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Interview with Basak Ekim

What is the Social Policy Forum?

Ekim: We established the SPF in 2004. Recently, I have been working on the NGOs role. We are setting up a network funded by the EU as a part of the European Anti-Poverty Network. I focus on poverty which is a big issue in Turkey.

How do you assess the role of NGOs in the Turkish welfare regime?

Ekim: It is the weakest pillar of the Turkish welfare system: in terms of budget; in terms of staff; in terms of the institutionalization. Since the 1990s, NGOs have flourished very rapidly. NGOs play an important role in filling the gap in social services. Many NGOs deliver services to children, disabled, women, in the field of poverty. Underground social services. The state is very confident with this role of the NGOs because they see them as their partners. We [SPF] see their role as quite problematic because many NGOs do not play the role of advocacy in Turkey. They like the role of social service provision hand in hand with the state. There is this draft proposal waiting at the parliament. Possibly, they will not be able to pass it because of the upcoming election. This law aims at social services and the changing role of the Directorate. With this law the government will give more power to NGOs to provide social services especially for children.

In case the AKP gets reelected. Do you think they might not be able to implement the law? Do you think there is too much political pressure?

Ekim: No. I think if they get elected they will implement the law.

Could you elaborate on the draft you mentioned?

Ekim: It is the draft proposal on the Directorate of Social Services. It will change the entire structure of the public social services. At the moment, there are many NGOs which provide social services underground. They open child institutions and care facilities. [...] They have signed protocols with state institutions. If this laws passes it gives NGOs the right to open social service institutions. This law provides the legal framework for NGOs to set up their own institutions. There is also this other approach on public social services. They see family as the main welfare creator. In the moment, their main project regarding child protection is to send children which are under state protection back to their families.

This is very interesting. Who does that?

Ekim: The Directorate of Social Services. It is called "Return to the Family" (Aileye Dönüş Projesi). There are many children left to state institutions. The state claims that these children should be taken care of by the family. So, they set up this agenda that children under state protection should return to the families. They developed social assistance schemes. They give families monthly allowances to take care of the children. If they think that the children cannot be taken care of by their biological family, for several reasons, they try to integrate these children to relatives first and, if this does not work, they try to support foster families. This system is very complicated in Turkey unlike other European countries. At first, it is difficult to monitor all the families, because the state does not have the capacity to monitor these families closely. There are not enough social workers and the administrative capacity is not sufficient enough. And the other difficulty is that children are not seen as a part of society but seen as a part of the family in Turkey. The family is responsible to take care of the child not society. In such a society it is difficult to find a family that takes care of children from other families.

What groups of children are under state protection?

Ekim: Some of them are orphans. Some of them are left to the institutions due to poverty. Most of the poor families have numerous children. It is due to several reasons.

Is this project part of the draft proposal?

Ekim: No. They have started to implement it already. It is present policy. [...]

In how far has the role of NGOs changed in the last years?

Ekim: In terms of poverty? If you define poverty in a limited way NGOs play a very restricted role. The role of charity, not advocacy. Deniz Feneri is the biggest one but there are others. Many work with municipalities. Municipalities became important actors in social welfare the recent years. They opened disability centers, rehabilitee centers, care centers. Municipalities are becoming important actors. If you look at issues related to poverty, like women's issues, children issues, NGOs play an important role as they fill the gap.

What gap do they fill?

Ekim: They are working on children, drug abuse, street children. They try to create social service models underground. But they do not come out with policy proposals that would push the state's agenda to tackle these problems. That is our concern actually. They try to tackle the problems underground. And the state is happy with the way they fill the gap.

In how far does the state have a distinct housing policy?

Ekim: The state does not see housing on his agenda. Many social services are left to the family by the state: child care, care of the disabled, care of the elderly. The state's agenda is limited to the social security system, health system for those people who are in employment. So, the state's relation to those outside of formal employment is very problematic. All these social assistance schemes are created as charity not as social rights.

There have been some changes towards more right-based welfare, like the Green Card. Are there NGOs connecting people with social policy programs? Are there NGOs helping people to apply for social services?

Ekim: Yes, there are NGOs doing this. But they do not see this as their primary task. [...] Let me give you an example: I am member of a group working with the Roma community. When we are working with the Roma community we inform them on conditional cash transfers, for example for children who drop out of school. But it is not the primary task of the NGO to inform the community about social assistance schemes. People know how to get social services. There is not a problem of limited information in Turkey. The problem is, when they reach the bureaucracy the means-testing process is an agony. Especially for those with limited literacy. There are also the public community centers of the social services. And through these centers people have knowledge about services. Unfortunately, the number of these centers is limited.

Are the centers run by municipalities?

Ekim: There are 75 community centers in Turkey and they are run by the Directorate for Social Services. Also municipalities started to open centers recently. And also the legal framework changed for municipalities to act more independently in social services. In a couple of years

municipalities will have become important actors. In just a couple of years, municipalities in Istanbul already opened eight disability centers. They opened family centers, health centers. Now, they started to provide social care for the elderly. So, they respond to the changes more rapidly. And the state's aim is to transform these services to local governments.

Is there an explicit family policy in Turkey? Are there NGOs lobbying for a family policy?

Ekim: No, not really. This is why we founded the Anti-Poverty Network.

Let us talk about the religious NGOs, like Milli Görüş. Do they have a lot of social responsibility?

Ekim: I cannot really say much about Milli Görüş. But many NGOs, like Deniz Feneri, are working underground. I do not really see a difference between religious and i.e. Kemalist NGOs.

I have heard about this NGO which functions as an umbrella for women working at home.

Ekim: Yes, the "Home based Women's Network". (Ev Eksen) [...] They have been quite influential. Women NGOs are an exception when it comes to advocacy. Women movement is very strong. They have been very influential in changing the civil law. There has been a spill over to policy-making. They pushed the government to make this work [paid but informal domestic labor] visible. They did research on employment issues and recently they came out with a proposal for a minimum wage for women working at home. I think they try this advocacy role. So far, there have not been any legal changes but as a voice they are an important case.

Could you tell me about vakfi?

Ekim: They have been social service bodies in the Ottoman times and now there are a lot of NGOs established as vakfi. [...]

Let us talk about Hemseris. Are they still playing an important role?

