Policy Change After The Soma Mine Disaster
A Case Study from Turkey

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Word Count: 25719
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Dedication

I dedicate this thesis to 301 lives that were killed in the Soma mine on the 13th of May 2014.
Abbreviations

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<tr>
<td>AKP</td>
<td>Adalet ve Kalkınma Partisi</td>
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<td>CHP</td>
<td>Cumhuriyet Halk Partisi</td>
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<td>MHP</td>
<td>Milliyetçi Hareket Partisi</td>
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<td>HDP</td>
<td>Halkların Demokratik Partisi</td>
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<td>TBMM</td>
<td>Türkiye Büyük Millet Meclisi</td>
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<td>TMMOB</td>
<td>Türkiye Madenciler Odası Birliği</td>
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<td>TEPAV</td>
<td>Türkiye Ekonomi Politikaları Araştırma Vakfı</td>
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<td>TSI</td>
<td>Türkiye İstatistik Kurumu</td>
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<td>TKI</td>
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<td>MSF</td>
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<td>SGK</td>
<td>T.C. Sosyal Güvenlik Kurumu</td>
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<td>DISK</td>
<td>Devrimci İşçi Sendikaları Konfederasyonu</td>
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<td>KESK</td>
<td>Kamu Emekçileri Sendikaları Konfederasyonu</td>
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<td>TTB</td>
<td>Türk Tabipleri Birliği</td>
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<td>Türk- İş</td>
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Abstract

This thesis is an analysis of the policy change that occurred after the Soma mine disaster on the 13th of May 2014 in Western Turkey. The occupational health and safety law of Turkey changed on the 4th of April 2015, eleven months after the Soma disaster. The change in the occupational health and safety law is what is defined as policy change in the study. This thesis employs Kingdon’s (1995) multiple stream framework, to depict the policy change in Turkey. The objective of this thesis is to understand which factors contributed to the policy change after the Soma disaster. Turkey implemented its first comprehensive occupational health and safety law in 2012. Since then however, occupational safety hadn’t been on the agenda of the AKP government, even though the country was notorious for its numbers of occupational accidents. The worst ever occupational accident in Turkey occurred on the 13th of May 2014 at Soma, resulting in 301 fatalities. Following the disaster, a change in the occupational health and safety law occurred. The decisive explaining variables which made a policy change in 2015 possible was the existence of a focusing event, the existence of feedback from political groups inside the parliament, a shift in the national mood, the influence of pressure groups, the existence of a policy entrepreneur and the occurrence of a policy window. The combination of these factors actualized a policy change in Turkey after the Soma disaster.
1. Introduction

Turkey is notorious country for its occupational accidents. Moreover, the mining sector in Turkey is one of the major sectors where most of the occupational accidents occur (Gerek, 2015). Between 1991 and 2013, 2554 people were killed due to occupational accidents, and 13,087 were injured severely inside the mines of Turkey (SGK, 2012). The worst occupational accident of Turkey occurred on the 13th of May 2014, in the Soma mine basin located in the Manisa province of Western Turkey. After several explosions inside the Soma mine, 301 mineworkers died due to carbon monoxide poisoning. Following the Soma disaster, which is considered to be one of the worst coal disasters in history (ESG, 2015), TMMOB released the “Soma Disaster Memorandum” highlighting the causes of the accident. The report stated that, “twenty instances of gross negligence were identified inside the mine, which led to the occurrence of the accident” (TMMOB, 2014). Another report, which was prepared by the State Auditing Institution of Turkey, stated “the lack of enforcement of safety regulations caused the accident in Soma Coal Mine” (TBMM, Aftermath of Soma Report, p.25). After the disaster there was a major public outrage since the accident was labeled as ‘highly preventable’ with respect to various post-disaster reports. Moreover, the reports illuminated that the company, which was operating the mine, fell short in taking adequate safety measures inside the mine. As a result, worker unions mobilized quickly after the disaster to protest the mining policies of the Justice and Development Party (AKP), which has been the ruling party of Turkey since 2002. The opposing parties raised their voices inside the parliament to criticize and reveal the deficiencies of the AKP policies on mining, since the disaster took place in a privately owned mine assigned by the AKP government. Due to the interplay of different factors after the disaster, the occupational health and safety law changed in Turkey on the 4th of April 2015. This thesis will provide an in-depth analysis of the interplay of different factors that played key roles in the policy change that occurred in April 2015.

The concern of my study is to explain how policy change happened in Turkey after the Soma disaster. I apply Kingdon’s multiple streams framework (1995) to provide
an appropriate model for answering that question. Kingdon’s model (1995) stresses three separate but corresponding processes or streams in policy-making. These streams are: problems, policies and politics. This study should reveal how problems, policies and politics together played a role in changing the occupational health and safety law in Turkey after the Soma disaster. This thesis should add to the policy change literature, by analyzing how the occupational health and safety law of Turkey changed in the time period immediately following the disaster.

1.1 Organization of the study

This research is divided into eight chapters. Chapter one (the present chapter) explains the aims and objectives of the research. The second chapter introduces the theoretical framework that the thesis is built on. It will start with giving the reader a summary of evolution of the policy change literature. The chapter also presents the limitations of the research. The third chapter will introduce the dependent and independent variables of the study. The fourth chapter will depict the hypotheses, design and data collection methods of the thesis. The fifth chapter will introduce the Soma case study. Chapter six is the analysis section, where the hypotheses of this research will be analyzed by applying the theoretical framework of the thesis. The last chapter (chapter seven) is the conclusion, in which the research question will be answered; moreover it includes future research suggestions.

1.2 Research question

The research question of this thesis is: How did policy change happen in Turkey after the Soma mine disaster?

1.3 Significance of the study

This study deals with policy change in Turkey’s occupational health and safety sector. There is has not been much research carried out on the 2015 policy change in Turkey’s occupational health and safety law. One reason behind this is that, the change is recent and few studies on it have been conducted. Secondly, there is no study that explores why a policy change occurred in 2015, given the fact that Turkey
is one of the worst countries in the world in terms of occupational accidents. Considering these facts, to research on the factors that played a role in the policy change of 2015 is imperative.

This thesis overall depicts the policy change path from the problem definition phase to the policy change phase. Therefore, it highlights the important factors from the policy development phase to the law-enacting stage, by the help of Kingdon’s (1995) multiple streams framework.

In this thesis, official governmental documents, newspaper articles and two interviews were cited. Most of the statements are from politicians and actors of interest groups. By the help of the citations, a real life context is created. Therefore in some parts, this thesis deploys a real-life context narrative style that provides the reader with first-hand information, to better understand the policy change in the occupational health and safety sector in Turkey.

The following chapter will outline the theoretical framework of this research by giving a small introduction to the evolution of the policy change literature, which is the base for the analysis (chapter six).
Chapter 2

2. Theoretical Framework

In the following chapter, I will explain the theoretical framework that I built my study on. Kingdon’s (1995) multiple streams framework (MSF) presented almost all explicating variables that would describe the policy change of this study. I will firstly give a glimpse of the development of the policy change literature and then explain the MSF in details and identify the aspects that are important for this study.

2.1 Evolution of the Policy Change Literature

Policy change and its determinants have been on the research agenda among scholars in recent years. The debate has evolved massively over the years into the relation between scientific evidence and policy changes (Lilford & Braunholtz, 1996).

The long-established leading policy models are a consequence of the positivist epistemology, carrying a ‘rationalist’ approach (Etzioni, 1967). Rationalists consider policy-making as a procedure that starts by the problem recognition, and goes through different stages, resulting in analyzing different policy options and proposals. Some scholars have also tried to develop scientific ways to assess policy-making and tried to build new frameworks that generalize the process (Smith, 2010). Though, these scientific frameworks usually turned out to be extremely systematic and excluded some very important notions, for example they didn’t take account of the existence of external factors, like the public mood, national atmosphere or the timing factor in the policy-processes (Black, 2001).

The scarcity of alternative policy-frameworks is a known fact (Colebatch, 2014) and it is accepted that not all policymaking procedures are rational (Monaghan, 2011). Multiple authors have stated that there is a need for an optional framework that would cope with the versatile nature of the policymaking process (Cohen, March & Olsen, 1972; Haas, 1992; Sabatier, 1988). At this point, Kingdon’s model, allows the reader to construe profound meanings by analyzing different streams of a policy change (Dudley, Parsons, Radaelli, & Sabatier, 2000).
Conversely to the old-rationalist frameworks of policymaking, John Kingdon’s (1995) Multiple Streams Framework serves as a model, which involves different actors and their interactions in policymaking and the external factors contributing to the process. It has been stated that Kingdon’s model made a big contribution to the policy studies field by being “more applicable to the real world” (Pollitt, 2008, p. 127).

Kingdon’s model (1995) underlines the instability and irrationality of the policy processes because of the uncertainty of the actual policymaking atmosphere (Zahariadis, 2003). On the other hand, the traditional frameworks of policymaking tend to accept the decisions in the policy processes as rational, coherent and organized. Nevertheless, it is hard to talk about that kind of rationality given the complexity of the policy processes (Teodorovic, 2008). One of the reasons why I choose the MSF was because it has dominated the policy change theories since the 90’s according to Real-Dato (2009) and John (2003).

2.2 John Kingdon’s Multiple Streams Framework (1995)

Policymaking is a dynamic, irrational and irrational and unpredictable field (Nutley, 2007). Moreover, the policymaking setting is generally “ambiguous and complex” (Pollitt, 2008, p. 127). Zahariadis (2003) explains the word “ambiguity” as the “state of having many ways of thinking about the same problem that evokes confusion and stress” (Zahariadis, 2003, p.62). Basically, Kingdon sees policy change as “arising from the combination of right timing and skillful manipulation as policy entrepreneurs match policy solutions to policy problems, exploit opportunities, and promote change” (Wilson, 2000, p.251). John Kingdon’s (1995) multiple streams framework consists of several concepts that are founded inside three different streams. It also has two separate elements named as policy windows, and policy entrepreneurs.

The three streams of Kingdon’s MSF are perched inside the policymaking environment. These streams are named as problem stream, policy stream, and politics stream (Kingdon, 1995). According to Kingdon (1995) when those three streams come together they provoke a policy change.

In the MSF, all of the streams are independent from each other and can subsist independently. “Issues rise on to the agenda when the three streams are joined together at a critical moment in time” (Kingdon, 1995, p. 165). This critical moment
is called a "window of opportunity". When a window of opportunity opens, the
political system experiences major policy changes and it pops out when three streams
are merged (Birkland, 1997). The actor that merges those three streams is mainly a
“policy entrepreneur” (Kingdon, 1995).
Policy entrepreneurs are the advocates whom are creating proposals and forming
solutions for the raised issue(s) on the agenda. Moreover, policy entrepreneurs plan to
“couple” the three streams and make use of short opportunities when a policy window
opens. “They usually represent individuals or corporate actors” (Lancaster, Ritter &
The next step is to elucidate Kingdon’s (1995) MSF and the components of it and
why they are important for this thesis. Hence, I will explicate all three streams in
detail in the upcoming part.

2.2.1 The Problem Stream

The problem stream is where people’s attention is focused onto a problem, and
governments understand that there is a problem out there that needs attention.
Systemic indicators such as focusing events or feedback from existing policies are
accepted as elements of the problem stream. Kingdon (1995) outlines; “Problems
come to the attention of governmental decision makers not through some sort of
political pressure or perceptual slight of hand but because some more or less
systematic indicator simply shows that there is a problem out there” (p. 90). With
respect to his framework, there are specific indicators that make the government shift
their attention to an issue from another problem. Focusing events are one of the main
indicators of the problem stream. Problems that receive more attention such as by a
“focusing event” tend to get attention from the government and policymakers
(Kingdon, 1995). Another indicator of the problem stream is the feedback coming
from different political actors, this feedback mainly criticize current policies. Last but
not least, protests and petitions are also other important indicators of the problem
stream (Kingdon, 1995). After the Soma disaster that occurred in 13th of May, a
general strike announced by numerous union federations on May 15 was one of the
largest strikes in years (Korkmaz, 2014).
Focusing Events

There are many different definitions for the term “focusing event”. Thomas A. Birkland (1997) defines focusing events as:

“Sudden; relatively uncommon; can be reasonably defined as harmful or revealing the possibility of potentially greater future harms; has harms that are concentrated in a particular geographical area or community of interest; and that is known to policy makers and the public simultaneously” (Birkland, 1997, p.54). Whereas Kingdon (1984) describes focusing events as:

“Events that provide a push on policy change, presenting a crisis or a disaster that comes along to call attention to the problem, a powerful symbol that catches on…” (p.103). For this thesis, I find the second definition more suitable, given the fact that mine disasters are very common in Turkey (Gürhanlı, 2014). Focusing events leads to policy change by “drawing attention to a policy problem” (Birkland, 2009, p.147). Focusing events may elucidate policy failures, promote a new perception of a policy problem or “promote the formation of new policy alternatives” (Johnson, 2005, p.78).

The Soma mine disaster is an example of a focusing event, since it provoked great attention from different political parties and interest groups that has large influence on the policymaking arena. As a consequence of Soma disaster, “the discussion about safety levels and stricter regulations in Turkey’s coal mines intensified, making several policy proposals to present themselves (Direskeneli, 2014).

Kingdon (1995) suggests that the focusing events somehow need accompanying events, which increase their impacts. These accompanying events (which can be defined as events similar to the particular focusing event) reinforce the awareness to the problem and increase the attention given to the problem (Kingdon, 1995). When a focusing event is reinforced with another event that occurs after it, its impact gets bigger. “If one bridge collapse, one aviation accident, or one railroad bankruptcy isn't sufficient to create a sense of a general problem, then several of them occurring close together might be” (Kingdon, 1995, p.98). The Ermenek mine accident that happened five months after the Soma Mine disaster is an example of this.
Policy Feedback

Another component of the problem stream is the policy feedback given to the parliament or to the state organizations by the politicians, public institutions or the independent organizations. Feedback provides necessary information for the bureaucrats or state officials since they underline the causes of a problem or failures on meeting stated goals by the officials (Kingdon, 1995). Feedback can come within different forms such as formal evaluation reports by governmental agencies, or as policy proposals prepared by political parties. These documents usually reveal complaints and possible future solutions, which increase the attentiveness for problems (Kingdon, 1995).

Kingdon (1995) argues that feedback amplify the strength of the problem definition. He states that, “feedback give information on current performance that may not square with legislative or higher administrative intent, indicates a failure to meet stated goals, or suggests unanticipated consequences (p.113).

On the other hand, feedback can be controversial and might cause a sort of disturbance between bureaucrats, specifically “if feedback reflect negatively on their stewardship or might raise serious questions about whether their program should be continued, then bureaucrats tend to prevent feedback from reaching policy makers” (Kingdon, 1995, p.114). This was one of the cases after Soma. After the disaster, TBMM formed a research commission named as the “Soma disaster research commission” to investigate the causes and consequences of the disaster. The disaster commission was formed to prepare a report on the possible policy options. Most of the policy suggestions prepared by the Soma disaster research commission were merely criticizing the legislations of the ruling party (AKP) (Düzgün, 2015). The feedback provided by the commission was important since it formed a basis for the future bill proposed by the AKP government (Düzgün, 2015).

