

# Legal mapping to improve equitable access to water and sanitation

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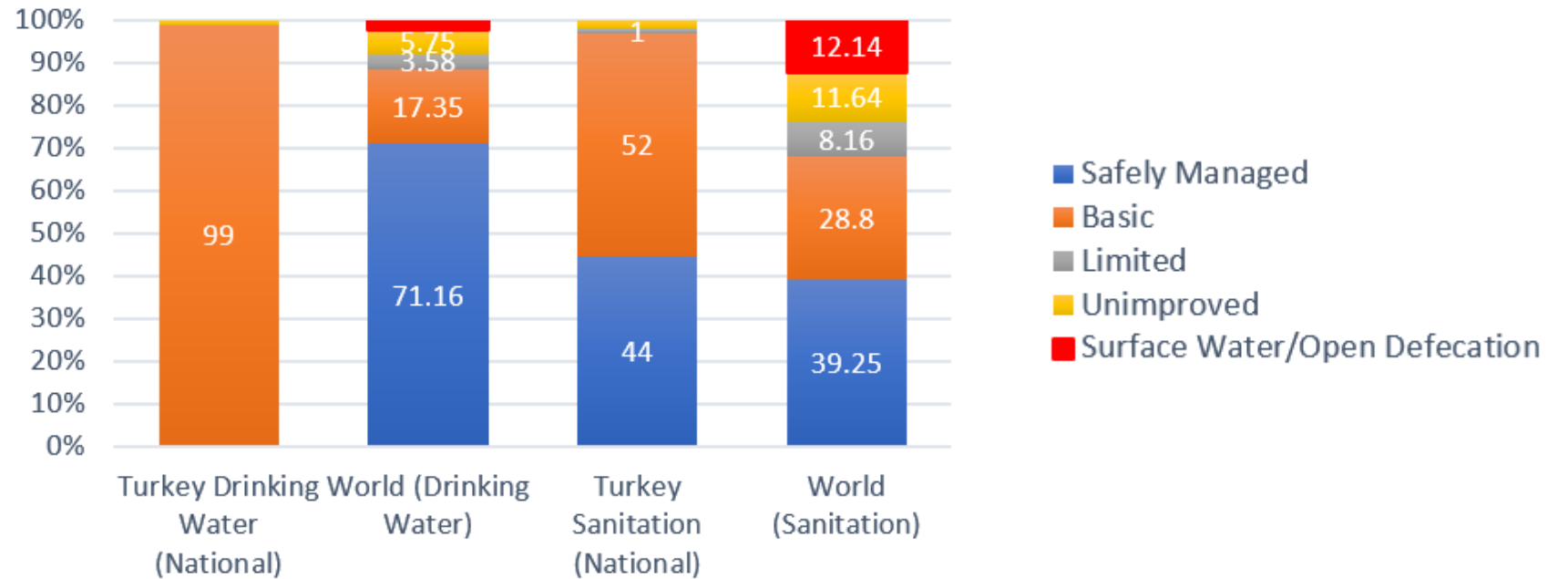