Ekim: Many studies demonstrate that they play a smaller role. Many urban poor nowadays have no ties to their rural background. The new poverty concept Ayşe Bugra and Çağlar Keyder employed for Turkey includes that people are excluded from social networks. So, I do not think that we can talk about strong social network which provide social safety nets for those people, especially in the migration process. This is also true for the Roma community as these people do not have contacts to larger parts of society. This is not an answer to social exclusion.

So, would you say that with the retreat of the extended family as a provider of social services also the Hemseris lost importance as they are connected to family bounds?

Ekim: Yes. Hemseris are becoming a myth. I think this why the local level becomes more important. As it is not right based, I think, it is easier to create these welfare networks around the municipalities.

In the Southern European countries there was spill-over from the regional to the national social policy level. Would you expect this for Turkey?

Ekim: It depends on the civil movements that push social policies. In the Turkish system projects are not implemented on the regional level to see if they are successful or not. [...]

Turkey is a very centralized country which makes it hard for NGOs. Is there a change visible?

Ekim: Turkey is centralized in terms of its decision-making process. The state develops the policies. But when it comes to implementing these policies the state uses the NGOs and transfers social services to the local level. The state remains the main social policy maker. The difficulty is that policymaking platforms of the state are not interlinked to NGOs. But when it comes to providing services and implementation the state cheers the role of the NGOs underground.

Is there a change visible with regards to a public-private mix, like in other Southern European countries?

Ekim: Exactly, in health it is very visible, in the providence of social services. Four or five years ago the state passed a law and now private services can take care of disabled children. These private rehabilitation centers, they grow like mushrooms. They have contracts with the state. If you are ensured through SSK you can go to the private rehabilitation centers and the state will pay for it. [...] Many local authorities contract out their social services, i.e. in the social care area, there are a lot of private actors providing care for the elderly, for the sick [...]. They have contracts with the local authorities. We haven't followed this process closely, but from what we can say, private services are filling the gap rapidly.

Taking into account that there is a twofold social security system in Turkey: on the one hand there are the protected workers in the formal sector and on the other hand there are the unprotected in the informal sector. Would you agree that private social services are basically provided for those in the formal labor market?

Ekim: Yes, exactly. The others are left to the family.

Are there NGOs giving those in the informal sector a voice?

Ekim: No, besides Ev Eksen, not really and the labor unions do not have a real interest in that neither. Labor unions play a very static role.

Would you agree that the family as an actor got institutionalized in social policy and that the gap resulting from the retreat of the family is filled with NGO's work?

Ekim: This is the main policy of the state. They see family as the main welfare provider, as the main safety net. They reinstitutionalize this role of the family. [...] Family is seen as the main institutions to take care of children. In "Return to the Family" assistance is not provided as a charity but as a social assistance scheme through a cash transfer system so that the family can function as this welfare provider.

Could you think of other examples where the manifestation of the family as an institution of welfare gets visible?

Ekim: The state does not see itself as a care provider. [...] The right for a decent life, to be taken care of, is left to other social actors. Anything outside the social security system and the employment system is left to the family or other actors on the community or society level.

What would you say was the main reason why NGOs got more important from the 1990s on?

Ekim: There are a couple of reasons. I.e. the earthquake increased their roles and demonstrated that the state does not have the capacity to respond to overnight crisis. After the earthquake, a lot of people who worked underground founded NGOs, like Bir Umut. But also the movements in Turkey, like women movements, disability movements, environment movements, were important. These have also been influenced by global movements.

What about the growing importance of religious foundations?

Ekim: We [SPF] don't encounter them very often. Like in every other area it is very conflictual. Everything is segregated in Turkey in this sense. I have been working in NGOs for several years but I do not encounter it. Except Deniz Feneri, because they communicate with us. Besides, we do not use the same platforms. [...] I was in this discussion program on TV and there were a lot of NGOs. There was also this religious NGO and I have never heard of them. Afterwards, I found out that it was an Islamic NGOs. There is a lot of ideological segregation and the work is carried out underground. Of course, NGO's work is a political battle ground in Turkey. Every social issue is a political issue.

Thank you very much.

Basak Ekim is the Director of the Social Policy Forum.

Interview with Ayse Bugra

Bugra: [Reading the research proposal] The Southern Model became detached from itself. In relation to hypothesis three: Don't you think that the family's role has been undermined everywhere. Turkey is not unique in this sense.

Sure, but if you take Esping-Andersen's argument into account that existing welfare arrangements shape the outcome of social policy reform I think the changes are very interesting. The family plays an outstanding role in the Turkish social security system. This role is also institutionalized, i.e. if you take the fact that unmarried daughters are insured with their parents.

Bugra: This has changed, although the reform has not been enacted yet. There is a thesis on this matter, specifically on the gender dimension of welfare reform, by Azer Kiliç. There was a very specific attempt to eliminate gender inequalities. Either way.

I would like to ask you some questions about the reform of the Turkish pension system. Would you call the recent reforms a paradigm change?

Bugra: Yes. It is a very important change but not a complete break. The original reform package had a component of social assistance which would have put the administration of social assistance under the same administrative structure as social security and pensions. This component was not even brought into parliament. With this component, it would have been a real break. Now, there are important changes but there is continuity. It still does not perceive social assistance as a civil right.

Will there still be a minimum old age and disability pension after the reform?

Bugra: This hasn't been changed.

Could you elaborate on the legal entitlement to the minimum pension?

Bugra: Of course, there is a contributory pension system and there is also already a private pension system. And then, there is a law according which the people above the age of 65 and the disabled regardless of any age can be entitled to a means-tested pension. But that law specifically indicates that the person does not have any relatives that can take care of him.

How is relative defined?

Bugra: The same way family is defined in the social security system. Dependents. Which means children and parents.

The high active-passive ratio in the social security system suggest on the one hand that there is a high percentage of early retirements and on the other hand that there are very many people dependently insured through one anchor in the formal social security system.

Bugra: This is correct.

Do you think the reform will lead to a decrease of the number of insureds?

Bugra: What this system will bring is a new system of compulsory premium payments. There are the formally insured and then there are those outside the formal system who have to pay premiums for health and pension. And then there are those whose income is below a certain threshold of income. For those the government will pay. But that is a means-tested process.

Facing 50 % employment in the informal sector, this will be a big challenge.

Bugra: It is a big challenge. It is a question of making people actually pay. And of course means-testing itself is a big challenge.

How will the reform change the power relations of the social institutions? As far as I know, the three social security institutions were autonomous and now they will be under the guidance of the...

Bugra: The Social Security Institution.

