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# 4<sup>TH</sup> CIVIL SOCIETY FORUM REPORT

Support to Civil Society Organisations (CSOs) in the Turkish Cypriot community through inter-alia tailor made assistance, trainings, capacity building and networking with Greek Cypriot and other European Union's CSO  
EuropeAid/135176/C/SER/CY



# CIVIL SOCIETY FORUM REPORT

*22<sup>nd</sup> July 2016, Manolya Hotel, Kyrenia*

The Fourth Civil Society Forum that was hosted by Civic Space took place at the Manolya Hotel on 22<sup>nd</sup> July 2016 Friday between 16.00 and 20.00 with the theme; Suitable Environment and the Visibility and Sustainability of CSOs. You may find the agenda of the event in Attachment 1.

Forum was attended by 33 participants from 17 CSOs. You may find the participants list in Attachment 2.

Forum began with the opening speech delivered by Civic Space Team Leader Juliette Remy Sartin. Sartin later introduced the newest members of the Civic Space Guiding Board. Afterwards, they've moved on to the Civil Society Forum Charter Workshop. In this part, the first draft of the charter was examined by the groups and suggestions were made. Forum continued with the information shared on the new Association Law. This part was used to share the changes made on the legislation with the civil society organizations and listen to their views. After the projects getting support within the framework of Grow Civic were revealed, there was an idea workshop on the Open Door Festival. After the group work, organizations provided views and suggestions on the festival.

Details regarding each session was given below.

## Opening Speeches

Forum began with the opening speech of Civic Space Team Leader Juliette Remy Sartin. Sartin who voiced her contentment in seeing the participants at the event afterwards gave information on the Forum's agenda.

Juliette Remy Sartin, later presented the newly elected members of the Civic Space Guiding Board, Hazal Yolga from CCMC and President of the Niyazi Güvenir Arın Güvenir Association Niyazi Güvenir.

Sartin who noted that the new members of the Guiding Board were elected for the following 6 months, also thanked the former member Enver Ethemer for his work.

Sartin later yielded the floor to Enver Ethemer who was going to direct the Civil Society Forum Charter Workshop.

## Civil Society Forum Charter Workshop

Ethemmer who started his speech with the information that the *Civil Society Forum Charter* was prepared by 70 organizations during the first forum, touched upon the importance of creating an environment of cooperation where civil society can work together. Ethemer who explained that the forum charter was prepared based on the Estonia example, stated that this workshop was organized in order to have CSOs determine the final version of the Charter. (You may find the charter work and the Estonia example in **Attachment 3**.)

Following Civic Space Capacity Building Specialist Selen Lermioğlu Yılmaz's briefing on the charter draft in detail, the workshop moved on to group work. Later, there was a 20 minute break for the Charter to be discussed by the groups.

After the break, CSO representatives offered their opinions on the charter. During this part, especially the definitions and meanings of terms and concepts were discussed. Agreement was reached on the fact that there could have been issues regarding the translation. It was requested that the concepts should be clarified, and attention should be paid to correct translation. Specifically, concepts of cautiousness and privacy created debates.

Generally the comments made and questions asked during this part are as follows:

- It was requested that the notions of prudence and discretion be explained. Association representatives specifically asked for the “discretion” article to be clarified.
- It was emphasized that the concepts should be carefully considered while translating.
- It was requested that the notion of collegiality be clarified.
- It was recorded that the notion of diversity should be added alongside tolerance in the Forum mission.
- An explanation for Civic Care was requested. It was voiced that the points stated under this part should be transferred to the forum mission.
- It was requested that why locations should rotate should be added to the rotating locations part under Methods.
- It was recorded that on which points organizations working on different fields can work together, and how they can bring common issues to the forum could be added to the charter.
- It was stated that forming sub-groups from CSOs working in the same field could be a good method.
- In the “urgent action” article, it was requested that the term “immediate” should be used in place of “urgent”.
- It was suggested that the matter of membership should be taken into consideration.
- It was said that not all associations were invited to the forum and that the database problem should be fixed.
- It was requested that the matter of internal audit be clarified.

Following the questions by the participants, the workshop director Enver Ethemer took the floor and explained that by collegiality, cooperation and collegiality of the members of the civil society organizations was meant.

Ethemmer who emphasized the importance of CSOs that work in a variety of thematic fields working together instead of forum progressing under the guidance of one thematic group, explained that by (confidentiality), reliability and mutual trust was meant.

Ethemmer, stated that there might have been an error in translation.

Ethemmer who recorded that the suggestions were noted to integrate into the charter, said they will be deciding upon a charter everyone is pleased with.

EU Task Manager Charlotte Goyon has thanked the CSO representatives for their comments, and explained that the notions of prudence and ownership should be separated from each other.

Goyon recorded that the matters of how much of the topics discussed on the forum should be transmitted outside and how much of it is to be kept private and the matters of forum ownership and sustainability should be separately discussed.

EU Task Manager Charlotte Goyon, who said the forum is open to all civil society organizations, said the charter that is being discussed, carries the purpose of clarifying why the forum exists, and how it will operate.

Goyon touched upon the comments made on internal audit, and said what was meant here was transparency. Charlotte Goyon stated that this means sharing what has been done, and receiving comments on it, and that it could be opened and detailed for clarification.

Charlotte Goyon who said the matter of transparency was discussed on the previous forum as well, said they could benefit from the 3<sup>rd</sup> Forum's meeting records.

For the comment on memberships, Charlotte Goyon said membership in the context of ownership could be opened for discussion.

Selen Lermioğlu Yılmaz also stated that they'd like to see all associations that work for public benefit among them. On the other hand, Yılmaz also said that due to the database problem present in the country at the moment, problems may occur in reaching all associations, and asked for the CSO representatives' help in improving the database.

## Introduction of Projects that Benefit from Grow Civic

After the break, some participants had to leave, so the program was altered, and they moved on to the introduction of projects that benefit from Grow Civic.

Oya Kutsal who gained the opportunity to benefit from Grow Civic with her **Protecting our Historical Artifacts Awareness Project** first introduced the **Hand in Hand from Kaşgar, to a More Beautiful Girne Proactive Police Project**, the project they applied for on behalf of her students Girne Anafartalar High School (GAH) Youth Initiative due to the fact that they couldn't attend.