2.2.2 The Policy Stream

The policy stream consists of proposals, strategies, and initiatives to tackle the problems, which exist in a “primeval soup” (Kingdon, 1995). “The policy stream is composed of all the possible solutions to the problems generated by policy experts, such as government officials, analysts, scholars, and politicians” (Kingdon, 1995,
In the policy stream, actors add onto the problem recognition level and prepare solutions, and discuss and debate new possible policies (Kingdon, 1995). After the Soma disaster, the Soma investigation commission prepared a report in December 2014, subsequently members of the three major political parties of the Turkish Grand Assembly gave three different policy proposals to the parliament, and the proposals were discussed during parliamentary debates. Kingdon (1995) mentions that the perspectives of different groups vary from each other in the sense of how to resolve the ‘problem’; therefore many policy solutions will come out as a result. As it is stated, “policy proposals come from single-issue or wide-ranging policy experts/actors from the parties that stand to gain or lose from particular legislation or regulations, and from formal (or informal) coalitions of separate entities that share a common interest” (Larkin, 2012, p.29).

**Policy Communities**

A policy community is “a mechanism by which policy makers and other political actors organize themselves to achieve policy goals” (Sabatier 1993, p. 7). Kingdon refers to policy communities as they “try out their ideas on others by going to lunch, circulating papers, publishing articles, holding hearings, presenting testimony, and drafting and pushing legislative proposals” (Kingdon, 1995, p.116).

After the Soma disaster, there were four policy communities in the TBMM. Those were the four major parties that were inside the parliament (AKP, CHP, MHP, HDP). Each of them proposed draft proposals to the parliament, detailing what must be changed in the laws. Four parties were all supporting the idea of improving safety measures and bringing stricter regulations in the Turkish coal-mining sector (Kayadelen, 2015).

**2.2.3 The Politics Stream**

The politics stream is the most significant avenue on the road to insertion of a policy initiative on the official government agenda (Lieberman, 2002). The politics stream includes components such as the national mood and the organized political forces such as pressure group campaigns (Kingdon, 1995). In the politics stream, the leading politicians admit the severity of the problem and are eager to put into practice the
policies that are necessary to tackle it. As it is stated, “this stream shows that politics has a role in determining prioritization of policies with regard to making decisions on resources required and implementing policy options” (Kyahesi & Amekudzi, 2011, p. 1548).

The politics stream entails interest group influence on policies (Kingdon, 1995). Therefore, the politics stream is the stage for the interest groups to propose, debate, or resist specific policy issues and initiatives (Stout & Stevens, 2000).

The politics stream carries an important role in this thesis due to the existence of a suitable national mood for the implementation of a new policy. The politics stream is also important due to the existence of interest groups inside policy-making committees. In that sense, this stream of the thesis should map out how the national mood influenced policy change and how interest groups influenced policy change.

The National Mood

National mood is an important component of the politics stream, and has a direct effect on legislation (Kingdon, 1995). National mood refers to “the notion that a fairly large number of individuals in a given country tend to think along common lines” (Zahariadis 2007, p. 73). The perception of the national mood influences agendas of the governments. Kingdon states “the national mood is about what policy makers think public opinion is” (Kingdon, 1995, p.146). National mood can be found in the speeches and statements of the political leaders, and their communications. Kingdon touches upon the importance of national mood with the words; “besides the ability of the national mood to promote a higher agenda status for some items, policy makers' perception of the national mood also serves as a constraint, pushing other items into relative obscurity” (Kingdon, 1995, p.147).

The national mood was predominantly negative at the time the Soma disaster occurred (Zengin, 2014). Since 2002, when the ruling party (AKP) came into power, there have been over 20 mine accidents in Turkey. Moreover, there was an explosive rise in the social movements demanding better mine safety and conditions. The government has been criticized over their inadequate policies in mining and occupational safety since then (Kayadelen, 2015). Moreover, the Prime Minister's statements on not taking responsibility for the accident increased the social and political campaigns against the ruling party (Salloum, 2014). All in all, the biggest
public reaction came from the public when the Prime Minister Recep Tayyip Erdoğan said that mining accidents are in the 'nature of the business' (Daloğlu, 2014).

Organized Political Forces

Organized political forces is mainly pressure from interest groups (Kingdon, 1995, p.150). According to Kingdon (1995) pressure coming from interest groups can influence policy change. Moreover, he noted “if important people (i.e. politicians) look around and find that all of the interest groups and other organized interests point them in the same direction, the entire environment provides them with a powerful impetus to move in that direction” (Kingdon, 1995, p.150). Kingdon considered the organized political forces very influential in policy change by stressing the words; “If there is widespread agreement among those forces, officials either try to go along with them, or at least know what they are up against (Kingdon, 1995, p.151). After the Soma disaster, there has been a powerful reaction from different labor organizations and non-governmental organizations for improving the conditions of the mines and mine workers in Turkey. Major worker unions like DISK, KESK, TMMOB and TTB went on a one-day strike. Moreover, the leading NGO of mining in Turkey TMMOB released the “Soma disaster memorandum” and handed-in to the parliament in July 2014 for bringing awareness to the problems of the mining sector and the steps that should be taken for avoiding a similar disaster. In theory, according to Kingdon, the pressure groups create a strong policy community as they can be more than mere advocates of particular solutions and “they are power brokers and manipulators of problematic preferences and unclear technology” (Zahariadis 2007, p. 74).

2.2.4 Policy Entrepreneurs

Kingdon defines policy entrepreneurs as; “people whom are willing to invest resources of various kinds in hopes of a future return in the form of policies they favor” (Kingdon, 1995, p.143). Described in other words, a policy entrepreneur is an individual or a group in the policy community who connect the streams, exploit policy windows “by linking a compelling problem to a plausible solution that meets the test of political feasibility” (Khayesi & Amekudzi, 2011).
Policy entrepreneurs are chief actors of the policy stream since they promote solutions, make communication, and construct or maintain coalitions (Mintrom & Norman, 2009) to assemble the independent three streams. Policy entrepreneurs are an important component of this thesis, since identifying the policy entrepreneur somehow means showing the reader who made the greatest effort in the policy change process after the Soma disaster.

2.2.5 “Coupling” and the “Window of Opportunity”

Kingdon identifies the term “coupling” as: “Problems or politics by themselves can structure the governmental agenda. But the probability of an item rising on the decision agenda is “dramatically increased if all three streams-problems, policies, and politics-are joined” (Kingdon, 1995, p.155). The joining of the three streams is called coupling, and it increases the likelihood of a new policy to pass-by (Kingdon, 1995). Merging the different streams are mere products of the actions by policy entrepreneurs. “Policy entrepreneurs are active in both the problem stream and the policy stream, and they must act quickly when the policy window opens, or the opportunity will pass them by” (Zahariadis, 2007, p. 132). It is the policy entrepreneur that makes the different streams to come together since they “introduce and promote their ideas on many occasions, investing time and energy to increase their chances of getting an idea placed on the decision-making agenda” (Kingdon, 1995, p.157). Moreover, the presence of policy windows is important for the coupling to occur (Kingdon, 1995). Windows of opportunities usually pop-out after a focusing event or a big crisis (Kingdon, 1995).

For this part of this research, it is important to identify the main policy entrepreneur of the politics stream. As a result, the concept of a window of opportunity is of particular significance to this study, as windows can be opened by a focusing event such as a mine disaster.
2.2.6 Summary of the Theoretical Framework

To sum up, Kingdon (1995) identifies three streams that are found autonomously inside a policy system. All three streams have different dynamics and rules and they are mostly separate from each other (Travis & Zahariadis, 2002). The “problem stream” consists of indications that certificate the nature of a policy matter and the settings that surround a policy domain. The indicators in the problem stream are focusing events, crisis situations and feedback coming from current policies. In the problem stream, policy officials and political actors construe the situation in terms of their ideologies and belief systems (Travis & Zahariadis, 2002).

The “policy stream” is made of policy proposals, strategies, and initiatives to gear the problems. Proposals can come from various actors, such as politicians, bureaucrats, academicians, or legislative members, which are considered as “policy communities”. As it is stated by Travis and Zahariadis (2002) “at any point in time, there are always some kinds of solutions floating around within the policy system. Some ideas may survive until adopted, some may be combined into new proposals, and other may disappear” (p.504).

The “politics stream” which is the last stream of Kingdon’s MSF (1995) is made of national mood, party politics and pressure campaigns from interest groups. The politics stream is “the most critical avenue toward placing a policy initiative on the official government agenda” (Lieberman, 2002, p.438). Basically, interest group pressures and changes in the national mood are definitive components of this stream. Politics stream can also be described as “a venue in which key policy actors can propose, debate, or resist specific policy issues and initiatives” (Stout & Stevens, 2000, p. 348).

Policy entrepreneurs are defined as “people willing to devote their time, energy, reputation, and money to make policy changes” (Kingdon, 1995, p. 117). A policy entrepreneur identifies the problem, prepares a proper policy proposal, and brings the policy proposal to discussion. Particularly, “policy entrepreneurs may promote policy change through: displaying social acuity, defining problems, building teams, or leading by example” (Mintrom & Norman, 2009, p.13).

In the MSF (1995), all of the streams are independent from each other and can subsist independently. “Issues rise on to the agenda when the three streams joined together at a critical moment in time” (Kingdon, 1995, p. 165). This critical moment is called as
"window of opportunity" and it pops out when three streams are merged. “Windows of opportunities are opened by compelling problems or by events in the politics stream” (Travis & Zahariadis, 2002). Kingdon states; “they open the opportunities for advocate of proposals to push their pet solutions or to push attention to their special problems” (Kingdon, 1995, p. 166).

In conclusion, the MSF (1995) is a great model to analyze the complexion of policy processes. It gives importance “both on the evolutionary perspective of the government system and the role of the policy entrepreneur for a policy change initiative to be advanced into the official governmental agenda” (Stout & Stevens, 2000, p.349). Policy issues are taken into the agenda if three different streams come together with the help of an opportunity window. Moreover, this unification must be coupled with the “activism of policy entrepreneurs who can seize upon the arising opportunities and advance a policy change initiative to the government agenda” (Kingdon, 1995, p. 158).

The MSF (1995) has many implications for the development of the conceptual framework for a policy change model for Turkey. First of all, the concepts of diverse streams (problem, policy and politics) are useful to openly identify distinctive components of the context surrounding of a specified policy domain. The politics stream is particularly important in highlighting the role of party politics, which strongly affects the policy process in Turkey. Secondly, the MSF stresses the roles of policy entrepreneurs in defending a policy change. In this thesis, it is very important to highlight the policy entrepreneur(s) after Soma, since a policy entrepreneur is the main actor of policy change who defines and focuses on the problem and proposes a solution for tackling it (Mintrom & Norman, 2009).

2.3 Importance of Multiple Streams Framework (1995) for this study

Kingdon’s (1995) theory was selected in terms of many reasons. Firstly, it focuses on policy change. In comparison, other popular policy-change theory authors like Baumgartner and Jones (1991) and Sabatier Jenkins-Smith (1988) focus on issue definition and policy implementation.
Furthermore, Kingdon’s (1995) framework considers a decision as unit of analysis. The design of this thesis is a single case study design and the main concern of this thesis is to examine the main factors that influenced the policy change in Turkey after the Soma disaster. Kingdon (1995) considers policy change with the gathering of multiple factors at one point of time. Therefore using his theory was useful to me. Additionally, I used Kingdon’s (1995) theory because he considers policy entrepreneurs as crucial actors in policy change. Moreover, elements like feedback coming from governmental organizations, focusing events, interest group pressure, national mood, organized political forces, policy entrepreneurs and policy windows made it much easier for me made me to illustrate the policy change that occurred after the Soma disaster.

Another reason why I decided to use Kingdon’s (1995) theory was mainly that he considers actors as being motivated by self-interest or by party interest (ideology). In this thesis, the political actors, which I consider as influential in the policy-change path, mainly acted by their party interest and not by their self-interest.

The MSF (1995) has been applied to various different policy settings. Policy change after disasters and catastrophes was one of the main policy areas that provoked attention of scholars. It was easy to find studies that applied MSF to analyze policy change after floods, tsunami’s, and hurricanes. Accordingly, they used Kingdon’s theory to empirically analyze and depict which elements played a role in policy change after those events.

When I was researching on the mine disasters and the policy changes that came after mine disasters, I came across to few academic studies. More interestingly, I couldn’t find an evidence of the applicability of MSF to occupational safety policies of countries. On the other hand, I had a hard time to find out academic studies that analyze why the occupational health and safety law has changed in Turkey and how different factors played a role in that. There is almost no systematical empirical study that is focusing on the policy change in the aftermath of the Soma disaster, which is one of the deadliest mine accidents in the history of the world. All in all, no study yet systematically analyzed the precise activities of the actors within different streams after the Soma disaster (problem, policy, politics). This study addresses these limitations.
2.4 Operationalization of dependent and independent variable

2.4.1 Dependent variable of the study

The dependent variable (DV) of this thesis is “policy change” and is defined as:
“Policy change is a transformation of policy-making and involves changes in sets of policy ideas, institutions, interests and laws” (Howlett & Ramesh, 2009, p. 202).
In this study the policy change is considered as change in the “laws”.
Turkey released its occupational health and safety law in 2012, and later on, after the Soma disaster the law has been amended. The change was a mere product of the ruling party with the influence of interest groups, opposition parties and worker’s demands. The changes in the laws brought stricter measures to occupational safety regulations, safety and security conditions of the mines and improved the occupational rights of the miners. The change in the occupational safety law by bringing better conditions for the mines and the mineworkers I define as a “policy change” in this study.

2.4.2 The independent variables for the study

In the upcoming part, I operationalize the elements and actors, which might explain or effect the policy change in 2015. These factors are the feedback coming from NGOs and governmental institutions, focusing events, policy communities, national mood, pressure groups, policy entrepreneurs and policy window.

Focusing event

I hypothesized that focusing events influences the problem recognition in the problem stream. Moreover, Kingdon (1995) suggests that one or more focusing events in the problem stream reinforce the general problem recognition. This happened after the Ermenek mine disaster, and I will elucidate this in the analysis chapter. Moreover, I suggest that the occurrence of the Soma and Ermenek mine disasters influenced policy change by creating a strong problem definition and constructing an idea of a need for a reform in the existing occupational health and safety law.
Feedback

The influence of the feedback was operationalized according to Lewis’ (2005) description. In Lewis’ work, ‘influence’ is defined as “demonstrated capacity to do one or more of the following, shape ideas about policy, initiate policy proposals, or substantially affect the implementation of policy. Influential people are those, who make a significant difference at one or more stages of the policy process” (Lewis, 2005, p.61). I suggested that policy proposals/motions given by the three opposition parties inside the parliament (CHP, MHP, HDP) influenced policy change.

