[TR] Implementation of the Harmonization Packages

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With the enactment of several harmonization packages, much progress has been achieved in the process of fulfilling the Copenhagen Political Criteria and involve efforts on the process of harmonization with the acquis communautaire that is currently underway in Turkey.

To strengthen the exercise of the right of freedom of thought and expression, amendments have taken place as regards several acts and regulations such as the Turkish Penal Code and the Broadcasting Act. Some examples of this are as follows:

The amendment to Article 159 of the Turkish Penal Code reduces the minimum penalty for those who "openly insult and deride 'Turkishness' (Being Turkish), the Republic, the Grand National Assembly, the dignity of the Government, the Ministries, the military or security forces of the State, or the dignity of the Judiciary from one year to six months.

The second amendment to the same article ensures that expressions of thought undertaken solely for the purpose of criticism do not incur any penalties.

The amendments to Articles 426 and 427 of the Turkish Penal Code exclude scientific and artistic works and works of literary value from the scope of criminal offences related to published or unpublished works that are offensive to morality or of such a nature as to provoke or exploit sexual desires. The term "destroy" is deleted from the text of the article, ensuring that the destruction of these works is no longer to be undertaken as part of the sanctions imposed on offences of this kind.

In order to meet the criteria laid down by the European Court of Human Rights in this area, the expression "incitement to violence" has been incorporated into the text of article 7 of the Anti-Terrorism Act, which deals with aiding and abetting terrorist organizations as such; propaganda that incites to terrorism and other forms of violence continues to be a criminal offence.

In the context of Cultural Rights and Freedoms, Article 2 of the Act on Foreign Language Education and the learning of different languages and dialects by Turkish citizens has been amended so that the learning of different languages and dialects used traditionally by Turkish citizens in their daily lives may be

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undertaken at the facilities of existing centres for language courses. Previously, such courses could only be initiated in new premises. For the functioning of the executive, the provision on obtaining the views of the National Security Council when determining which foreign languages will be taught and learned in Turkey, was deleted from the text of the article, leaving the Council of Ministers as the sole relevant authority.

In this context of the right of freedom of thought and expression, the Sixth European Union Harmonization Package came into effect after being published in the Official Gazette. The amendment states that public and private radio and television channels will be able to broadcast in languages and dialects used traditionally in the daily life of Turkish citizens. This amendment also agrees with the Seventh Harmonization Package in saying that the Radyo ve Televizyon Üst Kurulu (Radio and Television Supreme Council - RTÜK) will prepare the regulations and principles regarding these broadcasts. The RTÜK is currently working on the preparations for this, so this amendment will enter into practice in the near future.

Analysis of the Seventh Harmonization Package of the Office of the Prime Minister, Directorate General of Press and Information

http://www.byegm.gov.tr/on-sayfa/uyum/AB-7paket-analiz.htm

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