With the **Hand in Hand from Kaşgar, to a More Beautiful Girne** project, Oya Kutsal explained that they aim to rid the Kaşgar district from drugs, prostitution, and all kinds of crime, and that's why they prepared this project with the collaboration of the General Directorate of Police on proactive police work.

With her own project, **Protecting our Historical Artifacts**, Oya Kutsal also explained that she wishes to draw attention to the historical artifacts in idle condition and said "Historical artifacts in Cyprus are being used as dumps, haylofts, grasslands and locations for practicing bad habits, this should not be this way."

Oya Kutsal stated that they have photographed historical artifacts in idle condition with the help of 4 photographers, and the project seeks to create a book out of those photographs taken.

Sami Özuslu and Anna Prodromou who benefits from the Grow Civic with his **Granting Visibility to the Divided Capital's Ghost Airport** project have also stated that their project aims to reach out to more people to show their documentary titled "Divided Capital's Ghost Airport".

The team said they aim to make the documentary prepared by Sim TV into a DVD, distribute it, and organize screenings free of charge.

They expressed that they wish to reach out to more people with the documentary, and create more awareness on the Lefkoşa Airport and the airport's history, which does not have a lot of coverage in history books.

Afterwards, Salih Örses and Melis Menent on behalf of the fourth beneficiary Envision Diversity - LGBTI Hub talked about their project.

The team stated that their project aims to **create awareness on LGBT People**, and contains scanning to eliminate legal obstacles, organizing trainings on removing homophobic language from the media, and bringing rights advocacy further.

Civic Space Team Leader Juliette Remy Sartin reminded that the Grow Civic that includes giving financial support to the activists and the civil society organizations provides support for minimum 50 Euros and maximum 3000 Euros.

## Sharing Information Regarding the New Association Law

During the "Information Sharing Regarding the New Association Law" (you may find the Association Law in Attachment 4) section which was facilitated by Enver Ethemer, Civil Society Network term president Mehveş Beyidoğlu from the POST Institute's video message was viewed.

Beyidoğlu who explained their work regarding the New Association Law, pointed out that based on the changes made, all associations should revise their charters and make necessary amendments.

Beyidoğlu recorded that they will be organizing an event in September in order to support the associations during this process.

Enver Ethemer shared the notes prepared by Nazen Şansal regarding the changes. Ethemer who stated that with the changes, children were allowed to become members of the associations, and foreigners were allowed to establish associations, also stated that district governorates would be obliged to reply to association establishment requests in 60 days, and in cases of receiving no answer, the association would be considered established.

Ethemmer explained that with the new law, federations, confederations, and formations like platforms would also be subject to this law.

Ethemmer who explained that the associations would have to declare their income, and keep some records like membership lists, highlighted that associations would have to get their charters compatible with the new law.

Selen Lermioğlu Yılmaz, in addition to those remarks, said that shutting down associations were tied to conditions like national security, public safety, protection of general values, and association closing conditions were integrated with EU standards.

Yılmaz who said that the charters should be changed until 17<sup>th</sup> May 2017, also said that they were prepared to provide support for the associations on this matter, and that an extensive event would be organized in September on this subject.

Some participants recorded that a booklet being prepared, comparing new and old legislation, and having it uploaded online would be beneficial.

Selen Lermioğlu Yılmaz said this idea was feasible and was noted, and stated that they would work on the subject with Civil Society Network.

Selen Lermioğlu Yılmaz and Enver Ethemer both repeated that a more extensive event would be organized in September and that the associations may benefit from this event.

## Workshop on Open Door Festival

Later, the workshop moved on to the idea workshop on the Open Door Festival that is going to take place between 20<sup>th</sup> September and 20<sup>th</sup> October 2016 with the facilitation of Çizge Yalkın.

Yalkın explained that the Open Door Festival will take place in order to increase the visibility and transparency of civil society organizations.

Yalkın who said that with this event, it is planned to have each organization open its door on certain dates, gave CSO representative participants 20 minutes to work in groups to prepare opinions and suggestions for the subject.

At the end of this time period, association representatives presented the following suggestions:

- Similar to the EU Day that was organized on Selimiye Square some time ago, an event could be organized for organizations to introduce themselves, and display their products. Spreading this event out into a large timeline and introducing a different organization each day.
- Civic Space setting up a stand in the festivals that take place in the districts, organizations introducing themselves there.
- Associations working in different fields organizing common activities. Different associations going to the same district and having work done in that specific district.
- Working towards allowing Turkish Cypriots to benefit from certain funds.
- Organizations supporting each other and introducing each other's organizations.
- Organizing an event where the disabled gain visibility.
- Organizing thematic events.
- Along with associations bringing in new members; looking for the answers to "what are our needs as an association, how do we want to develop our organization"

Çizge Yalkın who stated that these suggestions were noted, also shared that establishing networks in thematic fields is among Civic Space's priorities.

Yalkın also communicated that Civic Space will start helpdesk services in the following months with regards to associations' communication strategies.

Charlotte Goyon also stated that Open door Festival's objectives include gaining new members to the organizations. da

On the other hand, Goyon also stated that associations should ask "what are our needs as an association, how do we want to develop our organization" and yielded the floor to Refika İnce from SOS for her to share her experience on the subject.

İnce expressed that needs analysis should be made with certainty regarding volunteers and members.

Refika İnce who stated that as SOS they organize conferences for their volunteers 2-3 times a year, said that they later group the volunteers on a needs basis and work with them accordingly.

Refika İnce, in this process, stated that close tracking is important, otherwise the volunteer might feel useless.

The event ended with Juliette Remy Sartin thanking the people who contributed to organizing this event and the participants.

