Action #33 and Action #2)

6. Türkiye reported that the Disability Rights National Action Plan (2023-2025) was legislated to ensure the needs and rights of all persons with disabilities, including victims of mines and explosive

remnants of war, throughout national policies and legal frameworks related to disability, health, education, employment, and development.

Removing barriers including physical, social, cultural, political, attitudinal and communication barriers to access such services (Action #33)

7. Türkiye had reported that the principle of “Positive Discrimination” is integrated into Article 10 of the Constitution in 2010 which ensures that open areas such as pavements, pedestrian crossings, parks, public transportation vehicles and information and communication systems of public buildings are accessible for the use of persons with disabilities, and in this respect following progress are reported:
 - The MOH has taken measures to reach out to individuals in rural and remote areas, such as at district levels by amending the National Health Care Plan which removes financial barriers to accessing healthcare services when such services are not available at district level. The MOH also established a psychotherapy centre in each province and the amendment in the National Health Care Plan includes incentives for prosthetists, orthotists, and physical therapists to locate in provincial physical therapy centres.
 - The MOFSS has improved the Comprehensive Independent Living Programme to enable persons with disabilities, including mine survivors, to access to services such as in-home, residential, and other community support services, including personal assistance necessary to support independent living and inclusion into communities, especially in rural areas.

Applying multi-sectoral efforts to ensure that the needs and rights of mine victims are effectively addressed in line with the Convention on the Rights of Persons with Disabilities (Action #34)

8. Türkiye reported that the various national ministries and authorities such as MOFLSS and MOH integrate victim assistance in their policies and programmes and that TURMAC work in coordination with them and other ministries and agencies to ensure assistance is provided to mine victims including in areas of social, health, education, and rehabilitation.
9. The Committee would welcome additional information on alignment of victim assistance efforts with the Convention on the Rights of Persons with Disabilities (CRPD).

Establish or strengthen of a centralised database / national information management system (Action #35 and Action #9)

10. Türkiye reported that the “Commission for the Care of People with Disabilities and Special Needs” in coordination with the Ministry of Environment Urbanization and Climate Change has been building a unified database for persons with disabilities, victims of mines and explosive ordnance.
11. Türkiye reported that data on mine victims have been integrated into the Ministry of Family and Social Services’ (MOFSS) national assistance surveillance mechanism. Türkiye also reported that TURMAC has expanded its coverage of data collection and information management of mine and ERW victims to enable the government to provide further assistance to the victims.
12. Türkiye reported that national agencies such as the General Staff, the Ministry of Health and its provincial directorates, the Ministry of Interior, Gendarmerie, General Command and the MOFSS share information on mine accidents and casualties with the TURMAC.

Access to first aid and ongoing emergency medical care (Action #36)

13. Türkiye reported on availability of the first aid, emergency medical service in the country as well as availability of referral systems to assist survivors access physical rehabilitation and psychological support upon discharge from hospitals.
14. Türkiye reported that MOH amended the National Health Care Plan to remove financial barriers to accessing healthcare services when such services are not available at district level, which enhance access by individuals living in rural and remote areas to healthcare services.
15. Türkiye reported that persons with disabilities whose degree of impairments exceeds 40% provided with subsidized public and private healthcare services.

Developing national referral mechanism (Action #37)

16. Türkiye reported that the MOFSS has published a guide, entitled as “Information Guide for the Disabled” to facilitate access the services, with the guide containing information about the rights and services offered in of the areas of disability assessment, health, education, accessibility, personal mobility, employment, incentives and supports, social assistance and social services.
17. Türkiye reported that on availability of referral mechanisms within healthcare system and cooperation in this regard between mine action and relevant ministries offering various kinds of services to mine victims.