If you compare the draft to what the IMF proposed and to what TÜSIAD proposed it seems very similar.

Bugra: No, there are important differences. Especially with regards to the pension system. TÜSIAD proposed a pension system which is almost identical with the one in the World Bank report. This proposal is very different. It basically leaves less room to private provision. It basically keeps the premium-based system. Without the third level.

Private pension systems were established in 2003. Is there a trend visible which groups in society get private insurance? I guess, they still play minor role?

Bugra: They play minor role, but they are there. Those people getting private insurance are the same people who have formal insurance and the rich.

In the current system, in how far are the three social institutions different in terms of benefits and services?

Bugra: They are very unequal. It is a very unegalitarian system. Both for health and pensions. The replacements rates for civil servants are very high and they have much better access to health services. But there are proposals that would enable everybody to use all the hospitals. Now, steps are taken. But they are not in affect.

Back to the minimum pension. There is no gender inequality?

Bugra: No, but it is very marginal and people are not very well informed. There is a problem of information which limits coverage.

In one of your papers, you argue that clientelism does not play a big role in Turkish social policy.

Bugra: One has to be careful about that. I did not say social policy. I said in the social security system. For example the government did not use this social pension law in the electoral process. What was used in the electoral process were mechanism that replace social policy, like irregular settlement, like agricultural subsidies. These played a very important role. In Italy, for example, pensions appear as an important factor in clientelist arrangements but not in Turkey. In other

fields clientelism plays a role. For example, clientelism can play an important role in the social assistance provided by municipalities.

What about early retirement programs?

Bugra: Early retirement? Yes, I have not looked at this factor. You might be right.

Could you imagine that after the reform private pension schemes are developed as a substitute for the occupational advantages in the current social security system?

Bugra: That is possible.

Let us talk about the privatization of elderly care and the retreat of the family. Did private providers of care services get more important?

Bugra: They still play a very marginal role. But there is a new consciousness of the problem. The current government puts a lot of emphasize on the families role.

Would you agree that the family has a strong position in the legal framework of the social security system?

Bugra: It is less a family issue. It is a gender issue. It reflects the idea that women have to be protected. As unequal citizens. This legislation is based in Ottoman legislation. That women are not very likely to participate in the labor market.

In Germany, women's role in the labor market is enforced by social legislation. For example through the widow pension.

Bugra: The Turkish system corresponds to that. Women are entitled, men have to go through a means test. Now they eliminated this test. In some cases, they try to implement more equality by giving more rights to men, in some cases they take away from women.

What do you think were the driving forces behind the Solidarity Fund? New poverty?

Bugra: Yes. Emergency relief. Appealing to the traditional notions of charity.

Would you say it led to a decentralization of charity with its more than 900 local institutions? Would you say there was a spill-over to the municipal level?

Bugra: Of course, the administrative structure of the fund was a decentralized one and it was very useful, as it provided access to people on the local level. And now, like everywhere in Europe, there is a process of decentralization and empowerment of municipalities. But it goes along with the tendency to keep social assistance in the realm of charity. The more local it gets, the less rights based it becomes.

A certain percentage of the Fund is spent on employment creation. Could you elaborate on these projects?

Bugra: The Fund publishes a yearly report where there break down the expenditure. I do not know the percentage but it is not very successful. People have to present projects. Like microfinance but without interest. Hence, not like the Grameen Bank.

Who gets help from the Fund?

Bugra: The Fund has a very traditional notion of “deserving poor”. Basically women. Women without a man taking care of them. An unemployed husband etc. If you go to the Fund’s offices you see only women. Women can be considered, disabled can be considered. But it is very much a traditional notion of deserving poor.

Do muhtars get a guideline how to define poverty?

Bugra: It depends, i.e. the General Directorate of Social Solidarity, now it is a directorate, administers conditional cash transfers in connection with a World Bank program. They have a specific guideline. In terms of other aids, food, fuel etc., it’s much more discretionary.

This cash program is the program to enforce school attendance?

Bugra: Yes.

Is there a housing policy in Turkey? Besides Gecekondus?

Bugra: Very marginal. But Gecekonduization is over now. What exists, aims at the middle class. There is also an urban transformation program. To clean out gecekondu. It is part of the Global Cities’ gentrification process.

Could you elaborate on the role of municipalities?

Bugra: It is basically charity. Public-private partnerships are very important on the municipal level. So, there are these relations between actors on the municipal level: local businessmen, local government, NGOs. This is happening in a legal vacuum. It leaves a lot of room for corruption and little room for accountability. It cannot be a substitute. In Europe’s developed welfare regime, decentralization can take place with different implications. In Turkey, where the welfare system is very underdeveloped especially in terms of its social assistance component, this really provides a lot of room for charity dominating over rights-based social assistance.

Are there a lot services transferred to the private level by the municipalities?

Bugra: Child care, disability care, but there has not been concrete research done on this matter. [...]

Talking about my theoretical background. In how far do you see parallels between Southern Europe and Turkey?

Bugra: EU membership made a huge difference for Southern Europe. If you look at the evolution of public social expenditure you immediately see this development. [...] If the negotiations with the EU would have continued in a serious way they would have made a huge difference. But if the EU-Turkey relations get colder and colder it will be reflected in the area of social policy. A lack of emphasis. It will go the American way. A neo-liberal way. A liberal way with a lot of emphasize on the third sector.

But there have also been universal policies in the recent past. What are the push-factors behind these policies?

Bugra: Relations with the EU are important and besides no government would accept the neo-liberal label. The government makes a lot of efforts to show that they do a lot for the people, not only the privileged in the formal sector, and especially for children. And they never deny that there is a social responsibility to deal with these problems but the context of the term social responsibility is not non-ambiguous.

What do you think about my thesis. Where do you see problems?

Bugra: The difficulties are the changes. Comparison should be sensitive to the atmosphere that changed. [...] The legislative reforms come from a cognitive change. So, one should be sensitive. Your theoretical guidance? I would add the CCE. Turkey has similarities to Southern Europe and the new EU-member states, in terms of the influence of the IMF, the World Bank.

Thank you very much.

Ayşe Bugra is Professor at Bogaziçi University/Istanbul - Atatürk Institute for Modern Turkish History

Interview with Çağlar Keyder

Would you say the 2006 reform represents a paradigm change in the health sector?