## Annex 1 Agenda

16:00-16:15	Registration
16:15-16:30	<p>Opening and Introduction</p> <ul style="list-style-type: none"> <li>• Welcoming remarks by Juliette Remy Sartin</li> <li>• Welcoming note to the new Civil Society representatives of Civic Space Steering Committee</li> </ul>
16:30-17:30	<p>Workshop on the Charter of the Civil Society Forum</p> <ul style="list-style-type: none"> <li>• Groups work on the first draft of the Charter (16:50-17:20)</li> <li>• Reporting from groups to the Forum and plenary discussion on amendments to the Charter (17:20-17:40)</li> <li>• Closing remarks and decision about the finalization of the CSF Charter (17:40-17:50)</li> </ul>
17:30-17:40	Coffee Break
17:40-18:40	<p>Discussion on the new "Associations Law "</p> <ul style="list-style-type: none"> <li>• What are the changes to the law?</li> <li>• What do we, as CSOs, need to do?</li> <li>• How can we get ready for the changes?</li> <li>• What support do we need from Civic Space?</li> </ul>
18:40-19:40	<p>Idea Workshop on Open-Door Festival (September 20th - October 20<sup>th</sup>)</p> <ul style="list-style-type: none"> <li>• Introduction of the idea of the Open-Door Festival (18:40-18:45)</li> <li>• Groups work on "How do we envision the Open-Door Festival?" (18:45 - 19:05)</li> <li>• Reporting from groups to the Forum and discussion of ideas about the Open-Door Festival (19:05-19:30)</li> <li>• Closing remarks about the Open-Door Festival (19:30-19:40)</li> </ul>
19:40-20:00	<p>Short presentation/information on the Workshop on Incubation (27<sup>th</sup> July 2016, EUPSO, 15:15-19:00)</p> <ul style="list-style-type: none"> <li>• Introduction of the idea of Incubation</li> <li>• Introduction of guest speakers</li> <li>• Videos on incubation (Bilgi University, Impact Hub)</li> </ul>
20:00-20:30	Open Buffet Dinner



## Annex 2 Attendance List

Name-Surname	Association	E-mail
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Desiree Birinci		<a href="mailto:descat97@hotmail.com">descat97@hotmail.com</a>
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## Annex 3 Civil Society Forum Charter

### Civic Space

#### 1<sup>st</sup> Civil Society Forum

#### Recommendations on the working principles by Civil Society

What are your expectations from the Forum? - e.g. code of conduct for the Forum: working rules, principles, operational structures, representation in the Project Steering Committee, criteria for Steering Committee Representatives, how to elect these representatives (online or in-person)

#### Civil Society Forum Working Principles

- A Charter should be drafted and presented to all Members for comments and adhesion;
- Forum should be permanent and sustainable, not limited by 2,5 years;
- General meetings with all CSOs every 3-months and thematic meetings in between Forum meetings (one group proposed that the Forum should meet every 2 months)
- Neutrality;
- Transparency;
- Should be a space with efficient and broad participation.

#### Civil Society Forum Working / Meeting Forms and Methods

- Should be hosted by different CSOs each time (rotating location);
- Continuous information sharing via online interactive means;
- Monitoring and evaluation meetings should be held;
- Should allow us to quickly mobilize when and if urgent action is necessary;
- Should allow information and knowledge exchange (e.g. when a CSO is organizing an event, it could use the Forum to mobilize others);
- Meeting/Forum notes should be shared with all CSOs;
- Monitoring of the implementation of the decisions taken in previous forums should be reported and shared with all CSOs;
- Forum should have an online space to share information on mandates or statutes of CSOs which are part of it;
- Forum meetings should be conducted in the form of workshops.

#### Representation (in the Steering Committee) and Election

- Experience and expertise should be sought as well as long-term vision;
- Representatives should be selected from among “social initiators”;
- Gender and regional equality should be maintained;
- Thematic diversity should be sought;
- Substitute members should also be identified;
- Representatives should be able to commit time

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## PRINCIPLES OF ETHICAL OPERATION OF NON-PROFIT ORGANIZATIONS

### ESTONIA

#### **Democratic governance**

- A non-profit organization has a clear and understandable mission. In carrying out its mission a non-profit organization is guided by its statutes, internal documents and operating standards.
- A non-profit organization expresses and represents a diversity of interests and needs of people. A non-profit organization engages people in the development of civil society through civic education, participatory democracy, advocacy and other forms.
- A non-profit organization as a voluntary association of the members of the society values its members, ensures democratic governance of the organization, holds the governing bodies and employees of the organization responsible and reacts to their misconduct.
- A non-profit organization considers involvement of people and voluntary work as a foundation for civil society, values citizens and their voluntary work.
- A non-profit organization consistently pursues skilled actions, professionalism and perfection in order to achieve better results in its work.
- Getting funds for its activities mainly from supporters and donors, a non-profit organization uses the funds efficiently and in accordance with designated purposes.

#### **Civic courage and care**

- A non-profit organization demonstrates civic courage in fighting against social injustice.
- When discovering incompetence and disregard for the principles of social justice in legislation, a non-profit organization works to amend such legislation.

- A non-profit organization does not use or advocate the use of violence to express its opinions, achieve its goals or gain the attention of the public.

### **Sustainability and prudence in using funds and resources**

- In seeking to achieve its goals a non-profit organization uses natural, human and intellectual resources, as well as material and financial assets with sustainability and prudence, considering the needs of both present and future generations.
- A non-profit organization in its capacity as both applicant and donor, complies with generally accepted funding principles, uses only justified and transparent budgets and avoids duplication in funding.

### **Responsibility and accountability**

- A non-profit organization is accountable its activities and is responsible to the founders, members, stakeholders, supporters, donors and the general public.
- A non-profit organization considers important readiness to account for its activities, achieved through professional management, internal accountability and pursuing generally accepted accounting principles.
- A non-profit organization discloses a report of its activities and finances at least once a year.

### **Openness and transparency**

- Information regarding the mission, membership, activities and funding of a non-profit organization are public and understandable, its activities transparent.
- A non-profit organization communicates in an open and direct manner with all parties concerned and does not act anonymously.
- A non-profit organization is open to new and diversified ideas and opinions, as well as cooperation in achieving common goals.

### **Independence and avoiding conflicts of interest**

- A non-profit organization is independent in setting its goals, decisions and activities and refrains from being controlled by political parties, public institutions or companies, resulting in losing its independence, autonomy and ability to act for the public benefit.
- A non-profit organization and persons involved therein prevent from entering in the conflict of interest. In the event of a conflict of interest the necessary measures to eliminate such conflict of interest must be applied.

### **Honouring commitments and recognition of authorship of ideas**

- A non-profit organization honours all written contracts and oral agreements.
- A non-profit organization honours the authorship and ownership of ideas and projects of other organizations.

### **Tolerance**

- A non-profit organization recognizes the diversity of ways of thought, organizations and their goals.
- In protecting its opinions and discussing those of other organizations a non-profit organization does not disparage or slander other organizations, their opinions or persons operating therein.