# Turkey Country Mapping



## Water and Sanitation Status (JMP)

JMP Update 2017



# National Legal Framework

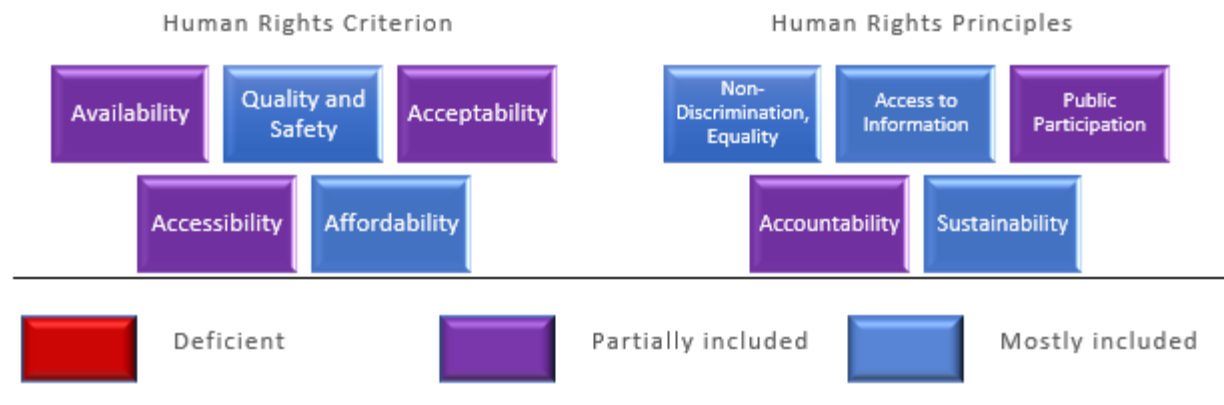
## General Legislation

Member of a regional integration organisation	Yes.
State Organisation	Unitary State.
Relationship between International and National Law	Dualist.
Supreme Law	The Constitution
Independent National Human Rights Institution (NHRI)	Yes.
Name of Institution possessing regulation-making authority	No
Popular consultation as part of governing/legislative process	Not Officially.

## Water Governance

Right to Water or Sanitation mentioned in Constitution	No
A water code or a law specific to water resources	Yes
National Strategy, Policy, Action Plan etc. on Water and Sanitation	Yes
Transboundary Water Resources	Yes
Priorities in the allocation of water for different uses	No

## Legal Framework



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## CHAPTER 4. THE HUMAN RIGHTS TO WATER AND SANITATION:

### A. Availability and accessibility

**1. Does the law ensure that a minimum essential level of water is available to all?**

According to the general equality and social state principle regulated under the Turkish Constitution, Water should be provided to all in essential amounts. However, there is no explicit legal provision that ensures a minimum essential level of water that is available to all.

**2. What are the standards on the amount of water to be made available/is there any guidance in the law in this respect?**

If the principle of general equality and the social state principle regulated under the Turkish Constitution is breached, applications may be made to the Council of State or Constitutional Court, and their decisions on the cancellation of legislation breaching the principle can be considered as guidance.

**3. Does the law ensure continuous supply of water for all?**

There is no explicit provision in the law that ensures a continuous supply of water for all.

**4. Does the law prioritize water for domestic uses over other uses?**

There is no explicit prioritization in the uses of water for domestic purposes over other.

**5. What are the grounds for disconnecting, interrupting or altering water supply and sanitation services (e.g., authorities may alter water supply in case of droughts or emergencies, in which cases are disconnections possible...)?**

According to the Regulation on Water intended for Human Consumption, spring and drinking water facilities are subject to annual controls by the Ministry of Health, and also controlled quarterly by the Local Health Authority's related public health units. If the parameters of water quality, as determined in the relevant legislation, decrease, necessary actions should be taken. As the relevant regulation does not specify necessary actions; these may include

interruption, disconnection or alteration. Additionally, if water becomes a threat for human health, water supply may be prevented or limited. In such a case, the public should be informed before the prevention or limitation occurs.

**6. What are the procedural standards/criteria for permitting interruption, disconnection or alteration of water supply and sanitation services?**

The procedural standards/criteria required for permitting the interruption, disconnection or alteration of water supply and sanitation require that the Ministry of Health conduct regular annual controls and the Local Health Authority facilitates this quarterly. In the event that the parameters of water quality decreases, necessary action must be taken.

**7. Are alternative ways of water supply and sanitation services provided for in case of alteration of supply and/or service?**

Not Applicable.

**8. Does the law provide guidance on: the number of water outlets? The safety, distance and time from a dwelling or structure to reach water outlet or sanitation facilities (e.g., laws that specify water outlets must be available within a certain distance from a school or household)?**

The law does not provide any guidance on such information. Pursuant to the verbal information provided by the Istanbul Directorate of Waters' related unit, these are dealt by engineers and are not legislative matters.

**9. technical safety of water outlets or sanitation facilities (e.g. law requiring that certain standards are applied in the constitution of those facilities or of buildings)?**

See above.

Is there provision in the law for availability and accessibility of water and sanitation

# Thank you for your attention