Policy communities

I hypothesized that policy communities inside the parliament had a decisive role in explaining policy change. AKP, MHP, HDP and the CHP which are the four parties inside the parliament after Soma disaster add onto the problem recognition level by preparing discussing and debating on new possible policies. Moreover The Soma disaster parliamentary research commission was another influential policy community after Soma disaster, which was formed by seventeen deputies that are from different parties inside the parliament. I have made interviews with two politicians inside the research commission to understand the role of the commission in policy change.

National mood

I hypothesized that the national mood promoted a higher agenda status for policy change in occupational safety inside the mines. I assessed the national mood from parliamentary debates, and by the help of the interviews, since Kingdon (1995) states that national mood can be perceived from discussions, statements and verbal communications of politicians. I depicted how an ‘urgency’ of a new legislation was put forward by different political parties in the political debates inside the parliament, moreover I made use of the statements of the two politicians with whom I conducted interviews. I listed the arguments that are supporting for a change in the occupational safety law, both from the ruling and the opposing parties inside the parliament.
Organized political forces

I hypothesized that the organized political forces (interest groups) were influential in policy change. In other words, pressure coming from interest groups (in different streams) reinforced the policy change. To examine this, I made use of the committee debate sessions of the TBMM website, and newspaper articles to understand how the unions participated through the lawmaking process and also how they were significantly mobilized after the Soma disaster. Moreover, I analyzed the activity reports of the TBMM, press releases and statements of the influential pressure groups in the post-disaster era.

Policy entrepreneurs

I hypothesized that policy entrepreneurs have a decisive role on policy change. Kingdon (1995) suggests that policy entrepreneurs are the ones who make the three streams (problem, policy, politics) come together and they push their proposal to pass from the parliament by being active in the three streams. For analyzing that, I defined the main policy entrepreneur (Mr. Ahmet Davutoğlu, who was the Prime Minister of Turkey) and depicted how his proposal passed the parliament. I analyzed his activities in different streams, and depicted the conditions that made his proposal to pass through parliament. To do this, I made use of the governmental papers (parliamentary debates) and newspaper articles.

Policy window

I hypothesized that the Policy windows make the ‘coupling’ to occur, and coupling provokes a policy change. To do so, I analyzed why and how a policy window occurred after the Ermenek disaster that happened in 28th of October 2014. Moreover, I investigated which conditions are necessary for the coupling to occur, due to Kingdon’s (1995) MSF. In this thesis, I applied the conditions of ‘coupling’ by following Kingdon’s statements. The reason why I did this was to depict how the phenomenon of ‘coupling’ came into life in the Soma case. I made use of governmental papers, and newspaper articles and interviews.
2.5 Limitations of the study

Given the fact that this thesis is a qualitative work, causal inferences are not measured, they are only depicted. I can state that my individual suppositions can be misleading since it is hard to conclude on the factors that effected policy change. It is not achievable to agree on to what degree the different explaining causes effected policy change. Moreover, the application of this study to other countries is not possible given the fact that each and every country has its own inner socio-political dynamics and political systems that influence policy change.
3. Research Methodology

3.1 Hypotheses of the thesis

For this thesis, based on the literature review in Chapter 2, I can refer hypotheses from Kingdon’s (1995) theory. I developed seven hypotheses that are significant for this study to explain the policy change.

**Hypothesis 1:** Focusing events reinforce problem recognition.

**Hypothesis 2:** Feedback increase problem recognition.

**Hypothesis 3:** The national mood promotes a higher agenda status for policy change.

**Hypothesis 4:** Policy communities influence policy change.

**Hypothesis 5:** Organized political forces (interest groups) are influential in policy change.

**Hypothesis 6:** Policy entrepreneurs play a decisive role in policy change.

**Hypothesis 7:** Policy windows are crucial for policy change.

3.2 Methods of the thesis

The methodology of this thesis is qualitative. Qualitative studies are harmonious with policy change studies for many reasons. The qualitative approach is useful for this thesis since it allows the elucidation of the perspectives of the different components of the different streams of Kingdon’s (1995) framework. Also it is useful in terms of elaborating the policy documents, formal governmental reports or policy regulations that I will use in this thesis as types of data that I will elaborate later on this chapter. Moreover, qualitative studies can be analytic and descriptive, since they not only
depend on words but also allow the researcher to evaluate proposals, governmental statements, official reports, or legislative proposals. Because of those reasons, it is useful for me to employ a qualitative design.

This thesis aims to analyze how did a policy change occurred after the Soma mine disaster by employing John Kingdon’s (1995) Multiple streams framework. The reason why I select Kingdon’s (1995) framework is to spot the important factors that caused policy change.

3.3 Design of the thesis

Since I choose Kingdon’s (1995) Multiple Streams Framework, a single case study design is the most suitable research design for this thesis since “employing a case study design gives the researcher the independence of making inference about organizational theories and public policy development” (Yin, 1994, p. 30). I choose to assess the Soma disaster as my case study since a policy change occurred after the disaster. Moreover, as I stated before, this study aims to depict the important elements that influenced the policy change after Soma. Therefore employing an inductive case study design is useful giving the fact that inductive case studies are “descriptive rather than causal inferences, studies prized for depth over breadth and exploratory rather than confirmatory research” (Gerring, 2004, p. 341). Moreover, an inductive case study gives me the chance to examine the important elements of policy change in different policy streams as Kingdon (1995) built in his framework.

3.4 Data collection

The study used two principles of data collection built by Yin (1994) as an organizing guide: "multiple sources of evidence and development of a case study database” (p. 102). The data that was used in this thesis is as follows;

Documents

1. Notes of the oral interviews. Which is stated as “an individual’s descriptive, first person account of a specific topic or event” (Yin, 1994, p.101).
2. Archival reports of parliamentary sessions: Commission and committee debates about the amendment of the occupational health and safety law that took place between 2014 May - 2015 April.

3. Official policy proposals of different political parties proposed to the parliamentary committees of the Turkish National Assembly (TBMM).

4. Official policy proposal rejection documents retrieved from the TBMM website.


7. Scholarly written articles.

8. Press releases/ press statements of the main political leaders retrieved from the Grand National Assembly of Turkey website.

**Interviews**

Interviews are crucial elements of data in this case study. I conducted an interview with main opposition Republican People's Party (CHP) group deputy chairman Özgür Özel. I also interviewed with the Vice Chair of the AKP, Associate Dr. Selçuk Özdağ, who is the deputy chairman in charge of civil society and public relations of the AKP. The interviewees were chosen because of their membership inside the Soma Disaster Parliamentary Research Commission. As it has been stated, “the idea of qualitative research is to purposefully select informants and documents that will best answer the research question” (Creswell, 1994, p. 148). Moreover both of the deputies were elected from the city of Manisa, where Soma is located, which makes them more knowledgeable in the field that the disaster occurred. The interviewees were chosen because of their intimate knowledge and experience on the parliamentary research commission of Soma and the legislative changes that came after. In addition it was important for me that one interviewee was from the ruling (AKP), and the other one from the opposing party (CHP). This factor was useful in receiving different perspectives on the matter. The interviews were semi-structured, the topics were set but the interviewees had space to elaborate on aspects that they found important. According to Bernard (1988), semi-structured interviews are useful since the
interviewee has a chance to independently illustrate his/her ideas (Bernard, 1988). Because of that, the questions were open-ended which was made purposefully, to let the interviewees express themselves openly.
Chapter 4

4. The Soma case

AKP and its political strategies after 2002

In the general elections that took place in Turkey in 2002, the Justice and Development Party (AKP) came into power by taking 34% of the votes. The party in its 14-year-old reign (still continuing) reconfigured Turkey’s political and economical sectors in accordance to their political strategies. In the economic sector, the major sentiments that were adopted by the AK party after 2002 consisted of a “continuous privatization and subcontracting wave” (Özbudun, 2012, p.545). The party strategies were linked with “a functioning free market economy, a limited state role in the economy, the support of the privatization activities and the encouragement of foreign investment in Turkey” (AKP, 2009a). This strategy of the AKP brought many controversial transformations in different sectors of Turkey. One of the sectors that was re-shaped by the neoliberal economic programmes of the AKP was mining (Gürhanlı, 2014). After 2009, the AKP government started to seek for a “continuous increase in the domestic coal production, for the sake of cutting-down Turkey’s energy dependency” (Kubiçek, 2011, p.445). For this reason, the government privatized the lands with coal basins, gave incentives to coal producing companies, built trust relationships with the companies and promised that they will buy from them in the future. For achieving this strategy, the AKP started to transform the agricultural fields inside the country into mine-production sites (Gürhanlı, 2014). This continuous transformation in the country led to a notable increase in the occupational accidents inside the mines. As it’s stated by the Republic Of Turkey Social Security Institution; “The rate of work accidents inside the mines between 2002-2012 increased 2.5 times, moreover, the share of the mining sector in total work accidents increased from 8% to 13% between the period 2002-2008” (SGK 2012, p.23). Furthermore, between 2002-2012, “the unionization rates in the mining sector fell steeply in Turkey from 67 percent (in 2003) to 19.2 percent by 2015” (TEPAV, 2014, p.50). Particularly, in 2012 the unionization rate declined to a level of 3.5% in the private sector, where most of the Turkish miners are employed (Görgün, 2015). This
remarkable decrease in the unionization rates in Turkey left workers to be easily exploited and abused, since the unions fall short in fighting for the rights of the workers. Additionally, the numbers of unregistered workers inside the mines in Turkey rose to a number of 2 million in 2015, while it was only 387000 in 2002 (TEPAV, 2014, p.55).

Privatization of the mines

Mines were considered as state owned property since the establishment of the Turkish Republic in 1923. Since then, the governmental institutions were responsible for producing mines in Turkey. It was declared in the fourth article of the Mining Law that the mines would be under the control and authority of the government (Article 4 & 5, Mining Law N. 3213). According to this, the mines cannot be given to a third party. After 2004, the government changed its practice and transferred the mining licenses to private companies and contracted with them for a certain amount of money. This was made with an amendment in the mining law in 2004. With the new regulation, the government adopted a new strategy called ‘redevance’ where they signed five to ten years of contracts with private companies. In the literature, redevance is described as “the payment that private or legal persons, who have the privilege of running the mine, commit to pay to the real owner of the license, namely the government, per a ton of mineral” (Evyapan, 2015, p.2). After the passage of the subcontracting system, which is named as ‘redevance’, the occupational accidents in private-owned mines in Turkey increased notably. This increase was “due to imprudence of the employers over their workers, by avoiding the safety standards and occupational requirements” (Kayadelen, 2015, p.4).

The Soma coalmine started to produce coal from the year 1914 and was under full control of the state since 2004. After 2004, the Soma coalmine was assigned to a private sector company named “Soma Coal Enterprises Inc.”. Before the contract was signed, the Turkish Coal Enterprises (TKI) was the responsible organization to produce coal in the mine (Düzgün, 2015). In 2012, the owner of the Soma Coal Enterprises Inc. Alp Gürkan stated that “since privatization the cost of producing coal had decreased from about $140 to $24 per ton” (Gerek, 2015, p.11). Later, it was

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1 See Table 3.
understood that this decrease was merely “a result of cuts in production costs like wages and safety measures inside the mine” (“Court Orders Temporary Seizure of Soma Mine Owner's Assets”, 2015). In general, the privatization of the mines in Turkey led the private companies “to operate on the principle of profitability, by lowering down the salaries of their workers and avoiding the fulfillment of the safety standards inside the mines” (Gündüz, 2015, p.21). Moreover, with the privatization of the mines, businesses started to not to comply on the safety and security regulations since it brought “financial burden for them” (Andaç, 2015, p. 601).

**Occupational health and safety as an agenda item after 2011**

On June 12, 2011, the ruling Justice and Development Party (AKP) succeeded a third term in office for 2011-2015 by increasing its votes to 49%. Moreover the CHP remained as the second powerful party in the parliament by getting 25.9% of the votes. CHP is the “primary opposition party of the AKP during the years of the AKP rule” (Gündüz, 2015, p.23). The CHP, which is a republican left wing party, pursued the idea of non-privatization of mines since its establishment in 1919 (Demirkol & Ural, 2015). Moreover, the second major opposition party MHP gained the 12.9% of the votes that year, and become the third major party of the parliament with 53 seats. The idea of non-privatization of mines was also followed by the MHP overall the years (Saraçoğlu, 2013). The two major opposition parties in this time have shown a major opposition to the AKP in terms of its mining policies. In addition, HDP, the pro-Kurdish left wing party inside the parliament was also a major opposition force against the AKP, almost every stance, including mining.

With the elections in 2011, the AKP stabilized its absolute majority in the parliament by gaining 341 seats in the Grand National Assembly² (Kubiçek, 2011). The party politics of the AKP since 2002 “was united on a sense of urgent economic growth” (Gündüz, 2015, p.2). Moreover, the party adopted the slogan “rapid growth, higher production and lower costs” in time (Gündüz, 2015, p.3). For many reasons “the AKP government didn’t pay attention on increasing safety regulations inside risky businesses” (Artvinli, 2016, p.257). From 2002 to the 2012s, the issue of occupational health and safety were not considered to be an important political agenda item.

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² 276 seats were needed for a majority in TBMM which has 550 members.
(Kubiçek, 2011), even though Turkey has been labeled as having poor occupational health and safety standards for a long time (Düzgün, 2015). According to International Labour Organization (ILO), occupational accidents have a chance of 98% prevention\(^3\), however this is not a fact for Turkey. In occupational accidents, Turkey is still by far the worst country in Europe\(^4\) and the third worst in the world (TUIK, 2014).

After the general elections in Turkey in 2011, the AKP promised substantial political and legal reforms for the workers (Müftüler-Baç, 2012). In 2012, after the death of twelve construction workers inside an elevator in a construction area, the AKP considered occupational health and safety issues as an essential agenda topic (Açımuz & Ünal, 2015).

On June 20, 2012, in accordance with the National Development Plan (2007-2013) on the European Union Accession Process of Turkey, Turkey released its first most comprehensive law on occupational health and safety. The law numbered 6331 was proposed by the AKP government and passed the parliament with the majority of the votes in the parliament. The new law was prepared due to the European Union accession process of Turkey. As a result, the regulations were aligned with the occupational health and safety chapters of the acquis communautaire of the EU\(^5\) (Uğraş, 2014). The aim of the 6331 law was to “interfere occupational accidents and occupational illnesses before they happen and locate and remove risks while work is being done in the workplaces and/or prevent new risks before they happen” (Occupational Health and Safety Law, Article, 2, Law N. 6331). The law stated regulatory compulsions about workplace conditions inside the mines and the obligations for the mine companies and their employees. Even though the new regulations were important in terms of putting out safety and security standards inside workplaces, the disasters inside the workplaces continued after 2012 respectively (Artvinli, 2016).