## **CODE OF CONDUCT**

### **Principles**

#### **Mission of the Forum**

- Forum is a democratic structure whose operation is guided by ethical and democratic principles
- Forum operates on the ideas of democratic governance, civic care, prudence in decision making, responsibility and accountability, openness and transparency, tolerance, sustainability and ownership and independence and neutrality.

- Civic forum is not owned by any group or institution. It is a collaborative and interactive platform which is based on mutual trust and solidarity amongst its members with agreed upon representation.
- Forum seeks to advance the cooperation and networking amongst CSOs impartially

### **Democratic Governance**

- Forum has a strong commitment to equal participation, unequivocal statutes or ethical standards on decision making and ensuring involvement of all parties equally. Forum also binds to good code of conduct and professionalism and values the work of everyone in an motivating manner. It works with an internal consensus building on cooperation, inclusion, integrity and clear policies.

### **Civic Care**

- Forum is a platform where CSOs work together to develop a culture of honesty, respect, due care for each other and mutual collegiality.
- Forum works to solve problems and communicate in a non-violent fashion

### **Prudence and Ownership**

- Forum should exercise caution and discretion in decision making by abiding the principles of sustainability of the forum in the coming years

### **Responsibility and Accountability**

- Forum must be responsible and accountable in its actions to stakeholder, wider public and other CSO organisations. It also needs to demonstrate accountability for financial resources received from donors, beneficiaries, and other partner organisations

### **Openness and Transparency**

- Forum must communicate in an open and direct manner. It should not act anonymously. It should also be open to new and diversified ideas

### **Neutrality and Independence**

- Forum should avoid being under the control of a particular group, opinion or institution/organisation. It must aim to be independent of all influence and particular benefit hence it must act in the manner to maintain autonomy.

### **Tolerance and Diversity**

- Forum should recognise, honour diversity of opinions. It should circumvent disparaging and defamatory or slanderous language. It should venture to sustain or support the provenance of freedom of speech, expression of interest and tolerating difference of opinions.

## **Methods**

### **Time**

- Forum should meet every 3 months as agreed by majority in the first general forum of the civil society

### **Rotating Location**

- Forum should meet at different locations on a rotating basis. It should consider a rotating presidency or regional collaboration of organising the forum

### **Workshop Format**

- Forums should follow the format of workshops to encourage engagement.

### **Note-sharing -Online Space**

- All reports and notes related with the forum as well as communication should be communicated online and too all members

### **Monitoring of Implementation of decisions**

- Implementation of all decision should be monitored by the forum members through an informal internal audit to ensure that mutual-trust is maintained for sustainability.

## Steering Committee

- Steering committee membership should be done openly through an election process. Election of the members should be through democratically casted votes. Membership should not be limited to two people but thematic groups should work to promote diversity and secure thematic representation.

## Annex 4 Associations Law

### ASSOCIATION LAW<sup>1</sup>

**Turkish Republic of Northern Cyprus Assembly of the Republic makes the following law:**

Short Title	1. This law bears the title "Association Law".
	<b>PART ONE</b> General Rules
Glossary	2. Unless otherwise necessitated by the text, in the subject law, "Minister" refers to the Minister of Interior Affairs; "Ministry" refers to the Ministry of Interior Affairs; "Children's associations" refers to associations in which children seven (7) years of age or older can be members and associations that can be founded by children 15 (fifteen) years of age or older; "Association" refers to a legal entity founded by at least five (5) real persons and/or legal entities to continuously unite their knowledge and work to realize a defined and common objective or objectives other than sharing profit and not prohibited by the Constitution and laws; "Association headquarters" refers to the district in which the residence of the association is located;
33/1998	"District governorship" refers to the administrative organization of a part of the central administration designated as a district by the Law of Civil Administration and its Divisions; "Platform/Initiative/Network" refers to alliances that are not legal entities formed by associations among themselves or with foundations, unions and other civil society institutions to realize a common objective or objectives under names such as initiative, movement, etc.; "Registry", for the purposes of the subject law, refers to the Turkish Republic of Northern Cyprus Associations Registry; "Registry Official" refers to the district governor or a district inspector appointed by him or her at the Ministry Headquarters or district governorships; "Branch" refers to the sub-unit which is not a legal entity but is opened under an association in order to conduct association activities; "Representative office" refers to a legal entity that is opened subject to the consent of the Ministry of Foreign Affairs and with the permission of the Ministry in order for associations of foreign origin to operate in the Turkish Republic of Northern Cyprus;

<sup>1</sup> The ENG translation has been made by Civic Space and it is not the official translation.



"Representative body" is the management and/or coordination and/or executive body of the association or umbrella organization that is responsible to undertake activities and representation;

"Place of registration" refers to the district in which the association is registered;

"Umbrella organization", for the purposes of the subject law, refers to the federations founded by associations and confederations that are founded by federations that are legal entities;

## Section 105

13/1952

18/1956

21/1982

44/1989

32/2004

38/2006

28/2007

50/2007

31/2008

55/2011

62/2014

"Foreigner" refers to the persons as defined in the Law on Foreigners and Immigration;

"Foreign association" refers to any association whose founders are foreigners having permanent residency permits in the Turkish Republic of Northern Cyprus and/or who have been resident six (6) years without interruption and/or have work permits; additionally, it refers to associations in which more than half the members are such individuals; "Association of foreign origin" refers to any association that is registered in a state other than the Turkish Republic of Northern Cyprus; additionally, it includes umbrella organizations that have headquarters abroad.

"Umbrella Organizations of Foreign Origin" refers to an umbrella organization in which at least half the members are foreign associations.

## Purpose and Scope

3. The purpose of the subject law is to regulate the obligations, audits, punishments and other provisions pertaining to associations founded by Turkish Republic of Northern Cyprus citizens and those with a majority of members of the Turkish Republic of Northern Cyprus citizenship, children's associations, foreign associations founded in the Turkish Republic of Northern Cyprus, and branches of these associations, and platforms, federations, confederations, and Turkish Republic of Northern Cyprus representative offices of Associations of Foreign Origin with headquarters abroad.

## **PART TWO**

Rules on Founding of Associations and Organs of Umbrella Organizations

## Right to Found and Be a Member of an Association

4. (1) An association can be founded by five (5) real persons who are citizens of the Turkish Republic of Northern Cyprus, who have completed 18 (eighteen) years of age and have juridical capacity and/or are legal entities without prior permission or have become members of existent associations. The children of the aforementioned, upon turning 15 (fifteen) years of age, can become members of associations with written permission from their parents and/or guardians.