Keyder: Very much so. It recognizes that health care has to be universal. Unfortunately, it creates a fund which will be the main resource for all health care expenditures and creates contributions which people who are formally employed have to pay into this fund. Then it creates a second status for people who are not formally employed and do not have pay checks but are supposed to earn incomes that are above the minimum wage and they are supposed to contribute to the fund out of their pockets.

How is this supposed to work?

Keyder: The informal sector is divided in two categories. One category is those people who declare themselves and receive the documentation that they are poor. For them the state will deposit contribution to the fund equivalent to what the contribution would have been with minimum wage. And the other category, people with their own shops which are self employed who runs bakars. They are supposed to contribute themselves which is probably the weakest side of the proposal. We had voluntary contributions before, within Bag-Kur. Bag-Kur ended up with 2/3 of its members not paying in time. Because they had not paid in time they were not able to use the health services. So, it is a faulty design. I think, once they see the mistake they will have to change some things. Nevertheless, it is a paradigm change because there is this implicit recognition that everybody has to be covered. In fact, there are sanctions for those who are not taking part of the state insurance scheme. You cannot say: "I will just pay it out of my pocket". Either you have a salary, then it will be conducted from your pay check. Or you are too poor, then the state is paying for you. But you have to proof that you are poor or in the middle in which case you will contribute voluntarily. So, the coverage is supposed to be universal. That is the big paradigm change. It destroys that corporate hierarchy. State employees, like myself, or a poor persons whose contributions are paid for by the state have the same access to hospitals and institutes. Like the NHS in England. Where you are registered in a family-solution, depending on where you live, and also, I think, where you work. Which means everybody has the same kind of first level health care and from there the family conditions transfers you to second hospital.

Will there be changes in entitlement?

Keyder: If a person is married it is not a problem. If a person is in school or university he will be covered. Everybody under the age of 18 is covered. Actually, I do not know how it works. Let us say you are a person above a certain age, you are not employed, and you are still living with your parents and you are not going to school. I think, you are supposed to be treated as a person who is potentially employable and therefore should contribute and could not use your families insurance. I do not know if such a person can apply for poverty status. I am not sure. There are a lot of problems in this law. I.e. the law, as it is right now, says that those who are not employed but supposed to pay contributions [...] when those people come to a hospital [...] if they have not paid they will be denied service.

Let us talk about the institutional side of the reform. Will the Ministry of Health organize the entire health sector?

Keyder: No, the Ministry of Health regulates services. They say: "This test should be done. This medicine should be prescribed". But other than that, the family seditions are supposed to act on their own. They will probably use the existing infra-structure. They are supposed to have a minimum of 1000 persons registered. Aside, they are paid out of the fund in relation to how

many people have come to see them. Accordingly, the hospitals will have autonomous status. It is not sure how this is supposed to work. But probably all the state hospitals will turn into self-managing units which are paid according to the services they provide.

Are they allowed to outsource services?

Keyder: I think they are autonomous. They can do whatever they want. But there is the expectation that this universal coverage will be sufficient as a basic thing but if you want anything further you will have to get additional coverage.

Are there still differences in terms of benefits in the health sector?

Keyder: No, this has changed. What this government did, and this was their main achievement, they made it possible for people from any of these services to go to the hospital they want. So, people from Bag-Kur can go to state hospitals. They also equalized the pharmacy parts. This was probably the biggest complaint. If you were SSK member and went to the SSK hospital and you got a prescription and in order to get the medicine, you had to go to the SSK hospital's pharmacy. This was not the case of the state-employees. Nowadays, everybody can go to every pharmacy.

How do you see the role of public-private partnerships?

Keyder: Private insurance is very small. But 1/3 of all health expenditures are out of pocket payments. A lot of people go to private doctors and labs. When people who pay out of pocket and go to a private doctor or lab are forced to contribute to the system, than the expectation that people do not go to private doctors any more and all health services are absorbed by the state system.

Would you agree that clientelism does not play a big role?

Keyder: I would not call it clientelism. In election campaigning and this is what happened with early retirement promises. Clientelism is more specific.

Talking about the Green Card. Is it fully tax-financed?

Keyder: Yes, it is financed through the Ministry. People go to health centers or state hospitals and these are in the hand of the Health Ministry. If you had a Green Card it was very hard to get medication. But his is no longer the case. Probably the Ministry does not pay for medication but the Social Solidarity Fund.

How does the entitlement to the Green Card work? Is it the income of the household?

Keyder: Household.

Is there a legal definition of household?

Keyder: I assume the muhtars have registries where they can see who lives in a household. I guess when you apply for a Green Card they look at the average income of the entire household and if this is less than 1/3 of minimum wage you qualify, than they look at property. But in the end, it is fairly subjective. If the muhtar knows there is a well-off son living not in the household the muhtar can say: "no". This happens.

Let us talk about decentralization.

Keyder: This is not formal. There are no duties formally transferred to the municipalities.

Do they play a bigger role?

Keyder: Only in some cases where municipalities opened some clinics. They are still commercial institutions but quite cheap. But this is not a formal process.

The AKP emphasizes the family as an institution of welfare. I heard about this program “Return to the Family”.

Keyder: There is a program where children in state care are given to families, not their own family in exchange for money. But there is a lot of criticism about that.

Could you think of examples which show the important role of the family?

Keyder: One thing comes up. Young girls that are working informally before they marry can do so because they have coverage from their father. There is his implicit understanding, i.e. in textile work, that you employ young girls that are not married, because they are covered by their fathers insurance. There is this management of the lifecycle. Because, formally speaking, if she is working, she should have social security. In this sense it creates conditions for informality.

Taking the current changes into account, would you still argue that Turkey differs from the Southern European states?

Keyder: Well, the Southern Welfare states are much more rapidly becoming universal. They are getting out of the corporatist framework. Also, they have increased their social expenditures since EU membership. Their health systems are moving towards universality and their social assistance is moving towards universalism as well. So, they are far far ahead. Having said that, I think Turkey is probably more advanced in the same direction as it was. Also compared to the Latin American countries. So, I would say they are still in the same family.

Thank you very much.

Çağlar Keyder is Professor at Bogaziçi University/Istanbul – Department of Sociology

Interview with Sinem Adar

Could you tell me more about the social security reform?

Adar: In the beginning, it was supposed to be implemented in January 2007. Due to some political conflicts it was delayed till mid 2007 and now to January 2008. This reform process has more advantages than disadvantages. The main advantage was to challenge this privileged system. Basically people formally employed, treating them at an equal level. All the benefit ratios, contribution periods, everything is going to be the same for different sector.