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\(^3\) This is stated in the C155 - Occupational Safety and Health Convention, 1981 (No. 155) The International Labor Organization’s Convention concerning Occupational Safety and Health and the Working Environment, that entered into force in 11 Aug 1983.

\(^4\) See Figure 1.

\(^5\) Occupational accidents are regulated under Occupational Health and Safety Law No. 6331 Law No.6331.
Mining accidents as a major problem of Turkey

Turkey’s native energy resources mostly consist of coal, which is used for power generation (Euracoal, 2013). Turkey has always been a notorious country in terms of mining accidents (Artvinli, 2016). Since 1940, over three thousand people have died in the mine accidents in Turkey. The main causes of the accidents over the years were primarily fires and explosions (“Tarihin En Büyük Maden Kazaları”, 2014). The frequency of the mining accidents was linked with poor mine-safety conditions and inadequate control mechanisms of the government over years (Josy, 2014). A research done by TEPAV in 2010 portrayed “Deaths per 1 million tons of coal mined were 7.22 in Turkey (the highest figure in the world), 5 times the rate in China (1.27) and 361 times the rate in the US (0.02)” (“Turkey World Leader In Coal Mining Deaths”, 2014). A research done by Turkish Statistical Institution in 2014 revealed that from 1941 to 2014 over 3000 deaths in the mines occurred in Turkey⁶ (TUIK, 2014).

Moreover, “Between 2000 and 2010, more than 13000 miners experienced industrial injuries” (Cünedioğlu & Arslanhan, 2010, p. 25). In 1992 Turkey faced a major mining accident named ‘Kozlu mine disaster’ which caused 263 fatalities. The incident was an occupational accident, which resulted from a gas explosion. However this wasn’t the worst accident of the Turkish history. In 2014, the Soma mine disaster occurred, is Turkey’s deathliest mine disaster to date. The disaster became a turning point for the mining sector in many respects.

The Soma mine disaster

Soma mine basin is located in on of the biggest geographical mine reserve areas of Turkey, consists of 720 million tons of mine reserve (Evyapan, 2015). Soma coalmine is located in the city of Manisa, closely located to the Aegean coast of Turkey. The Soma coal mine is considered as “one of the largest mines in Turkey both in terms of land use (18000 ha) and annual production (2.5 Mt of lignite/year)” (Alp, 2012, p. 55). A disaster occurred on the 13th of May 2014 at 270 m depth and 2000 m away from the main entry of the Soma coal mine.

A survivor of the Soma disaster stated in the news the next day that: “We were on our

⁶ See Table 1 for a descriptive statistics of safety in the Turkish mining sector between 2007- 2012.
lunch break, the company was forcing us to take our food underground since the mine owner didn’t allowed us to eat above the ground, this would take too long—and lessen their profits” (“Kurtarılan İşçi O Anları Anlatı”, 2014).

CHP deputy Özgür Özel narrated the disaster as follows; “A spontaneous combustion fire started in an old panel and was turned into an open flame fire by mixing with ventilation air for the new panels, one of the new panels was in the way of the mine’s intake air and the fire started burning belt conveyors, wooden supports, electrical cables, and water lines made from plastic on the main gate roads in the mine. The products of fire (smoke and fumes) were distributed through the mine’s ventilating air. The event caused 301 fatalities and more than 486 injuries due to carbon monoxide poisoning. “The fire occurred during the mine’s shift change, more than 700 workers were underground at the time of the accident” (Özel (CHP), personal communication, 12.06.2016, my translation). A further report by the Ombudsman Institution which is a governmental institution of Turkey, detailed that due to multiple explosions inside the mine (that were caused by fire), the exit was blocked (TBMM, Soma Disaster Parliamentary Research Commission Report (SPCR), 2014).

The disaster brought massive national and international media attention. Politicians from the four major parties immediately visited the mine basin and did several press statements in the disaster field. The first person that arrived to the field was the Energy Minister Taner Yıldız. In the following days deputies from both the AKP and opposing parties came to visit Soma. The national and global media attention continued for weeks.

The responsible actor of this event was clearly the AKP and its deficient party policies, we already knew that the occupational safety measures inside Soma mine were totally inadequate however our warnings have never been heard by the government (Özel, personal communication 12.06.2016, my translation).

The first official press release after the incident came from the Energy Minister Taner Yıldız on 13th of May. His statement was as follows; “We will do whatever needs to be done in order to heal the wounds. This event will make us elaborate our deficiencies and make possible changes. Right now I cannot say anything about the causes of the disaster, however current evidences indicate that it is out of negligence” (Turkish Republic Presidency, 2014). Following the declaration, the second press statement came from the President Abdullah Gül on the same day. He stated:
“All state organizations and every means available were mobilized for this painful disaster. The investigations are being launched about all the details in the accident. We will not tolerate any negligence to be ignored. The case will be enlightened, and we will take each and every step to satisfy the families and the public” (Turkish Republic Presidency, 2014).

The most controversial statement after the incident came from the Prime Minister Recep Tayyip Erdoğan, when he stated; “There is something that is called a mining accident in literature. It is in the fate of the mining sector. But the dimension of this accident has deeply moved us” (“Mine Explosions ‘Normal’ Says Erdoğan”, 2014)

Following the statement, the Turkish Republic Presidency announced a three-days of mourning, starting the next day. The disaster caused a big shock in the public.

According to my interviewee Selçuk Özdağ, the public attention after the Soma disaster caused the AKP government (which is the ruling party of the Turkey since 2002) an immense pressure to reevaluate the occupational safety regulations inside the mines (Özdağ (AKP), Interview 15.06.2016, my translation). Likewise, according to Özgür Özel; Soma was a clear signal that former policies on occupational health and safety weren’t adequate, the Soma disaster revealed the deficiencies of the mining sector and how insufficient the policies of the AKP were (Özel (CHP), personal communication, 12.06.2016, my translation). In other words, the “Soma disaster evidently demonstrated that the existing laws and regulations regarding occupational health and safety in Turkey fall short of protecting the lives of the workers” (Artvinli, 2016, p.256).

**Mobilization of the interest groups**

Besides the global and national media attention and the political statements after the disaster, various interest groups started to mobilize quickly after the disaster. One day after the disaster, on the 14th of May, the Union of Engineers and Architects (TMMOB) labeled the disaster as a ‘mass murder’, stating; “what happened in Soma is not fate, it is murder” (Schwarz, 2014).

Following that statement, on 15th of May, the four main worker unions of Turkey went on a one-day strike to protest against the poor safety and working conditions of the miners and the privatization policies of the AKP government. The strike was organized by the Confederation of Progressive Trade Unions of Turkey (DISK), the
Confederation of Trade Unions of Public Employees (KESK), the Union of Chambers of Turkish Engineers and Architects (TMMOB) and the Turkish Medical Association (TTB). The 15th of May general strike “was one of the biggest strikes in Turkey in years” (Korkmaz, 2014). On the other hand, the biggest labour confederation in Turkey, Türk-İş did not participate to the strike, however it made a call to its members to not to work on the 15th of May.

Besides the unions and confederations, thousands of individual mine workers took to the streets in cities across the country, and started to actively protest the AKP government. Some minor worker unions took part in a 24-hour hunger strike and protested for better rights in the mining sector. Moreover, three hundred workers marched on the ministry of labor in Ankara.

On the 15th of May, the Turkish directorate of Amnesty International made a press declaration, stating; "Turkish authorities must launch an immediate investigation into the causes of the explosion. Remedies must be made available to the survivors and the victims’ relatives. Soma Holding must fully cooperate with the process and the results of the investigation must be made public" (“Turkish Mine Explosion Tragedy Should Have Been Averted”, 2014).

One week after the disaster, the CHP deputy Özgür Özel made a press statement that brought a great controversy. In the press statement, the MP showed the parliamentary motion that he filed two weeks before the accident, which was rejected by the majority of the AKP votes. Shockingly, the content of the motion consisted of “establishing a parliamentary commission for investigating the increasing number of workplace accidents in the mines around the Soma district and improving the miners’ working conditions by imposing tougher health and safety regulations” (TBMM, parliamentary session, 29.04.2014).

My proposal was branded as an ‘insidious attempt’ by the AKP deputies to deadlock the government’s agenda just two weeks before Soma disaster. A lot of MPs from the AKP argued that the safety and working conditions inside the mines in Turkey were superior to many of those in other countries. Majority of the Justice and Development Party (AKP) voted against my proposal. If the proposal had been accepted that day, dangerous conditions in the mines could have been improved and we might not face the Soma disaster” (Özel (CHP), personal communication, 12.06.2016, my translation). On the same week of the disaster, another deputy of the CHP, Süleyman Çelebi, claimed about the rejected proposal that; “If our proposal had been given
consideration [by the government], there would have been no such accident that could take away so many lives" (“CHP'li Özel 20 gün önce Meclis'te feryat etmişti”, 2014).

The Soma Disaster Parliamentary Research Commission

While the public outrage was continuing, the first parliamentary motion came from the HDP MP İdris Baluken three days after the Soma disaster. He gave a motion to the parliamentary presidency “to establish a parliamentary research commission in order to make investigations on the incident and research on the real actors that are responsible for the disaster” (TBMM, parliamentary session, 16.05.2014). The parliamentary presidency ratified the proposal in 16th of May 2014. The proposal was stating:

"The privatization of the mines and the occupational safety is a major problem for Turkey. The number of occupational safety accidents rose extremely from 2002 to 2014 in the AKP reign. We are facing almost 1222 deaths by occupational workplace accidents each year. Moreover, mines are the most deadly fields in terms of occupational safety. Since the reelection of AKP in 2011 we see that occupational accidents are growing rapidly due to their privatization policy and lack of proper auditing. To take the right steps, we should investigate the real causes behind the Soma accident. Therefore I propose to establish a parliamentary investigation commission to investigate the Soma disaster, to find out the accountable persons behind this fatal event and to inform the public accurately” (TBMM, parliamentary session, 16.05.2014).

After the ratification of the proposal by the parliamentary presidency, a parliamentary research commission named “Soma Disaster Parliamentary Research Commission” was established. The commission was set up to “investigate in detail the Soma Underground Coal Mine accident, and determine the occupational safety and healthy precautions in order to prevent similar accidents from happening in the future” (TBMM, SPRCR, p. 5). The working duration of the commission was set between May and December by the parliamentary presidency (TBMM, SDPRCR, p.3).

According to the constitution of the Turkish Republic, Parliamentary investigation commissions are only permitted to an “examination conducted to obtain information on a specific subject” therefore; their conclusions and advices are not lawfully
binding (Constitution of the Republic of Turkey, Article 95). However, in general, their conclusions form a basis of the future regulations that will put forward.

The members of the commission were elected during the 96th parliamentary meeting session of the TBMM\(^7\) by the presidency of the parliament. Seventeen deputies from different parties were elected for the commission. The organizational structure of the commission consisted of the majority of the AKP deputies (11/17). The commission consisted of Ali Rıza Alaboyun (AKP), Özgür Özel (CHP), Selçuk Özdağ (AKP), Yılmaz Tunç (AKP), Ali Aydinoğlu (AKP), Fatoş Gürkan (AKP), Namık Havutça (CHP), Canan Cândemir Çelik (AKP), Necati Özensoy (MHP), Ayşe Türkmenoglu (AKP), Muzaffer Yurttaş (AKP), Sakine Öz (CHP), Faysal Sarıyıldız (HDP), Nesrin Ulema (AKP), Vural Kavuncu (AKP), Erkan Akçay (MHP), Hasan Ören (CHP).

The commission started to conduct their investigations in 04.06.2014, and continued till 21.11.2014 (TBMM, SPRC, p.92). The working period of the commission was four months since “the constitution requires parliamentary investigations to be conducted and their reports to be submitted to the Assembly within four months of the commission’s first meeting” (Constitution of The Republic of Turkey, Article 95).

The commission did seventeen meetings and four field investigations in the Soma mine. The preparation of the commission report took sixty days while 23 academicians, 7 engineers, and 5 occupational safety experts participated during the report preparation process (TBMM, SPRC, p.93). The first draft report was printed on the 11th of November, the second draft came in on the 18th of November and the final report was prepared on the 12th of December.

The Soma Disaster Parliamentary Research Commission findings

According to the Soma disaster commission report, the disaster occurred due to;

1) Interplay of several occupational health and safety non-compliances by the company,

2) Avoidance to invest in technology inside the mine by the mining company,


\(^7\) The parliament in that year was in its 24. Term / 4. Legislative year.
Moreover it has been stated by the commission that the disaster could have been prevented. The report stated that:

“If the ventilation systems for each gallery had been directly connected to the surface; if pillars between panels and galleries had been of the proper width; if barricading had been done properly to fully isolate and seal each part of the mine; if the internal walls of heavy load bearing galleries had been fortified with concrete caissons; if all electrical machinery had been explosion proof; if flame resistant materials such as wire mesh and shear connectors had been used in main galleries instead of wooden connectors and wedges; and if conveyor belts had been made of nonflammable material, then the risk of such an accident occurring would have been very slim” (TBMM, SPRCR, p. 57).

All of these information revealed that the disaster could have been prevented if the mine had better technological standards. According to the commission “the Soma Enterprises Inc. avoided investing in the technology inside the mine, and they used cheap and old-fashioned materials, the ventilation system was inadequate, and materials used inside the mine were not fire-resistant” (TBMM, SPRCR, p.61)

Besides that, the commission revealed the gross negligence of the company in terms of providing healthy safety and security measures inside the mine. The expert reports stated that “the mine hadn’t got a proper exit system, it was surrounded with old-fashioned gears, the miners were lacking protective clothings, the helmets of the miners were broken and most of their equipment was out-of service” (TBMM, SPRCR, p.42).

It was also revealed by the commission that the occupational safety reporters of the Soma Enterprises Inc. didn’t issue any reports of the defects and faults of the mine (TBMM, SDPRCR, p.55). Commission member Özgür Özel stated; this finding took us to a level that we started to recognize the deeper defects about the issue. We saw that the company officials were merely acting in favor of their businesses, scared of being fired off. Their actions were totally contradictory to the occupational health and security law of 2012, which underlines the obligation of the occupational safety experts of the companies in issuing reports on the faults and deficiencies of the occupation” (Özel (CHP), personal communication, 12.06.2016, my translation).

The commission further revealed that in 2012, the Ministry of Labor made two inspections in the mine (TBMM, SPRCR, p. 64). The first inspection resulted with the officials finding eighty-four different violations of regulations in terms of
occupational health and security. These inspections only resulted in issuing administrative fines to the company. What was more surprising for the commission was that, in the second inspection, “even though officials found thirty-four violations that might cause hazards inside the mine in the close future, they didn’t take those deficiencies into consideration” (TBMM, SPRCR, p. 71).