However, such children cannot serve on the association's board of representative or board of auditors.

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| Children's Associations       | <p>5. (1) Children who have turned 15 (fifteen) years of age can found children's associations on topics that safeguard and develop children's best interest such as science, sports, arts, environment and animal rights, with written permission from their parents and/or guardians. The child's membership in any such association automatically terminates when he/she completes his/her eighteenth (18th) year.</p> <p>(2) Children who are older than seven (7) but less than 15 (fifteen) years of age can become members of children's associations with written permission from their parents and/or guardians. However, they cannot serve on the board of directors or audit boards.</p>  |
| General Rule for Associations | <p>6. (1) Associations are prohibited from using the name, emblem, badge or similar insignias of existent political parties, unions or umbrella organizations, and associations, or of those that have been dissolved or closed down by a court decision.</p> <p>(2) Associations can designate private residential property as the association headquarters or a branch office. However, for properties used as private residences by the associations a written, certified declaration by the proprietor should be provided to consent to the audit of the district governorship.</p>  |
| Association Statute           | <p>7. Every association has a statute. It is mandatory for this statute to include the following provisions:</p> <ol style="list-style-type: none"> <li>(1) The association's name and abbreviation, if any, as well as the street address of its headquarters and contact information;</li> <li>(2) The aims of the association;</li> <li>(3) The names, surnames, addresses, occupations, identity card numbers, and signatures of founding members;</li> <li>(4) Terms for membership to the association, resignation from the association and termination of membership;</li> <li>(5) If an association branch is to be established, the procedures and principles of establishment;</li> <li>(6) The procedures for determining the amount of membership dues;</li> <li>(7) The procedure and dates for the meeting of the General Assembly, its duties, authorities, voting and decision making procedures, invitation to the General Assembly processes;</li> <li>(8) Procedures for the convening, invitation, quorum, decision making process of the Extraordinary General Assembly;</li> <li>(9) Duties and authorities of the association's representative organ and the auditing organ, the election system for these organs, number of original and alternate members;</li> <li>(10) The procedures and principles for the establishment of the Auditing Board in the first General Assembly to be held;</li> <li>(11) The form of documents to be used in the collection of association income and rules for the printing and approval thereof;</li> </ol> |

- (12) How the association can be dissolved and procedures and principles for liquidation of its assets in the event of dissolution; and
- (13) Procedures and principles for amendment of the association statute.
- Foundation, Registration and Registration in the Registry
8. (1) An association is founded by at least five (5) founding members who have the competency to found an association.
- (2) The association shall submit three (3) copies of the statute with the signatures of its founding members along with the foundation declaration, which shall be reviewed by the district governorship in which the association headquarters is located and then returned with a certificate of receipt.
- (3) The association statute is reviewed by the district governorship, in scope of the Constitution and the subject law, in a period of a maximum of 60 (sixty) days to determine any unlawfulness or deficiencies exist.
- (4) The district governorship, within the maximum period of 60 (sixty) days, shall convey to the applicant association that the association is registered in the Registry of Associations or that the request to found an association is refused, such refusal being accompanied by justifications. In the situation where the district governorship does not convey the applicant association with an answer within the period of 60 (sixty) days, the association is deemed to be founded and gains legal entity. The district governorship, at the end of this time, is obligated to register the association in the association's registry.
- (5) A written request is sent to the applicant by the district governorship to correct the unlawfulness and/or deficiencies identified within the review period of 60 (sixty) days.
- (6) The day it is determined that the unlawfulness and/or deficiencies are eliminated, following a five (5) working-day review by the district governorship in regards to the completed statute submitted by the applicant, the association shall be registered in the association registry and be recognized as a legal entity.
- (7) The association is obligated to have its first general assembly meeting and establish its organs within the six (6) months following the written declaration confirming the completion of the foundation process of the association and its registration.
- Branches
9. (1) An association that foresees the establishment of branches in its statute shall submit the branch incorporation declaration signed by at least three (3) persons, such persons being authorized by the representative organ to the district governorship of the locality in which the branch is to be opened.
- (2) The branch incorporation declaration is reviewed by the district governor or the district inspector assigned by the governor within 30 (thirty) days of its submittal to the district governorship. If this review reveals a deficiency or breach of the subject law and/or the association statute then the applicants are asked in writing to resolve this breach or shortcoming within 30 (thirty) days.
- (3) An association that does not duly resolve the shortcoming or breach of the subject law and/or the association statute upon this notification shall not open any branch.

- Umbrella Organizations
10. (1) (A) Federations are formed by the union of a minimum of two associations with similar or common founding objectives, while confederations are formed by the union of a minimum of two federations with similar or common founding objectives.
- (B) The total number of foreign associations to be members of a federation cannot be equal to or exceed half the number of member associations.
- (C) Federations and confederations acquire legal entity upon the submittal of their incorporation declaration to the relevant district governorship.
- (2) If the number of members in a federation or a confederation drops below two and this situation cannot be redressed within three (3) months, the sunset provisions shall be applied automatically, whereby the federation or confederation shall be annulled.
- (3) Every umbrella organization has a statute in which the following provisions shall be specified:
- (A) The name of the umbrella organization, the street address of its headquarters and its contact information;
- (B) The purpose of the umbrella organization;
- (C) The founding members' address of operations, their registry information, and the names, surnames and authorized signatures of founding association representatives;
- (D) The terms and procedures for membership to the umbrella organization, resignation from the umbrella organization and termination of membership,
- (E) If an umbrella organization branch is to be established, how branches will be established, their duties and authorities, and how they will be represented in the general assembly of the umbrella organization,
- (F) The amount of membership dues and how the amount of membership dues will be determined,
- (G) The procedures and dates for the meeting of the General Assembly, its duties and authorities, voting and decision making procedures,
- (H) How the umbrella organization can be dissolved and the means of liquidation of its assets in the event of dissolution,
- (I) Duties and authorities of the representative organ and audit boards, how they will be elected and the number of original and alternate board members,
- (J) How the umbrella organization statute can be amended.
- Association and Umbrella Organization Organs
11. (1) Each association and umbrella organization is required to have a general assembly, an audit organ and a representative organ.
- (A) The General Assembly is comprised of members registered to the association or umbrella organization and is the highest decision making organ of the association or umbrella organization. Unless a shorter period of time is foreseen in the statute of the association or umbrella organization, General Assembly convenes once every two (2) years. It elects the organs of the association and umbrella organization, monitors them and fulfills the other duties assigned to it as foreseen in the association statute.