There will be no more advantages for the civil servants?

Adar: No. At least, in the proposed reform. If they implement it. It has been stopped by the President and before, the Constitutional Court cancelled it because it violated the constitutional rights of civil servants.

Have there been two laws for the reforms of the health and the pension system?

Adar: Just one law, the same law. There was also a social assistance component of the reform but this has never been discussed in parliament. Opponents of the reform basically argue that it will privatize the social security system of Turkey and others argue that Turkey needs a reform of social security out of financial concerns. But the most important lack of the current structure is related to the rights of the poor and those in the informal sector. This was never discussed.

So, there was a proposal for a law which would have introduced right based social assistance scheme in Turkey?

Adar: Yes. It was part of the draft proposal but was never brought into the parliament and has not been discussed in the public as well. Trade Unions and Employers organization did not discuss it. Another advantage of the reform is that SSK, Bag-Kur and ES are supposed to become united under the Ministry of Labor and Social Affairs.

And the Ministry of Health will control the health sector?

Adar: Yes. But of course there is a lot of interest connected to the institutional change. I.e. the main institution responsible for social assistance is the General Directorate of Social Assistance and Solidarity. The State Planning Institution does not want the General Directorate to work under the Ministry of Labor, because they fund the General Directorate. They are very arbitrary. It is a big source for rent. So, there are a lot of political interests in the reforms.

Taking all these factors into account, how high do you think are the chances that the reform will be implemented?

Adar: Well, all issues related to social policy are now delayed. Even if the reform will not be delayed, I want to outline that the social assistance component is not on the agenda. For us this is the most important lack of the reform process.

Could we talk about the impact of the reform? It will be based on contributions. The age of entitlements has already been changed. What will be first cohort affected?

Adar: Well, the plan was that those people who start working in 2007 will be affected. Another advantage of the reform is that before the state would not contribute to the pension system. With the new system it will. I think they add 5% in pension and 3% in health. It is still very low

compared to other European countries but it is a very important development. [...] Nevertheless, the question is what is happening to those in the informal sector? Everybody, who is earning more than 1/3 of the minimum wage will have to contribute to the new system. This is true for the health system. So, the contributions for those who earn less than 1/3 of minimum wage premiums will be paid for by the state. So, it will be universal but based on contributions. Not like in the Southern European countries.

So, the Green Card will be out of use?

Adar: It will be a gradual change. It is not very clear in the draft proposal what will happen in the times of change.

So, the pension system will only include those who were insured through the three social security institutions?

Adar: Yes.

If you compare the IMF and the TÜSIAD proposals with the draft, it is very similar. So, what were the driving forces behind the reform?

Adar: Well, the main argument of the IMF is the huge budget deficit of Turkey. And of course they are right. The process of demographic change is a problem for all European pension systems. But the thing is, with the very low retirement ages this process happened much earlier

Who is actually entitled? I mean, is it just early retirement or is it also the high number of dependently insured?

Adar: Yes, of course this is another important factor. If you look at the statistic 95% of the population is covered by the social security system. But 50% of the population is working in the informal sector. So, the dependency ratios are very high.

I see. So, how is entitlement defined? I read that unmarried daughters above the age of 18 are insured? Will this change?

Adar: With the new reform women above the age of 25, if they have a university degree, they are not going to be insured. Even if they are not working. Basically, they say if you have a degree: "work! Do not count on your family!"

In both: health care and pensions?

Adar: Yes.

Also in survivor pension schemes?

Adar: Yes. Also, in the new system are children under the age of 18 are going to be health insured. No matter if they parents contribute or not. [...]

There will be universal health care for those under the age of 18?

Adar: Yes. Based on contributions. This is again a financial problem of the system. They say children will be insured, no matter what. So, there are so many gaps in the law. Back to the trigger of the proposal. The first reform initiative was a proposal by TÜSIAD in the end of the

1990s. This proposal was very similar to the “1994 World Bank Report” focusing on the aging of population. And the opponents of the reform process got very frightened when they heard the names IMF and World Bank. So, in my opinion this is why they just the discussion on a very ideological level. When you hear IMF, people first of all think of privatization. It has some truth in it but at the same time this system needs a reform. If you look at the health system. It has been gradually been privatized. We are moving towards a different health system. There will be doctors in every neighborhood. And people will first go to these doctors and every family will have a family doctor. And then people need a person who will be responsible to decide whether you can go to the second layer. And the second layer will be recall system. So, they claim that this system will increase efficiency and effectiveness. It will lower the costs it will prevent people waiting in queues.

Could you tell me about the minimum old age pension?

Adar: There is the Law No. 2022. According to this law, those people who are above the age of 65 can be entitled to minimum income. Depending on if they have relatives who can take care of them. They have a right to apply to this income. But this is not very well known.

These payments go directly to the individual?

Adar: Yes. Family mechanisms in Turkey are resolving. It is not as strong as it was before 2001. But of course there is still a very strong emphasis of politicians on the family as an institution providing care assistance and an institution that will hold the society together. The prime minister held a speech at the general meeting of Kizilay, the Turkish Red Halfmoon. It was just based on this call for the family to provide solidarity among the society. But at the same time social policy took a form more in line with rights based as well. The Law No. 2002 also includes disabled people.

Could you elaborate on the peaks of generosity in the contemporary system?

Adar: The pension system. Civil servants get bigger salaries. They also get a number of benefits if they work longer. Technically this system was designed that the civil servants get the cream of the pie. [...] Related to the membership negotiations with the EU, the Turkish government under the Ministry of Labor and Social Affairs works on a joint inclusion memorandum. They sort of try to get comparable data but they could not, because it is partially very hard to find comparable data. So, the report discusses this problem and also discusses how the welfare system is changing in line with the international context. [...]

Are there processes of decentralization in the social realm?

Adar: They are now trying to reform the General Directorate of Social Services and Child Care. It is responsible for child care and family care, basically social services. It is different to the Solidarity Fund. There is again a proposal to reform the social services in line with giving more role to local government. So, these reforms are all interlinked with each other. There is an increase in the role of the local government, an increasing role of private organizations, and at the same time no reform towards social assistance on the central level.

What about the Microfinance debate?

Adar: What is done is instead of giving money to the poor make them work. This is the main argument.

How can the role of private actors in the pension system be described? Is the role of private service-providers increasing?