We know that the ministerial inspection mechanisms are very corrupted in Turkey; I know that most of the inspectors during those inspections took bribes even though we couldn’t prove that in the commission. However, when we made interviews with the survivors of the mine disaster, some of them admit that they witnessed the close relationships with the inspectors and the company officials” (Özel (CHP), personal communication, 12.06.2016, my translation).

Besides the inadequate working conditions inside the mine, the commission found out that most of the miners were inadequately trained, and they were temporary or unregistered workers and most of whom didn’t have any health certificate (TBMM, SPRCR, p. 68). We acknowledge that “Most of the miners didn’t have helmets and proper equipment, some even had no torches. Most of them were working with their everyday clothes and eating bread and olives during 10 hours work or more. The company even cut-down from their basic expenses to raise their profit. By the way we are talking about a million-dollar company” (Özel (CHP), personal communication, 12.06.2016, my translation).

Another problem revealed by the Soma disaster research commission was the salaries of the Soma mineworkers. Their earnings were approximately 1356 Turkish Liras 8 per person, which is considered to be below the poverty line in Turkey (TBMM, SPRCR, p.69). Another shocking point that the commission revealed was that there was long-term overproduction in the mine since 2011 (TBMM, SPRCR, p.70). Commission members found out that the workers were being over-worked and they didn’t have had any set working hours (TBMM, SPRCR, p.71).

The interviews showed us that the workers even didn’t know how many hours they were going to work on a daily basis. They didn’t accurately know how long they would stay underground, hence they dived underground each day without knowingly. Most of the interviewees stated that they had complained about this issue for a long

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8 The poverty line in Turkey was released as 1350 TL by the “Türk-İş” institution in 2014. The average salary that the Soma workers received was 1386 TL, which is very close to the poverty line.
time however they didn’t receive any responses from the company officials” (Özel (CHP), personal communication, 12.06.2016, my translation).

Policy recommendations

The final commission report is consisted of a two-volume study of over 1200 pages found inside 11 chapters. The first volume includes “technical background information on coal mining industry, underground mining in Turkey, the nature of contractual arrangements observed in Turkey’s coal mines, and the evaluation of the Soma disaster” (SRCR Report, p.2). The second volume highlights the “sectoral and structural shortcomings that came into light following the accident, lists the commission’s recommendations to prevent other coal mining tragedies from occurring in the future, and concludes the report with the commission’s main findings” (TBMM, SPRCR, p.3). According to the report, the general steps that should be taken to prevent such disasters in the mining sector were as follows;

“A system of continuous occupational safety inspection at workplaces (most importantly in mines) should be implemented. The system of inspections carried out by public/private institutions must be restructured by legislative measures. Current regulations on occupational health and safety should be significantly amended. The regulations concerning the rights of the workers in the coal mining sector should be improved. Occupational health and safety related structural shortcomings should be addressed” (TBMM, SPRCR, p.112).

We prepared a report that was adequate in strengthening the occupational safety capacities inside the mines, we included almost all possible measures for avoiding a similar accident” (Özdağ (AKP), personal communication 15.06.2016, my translation).

Ombudsman Institution Soma report

Another policy recommendation report that came after in the aftermath of the Soma disaster was the “Occupational Health and Safety in the Mining Sector with Reference to the Soma Coal Mine Accident Special Report” (TBMM, Ombudsman Institution, 2014). The report stated; “the assessment of chain of negligence is underwhelmed for the events. When negligence and conscious negligence (which
exist) are linked, aggravated crime will be in question. There is no doubt that more than the government, the administration and those high level bureaucrats in the administration are liable for the Soma mine accident” (TBMM, Ombudsman Institution, 2014, p.2). The report stated that; “it is thought that when the fact that many of the accidents occur in the mines which are run by private companies and the negative effects of these procedures on both the laborers and on the efficiency of the mines are taken together, privatization of the mines by the government should be stopped” (TBMM, Ombudsman Institution, 2014).

Moreover, the report highlighted the steps to be taken by the government to ensure the occupational safety inside the mines. The 232 page report suggested that: “In order to ensure that the officials responsible for inspection to perform their duties and thus prevent reoccurrence of such events jeopardizing the feeling of justice in the society, in case the workers lose their lives as a result of occupational accidents; it should be ensured that for the investigations to be performed for those officials who ignored their supervision duties, the provisions of the Law no. 4483 on Judging the Civil Servants and Other Public Officials will not be applied and hence the public prosecutors will carry out the required investigation without any permissions” (TBMM, Ombudsman Institution, 2014).

The policy recommendations that were given by the Ombudsman institution were as follows:

“1) The investigations and controls by the primary licensing institution, namely Directorate General of Mining, in the mining sector, where the varied branches of engineering nest and the quality and quantity of the personnel are of critical importance. Therefore, occupational health and safety should be in the first place, to ensure the efficiency and effectiveness of the supervision at all stages of mining activities.

2) Moving from the fact that the actors in the mining sector (Occupational Health and safety Institute, international accredited institutions, universities, unions, independent supervision mechanisms, trade associations etc.) are liable for securing the system to a certain extent and collectively, to make the supervisions transparent, trustworthy and lasting in terms of occupational health and safety, it is deemed necessary that universal and periodical investigations are carried out through a commission/organization where all these institutions are represented.
3) In the implementation the ‘royalty’, since the short-term contracts are risky for the royalty contractor, with the performance of financial responsibilities towards the Directorate General of Turkish Coal Enterprises and gaining profits motives. The contractor sees the investments for occupational health and safety precautions as costs, and the measures as extra costs factors. Therefore, a minimum time condition should be set for contracting.

4) In order to make the unions more active in occupational health and safety, the participation of the unions to the occupational health and safety supervisions will both augment their consciousness and responsibility and contribute to having more transparent and efficient supervision.

5) Another criticism frequently uttered by public opinion is the inability of the superintendents to act “independently” from the employer given that the payment of fees of superintendents is realized by the firms owning or managing the licenses whose supervision is carried out by these very same superintendents. The firms have the right to repeal the superintendents’ contracts with the firms or the superintendents’ have concerns about their removal. It is a necessity that the activities in the mines be performed in accordance with the occupational health and safety rules and its realization is possible with the “independent” decisions adopted by the technical and permanent superintendents. In order for them to dully perform their duties and implement the provisions of the legislation, if necessary, a safe structure independent form the employer is needed.

6) Even though some views on the inappropriateness of the rescue chambers due to the geological structure of the mines in Turkey are expressed, it is not possible to state that every mine is in the same structure. Therefore, the legal regulations should be made for the rescue chambers in the mines except for those mines, which are not suitable for rescue chambers.

7) It is not enough to regard the occupational health and safety as an issue to be considered only in production. The competence sought at the licensing stage, the quality of the activities in the searching period, the security of the data, the design of the mine should be deliberated as important variables in terms of occupational health and safety.

8) Within the scope of the employers’ responsibility of adopting necessary emergency precautions, again taking into consideration the conditions of the underground and technological developments of the day, precautions for getting the employer establish
baffle plates (illuminated or phosphoric ways etc.) should be adopted” (TBMM, Ombudsman Institution, 2014).

The report was concluded with the words; “Any administrative decision or approval should be given on the basis of the criteria determined via proven data after introducing the necessary legislative amendment” (TBMM, Ombudsman Institution, 2014).

The Ermenek mine disaster

While the debates were continuing in the TBMM about the Soma disaster, on 28th of October, the Ermenek mine accident occurred. Eighteen mineworkers lost their lives because of the accident. The Ermenek lignite mine had been under control of the Has Şekerler Entreprises Inc. since 2009. The company signed a contract with the government in 2009 to produce coal. The accident occurred when the wastewater container that was located near the coal production site burst and filled the Ermenek mine with water. As a result, eighteen mineworkers were drowned. The incident was an occupational accident because of the negligence of the company in fulfilling the occupational safety measures inside the mine (Savaş, 2016). Moreover, an expert report prepared by a governmental institution stated that the accident was “preventable if the safety conditions were adequate inside the mine” (Grand National Assembly of Turkey, The Ombudsman Institution, 2014, p.23). The same report also stated that an alarm system and a safety chamber would be sufficient to protect the mineworkers while the flood was occurring. It created a big public shock since only five months had passed since the Soma disaster (Özel, (CHP) personal communication, my translation). The energy minister made a press statement in the disaster field on the same day. He stated that:

“If anyone is at fault for compromising the safety of the miners in this incident, they will face proper punishment. We will show no mercy to anyone responsible for this, be it company officials or anyone else” (Turkish Republic Presidency, 2014).

Two months after the accidents, the company officials of the Has Şekerler Entreprises Inc Yavuz Özsoy and Ali Kurt, and the owner Saffet Uyar was charged with conscious negligence (“Accident Traps Workers Underground”, 2014). The Ermenek accident clearly signaled that a new law on the occupational safety was a must (Özel, (CHP) personal communication, my translation). Selçuk Özdağ who is the deputy
chairman of the AKP, stated the Ermenek mine disaster showed the us (AKP) that the companies were not willing to comply with the rules if the rules didn’t have any harsh punishments like the prior occupational safety law (Özdağ (AKP), personal communication 15.06.2016, my translation). My interviewee Özgür Özel stated the Ermenek mine accident was an important sign for the government to take fast and precautionous actions on the safety and security precautions inside the mines. The Ermenek disaster doubled the impact of Soma, giving us a greater sensitivity to the issue. There had been no change in policy in the occupational safety issues in Turkey since 2012. It was even more ironic that there has been more than twelve small-scale occupational mine accidents between 2012-2014, however the parliament didn’t make any legislative changes during that period. The fatality of the Soma and the Ermenek disasters showed that the legislations were clearly not adequate for the companies to oblige the safety and security rules (Özel (CHP), personal communication, 12.06.2016, my translation). The disaster occurred because of the gross negligence of the mine company to take safety and security measures inside the mine. The same reasons were lying behind the Soma disaster (TBMM, Ombudsman Institution, 2014). When the Ermenek disaster happened, the (Soma investigation) commission was still working, we noticed after this event (Ermenek disaster) that we needed to be more urgent to finish the investigations on time, and to include the Ermenek disaster in the report to make the report more comprehensive. As a result we succeed on that (Özdağ (AKP), personal communication 15.06.2016, my translation).

National mood after the Ermenek disaster

The occurrence of an occupational accident just five months after the Soma disaster brought a big shock inside the parliament (Özdağ (AKP), personal communication 15.06.2016, my translation). The members of the opposition parties mentioned the urgency of a new occupational safety law during the parliamentary meetings after 28th of October. The Ermenek disaster converted the mood inside the parliament to an even more sensitive state, because of the huge public reaction outside (Özdağ (AKP), personal communication 15.06.2016, my translation). In the first general parliamentary meeting that was held after the Ermenek disaster, the CHP deputy Hasan Ören, stated; “We are now in a point where we should consider fast re-arrangements on the regulations. There is a case of urgency hear. We should do what
needs to be done. I invite all my friends to a state of cooperation. The Ermenek mine disaster occurred because of an artificial flood. Soma and Ermenek disasters are both occupational accidents. These incidents certified our inadequate occupational safety laws. The passage of a new and adequate occupational safety law is an urgency now” (TBMM, parliamentary debate, 01.11.2014). On the same day, HDP deputy Erol Dora stated; “This disaster gives us the proof that if we don’t change our legislations in a short period of time, these disasters will continue in a sequenced manner. Occupational health and safety regulations are inadequate. All the mines and mining activities in the country should be stopped right now, till the parliament passes an adequate law proposal. We should improve the regulations and safety precautions inside the mines immediately” (TBMM, parliamentary debate, 01.11.2014).

MHP deputy Mustafa Kalaycı, stated the same day; “We experienced this occupational murder even before we could heal our wounds from Soma. This disaster was simply expected by our party. There has to be a new legislation for the mineworkers’ health and safety. If we don’t do it now, we’ll experience another disaster tomorrow. We are expecting the ministry of social welfare to prepare an adequate legislation concerning all the motions we gave as MHP. We are expecting them to do it as soon as possible” (TBMM, parliamentary debate, 01.11.2014). A variety of investigations were held by governmental institutions for revealing the causes and responsible persons behind the Ermenek disaster. Later on, the Ombudsman institution in its official report stated that “the disaster occurred due to the negligence of the company workers in terms of taking adequate safety precautions inside the mine, and the negligence of the occupational safety experts in reporting the faults and deficiency of the mine” (TBMM, Ombudsman Institution, p.73). The similarity of the Ermenek disaster with the Soma disaster caused a big shock for the AKP since they couldn’t avoid taking further safety measures, and assign more responsibilities to the companies, with whom they were having close relations with. Even though we (CHP) were extremely opposed to many parts of the proposed law, we gave a motion to the parliament for discussing the legislation as soon as possible. We saw that there was no chance but to negotiate on the AKP draft legislation (N. 1/1006). We decided to have a cooperative manner with the other parties, since lives inside the mines were considered (Özel (CHP), personal communication, 12.06.2016, my translation).
Feedback inside the parliament

In the second week of October 2014, four parliamentary motions were handed by the opposition parties to the parliamentary presidency CHP (2), MHP (1), HDP (1). The proposals that came from the opposition parties were suggesting the removal of the contracting out practice of the mines, and the failure of the former occupational health and safety law (Özel (CHP), personal communication, 12.06.2016, my translation).

The same week, AKP deputy and Prime Minister Ahmet Davutoğlu proposed a 60-article bill named “Provision in the Occupational Health and Safety Package” and handed-in to the parliamentary presidency in October 25th 2014. After submitting the draft-bill to the parliamentary presidency, Prime Minister Davutoğlu held a press conference to inform the public about what the new occupational health and safety ‘package’ brings. Davutoğlu stated; “in response to frequent accidents in the mines, the new law will bring a number of changes to ensure safety in the mines” (“Davutoğlu Announces New Occupational Safety Program”, 2014).

The bill that was proposed by the AKP and the other bills that are submitted by the opposition parties were together sent out to the family, health and social welfare committee for further discussion, reconciliation by the parliamentary presidency (TBMM, parliamentary debate, 25.10.2014). AKP’s bill was simply a transformation of the Soma investigation commission report to an official bill that was prepared by governmental officials in accordance to the constitution. Their solutions were bringing improved regulations for the occupational safety inside mines. There was no evidence of change in the contracting-out system in the report. They (AKP) wanted to reinforce the safety conditions inside the mines, but didn’t go to the core of the problem (Özel (CHP), personal communication, 12.06.2016, my translation).