(B) The representative organ is comprised of as many members as foreseen in the association statute, but may not have less than two (2) members. It is the executive and representative organ of the association or umbrella organization; it fulfills this duty in keeping with the subject law and the association statute. One member of the representative organ may be elected as chairperson and/or coordinator and represent the association and umbrella organization on behalf the representative organ.

(C) When the representative organ is founded, it may authorize one or more association members to fulfill executive and representation duties.

(D) The audit organ is comprised of as many members as foreseen in the statute, but may not have less than three (3) members. It conducts its monitoring and auditing duties according to the principles and procedures foreseen in the association statute and presents its findings to the representative organ and the General Assembly with a report.

- (2) Associations and umbrella organizations may establish other organs besides the mandatory ones regulated in the above paragraph (1) on the condition that their duties and authorities are clearly delineated in their statutes.

However, the duties, authorities and responsibilities of mandatory organs cannot be transferred to these organs.

International Activities 12. Associations and umbrella organizations can engage in international activities or collaborations in order to realize the aims identified in their statutes, open representative offices or branches abroad, become members of associations or umbrella organizations established abroad.

- Rules for Associations and Umbrella Organizations of Foreign Origin to Open Representative Offices for Their Activities 13.
- (1) Associations and umbrella organizations of foreign origin can open representative offices in the Turkish Republic of Northern Cyprus to engage in activities or collaborations subject to the consent of the Ministry of Foreign Affairs and with the permission of said Ministry.
- (2) An association or umbrella organization of foreign origin that wants to open a representative office in the Turkish Republic of Northern Cyprus in order to engage in activities or collaborations;
- (A) The association should be founded with the objective of engaging in activities in the fields of sports, health, human rights, environment and/or special education for the disabled; and
- (B) The association should conduct activities or collaborations in the Turkish Republic of Northern Cyprus, in keeping with its founding objectives.
- (3) An association or umbrella organization of foreign origin that is to open a representative office is required to submit the following information and documents to the Ministry:
- (A) Foundation declaration for associations and umbrella organizations of foreign origin;
- (B) A certified statute from the country in which it is registered, and a certified copy of its Turkish translation;
- (C) The address of the representative office and a photocopy of the identity card or passport of the representative to be appointed.
- (4) The Ministry shall conduct the necessary research and review of the documents and respond in 60 (sixty) days.

- (5) This representative office opened with the permission of the Ministry operates according to the rules of the subject law. If it engages in an activity that is in breach of the Constitution or any law in effect, the permission is revoked once again by the Ministry.
- (6) In cases of war, natural disaster, epidemic and similar extraordinary circumstances, associations of foreign origin with knowledge and expertise on these issues can engage in activities in the Turkish Republic of Northern Cyprus upon the proposal of the Ministry and permission of the Cabinet in the event they demand to do so or where it is deemed necessary for them to be invited. However, in no instance shall the operation permission issued upon the invitation or demand of the association exceed a period of 30 (thirty) days.
- Rules for an Association to Be Deemed a Foreign Association 14.
- (1) (A) In the case of an association founded by citizens of the Turkish Republic of Northern Cyprus or by foreigners who have the right to found associations, and an umbrella organization in which the Turkish Republic of Northern Cyprus citizens have the majority of the vote, changes in composition in favor of foreigners, the association or umbrella organization in question become subject to the provisions and terms foreseen for foreign associations and/or umbrella organizations under the subject law.
- (B) When one more than half the members (50% + 1) are foreigners, it shall be reported by the representative organ to the district governorship in 15 (fifteen) working days.
- (C) An association whose membership structure changes in favor of foreigners can operate as a foreign association and exercise its rights as a foreign association.
- (D) In associations and umbrella organizations founded by foreigners, in case more than half the members become citizens of the Turkish Republic of Northern Cyprus, no change is made in the status of the association or umbrella organization.
- (2) Foreign associations, other than the exceptions clearly stated in the subject law, are subject to the rules set forth in the subject law for associations with regards to their rights and obligations.
- Establishing Platform/Network/Initiative 15. Associations and umbrella organizations can form platforms/networks/initiatives regardless of their founding objectives in domains not prohibited by law, among themselves or with foundations, unions and other civil society organizations in order to work toward a common goal upon the decision of their authorized organs, and carry out activities on the national and international levels.
- Upon the request of any person authorized to this end by the authorized bodies of legal entities comprising the platform/network/initiative, the Ministry gives the authorized person a registration document drawn up in the name of the relevant platform/network/initiative for submittal to national or international institutions.

### PART THREE

#### Financial Rules

- Income and Expenses of Associations and Umbrella Organizations 16. (1) Income of associations and umbrella organizations comprise of membership dues, contribution and shares, donations and aids, revenues generated through association activities and association assets, funding received through the banks from public institutions and organizations, and other legal revenues.
- (2) Associations and umbrella organizations can incur expenses for the establishment and operation of branches and representative offices; acquisition, maintenance and improvement of movable and immovable assets; payment of employees' salaries and other stipends; and for the realization and advancement of their objectives at large.
- (3) Revenues of associations and umbrella organizations are documented with "certificates of receipt" and the expenses are documented with expenditure documents such as invoices, cash register slips, and self-employment ledgers. Each page of these documents shall be approved and stamped by the district governorship. If the association's income is collected through banks, documents such as financial tables or account statements drawn up by the banks serve as certificate of receipt.
- (4) The persons who shall collect the revenues of associations and umbrella organizations are determined by the decision of the representative organ and authorization certificates are issued for these persons.
- Section 95 (5) Associations and umbrella organizations carry out their fundraising activities in keeping with the regulations foreseen in the Street and House-to-House Collections Act.
- Records to be Kept by Associations and Umbrella Organizations 17. Associations and umbrella organizations are obligated to duly keep the following records:
- (1) Member registration book, list containing the members' identity and registry information along with their dates of admission to and resignation from membership;
- (2) Record of the General Assembly decisions;
- (3) Minute books to be kept separately for each association organ containing the dates and numbers of the decisions taken by the association organs signed by the members participating in the meetings; and
- (4) Income and expenditure records.
- Acquisition of Immovable Property 18. Associations and umbrella organizations can buy immovable property or sell their immovable property upon the decision of the representative organ pursuant to the authorization of their General Assemblies. Within one (1) month of the title deed registration of the immovable they have purchased, associations are obligated to notify the district governorship of the locality in which the property is situated.
- 52/2008 However, the processes regarding the acquisition of immovable property by foreign associations and associations of foreign origin are conducted in the framework of the rules under the (Foreigners) Law of Acquisition of Immovable Property and Long-Term Lease.