Adar: This is my personal opinion. Yes, for a certain group within society it is becoming more important. Women are more in the labor market. There is an already existing and growing sector which is providing care services to these people. Other than that if you cannot afford it is still the family, respectively the women.

How is the entitlement to the Green Card regulated?

Adar: The individual is entitled. It is a means-tested system. You apply as an individual. You have to fulfill the criteria. But as in every means-tested system there are problems. There are a lot of people who get the Green Card that should not. So, it is individual but on a household level.

But to be entitled it is the income of the household which is taken into account?

Adar: Yes.

Are private pension insurances getting more important?

Adar: So, far they do not have a significant importance.

What about private health insurance?

Adar: It is the same

In Southern Europe there is a big public private mix in the social service sector. Is this true for Turkey as well?

Adar: When you look at the private service sector, they are growing like mushrooms? If you look at the reform, the state is planning to provide the minimum social security and for the rest private health insurance needs to be taken.

Let us talk about the Solidarity Fund.

Adar: There is one institution at the center: the General Directorate of Social Assistance and Solidarity. The name changed in 2004. So, it is not a fund any more it is a directorate. There is this draft proposal that it will be part of the Ministry of Labor and Social Assistance. Then, there are these 931 foundations. So, the General Directorate is working through these foundations. I.e. we are living in Ankara you go to the foundation and most of the services and benefits provided by the Foundation are means-tested. So, there are certain criteria. If you fulfill the criteria you are entitled to the benefits. And they do cash assistance, non-cash assistance, like fuel, food etc. After the 2001 crisis, this conditional cash transfer program started done by the World Bank. It has been implemented by the Fund as well. But now the World Bank program is continued by the Turkish government. The government gives money to families. Basically to women, not the men and you need to send your children to school and you need to immunize your children. A study showed that the level of education and the immunization rate of children increased significantly. Especially in the South East.

Why is the money given to women?

Adar: It is supposed to empower the women.

Back to the Solidarity Fund. Has the role of muhtars change?

Adar: No. It is still not based on rights and it is arbitrary how the Fund's benefits are granted. Especially on the local level.

Have you heard of social assistance systems on the municipal level?

Adar: As far as I know, there are some municipalities which give cash on the local level. But in the end, what the central government tries to do is to transfer social assistance to the local level. To give rights and duties to the local level. This is in a way good as it brings citizens closer to the political decision makers. On the other hand it is bad because there is no framework as it is open to corruption.

Luis Moreno argues that there has been a spill-over from the local to the national level. Is this true for Turkey?

Adar: No. I could not think of an example. It is still coming from above not from the local level. One of the main problems of social policy in Turkey is that there is still not an established attitude on social policy related to rights based social policy. So, the discourse is not established. There are very effective NGOs working on the local level but it is still disorganized. The current government promotes the NGO work a lot. They have an educational project. Called "100 % Support to Education". They give 100 % tax cuts to those who contribute to the educational system on a charity level. So, social assistance is based on charity. Another project tried to bring together the social state and the social community. So, they are organizing fund raising nights invite celebrities, channel money into education. They are not talking about raising the public social expenditures but they are talking about fundraising on a voluntary and a personal level.

Have there been changes towards a more right-based system?

Adar: In terms of demanding rights, the change in perception is not very strong. There is a change in perception of poverty but coming from a tradition in which the family has the main role. It is very difficult to change this discourse. For example I was reading an article in the newspaper about the program of the CHP for the upcoming election. What they said is that they want to tackle the issues of poverty and unemployment at the level of the family.

Are there any tax cuts for families?

Adar: I think they recently proposed a law like this. But I do not know much about it.

Could you tell me about Is-Kur?

Adar: They implemented an unemployment insurance payment in March 2002. They have this active labor market program. This is very popular in the moment. Also related to the international context. You know on the international level there is this movement from welfare to workfare. And the activation of the labor market. The programs of the Is-Kur were mostly funded by the World Bank and the EU.

Thank you very much.

Sinem Adar works as an Assistant at the Social Policy Forum

Interview with Ümit Aydogmus (Deniz Feneri)

First time we spoke you told me that you are working for Deniz Feneri. As a volunteer?

Aydogmus: No, they pay me. I have a salary and a position there. I organize their academic activities. They established some kind of poverty research center and I work as a coordinator. Also, I am writing my thesis on Deniz Feneri.

What is your research question?

Aydogmus: In the beginning my research question was how civil society conducts and governs the poor. Through what kind of strategies do they govern and classify people, such as deserving and undeserving poor. What adding do we use to label poor, i.e. orphans, widows, elder, mentally ill. So, Deniz Feneri uses these categories to classify the poor and give them what they need. During the process of research I made some changes. Because the question does not clarify my point, it misses something. Although the theoretical approach promises sth., i.e. what kinds of techniques are developed during the governing activities? The way Deniz Feneri establishes a relation to the poor. This question became my research question. Who establishes a relation? Deniz Feneri takes the donor's money and gives it to the poor. Also, they represent the donors to the poor. They define poverty a certain way. First of all, the inability to meet one's own fundamental needs. This is their way to define poverty. It is not an inequality, it is not a relative poverty, a relation. It is, first of all, a personal inability to meet one's own fundamental needs. This enabled them to establish a relation with the poor. They call donors to assist those people to achieve those needs. So, I focused more and more on the question how they represent the poor to the donors and what is the use of it? (5:00)

[Presenting the research project] I would be interested in how far this discourse of poverty and discourse of the family is reflected in Deniz Feneri's work?

Aydogmus: Deniz Feneri classifies the poor in terms of household. They open a case in order somebody can apply for assistance, or in the name of the person: neighbors, relatives, muhtars, but, every case will be opened in terms of family name. Even if there is only one person. If you would ask: "How do you [Deniz Feneri] determine the inequalities within the family?" They would not get the point. They determine who needs what in each family. They undermine the inequality part, but they define poverty in terms of need. [...] They do not take it individually but as a whole

So, they always open a case for the entire family? The household or the extended family?

Aydogmus: Household. They have a special computer software. They use questionnaires: How many individuals live in the household. The software has also special spaces for extended family: grandparents, even uncles.

Is the income of these relatives included in these programs?

Aydogmus: Yes. In the household they have an income space. Rental income, assistance, pension, retirement, neighborhood assistance, land, property, animals. It is very detailed. It shakes the ground of Southern European welfare: quite informal, quite unregistered, based on personal relationships. Deniz Feneri uses a very detailed registration system.