On The 12th of December, the AKP deputy Ali Rıza Alaboyun, which is the head of the Soma investigation commission, did submission of the Soma commission report to the parliament. The report sat on the agenda of the TBMM on the same day, and the parties started to give feedback about the report. On the 12th of December, MHP deputy and Soma investigation commission member Erhan Akçay gave the first dissenting parliamentary motion about the Soma parliamentary research commission report, stating; “The real actors that are responsible for the Soma incident are being hidden with this report. Given the obvious clarity of the responsible administrative
and governmental authorities, the report only states technical evidence and plenty of negligence. We believe that there is much more to be revealed such as the confidential relations between the private mine company holders and the AKP officials. We are declaring that we are not agreeing with this report” (TBMM, parliamentary debate, 12.12.2014). On 13th of December, the second dissenting parliamentary motion came from the CHP delegates. The motion prepared by the CHP deputies Sakine Öz, Hasan Ören, Özgür Özel and Namık Havutça whom were all members of the Soma research commission stated that;

“Although we are agreeing on the informative technical parts and the technical insights of the report, we are not agreeing on the conclusions of the report since they are far too superficial and don’t represent the main problems that lie behind this disaster, like the confidential relations between the company and the AKP” (TBMM, parliamentary debate, 13.12.2014). The other day, HDP deputy member of the Soma parliamentary research commission Faysal Sarıyıldız gave the third parliamentary motion on behalf of his party about the report, stating; “The real causes of the Soma disaster are the outsourcing and privatization policies of AKP. Moreover, the governmental investigative institutions are highly politicized and they have confidential relations with this company. The research commission prepared an inadequate report that only evaluated the technical deficiencies lying behind the workers massacre. This report evidently covers up the political and economic backgrounds of the issue. The solutions of this report do not reflect the truth” (TBMM, parliamentary debate, 14.12.2014). In terms of the content of the motions, the opposition parties shared the same view that they were clearly not satisfied with the recommendations of the parliamentary research commission’s report. There were no motions coming from the AKP side that are criticizing the work of the commission, because the parliamentary investigation commission merely consisted of AKP deputies and the dominant ideas that came out from the report was indicating the AKP’s views on the issue (Artvinli, 2016).

We (CHP deputies inside the commission) were clearly not satisfied with the last draft of the report because of lots of reasons. Firstly, the report reflected only AKP’s side of the issue and their party politics. The report was biased and not reflecting the root causes of the Soma disaster. Soma happened because of the dirty relations between the AKP and the Soma Enterprises Inc, they (the government) covered up the inspection reports and the company handed-in money to those who helped. We were
not satisfied with the report, since our voices haven’t been listened to inside the commission. Unfortunately that report formed a basis for the AKP draft legislation that came after (Özel (CHP), personal communication, 12.06.2016, my translation). The report went to the ministry of labor for further investigation.

The Family, Health and Social Welfare Committee (FHSWC)

The discussions started on the 6th of January with the first meeting. The committee was composed of 15 AKP parliamentary including the energy minister Faruk Çelik (AKP). Moreover, 6 CHP, 3 HDP and 2 MHP deputies were inside the FHSW committee. The committee overall had six meetings before the passage of the legislative-draft to the parliament. On the first meeting of the committee, the committee president Necdet Ünüvar (AKP), made a vote for “adopting the law proposal of the AKP numbered 1/1006 for the basis of the further meetings” (TBMM, FHSWC meeting, 6.01.2015, 1st session). With this decision the chances for discussing the other proposals would merely go unheeded (Özel (CHP), personal communication, 12.06.2016, my translation). In the first session of the committee, the first 16 articles of the draft proposal of the AKP were accepted without objections. Overall the committee meetings, our motions weren’t taken into consideration, because of the majority AKP voice inside the committee. We gave 55 regulatory-motions inside the committee, however none of them were taken into consideration. The parliamentarians from the AKP inside the committee refused to discuss them, therefore our motions weren’t considered as vital because the majority of AKP voice inside the committee (Özel (CHP), personal communication, 12.06.2016, my translation). The motions that were proposed by the CHP were the abolishment of the contracting-out system in the mining sector, the more penalties for the mining companies in terms of negligence (exceeding the numbers stated in the Soma disaster committee report), however none of our considerations were applied to the draft version of the law (Özel (CHP), personal communication, 12.06.2016, my translation).

In the second meeting of the committee, the 18. 19. Articles were taken out of the draft proposal with the majority of the AKP votes (TBMM, parliamentary debate, 15.01.2015). In the upcoming three meetings 60 articles were ratified and passed from
the committee with the majority of the AKP votes (TBMM, parliamentary debate, 22.01.2015).

The establishment of the sub-committee

On the 6th of January 2015, the family, health and social welfare commission decided to form a 9-member sub commission, for the involvement of the civil society institutions, worker unions and union delegates to participate and negotiate and express opinions on the stated legislative measures. The committee was composed of 9 deputies the majority of whom was AKP delegates. Moreover there were over 17 representatives from the public agencies in the coal mining industry, and also major worker unions in Turkey that were TTK, TKİ, TMMOB and MTA. The committee consisted of five deputies from AKP (Ismail Tamer, Salih Fırat Mustafa Gülşen, Fuat Karakuş, Muzaffer Yurttaş), two deputies from CHP (Özgür Özel, Suleyman Çelebi), one deputy from MHP (Cemalettin Şimşek) and one from HDP (Ertuğrul Kürkçü). The reason why the committee was set up was to listen the voices of the worker unions’ and public agencies’ views on the proposal of the AKP (TBMM, parliamentary debate, 06.01.2015). The committee made two sessions overall. The first session was held on the 14th of January, with the participation of the Directorate General of Turkish Coal Enterprises, Directorate General of Mining, and the directorate of TMMOB. After the second session, with the proposal of the TMMOB, two additional articles were added to the legislation, the first was the working hours of the mine workers and the administrative fines that are issued to the mine companies in case of violation to be calculated per employee, and not by 100 employees (TBMM, Sub committee meeting, 14.01.2015). In terms of the calculations that we made, we proposed that the working hours of the mineworkers should be diminished from 37.5 per week to 36, and 7 hours per day to 6 hours. And the penalties should have been calculated by per worker and not by 100 workers, our proposition were accepted with the majority of the votes” (TBMM, Sub committee meeting, 14.01.2015). The draft-law passed from the committee and sent to the parliament for further discussion and debating for the final version of the law.
Passage of the new law

On the 4th of April 2015, the new occupational health and safety law passed the General Assembly of the TBMM. The law was adopted in a session participated by 263 delegates, where 262 affirmation votes were announced.

*The law that passed the Grand National Assembly of Turkey on the 4th of April brought stricter obligations for the mining companies and positive impacts to the rights of the mine workers compared to the former occupational health and safety law of 6331”* (Özdağ (AKP), personal communication 15.06.2016, my translation).

The new law is not adequate in cutting down the mining accidents in Turkey. We are still facing mining accidents today. The AKP made a legislative proposal because of the public pressure, and to not to lose their votes in the general elections in 2015. The law was not a product of compromise, however it brought significant changes, such as the mandated application of safety chambers inside the mines (Özel (CHP), personal communication, 12.06.2016, my translation). After the passage of the law, on 4th of April, the Minister of Work and Social Security, Faruk Çelik made a “thank you” speech inside the parliament and expressed gratitude for the people who partook in the law-making process.

The new occupational health and safety law of Turkey

The law on Occupational Health and Safety No. 6645 was published in the ‘Official Gazette’ on 23rd of April 2015. The new law mainly had amendments to the prior Occupational health and security law that is numbered 6331, but it also brought brand-new regulations (Yüksekova & Erdal, 2015). The new law brought stricter responsibilities for the mine companies, and improved rights for the mineworkers (Gerek, 2015). The changes that came by the new law were as follows:

- The weekly working hours of mine workers have been limited to 6 hours per day and 36 hours per week (Article 7, Law 6645). (Previous working hours were 7 hours per day, and 37.5 per week)
- The wage to be paid for workers in the mining sector cannot be less than twice the minimum wage level (Article 9, Law 6645). (The wages of the mineworkers doubled compared to the previous law)
- The employees in hazardous business must have a valid health certificate that shows their eligibility for working in hazardous or very hazardous businesses (Article 17, Law 6645). (Previously on the law, the employees didn’t have to show any health certificate in working in hazardous businesses)

- All mines must have a rescue chamber inside. The business holder is responsible for obtaining sufficient of rescue chambers; the quantity should be decided with an investigation made by the occupational safety expert (Article 30, Law 6645). (In the previous law there was no consideration of a compulsion of rescue chambers inside the law)

- If the occupational safety experts of a mine evades from reporting the faults and deficiencies of the mine he/she is responsible for inspecting, he/she will lose the validation of his/her occupational safety expert certificate for six months. Duplication of the same mistake by the same person will result in a lifelong ban from the profession (Article 8, Law 6645). (In the previous law there were no restrictive measures that are regulating the negligences of the occupational safety experts)

- In hazardous businesses (i.e. mining) the businesses can be closed by law-enforcement agencies, if there is an evidence of overproduction, poor technology usage, old-fashioned production methods, and any type of life-threatening methods followed by the employers inside the production path. If the business keeps on operating after the suspension, the company officials will be sentenced to imprisonment (Article 8/2, 6645). (This regulation was existing in the previous lawsuit, however the term “any type of life threatening” was brought to law to expand its scale, also the condition of imprisonment as a penalty was added to the law)

- In hazardous businesses, employing unauthorized and unregistered workers will be penalized with three to five years of imprisonment of the employer and the employee administrator of the company/business (Article 25/A, 6645). (This regulation overall was previously on the prior law, however the penalties were only consisted of administrative fines. With the new law the employers now can be charged with imprisonment)

- If an official of a private mining company is found guilty in occupational injuries that occur underground or in the surface of the mines, the company cannot participate in public tenders (government procurements) for two years
(Article 25A, 6645). (This is a new regulation)

- The employer of a private mine company should be responsible for obtaining the employees in providing up to date safety and security equipment, with a CE marking on it. If there is a violation on this law, an administrative penalty fine per employee will be assigned to the company (Article 9, Law 6645). (Previously in the law 6331, the administrative fine was calculated per 100 employees, however after law 6645 the penalty changed to per employee, which increased the amount of penalty for the businesses in terms of violation of the law)

- In mining businesses, the employers are responsible to build an electronic tracking system that shows the locations of the miners. Moreover the tracking system should clearly show the exit and entrance times of the mineworkers. Failure to comply with this rule will result with an administrative penalty of 500 Turkish Liras per employee of the company (Article 9). (Previously on the law there was no attribution for a tracking system, however with the Soma disaster it become compulsory for all mines)

As a result, compared to the previous occupational health and safety law, the law of 6645 brought stricter obligations and harsher punishments for the mining companies. Moreover, the new law improved the salaries and the working hours of the mineworkers (Açımuz & Ünal, 2015). In terms of deterrence, the new law brought stricter penalties for the mining companies in case of violation of safety and security regulations (i.e. the penalty of imprisonment, calculation of fines per worker but not per 100 workers) (Açımuz & Ünal, 2015). Moreover, the new law mandated the application of safety chambers inside the mines; and it was a revolutionary attempt for the mining sector in Turkey (Yüksekova & Erdal, 2015), which is the most hazardous sector.

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9 CE marking is a mandatory conformity marking for certain products sold within the European Economic Area (EEA) since 1985.
Chapter 5

5. Analysis & Interpretation

This chapter will present the analysis of the study. In this thesis, Kingdon’s (1995) framework of policy change was used in order to analyze the change in the “Occupational Health and Safety Law” of Turkey. Policy change is described as “a transformation of policy and involves changes in basic sets of policy ideas, institutions, interests and processes” (Howlett & Ramesh 2009, p.202).

The policy change in this study is the occurrence of the new Occupational Health and Safety Law in April 2015, which brought stricter regulations for the mining companies, and stricter penalties in terms of non-compliance.

In May 2014, the worst mining disaster of Turkey occurred. After the incident it was understood that the mining company had failed to make most of the required safety and security precautions inside the mine. This incident revealed that the occupational health and safety laws aren’t enough of a deterrent for the companies to oblige them to follow the rules. The laws have changed since this disaster and the new laws brought stricter regulations for the mine companies. The new regulations brought safety chambers and exit tracking systems as an obligation for every mine. A first for the Turkish judiciary system. It was a big step since the mining safety standards were considered to be very low in Turkey.

This thesis depicts how different actors played a role in the policy change. Therefore, Kingdon’s (1995) MSF is at the heart of this analysis; in addition it structures the presentation of it.

The purpose of choosing Kingdon’s (1995) MSF was to better understand the factors that influence the policy-change in Turkey. As a fact, all of the elucidating variables were obtained from Kingdon’s (1995) MSF. The variables are the feedback, focusing events, policy communities, the national mood, organized political forces and policy entrepreneurs.

Kingdon (1995) illuminates the conditions for policy change, and the important factors that play a role on the policy change road. Using Kingdon (1995) was a useful decision since it helped me to answer my research question: How did policy change happen in Turkey after the Soma mine disaster?
As I previously stated, the analysis will be elucidating data by following Kingdon’s (1995) own structure of the MSF. I will firstly depict the problem stream, secondly, the policy stream and thirdly, the politics stream. This arrangement is useful in systematically characterizing the different streams and their components.

5.1 The Problem Stream

The problem stream is where issues get noticed by governmental and non-governmental groups. The acknowledgment of a problem starts with the evaluation of focusing events. Later on these events are analyzed by governmental and international reports. These activities bring the issue on a higher-profile setting. This part will elucidate the focusing event of the study and the feedback that came after that, making use of the analysis of the interviews report.

**Focusing events**

**Hypothesis 1**: Focusing events reinforce problem recognition.

One factor that leads to greater problem recognition is focusing events, according to Kingdon (1995). Focusing events are events, which pull media attention like unpredicted occurrences or disasters (Kingdon, 1995). More importantly, politicians give their attention to those particular events. I hypothesized that the focusing event in this study played a crucial role in problem recognition. The focusing event of this study was the Soma mine disaster that occurred in 13\(^{th}\) of May in Soma region of the city of Manisa in Turkey. After the disaster, there was great media attention.

Before the Soma disaster, the occupational health and safety problems inside the mines were not on the government’s agenda (Kubiçek, 2011).

The occurrence of Soma disaster was a huge shock for the public. The AKP government tried to normalize this incident by making various statements on how “normal” this kind of incident was. However, *opposition parties were expecting such an incident* (Özel (CHP), personal communication, 12.06.2016, my translation).

I assume that the focusing event is the most important component of the stream for many reasons. Firstly, as a result of the disaster, major public attention (public,
workers unions, non-governmental organizations) was directed to the occupational health and safety conditions inside the mine. Secondly, the scale of the focusing event (being the worst mine disaster of the country) made the politicians not remain indifferent. And thirdly, the opposing parties used the media in any means possible to show how deficient the AKP’s policies were (Açımuz & Ünal, 2015). These factors escalated the impact of the focusing event and brought great problem recognition to the occupational safety policies of the AKP.