### PART FOUR

#### Audit

## Internal Audit

19. (1) Associations and umbrella organizations operate under the principle of internal auditing and audits can be done by the General Assembly, representative organ or the audit organ, and can also be commissioned to independent auditing organizations.
- (2) Audit to be conducted by the General Assembly, representative organ or independent auditing organizations does not eliminate the responsibility of the audit organ. At intervals not exceeding one (1) year and as per the principles and procedures identified in the association statute, the audit organ inspects whether or not the association is operating towards the objective stated in its statute and in keeping with the areas of work pledged to be carried out for the realization of this objective, and that the books, accounts and records are kept in keeping with the legislation and the association statute. The audit organ presents the results of its audit in the form of a report to the representative organ and to the General Assembly when it is convened.
- (3) Upon the request of the members of the audit organ, all kinds of information, documents and records must be presented or submitted by the association authorities, and access should be granted to administration offices, enterprises, branches, representative offices and its extensions.

## Auditing Authority of the Administration

20. (1) Associations and umbrella organizations are obligated to submit a declaration delineating their annual activities and income and expense transactions as of the year-end to the relevant district governorship until the end of March every year.
- (2) (A) Inspections are conducted by inspectors authorized by the district governor to investigate whether or not the activities of associations and umbrella organizations are in compliance with the laws, and their books and records are kept in keeping with the legislation.
- (B) The inspections to be carried out by the district governorship are notified to the associations in writing at least seven (7) working days prior to the inspection.
- (C) Expert staff may be requested from the Ministry of Finance for the financial review to be carried out under subparagraph (A).
- (3) In inspections conducted by the district governorship in associations and umbrella organizations, the official number of members, as submitted to the district governorship, is taken as a basis.
- (4) Associations of foreign origin are obligated to submit an activity report about their operations to the district governorship every six (6) months.
- (5) During inspection, the number of members, members list, nationality of members, and information about the association, documents and records, within the context of the subject law, requested by the inspectors on duty, should be presented or submitted by the association authorities, and access should be granted to administration offices, enterprises, branches, representative offices and extensions.
- (6) (A) The association shall renew the changes occurred in its membership registry (e.g., new registration, resignation, death,



leave) within six (6) months and submit the numbers of declined and new additions to the district governorship.

(B) The renewed list of members shall be submitted in a closed envelope to the district governorship by the association's management. This envelope, marked with a cold seal, shall then be given back to the association's management in order to be preserved.

(C) The association's management shall be liable for the loss of, breaking of the seal or damage on the envelope.

(D) In situations where a breach of the above actions is determined, the district governorship, immediately discharges the association's management and appoints three (3) members of the association for a period not exceeding one (1) month, to hold the association's general assembly. The executives held responsible for this action cannot stand as candidates to serve in any organ of the first General Assembly.

- (7) The association is notified by the district governorship of any breach of legislation detected during inspection and asked to amend this breach within 30 (thirty) days.
- (8) All associations, foreign associations, associations of foreign origin and umbrella organizations are obligated to bring their income and expenditures, persons in the representative organ, and if they exist, addresses of branches and representations and activities to the attention of their members.

- Declaration Obligation 21.
- (1) Associations and umbrella organizations are obligated to notify the district governorship of the original and alternate members elected to the representative organ, audit organ and other organs of the association within 15 (fifteen) days following the General Assembly meeting.
  - (2) Changes in the association and umbrella organization organs, statutes and place of residence are notified to the district governorship.  
In case of change in the address of its headquarters, the relevant district governorship sends the registry files to the district governorship of the district that the headquarters of the association or umbrella organization was moved to.
  - (3) All associations and umbrella organizations bring their income and expenditures, persons in the representative organ and, if they exist, the addresses of branches, the representations and activities, and the membership list to the attention of their members.

- Receiving Aid from Abroad 22.
- (1) Associations and umbrella organizations may receive monetary aid from persons, institutions and organizations abroad through banks.
  - (2) Associations and umbrella organizations are obligated to declare the receivables, projects to which they will receive monetary aid from persons, institutions and organizations abroad to the district governorship.
  - (3) Regardless of the name they are under, all aid in kind that associations and umbrella organizations will receive from persons, institutions and organizations abroad shall be declared to the district governorship.
  - (4) Foreign associations and associations of foreign origin can accept monetary aid through banks with the permission of the Ministry.

- (5) Foreign associations can accept aid in kind with the permission of the Ministry.
- Printing Lottery Tickets and Organizing Draws
- Section 74  
23/1981  
23/1995
23. (1) Associations' and umbrella organizations' income generation activities related to lottery tickets and drawings are regulated by the rules of the Law on Lotteries.
- (2) It is mandatory to receive written permission from the district governorship for lotteries and drawings. This permission specifies the number of tickets to be printed, the sale price of the tickets, and the award to be distributed.
- (3) The activities described in the above paragraph (1) can be organized by associations and umbrella organizations that meet the following criteria:
- (A) Associations with more than 25 (twenty-five) members; and
- (B) Umbrella organizations.
- (4) In accordance with Article 20 paragraph (1) of the subject law, association and umbrella organization that did not submit their declaration within the stipulated legal period cannot apply to organize the activity stated in the above paragraph (1) before fulfilling this obligation.

#### **PART FIVE**

##### Termination of an Association

- Dissolution of an Association and Umbrella Organization and Automatic Sunset
24. (1) (A) Associations and umbrella organizations are automatically dissolved in the following manners:
- (a) Decision of dissolution of an association or umbrella organization may be taken by the General Assembly.
- (b) Decision of dissolution taken by the General Assembly is published in one local newspaper published in the Turkish Republic of Northern Cyprus and brought to public attention.
- (c) A financial report delineating the financial situation of the association is submitted to the district governorship within 15 (fifteen) days following the adoption of the General Assembly decision.
- (d) Upon completion of the dissolution procedures as per the general assembly decision the association's records in the Associations Registry are deleted.
- (B) Under conditions stipulated by the subject law decision of closure is given by the court.
- (C) Procedures and the quorum for convening the meeting and taking the decision for the dissolution of associations and umbrella organizations are regulated by the association statute.
- (2) (A) Rules of automatic sunset apply for associations and umbrella organizations in the following situations:
- (a) The first General Assembly is not convened within the period foreseen by the subject law and the mandatory organs have not been established;
- (b) It becomes impossible to establish the board of directors as per the statute;
- (c) Ordinary meeting of the general assembly is not held within six (6) months following the initial call;

(B) Two thirds of the representative organ members or the district governor may request the authorized district court to determine that the association has become defunct.