Could you give me some general details about Deniz Feneri?

Aydogmus: They call it a rather religious NGO. I would prefer conservative. They have a liberal leaning. Liberal in a European sense. Like the Christian Democrats. Liberal leanings, conservative leanings, family issues, family related issues. They do some education, some projects with other big NGOs.

When was it established?

Aydogmus: 1998. It started as a TV program on channel 7 to present the urban poor. It set some networks. I.e. they go to a supermarket and ask for aid. They call it a bridge to the donors.

Was it an initiative of the channel 7?

Aydogmus: It was TV celebrity. He sold this program to channel 7. He also presents the programs.

So, it started off as a commercial idea?

Aydogmus: It was very small. Some religious shop owner who wants to help the poor but he also wants to make sure the people deserve what he gives. So, Deniz Feneri went to those shops: "We know some families. Give us some items. It will be on TV. We guarantee that they are poor."

It started off as charity. Could you elaborate on the developments?

Aydogmus: Today, it is rather big. They still do not make references to the inequality problem. But they refer to corruption. When they got power, they discussed the culture of poverty issue. Currently, they do some education programs for the poor, rural development programs, i.e. they give goats to families. They give 20 animals to a family and take 20 animals later and they can keep the brut.

What kind of educational programs?

Aydogmus: Occupational programs. Like carpentry. They teach skills. But I have little hope that it will work. It is based on a romantic idea. If you do not have a market for the products it remains a folkloric, romantic idea. They do also offer computer courses. They teach women to be secretaries and also teach high school graduates. They try to teach skills for low income work.

How is the educational training funded?

Aydogmus: It is very small. Most of the resources are in aid in kind goods: foods, cloth, medical. There are also some cash transfers.

What are the criteria for cash transfers?

Aydogmus: Is there any workable, employable person in the house? This is one hinder. Because, they do not prefer to help people who can work. But if they have to, they help. If there is a dramatic event, like an accident, emergency health problem, they help.

How many people work at Deniz Feneri?

Aydogmus: Around 300 get paid. We have three facilities. They are not independent. Izmir, Ankara, Istanbul. They fear corruption. The headquarter wants to control everything. The software is centralized. If somebody enters data the headquarters can see it.

Are there new developments visible? Is there less in-kind aid? Is there more education?

Aydogmus: In Turkey there is this bias: “Let’s not do charity. What should we do? Okay we will educate them, so they can earn their livelihood.” Deniz Feneri moves within this cycle. So, it is not only a religious NGO. There is this neo-liberal climate in Turkey. I think Deniz Feneri is a conservative, neo-liberal NGO.

What is the connection of Deniz Feneri to the political realm? Is it close to the AKP?

Aydogmus: Yes. Deniz Feneri does a lot of work which is fed by AKP governance. Like the establishments of ‘food banks’. Big companies get a tax cut if they give aid, left-overs or in order to avoid storage costs, for charity. So, they began to give food to NGOs. AKP established this policy. This food bank law is just for NGOs working on behalf of the public good-status. These are not only religious NGOs. There are also Kemalist NGOs.

Does Deniz Feneri help applying for Green Cards or public aid?

Aydogmus: They only show the way to apply. Tell what documents are necessary. This needs a lot of training to know the newest developments, i.e. in rental help, elderly care, cash transfers.

Do you think the government wants NGOs to fill the gap the family left behind in the providence of social services?

Aydogmus: I think the government wants NGOs to fill the gap. But they cannot afford it. I think they want to develop some sort of network between the corporations, NGOs and the state. They want a public private mix to conduct the problems of poverty. It is short term based. It is welfare to work system. [...] They want to transform the informal networks into some sort of apparatus of the state.

Basak Ekim told me that it is much easier to found a NGO...

Aydogmus: Yes, it is much easier.

How is Deniz Feneri interlinked with municipalities?

Aydogmus: This is a big problem. Deniz Feneri does not intend to establish relations to municipalities because their sources are not transparent. They distribute resources in order to be reelected.

Let’s talk about the family again. [...] Who gets the aid? The head of the household?

Aydogmus: The head of the household. Usually, they use bank accounts. Also to fight corruption.

What criteria are there? Is it household income?

Aydogmus: As said, Deniz Feneri defines poverty as the personal inability to find one’s fundamental needs. Immediate help in terms of food and cloth becomes more important. But every help is approved by Istanbul headquarters. In this sense it is centralized. [...] On the other hand the criteria are informal. Who decides what a fundamental need is?

What is Deniz Feneri position towards the family?

Aydogmus: They want to reemphasize the family's role. Their first principle is to assist the family and to make it powerful again against the economic problems. They want to support the family. This is like their mission. But the problem of poverty goes beyond their idea. So, there is a contention. There are many cases that do not match this idea of an idealized family. Like child abuse cases. They see these things and they are absolutely inappropriate for their idea of the family but they try to reconceptualize their ideology. I think this is also why I am employed there. This is why they founded a poverty research center.

Do you see the religious background of Deniz Feneri as a problem? Do you think only religious people get help?

Aydogmus: No. Deniz Feneri's does not refer to the religiosity of the poor but of the donor. The compassion of the donor [...] When we talk about religiosity of Deniz Feneri we have to ask whose religiosity?

How many people are working for Deniz Feneri?

Aydogmus: On paper, they have 40.000 volunteers working for them. They have diverse backgrounds: Widows, elder, people who want to socialize, people who want to hook up. But there are also many professional volunteers. There is probably a core of a 1000 professional volunteers.

Are there a lot of NGOs trying to copy Deniz Feneri?

Aydogmus: There are a lot of NGOs which want to work with Deniz Feneri. They want funding and in response Deniz Feneri controls their actions. They even work with NGOs in the Balkan region.

Is Deniz Feneri bound to the urban area?

Aydogmus: They cover all Turkey. Each branch is responsible for a part of Turkey. [...] All the data is send to Istanbul and after approval the nearest office sends the aid.

Let us go back to the role of the family...

Aydogmus: It is the unit. The measurement for needs and necessity. [...] The entire income of the household is taken in order to determine if there is a need for help.

Thank you very much.

Ümit Aydogmus works for the Deniz Feneri headquarter in Istanbul.

Interview with Kemal Ülker (Hava Is)

[Presenting the research project]

Ülker: The welfare system in Turkey as we know it dramatically changed in favor of big business.