Access to rehabilitation services including physiotherapy, assistive devices, and occupational therapy (Action #38)

18. Türkiye reported that in accordance with Act No. 2828 i.e. Social Services Act and Act No. 5378 i.e. Disability Act, emergency care, healthcare, physical rehabilitation, and psychological support are made available through private and State funded rehabilitation centres, and provided the following updates in 2023:
 - Persons with disabilities are prioritised for health services within the scope of physical therapy and rehabilitation. Victims with “priority” registration can take advantage of the quota reserved for them and easily arrange an appointment. Auxiliary tools and equipment, as specified within the framework of the provisions of the Law No. 5510 and the Regulation on General Health Insurance Transactions (e.g., payments for medical supplies, consumables, orthoses, and prostheses) are made available by the Social Security Institution.
 - Social Assistance and Solidarity Foundations have been established in every province and district as part of Family Support Centres Project and Social Solidarity Centres Project, to assist mine victims including children to access education, health, and other services, including by example, providing free transportation to their schools and pensions.
 - Mine victims are provided with facilities and modern communication tools by the “Veterans Physical Therapy and Rehabilitation Training and Research Hospital (TAF Rehabilitation Centre).” Other services within this complex include Orthopaedic Rehabilitation Hospital, nursing home, patient house and occupational therapy and professional rehabilitation units supporting social reintegration of mine victims.
 - The MOH offers incentives for prosthetists, orthotists, and physical therapists to locate in provincial physical therapy centres, in accordance with amended National Health Care Plan.

- Imports of assistive devices benefits from tax exemptions.

Access to psychological and psychosocial services including peer-to-peer support (Action #38)

19. Türkiye reported psychotherapy centres are available in each province, under the MOH and that the Social Assistance and Solidarity Foundations, which are represented by Family Support Centres Project and Social Solidarity Centres Project in every province and every district provides psychological support among other socio-economic inclusion supports, to victims.

20. The Committee would welcome information on the availability of peer-to-peer and occupational therapy for mine victims.

Access to social and economic inclusion services, including in rural and remote areas (Action #39)

21. Türkiye reported progress in enabling mine survivors and other persons with disabilities to access social and economic empowerment services and various kinds of subsidized services, including the following:

- MOFSS has developed a new policy to promote the inclusion of victims with disabilities in labour market, including through the provision of tax incentives to employers to recruit persons with disabilities and to support the development of self-employment programmes.
- Mine survivors are provided support with employment and other socio-economic assistance to play an active and productive role in their societies;
- The Commission for the Care of People with Disabilities and Special Needs and the Ministry of Labor and Social Security provide loan services, job opportunities, pay full-time appointees' salaries, and grant full-time leave as per the Disability Rights National Action Plan of 2023;
- According to the Civil Servants Law No. 657, public institutions are obliged to employ 3% of their personnels, persons with disabilities;
- The MOFSS provides pensions to persons with disabilities whose degree of impairments exceed 40 percent;
- Free of charge local transportation and 20% discount on all domestic and international flights are offered to persons with disabilities;
- The Disabled Sports Federation, affiliated with the Ministry of Youth and Sports, provides services for persons with disabilities to do sports professionally; and
- Affected family members are trained to provide therapy to victims, especially in remote areas, including male family members, so that the burden of care does not fall exclusively on women and girls.

Taking measure for safety and protection of mine survivors in situations of risks and emergencies (Action #40)

22. Türkiye reported that environmental safety of minefields is ensured and warning signs indicating that there are mines in the area are placed to prevent our citizens from entering the areas where there is a mine risk. In addition to these, TURMAC has conducted an analysis through its database and determined all at-risk villages in 18 provinces in terms of mine contamination as a part of the National Strategic Mine Action Plan (2020-2025) and works together with Ministry of Interior (MOI) to provide risk education, including to mine victims and their family members.

23. The Committee would welcome further information on measures in place and progress made to ensure the safety and protection of mine survivors in situations of risks and emergencies, including of armed conflict, humanitarian emergencies, and natural disasters.

Strengthening inclusion and participation of mine victims and their representative organisations in all matters that affect them (Action #41 and Action #4)

24. Türkiye reported that persons with disabilities are included in policy and programmes carried by the MOFSS including through the National Disability Council which monitor and report on the implementation of the National Mine Action Plan on the Equalisation of the Rights of Persons with Disabilities.