Another important incident that can be analyzed in this stream is the appearance of the proposal of the CHP deputy Özgür Özel in the media. The proposal was made two weeks prior to the disaster, for the purpose of “reconsideration and reinforcement of the existing laws regarding the personnel safety in the underground mines with special focus on the Soma coal mine” (Düzgün, 2015, p.3). However, this proposal was refused by the majority of the AKP MP’s votes. The emergence of this event (refusal) brought a big public outrage, and the anger was naturally directed to the AKP officials (Özel (CHP), personal communication, 12.06.2016, my translation). After Soma, “even more pressure was put on the politicians to solve the problem of occupational safety issues inside the mines” (Açımuz & Ünal, 2015, p.12).

Kingdon suggests that the replication of same types of focusing events in a close time period brings more problem recognition to the issues (Kingdon, 1995). When same types of events occur in a close period of time, this will reinforce the problem recognition. He underlines that “focusing events, including disasters, crises, personal experience, and symbols, are important, but need accompaniment in the form of preexisting perceptions which they reinforce, firmer indicators, or combinations with other such events” Kingdon (1995, p.113). This clearly happened, when the Ermenek disaster happened on the 28th of October 2014.

According to Özgür Özel, the Ermenek mine accident occurred due to company negligence, which was also the case in the Soma disaster; both incidents brought the mine safety issue to a more important scale, and gave more recognition to the deplorable conditions inside the mines (Özel (CHP), personal communication, 12.06.2016, my translation). Considering these data, I agree with the hypothesis that the focusing event reinforced the problem recognition.
Policy feedback

Hypothesis 2: Feedback increase problem recognition.

Kingdon (1995) argues that the decision to make a policy change depends on the declaration of what is disliked before (Kingdon, 1995). He underlines the importance of the policy feedback and reports prepared by the politicians (or governmental officials) about the former laws, stating what is disliked. In the Soma case, what is disliked was the former law on occupational health and safety (Law N.6331). After the Soma incident, feedback started to appear to the parliament in different forms. The feedback was both on the governmental level and non-governmental level. Other feedback came by the preparation of the state audit reports and also systematic reports prepared by non-governmental institutions.

The report that was prepared by the ‘Soma disaster investigation commission’ represents an apparent form of feedback that was prepared by a mixed group of parliamentarians from different parties. The report included several feedbacks on what needs to be changed, and what is inadequate in regulations considering occupational health and safety. Moreover, the Ombudsman institution of Turkey prepared the “Aftermath of Soma Report” that was criticizing the governmental policies on mining and occupational safety and proposing alternative solutions for a new regulation.

Moreover, the motions shared by the opposition parties after the release of the report revealed the sides of the parties while the report was found to be ‘biased’ by the opposition groups inside the parliament. The motions that came from the opposition groups after Soma were merely signaling the demand from the opposition parties for a new and a ‘better’ policy, and the abolishment of the privatization policies of the AKP. Kingdon (1995) argues “the decision to take an alternative which was disliked before depends mostly on redrafting and recombining of the alternative” (Kingdon, 1995, p.66). In the case of my thesis the alternative, which was disliked after Soma, was the existing occupational health and safety law that was lacking deterrent measures for the mine companies.

The suggested alternative by the opposition parties and the ruling party included a deterrent law for the mine companies and a competent law for the mineworkers in terms of bringing better health, safety and employment conditions. This became clear
when the draft proposals came out to the parliament and also multiple motions came from the parliament criticizing the AKP’s policies on the mining sector. Because of these reasons, I accept the hypothesis that the feedback increase the problem recognition.

5.2 The Policy Stream

The policy stream is composed of a “soup” of ideas that struggle to win approval. “Ideas are generated by specialists in policy communities. While the number of ideas floating around is quite large, only a few ever receive serious consideration. Proposals that appear to be challenging to implement have a lower chance of surviving this process. Moreover, proposals that do not conform to the values of policy makers are less likely to be considered for adoption” (Zahariadis 2007, p. 72).

The national mood

Hypothesis 3: The national mood promotes a higher agenda status for policy change.

National mood refers to “the notion that a fairly large number of individuals in a given country tend to think along common lines” (Zahariadis 2007, p. 73). Kingdon (1995) argues that changes in the national mood also affect the political stream because it is this general climate of broad public opinion, which creates “fertile ground or an initial receptivity to the ideas” (p.147). As I stated before, mining accidents were a major problem of Turkey over decades (Görgün, 2015) in contrast, mine safety wasn’t on the agenda of Turkey over years (Andaç, 2015). With the privatization strategies of the AKP after 2009, occupational accidents escalated rapidly (TUIK, 2014), and as a result the first comprehensive occupational health and safety law came out in 2012. However the law that came out in 2012 didn’t affect the vastly growing number of occupational accidents in Turkey (Görgün, 2015).

The Soma disaster brought a great public shock in Turkey and created an overall frustration “jeopardizing the feeling of justice in the society, because the workers lose their lives as a result of negligence of multiple actors, including the government” (TBMM, Ombudsman Institution, 2014, p.4). Hence, a major policy problem in Turkey was acknowledged by the Turkish Grand National Assembly and by the AKP
government specifically (Açımuz & Ünal, 2015). Therefore, after the Soma accident occupational health and safety became a top priority issue. Furthermore, there was an explosive rise of attention in the social movements for demanding better mine safety and conditions after Soma (Daloğlu, 2014). The government was being criticized over their inadequate policies in mining and occupational safety since then (Kayadelen, 2015). Moreover, when the Prime minister Recep Tayyip Erdoğan stated that the “disasters are in the nature of these businesses’ the political and social campaigns escalated against the ruling party (Salloum, 2014).

Zahariadis (2007) states that “government authorities observe the changes in the national mood by monitoring national surveys and they act to promote certain items on the agenda or, conversely, to dim the prospects of others” (Zahariadis 2007, p. 73). According to an official survey made by the Turkish Statistical Institution, in 2014 only 34.3% of the Turkish people felt safe while working in the risky businesses (TUIK, 2014). Moreover, “the Soma disaster created a great wave of fear inside the mine sector, in just two months after the disaster the level of mine export decreased to 8% because of the work stoppages and the mineworkers leaving their jobs” (Andaç, 2015, p.602). These signs were important for the AKP that they need to re-evaluate their policies for gaining trust and for normalizing their damaged-reputation. Similarly to what Mr. Özdağ stated in his interview, the Ermenek disaster triggered a state of ‘urgency’ inside the parliament, in terms of supplying the right environment to change the current laws and to elaborate on the current policies (Özdağ (AKP), personal communication 15.06.2016, my translation).

Kingdon (1995) states that, “politicians often keep an eye on the support or opposition of interest groups and if majority of them support some ideas, the government is more likely to include them on the political agenda” (Kingdon, 1995, p.73). After the Ermenek disaster, criticisms over the AKP’s policies on occupational health and safety by the opposition parties substantially increased, therefore AKP had to re-set its agenda on the consideration of these criticisms (Özel (CHP), personal communication, 12.06.2016, my translation). As it’s been argued, “national atmosphere predominantly served for an urgent policy change after the Soma and Ermenek disasters” (Zengin, 2014).

With respect to these data, I can conclude that I confirm the hypothesis that the national mood promoted a higher agenda status for policy change.
Policy Communities

Hypothesis 4: Policy communities influence policy change.

The context of the mining safety in Turkey was an important dynamic for influencing the series of issues, which were discussed in the post-disaster policy discourse. When a problem is acknowledged, the investigation for the solution begins by proposing certain ideas. According to what has happened in the post-Soma disaster era, there were multiple policy communities that influenced policy change.

Occupational Health and Safety related Ideas

The Soma disaster investigation commission was an influential policy community after the Soma disaster ( Özdağ (AKP), personal communication 15.06.2016, my translation).

The disaster investigation commission was formed to investigate the disaster and to propose multiple solutions for mitigation of future disasters. The Soma disaster investigation commission report underlined several gaps in the occupational safety implementations in Turkey. To illustrate, the report suggested that; “A system of continuous occupational safety inspection at workplaces (most importantly in mines) should be implemented. The system of inspections carried out by public/private institutions must be restructured by legislative measures. Current regulations on occupational health and safety should be significantly amended. The regulations concerning the rights of the workers in coal mining sector should be improved. Occupational health and safety related structural shortcomings should be addressed” (TBMM, SPRCR, p.112).

The report formed a basis of the AKP’s legislative motion ( Özdağ (AKP), personal communication 15.06.2016, my translation).

Moreover, the Ombudsman Institution of Turkey was also an influential institution given the scope of the evaluation report they prepared in the aftermath of the disaster. The report mainly evaluated the deficiencies of the mining sector in Turkey, the gaps of the mining system, and the defects of the governmental agencies in providing a healthy investigation process inside the mines. To illustrate, the report suggested
- Safety chambers inside the mines.
- An independent investigation system.
- A transparent and structured governmental investigation system.
- Participation of the unions in the occupational health and safety supervision.
- Increased employee responsibility in the mining Enterprises.
- Reconsidering the privatization policy of the AKP on mines (TBMM, Ombudsman Institution, 2014).

The Ombudsman Institution report was more independent than the Soma commission report, because the report was prepared mainly by academicians, sectoral NGO’s, heads of the major worker unions, scientific organizations, and voluntary non-governmental institutions (Özel (CHP), personal communication, 12.06.2016, my translation).

The Policy Proposals

After the release of the investigatory reports, multiple proposals came to the parliament from different parties. AKP, CHP, MHP and HDP were the four major policy communities inside the parliament that proposed different policy regulations. As I stated previously, in October 2014, four parliamentary motions were handed by the opposition parties to the parliamentary presidency CHP (2), MHP (1), HDP (1).

The proposals that came from the opposition parties were suggesting the removal of the contracting out practice of the mines by the government, and underlining the failure of the former occupational health and safety law, which was the 6331 law on occupational health and safety. The non-compliance by the mining companies was clear after the Soma disaster and the existing occupational safety laws weren’t deterrent enough (Özel (CHP), personal communication, 12.06.2016, my translation).

Moreover, after the release of the Soma investigation commission report, the opposition parties (CHP, MHP, HDP) gave multiple parliamentary motions. MHP declared that:

“The real actors that are responsible for the Soma incident are being hidden with this report. Given the obvious clarity of the responsible administrative and governmental authorities, the report only reported technical evidence and plenty of negligence. We believe that there is much more to be revealed such as the confidential relations
between the company and the AKP officials. We are declaring that we do not agree with this report” (TBMM, parliamentary debate, 12.12.2014).

CHP declared;

“Although we are agreeing on the informative technical parts and the technical insights of the report, we are not agreeing on the conclusions of the report since they are far too superficial and don’t represent the main problems that lie behind this disaster, like the confidential relations between the company and the AKP” (TBMM, parliamentary debate, 13.12.2014).

HDP argued;

“The real causes of the Soma disaster are the outsourcing and privatization policies of the AKP. Moreover, the governmental investigative institutions are highly politicized and they have confidential relations with this company. The research commission prepared an inadequate report that only evaluated the technical deficiencies that led to the workers massacre. This report evidently covers up the political and economic backgrounds of the issue. The solutions of this report do not reflect the truth” (TBMM, parliamentary debate, 14.12.2014).

In this stream, the parties showed their sides on the issue by sharing proposals and giving motions on declaring what needs to be changed in the mining sector to prevent future disasters.

After analyzing these data, I confirm that the policy communities influenced policy change.

5.3 The Politics Stream

Organized political forces

Hypothesis 5: Organized political forces (interest groups) are influential in policy change.

Firstly, the organized political forces in this thesis are visible in two streams: the problem stream, and the politics stream. Therefore it is important to investigate their roles in both of the streams. Zahariadis states that, “worker unions, trade unions and activists, represent very strong pressure groups that exercise significant influence over
the form certain decisions will take” (Zahariadis 2007, p.64). In the problem stream of this thesis, the four major worker unions in Turkey were clearly visible in terms of their activities in the post-disaster era. In the aftermath of the Soma disaster, these interest groups, mainly composed of worker unions, “showed remarkable efforts for demanding better rights for the mineworkers” (Korkmaz, 2014, p.21). These groups were publicly mobilized and protested the AKP government and their policies on mining and the bad safety conditions inside the mines. As it’s been stated, the general strike on the 15th of May was “one of the biggest strikes in Turkey in years” (Görgün, 2015, p.23).

Besides that, according to Kingdon (1995) interest groups are highly influential in terms of influencing by instructing the governments. He states that: “unions assist in the collection of data, including risk analyses conducted per sector and share them with the governments; thereby they facilitate the identification and prevention of sectoral risks” (Kingdon, 1995, p.66). Parallel to what Kingdon suggests, in July 2014, the TMMOB released a report named “Soma Disaster Memorandum”, and handed-in to the parliament “for bringing awareness to the problems of the mining sector and the steps that should be taken for avoiding a similar disaster” (TMMOB, 2014, p.5). The report was offering a separate chapter with policy alternatives for the prevention of the future disasters in the mining sector in Turkey, by suggesting the removal of the ‘contracting out’ system (TMMOB, 2014).

Zahariadis states that “pressure groups create a strong policy community by advocating particular solutions and manipulating challenging preferences” (Zahariadis 2007, p. 74). The suggestion of TMMOB was challenging since the AKP government was pro-contracting out of the mines (Gerek, 2015).

Kingdon (1995) mainly highlights the role of the interest groups in the politics stream in his MSF. He states that, the interest groups do not only follow their own objectives, but they also strive for avoiding unwanted legislation (Kingdon, 1995). Moreover, in terms of the inclusion of the pressure groups inside the policy making process, Binderkrantz (2005) argues “some groups are regular policymaking insiders, while other groups may be outsiders with little or no access to policymakers. Thus, groups embedded in national policy processes - e.g., via public committees or national advisory boards - have a greater impact on policy formulating than those not included” (Binderkrantz, 2005, p.697). Parallel to what Binderkrantz (2005) states, after the AKP’s legislative-proposal reached to The Family, Health and Social
Welfare Committee, the idea of the necessity of a ‘sub-committee’ was raised because of multiple reasons. Mr. Özel elucidated those reasons; *inside the committee (FHSWC) the consensus was built on establishing another committee. The committee took this decision firstly because during the lawmaking process the representatives of the major worker unions were not considered and listened substantially by the AKP officials, secondly because of the demanding approach of the worker unions to participate and share opinions inside the FHSWC committee, their inclusion was seen as a necessity* (Özel (CHP), personal communication, 12.06.2016, my translation).

Öberg (2011) states that, “incorporation of interest groups in public boards and committees is often a main indicator of groups’ inclusion” (Öberg, 2011, p.368). In that sense, as its portrayed in the previous chapter, after the inclusion of the representatives of major worker union groups, the draft-proposal of the AKP changed inside the sub-committee. Kingdon (1995) mentions “interest groups often try to insert their preferred alternatives into a discussion once the agenda is already set by some other process or participant” (Kingdon, 1995, p.67). Parallel to that, Mr. Özel stated that; *in the sub committee two new measures were taken due to the needs and demands of the interest groups’, those measures were taken by several bargaining’s with the members inside the committee* (Özel (CHP), personal communication, 12.06.2016, my translation). Kingdon further mentions this kind of influence made by the interest groups inside committees with the words: “if there is widespread agreement among those forces inside committees or boards, officials either try to go along with them, or at least know what they are up against” (Kingdon, 1995, p.151). After elaborating on these data, I agree on the hypothesis that interest groups are influential in the policy change.