#### Liquidation

25. (1) Liquidation of the money, property and assets, and rights of an association or umbrella organization, which has been dissolved upon its general assembly decision or automatic sunset, is carried out according to the principles delineated in its statute.
- (2) If the association or umbrella organization has been closed by a court decision, then all the money, property and assets, and rights of the association and reserving the third persons' right to recourse are transferred to a budget item deemed appropriate by the Ministry of Finance by a court decision.
- (3) The representative organ is responsible for the accuracy of the information in the financial report. All damages of third persons resulting from false declaration and/or dissolution may be subject to recourse against the members of the representative organ.
- (4) If an association, against which legal proceedings for dissolution have been launched, takes a decision on the dissolution and by extension the transfer of association properties and assets then the transaction of conveyance cannot be carried out until the court case is finalized.
- (5) Upon the dissolution or automatic sunset of annulled or dissolved associations and the completion of their liquidation and conveyance procedures, their records in the Associations Registry are deleted.
- (5) An association which has an open court case against it cannot dissolve itself by General Assembly decision until the court case in question is finalized.

### PART SIX

#### Administrative Fines and Authority of Courts

#### Administrative Fines

26. (1) The district governorship notifies, in written, the breaches and/or deficiencies identified to the subject law, and requests the elimination of deficiencies and/or resolving the breaches within 30 (thirty) days. For associations and umbrella organizations that do not eliminate the deficiencies and/or resolving the breaches within this period, the following monetary fines are executed.
- (2) According to the subject law:
- (A) Associations and umbrella organizations that violate rules set forth in Article 6, will be subject to a fixed fine that is  $\frac{1}{5}$  (one fifth) of the monthly minimum wage in effect by the district governorship.
- (B) Associations and umbrella organizations that violate rules set forth in articles 17 and 18, will be subjected to a fixed fine that is one fifth ( $\frac{1}{5}$ th) of the monthly minimum wage in effect by the relevant district governorship.
- (C) Associations and umbrella organizations that violate rules set forth in Article 19, will be subjected to a fixed fine that is  $\frac{1}{5}$  (one

fifth) of the monthly minimum wage in effect by the relevant district governorship.

(D) Associations and umbrella organizations that do not fulfill the obligations set out in Article 20 paragraphs (1), (4), (5), and (8) are subjected to a fixed fine that is one fifth of the monthly minimum wage in effect by the relevant district governorship.

(E) Associations and umbrella organizations that violate rules set forth in Article 21, will be subjected to a fixed fine that is 1/7 (one seventh) of the monthly minimum wage in effect by the relevant district governorship.

(F) Associations and umbrella organizations that violate rules set forth in Article 22, will be subjected to a fixed fine that is one-tenth (1/10th) of the monthly minimum wage in effect by the relevant district governorship.

(G) Associations and umbrella organizations that violate rules set forth in Article 23, will be subjected to a fixed fine that is one-third (1/3rd) of the monthly minimum wage in effect by the relevant district governorship.

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| <p>48/1977<br/>28/1985<br/>21/1998<br/>31/1997<br/>54/1999<br/>35/2005<br/>Court Authority</p> | <p>(2) The administrative fines stipulated in this article are deposited to the relevant State budget item by the end of the following month subsequent to the issuing of the fine. Fines given by the governorship as per this article are public receivables and are collected according to the <a href="#">Law on Procedures of Collection of Public Receivables</a>.</p> <p>27. The Court, in a case to be opened at the request of the Ministry or the district governorship, for the protection of national security and/or public safety, for the maintenance of public order and prevention of crime, for the protection of health and morals or for the protection of the rights and freedoms of others, may decide to order the closure of the association or the umbrella organization. The Court may take any measures it deems necessary during the trial, including the suspension of association activities.</p> |
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## PART SEVEN

### Temporary and Final Rules

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| <p>Temporary Article<br/>Status of Existent<br/>Associations</p>      | <p>1. (1) Any association founded under a name such as "association", "society", "community", etc., having become a legal entity before the subject law went into effect, shall amend its association statutes in keeping with the subject law within one (1) year from the effective date of the subject law.</p> <p>(2) Any association that does not amend its statutes in keeping with the subject law shall neither found a federation nor become a member of an existent federation.</p> <p>(3) Sunset provisions of the subject law are applied for associations that do not duly amend their statutes in keeping with the subject law, within the period set forth in paragraph (1) above.</p> |
| <p>Temporary Article<br/>Sports Associations and<br/>Sports Clubs</p> | <p>2. (1) Irrespective of the rules in Article 8 of the subject law, any association, union or sports club founded for the purpose of sports education or has a provision among its founding objectives stipulating that it will work in at least one field of sports actively pursued under the current sports federations completes its registration procedure following its application to the district governorship for registration, provided that it receives a declaration</p>  |

		of eligibility from the ministry responsible for Sports prior to registration.
6/1961 7/1991	(2)	Sports associations and sports clubs founded under the subject law or the Law on Societies and Associations of Turkish Communal Chambers, having become legal entities, are established and can operate in keeping with the rules of the subject law, provided that there is no rule to the contrary in the Law of Physical Education and Sports for the foundation and registration procedures.
67/1999 40/2004 12/2011		
Rules on Annulment, Protection and the Annulment of the Temporary Article 2 6/1961 7/1991	28.	(1) The Law on Societies and Associations of the Turkish Administration Assembly is annulled as of the date the subject law goes into effect without detriment to the procedures carried out under the subject law.  (2) The temporary Article 2 of the subject law is annulled, at the end of the third year starting from the date the subject law is in effect.
Executive Authority	29.	The subject law is executed by the ministry responsible for Internal Affairs.
Entry into Force	30.	The subject law goes into effect upon its publication in the Official Gazette.