25. The Committee would welcome further information on inclusion of mine survivors and their representative organisations in relevant national policy and programmes including in the National Disability Council.

CROSS - CUTTING ACTIONS:

Demonstrate high levels of national ownership, including [...] by making financial and other commitments to implementation (Action #1)

26. Türkiye reported efforts that demonstrate national ownerships and commitments in meeting the needs of mine victims, particularly in areas of data collection, expansion of services into rural and remote areas, healthcare, and socio-economic inclusion.

27. Türkiye also reported allocating a national budget to victim assistance efforts including through the Ministry of National Education and MOFSS in accordance with the “Law No. 3294 Amending the Social Assistance and Solidarity Encouragement Law” as well as through the MOH.

Ensure that the different needs and perspectives of women, girls, boys, and men are considered (Action #3)

28. Türkiye reported that in the East of Türkiye, girls, boys, women, and men live with the threat of landmines and improvised explosive devices in the areas close to minefields, efforts are adopted to consider gender and diversity and to prevent discrimination and provide equal employment opportunities to women and men from diverse groups. Employment contracts ensure women and men are paid equally for equal work.

29. Türkiye also reported training male family members of mine victims in rural and remote areas to assist with home-based therapy [empowerment] of mine victims, to avoid exclusive pressures on female family members.

Challenges in implementation of Victim Assistance Commitments (Action #8)

30. Türkiye reported that no challenges encountered with regards to victim assistance implementation in the country.

The Oslo Action Plan country reporting tracker
Victim Assistance
Türkiye

Actions	Indicators	2020	2021	2022	2023	2024	Additional information request by the Committee
#33	# States Parties that have designated a government entity to coordinate victim assistance activities						
	# States Parties that have national action plans in place containing specific, measurable, achievable, realistic, and time-bound objectives and related indicators						
#34	# States Parties that report that they include mine victims in relevant national policy and support frameworks						The Committee would welcome additional information on alignment of victim assistance efforts with the Convention on the Rights of Persons with Disabilities (CRPD).
#35	# States Parties that include victims of anti-personnel mines in disability data systems						
	# States Parties that disaggregate victim data by gender, age, and disability						The Committee would welcome further information on indirect victims such as affected family members.
#36	# States Parties reporting on efforts to ensure an efficient and effective emergency response to mine accidents						
#37	# States Parties that report having a national referral mechanism						
	# States Parties that report having a directory of services in place						
#38	# States Parties reporting on efforts to increase the availability and accessibility of comprehensive rehabilitation services						
	# States Parties reporting on efforts to increase the availability of psychological and psychosocial support services						
	# States Parties that have established peer-to-peer services within their national healthcare system						The Committee would welcome information on peer counselling and its integration into health systems.
#39	# States Parties reporting on efforts to remove barriers to the social and economic inclusion of mine victims						
#40	# States Parties that report integrating protection of mine survivors in their humanitarian response and preparedness plans						The Committee would welcome further information on measures in place and progress made to ensure the safety and protection of mine survivors in situations of risks and emergencies, including of armed conflict, humanitarian emergencies, and natural disasters.

#41	# States Parties that report that they include victim representatives or their organisations in victim assistance planning at the national and local level								The Committee would welcome further information on inclusion of mine survivors and their representative organisations in relevant national policy and programmes including in the National Disability Council.
CROSS-CUTTING ACTIONS									
#1	# States Parties that report, having included Convention implementation activities in national development plans, poverty reduction strategies, humanitarian response plans and national strategies for the inclusion of persons with disabilities, where appropriate								
	% mine-affected States Parties that report making national financial commitments to the implementation of their obligations under the Convention								
#3	# mine-affected States Parties that report having evidence-based, costed and time-bound national strategies and work plans in place								
	# women in States Parties' delegations attending Convention meetings								
#8	# States Parties that prepare their Article 7 reports using the Guide to Reporting								
	# States Parties that report on progress and challenges during formal and informal meetings								