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Act Amending certain Articles of the Turkish Constitution

Act no. 5170	Date on which Act was passed: 7.5.2004
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Section 1. The following paragraph has been added after the first paragraph of Article 10 of the Constitution of the Republic of Turkey:

Women and men shall have equal rights. It shall be the responsibility of the State to ensure that that equality becomes a reality.

Section 2. – The phrase “or the execution of the death penalty” has been deleted from the second paragraph of Article 15 of the Constitution of the Republic of Turkey.

Section 3. (The phrase “the execution of a death sentence handed down by a court” has been deleted from the beginning of the fourth paragraph of Article 17 of the Constitution of the Republic of Turkey.

Section 4. Article 30 of the Constitution of the Republic of Turkey has been amended to read as follows:

Article 30. Printing houses and accessory premises lawfully established as printing businesses and printing apparatus shall not be seized or confiscated, nor shall those businesses be prevented from operating, on the grounds that they have been instrumental in an offence.

Section 5. The ninth paragraph of Article 38 of the Constitution of the Republic of Turkey has been deleted, and the tenth and last paragraphs have been amended to read as follows:

No one shall receive a death sentence or a sentence of general confiscation.

No citizen shall be extradited to a foreign country on account of an offence, with the exception of the obligations entailed in being a party to the International Criminal Court.

Section 6. The phrase “and the execution of death sentences imposed and confirmed by the courts” has been deleted from Article 87 of the Constitution of the Republic of Turkey.

Section 7. The following sentence has been added to the last paragraph of Article 90 of the Constitution of the Republic of Turkey:

In any disputes which may arise because laws contain different provisions on the same subjects as are dealt with in international treaties on fundamental rights and freedoms which have duly entered into force, the provisions of the international treaty shall be taken as a basis.