What is Hava Is and what is your position?

Ülker: Hava Is is the Turkish civil aviation union. Like most of the unions it was established in the late 1950s early 1960s after the constitution after the first military coup. I have been working for Hava Is for five years. Between 2000 and 2003 I have worked for Hava Is. Then I went to London and worked for the International Transport Workers Federation. Now, I have been working for last five month for Hava Is again. I am responsible for the educational activities and external relations.

Are most of the members of Hava Is state employees?

Ülker: No, not any more, because Turkish Airlines is not a state owned company any more. The state has 49% of the stocks. But it is controlled by the state, as the biggest shareholder.

So, most of the members are insured through SSK?

Ülker: Yes, they are all SSK.

What do you say about the social policy reform from the perspective of the labor unions? What is the main problem from the reform?

Ülker: There has been a series of reforms. They all went in the same direction. The idea was to promote private pension schemes. There is a general trend throughout the whole world. Turkey is only part of the process. Mainly the legal framework has changed. The labor laws have changed. They ask for more flexibility. We also went through a serious financial crisis which turned into a serious economic crisis in 2001. Which was a good opportunity for the IMF to put pressure on Turkey to pass laws which were directly linked to working life and the welfare system. Turkey implemented a number of IMF programs. Since 10 years. In 2001, the IMF said you have to pass 15 laws in 15 days. Some of them were linked to the welfare system. [...] I can say something about the general performance of the Labor unions, which is quite pathetic. In terms of paying lip service. Most of the time it was quite easy for the government [to implement these reforms]. There was not much resistance. Nowadays, they are discussing the possibilities to get rid of the severance payments. Two month ago the IMF published a paper with recommendations. It contains a lot of demands. Probably after the next elections the next government will implement these demands. They can not really say no or stop the relationship to the IMF. Turkey is not in the position to do that. Because they fully liberalized its monetary system. All the speculative funds can come and go freely to Turkey. So, if the IMF gives the wrong signal to the world they will withdraw the funds.

What do you say about the universal changes in the welfare regime, i.e. in the health sector?

Ülker: There will be some sort of threshold. This is also related to the IMF. They want to install some sort of cap for the expenses in the health system. Their main interest is to make Turkey a country which is able to pay its debts. They want to know the maximum amount of money spends for the health system. So, yes there will be a health system for everybody. But there will

be certain limitations. If there is no money you will be asked to fund your own expenses. The system is designed in a way that it brings some sort of coverage. But the losers will be those who are actually taking part in the existing structures. Those who contribute. That is the danger. Actually, they are playing a part of the population against the other one. The unemployed against the employed. [...] The IMF's demand that there will be a maximum cap will make sure that there will be no extra expenditure for the population. That is good for the government as they can say "look we provided you with this system" but bad for the working section of the population.

Could you tell me more about the unemployment insurance which was recently established?

Ülker: This is closely linked to the accession process with the European Union. This is why they want to get rid of the severance payments. Every company has to pay compensations in case of severance, calculated according to the years of employment. This is an important component of the Turkish social security system and has a very long history. They want to get rid of this and say we will have this unemployment insurance. But the coverage is very limited and the money they pay is low and the period is limited too.

Are only employees covered or does it also cover the self-employed?

Ülker: Only the employees and the state employed. But the amount of money is very low, comparable to minimum wage.

Are workers with family entitled to higher benefits in case of unemployment?

Ülker: No, it does not make any difference. The main thing for me is that they want to get rid of the severance payment or, as an alternative, want to pay only half the money they used to pay in the past. [...] Two years ago they [IMF] published a report on unemployment. The government just sticks to these goals.

Do you think the draft [pension and health reform] will be implemented?

Ülker: Yes, I do not think any government could stop the reform because of IMF pressure. Just look at the government coalitions since the crisis. Nothing changed in terms of policies. It has not only to do with IMF pressures. It has to do with social policy crisis in general and the end of Keynesianist policies. All the legal changes go down to this. [...] In terms of economic policy no party has an alternative program.

Thank you very much.

Kemal Ülker works for the Turkish Civil Aviation Union Hava Is

Interview with Cüneyt Danar (MESS)

Could you tell me something about the social security reform?

Danar: The old “Law 506 Social Insurance Act for Workers” needed a reform owing to the changes in population structure and the financial problems of the system. In the last decade the social security system has been one of the main sources creating social instability [...] The Social Security and Health Insurance Law implements a social security reform. The reform has been enacted on 31 Mai 2006, published in the official gazette on 16 June 2006 and was supposed to come into force on 1 January 2007. It was postponed because the Constitutional Court canceled the law. The reform will now come into force on 1 January 2008.

Does its implementation depend on the reelection of the current government?

Danar: No. It does not depend on the current government. But the law has some financial and constitutional defects. It has not been completed. The reform tries to unite three different institutions under one umbrella. This is not easy because every institution has its own rules, different insurance systems, different boni and different rights. So, I think the court decision is right. When you unite all these different system under one umbrella there is a problem.

Will there be differences in entitlement? With regards to the family members who are entitled? Will unmarried daughters still be insured?

Danar: The aim of the reform is to set a single regulation for all the workers and workers family. They want to include these people in the system.

What is the legal definition of the family?

Danar: Worker, worker’s wife, children, parents, but not sister or brother. Because they are insured themselves.

From your point of view, what were the driving forces behind the reform?

Danar. The IMF, TÜSIAD, all the social partner. All the social partners want the reform to come into force. But there is a technical problem.

What are the changes in the health system?

Danar: The main difference is that all the people, not only workers, are covered by the law. [...] Also unemployed are covered. In the current system they do not pay contributions and are not covered. In the reform this changes. The government pays for the contribution. Also for those in the informal sector.

Bag-Kur had a lot of financial problems because self-employed did not pay their contributions.

Danar: All institutions had financial problems. Also the SSK had financial problems.

Could you tell me about the Green Card?

Danar: Green Card owners have minimum rights. But the reform will also cover the Green Card owners. Their rights will be increased. They will not have to go to the muhtars any more. [...] They will be insured persons.

What are the main problems of the reform? Do you see a problem regarding the contributions from those in the informal sector?

Danar: Of course. This will be the main financial problem.

What are the institutional outcomes of the reform?

Danar: [...] In future, there will only be the Social Security Institution.

Thank you very much.

Cüneyt Danar is a consultant lawyer working for the Turkish Employer's Association of Metal Industries (MESS)