**Policy entrepreneurs**

**Hypothesis 6: Policy entrepreneurs play a decisive role in policy change.**

The policy entrepreneur at that time was the Prime Minister Ahmet Davutoğlu. Mr. Davutoğlu was the former minister of Foreign Affairs from the AKP cabinet, and became the prime minister of Turkey in August 28th, the same year where Soma disaster took place. A policy entrepreneur is defined as “an individual who exploits
policy windows by linking a compelling problem to a plausible solution that meets the test of political feasibility” (Khayesi & Amekudzi, 2011, p.1549).

After the Ermenek disaster, Ahmet Davutoğlu was the one who offered the draft bill to the parliament, and the majority of the parliament (which was composed of majority of AKP deputies) supported his proposal. Even though the opposition parties (CHP, MHP, HDP) gave dissenting opinions after his proposal, it couldn’t defeat Davutoğlu’s bill to pass from the TBMM. There was no resistance to his proposal inside the AKP, and this made Ahmet Davutoğlu to advocate and push this regulation further. In other words, most of the politicians from the AKP agreed on this regulation and favored it. With those conditions, Ahmet Davutoğlu’s power was even more strengthened. But besides all, “the AKP after 2011 had a majority of the seats inside the parliament to pass most of its favored legislation in the parliament” (Düzgün, 2015, p.24). For a bill to pass the parliament, it has to be affirmed by 276 deputies in the TBMM, and the AKP had already had 341 seats in the parliament from the 2011 elections. Moreover, given the fact that “the party unity is very strong in the AKP” (Gerek, 2015, p.4) there was no opposition from any parliamentarians from the AKP in the voting process.

Kingdon (1995) suggests that, “a policy entrepreneur can only be successful when the political context gives him power and the possibility to act” (Kingdon, 1995, p.182). From Kingdon’s perspective, we can argue that Mr. Davutoğlu was successful.

On the other hand, it is hard to identify Mr. Davutoğlu’s activities in the previous two streams (problem, policy), since he came into power on 28th of August, which falls four months after the Soma disaster. Ahmet Davutoğlu was the Minister of Foreign Affairs before August 2014 and wasn’t active in the problem stream. Acknowledging the fact that, it is hard to examine the role of Mr. Davutoğlu in the previous streams (as a policy entrepreneur). Therefore we cannot clearly state that Mr. Davutoğlu played a decisive role as a policy entrepreneur. Because it’s been stated that, “policy entrepreneurs must be active in both the problem stream and the policy stream” (Zahariadis, 2007, p. 132). However, in terms of offering the bill to the parliament, (where the political context give him the power to push his proposal further) Mr. Davutoğlu had an influence on the policy change.

As a result, since I cannot identify his actions in the previous streams, I cannot come to the conclusion that the policy entrepreneur played a decisive role in policy change. However, I can state that the political context gave Mr. Davutoğlu the right
environment and the chance to successfully push forward his bill. Then again, because of not being able to identify Mr. Davutoğlu’s actions in the previous streams, it is hard to agree with this hypothesis.

**Policy windows**

**Hypothesis 7:** *Policy windows are crucial for policy change.*

Kingdon gives a vital importance to policy windows, since opening of a policy window means that a policy change is going to happen (Kingdon, 1995). A focusing event in the politics stream can open a policy window according to Kingdon (1995). Parallel to that, Travis and Zahariadis suggest that “policy windows are opened by compelling problems or by events in the politics stream” (Travis & Zahariadis, 2002). I argue that a policy window appeared when the Ermenek disaster happened. To illustrate, the parliament was discussing the AKP’s draft bill on the occupational health and safety when the Ermenek disaster happened. After the occurrence of the Ermenek disaster, the occupational safety problems inside the mines reoccurred in the political agenda of the four major parties of the parliament (AKP, CHP, MHP, HDP). As it’s been stated by Mr. Özdağ the Ermenek disaster brought a sense of urgency for the AKP officials in terms of passing the draft-bill in an easy and expeditious manner (Özdağ (AKP), personal communication 15.06.2016, my translation). According to Kingdon (1995) policy windows usually pop-out after a focusing event or a big crisis. The appearance of a policy window is important because they make the ‘coupling’ to occur (Kingdon, 1995). Coupling is identified by Kingdon (1995) as: “problems or politics by themselves can structure the governmental agenda. But the probability of a policy item rising on the decision agenda is dramatically increased if all three streams (problem, policy, politics) are joined, and it is called coupling” (Kingdon, 1995, p.155). The Ermenek disaster was that ‘big crisis’ that popped while discussions were being handled about the draft-bill proposed by the AKP. To illustrate the merging of three streams after the Ermenek disaster, we can firstly say that there was already a strong problem definition. Secondly, the national mood was encouraging for a policy change and thirdly, the policy alternatives were ready and politicians and interest groups were discussing those policies at that time where the Ermenek disaster occurred. Therefore, the Ermenek disaster actualized Kingdon’s
phenomenon of ‘coupling’, because it merged all the three streams and provided the right environment for the “policy item” -which was the AKP’s draft bill- to go onto the decision agenda. A couple of months after the Ermenek disaster, the bill passed the parliament, and on the 23rd of April 2015 president Recep Tayyip Erdoğan ratified the bill. Therefore, the policy window that was supplied by the Ermenek disaster pushed forward a policy change.

After elaborating on this data, I verify my hypothesis that policy windows are crucial for policy change.

5.4 Conclusion of the analysis

I mainly argue that policy change occurred because a policy window opened after the Ermenek disaster. To illustrate, after the Ermenek disaster, the right environment occurred for the policy entrepreneur (Ahmet Davutoğlu) to enact his bill. The party in that time had a huge agenda setting power, decision power, and a significant capability of action. Therefore, it was easy for the bill proposed by Mr. Davutoğlu to pass the parliament, acknowledging the fact that the AKP had the majority inside the TBMM. Therefore we can argue that the conditions were right for Mr. Davutoğlu to enact his bill.

Besides that, I argue that the policy change occurred due to the association of factors that occurred consecutively. The policy change occurred due to the combination of factors in a process. The following seven factors were decisive in the process.

1) The Soma disaster (focusing event) underlined the deficient occupational health and safety conditions inside the mines in Turkey. Moreover, the pressure group activities highlighted the deficient laws on the occupational health and safety in Turkey.

2) The feedback coming from the parliament reinforced the criticisms over the AKP’s occupational safety and mining policies.

3) The policy communities inside the parliament reinforced the idea of ‘the need for a new occupational safety law’ in Turkey.

4) The national mood facilitated a political environment for a new legislation on strict occupational safety measures and better conditions inside mines.
5) The policy entrepreneur made use of the political environment and prepared an ‘alternative’ law.

6) Interest groups raised their voices in both the problem definition and policymaking stage, making the passage of the new law more probable.

7) The Ermenek disaster (policy window) supplied the right conditions for enacting the policy.
Chapter 6

6. Conclusion

6.1 Summary of the thesis

The multiple stream theory founded by Kingdon (1995) is the main theory of this thesis and the theory that elucidates the policy change in this thesis. The theory of Kingdon (1995) was chosen since it illustrates how a policy change happens by the opening of a policy window. Since my research question was “How did policy change in Turkey after the Soma disaster?” Kingdon’s theory appeared suitable. The multiple streams framework was also useful in terms of distinguishing and systematically analyzing the components of the problem, the policies and the waves in politics. Kingdon (1995) states that, the problem policy and politics streams exist independently from each other. Moreover, he underlines that when a change in the political stream (crisis or a focusing event) happens, a policy window opens which encourages a suitable time for policy change.

A policy entrepreneur is according to Kingdon (1995) the person who devotes his/her time to all three streams and pushes forward his/her ideas on improvements to make them acceptable. Kingdon states that a policy entrepreneur is only successful if the political context gives him/her the right environment to act and convince others that his/her policy proposal is the right one.

One of the most significant data collection method that was used this thesis was the interviews made with two key politicians of two different parties in the parliament when the Soma disaster occurred. The politicians were members of the post-disaster committees inside the TBMM, where the draft-bill was discussed and elaborated. Other significant materials used in this thesis were official governmental documents, press statements, newspaper articles and scholarly articles.

The dependent variable of this study was policy change. Since there were changes (amendments) in the occupational health and safety law, it was suitable to define the dependent variable as ‘policy change’ and not ‘radical policy change’. It was a gradual process. Howlett and Ramesh (2009) defined policy change; transformation
of policy – making and involving changes in basic sets of policy ideas, institutions, interests and processes.

By this, they meant that a process of changes happened; therefore it seemed suitable to label as independent variables the focusing events, feedback, national mood, policy communities, organized political forces, policy entrepreneurs and policy window.

In 2014, there were two major occupational accidents in Turkey: the Soma disaster and the Ermenek disaster. After the Soma disaster, there were policy proposals from the parties in the parliament, but for a long time none of them were enacted. After the Ermenek disaster, a policy window opened and the right environment occurred for the policy entrepreneur (Ahmet Davutoğlu) to enact policy change. The party had at that time a huge agenda setting power, decision power, and a significant capability of action. As the AKP had the majority inside the TBMM, it was reasonably easy for a bill proposed by an AKP member to pass the parliament. The conditions were right for Mr. Davutoğlu to enact his bill.

I argue that a sequence of factors followed each other, which will explain why policy changed after the Soma disaster. Firstly the Soma disaster created great public and political awareness concerning the occupational safety problem of Turkey. Secondly, the criticisms of AKP policies in the parliament increased highly after the Soma accident, putting the politicians under pressure to re-elaborate their policies and solve the problem of occupational safety accidents. Thirdly, the activities of the interest groups strengthened the criticisms of the AKP policies and the adequacy of the laws in the public and in the political arena. Fourthly, the national mood contributed atmosphere for policy change. Fifthly, the policy entrepreneur made use of the political context and proposed an alternative policy. Sixthly, the Ermenek disaster played a big role in the policy window to occur, and created the environment for the policy entrepreneur to promote and enact his policy proposal.

The policy window plays an important role in this thesis, since it played a decisive role in policy change. It is hard to predict when the policies on occupational health and safety change in Turkey would have changed, if the Ermenek disaster hadn’t happened. The Ermenek disaster clearly doubled the impact of the Soma disaster and multiplied the attention to the problem of occupational health and safety in Turkey. It triggered the sense of ‘need’ for an ‘urgent’ policy change. This explanation enables us to understand why a policy change occurred in Turkey after the Ermenek disaster and why not right after the Soma disaster. Even though it is hard to conclude on the
exact factors that lie behind the statement ‘why policy changed after the Ermenek disaster and why not right after the Soma disaster’, it is understandable that the crisis environment that the Ermenek disaster caused brought a policy window, and it created the right environment for the bill of the AKP to be enacted.

6.2 Result: how did policy change happen in Turkey after the Soma mine disaster?

One main problem of my study was to decide which factors contributed to the policy change after the Soma mine disaster that happened in Turkey. The new occupational health and safety law of Turkey was the “policy change” of my study. I consider the dependent variable as “policy change” since the new law brought stricter occupational health regulations inside mines and stricter obligations for the mine companies compared to the former law of occupational health and safety in Turkey. The dependent variable (DV) of this thesis was “policy change” and I used the definition: “Policy change is a transformation of policy-making and involves changes in sets of policy ideas, institutions, interests and laws” (Howelett/Ramesh, 2009, p. 202). I argue that a policy change happened due to the association of series of events that occurred one after another. Therefore I argue that policy change after Soma disaster was due to the combination of factors that occurred in a process. I argue that the following seven factors were decisive in the process.

The first factor was, the Soma disaster (focusing event), which underlined the deficient occupational health and safety conditions of the mines in Turkey. Pressure group activities highlighted the deficient laws on occupational health and safety in Turkey.

The second factor was the feedback from the parliament, which reinforced the criticisms about the AKP’s occupational safety and mining policies.

The third factor was the set of policy communities inside the parliament that reinforced the idea of ‘the need for a new occupational safety law’ in Turkey.

The fourth factor was the national mood, which facilitated the right political environment for new legislation on stricter occupational health and safety measures and better conditions for the mineworkers.
The fifth factor was the existence of a policy entrepreneur that made use of the political environment and prepared an ‘alternative’ for the existing occupational health and safety law of Turkey.

The sixth factor was the existence of various major interest groups inside the country that raised their voices in both the problem definition and on the policymaking stage, making the passage of the new law more probable.

The last and the most remarkable factor that contributed to the actualization of the ‘policy change’ was the occurrence of the Ermenek mine disaster, which opened a policy window and supplied the right conditions for the passage of the new law.

As a result, because of these factors coming together, a policy change occurred in Turkey after the Soma mine disaster.

6.3 Future research

Future research can further identify the role of the policy entrepreneur, Mr. Ahmet Davutoğlu, who was the Foreign Minister when the Soma disaster happened. While writing this thesis, it was hard for me to identify the activities of Mr. Davutoğlu in the problem stream and the policy stream, due to a lack of documents and reports concerning the times when he was present in the general parliamentary sessions or the council meetings on occupational health and safety. There was not much documentary evidence to depict his role in the problem definition and the policy making stage, which was a problem for this thesis. A lot of data that could help me to figure out his role in the policy-making and problem identifying stages were missing.

My future research suggestion consists of interviews with more government officials inside the AKP cabinet, and other governmental officials, to learn Mr. Davutoğlu’s specific activities and investments inside the policy making process and problem definition era, which are the two main components of Kingdon’s (1995) MSF framework. Gathering more information about those stages will contribute to specify his role as a policy entrepreneur, and it will also help us to specify and elucidate how his actions influenced policy change after the Soma disaster.
Chapter 7

7.1 Tables and figures

Table 1:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>NUMBER OF EMPLOYMENT INJURIES</th>
<th>NUMBER OF OCCUPATIONAL DISEASES</th>
<th>NUMBER OF PERMANENT INCAPACITY</th>
<th>NUMBER OF DEATH CASES</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>6.293</td>
<td>996</td>
<td>427</td>
<td>38</td>
</tr>
<tr>
<td>2008</td>
<td>5.728</td>
<td>328</td>
<td>221</td>
<td>30</td>
</tr>
<tr>
<td>2009</td>
<td>8.193</td>
<td>201</td>
<td>92</td>
<td>3</td>
</tr>
<tr>
<td>2010</td>
<td>8.150</td>
<td>92</td>
<td>94</td>
<td>92</td>
</tr>
<tr>
<td>2011</td>
<td>9.217</td>
<td>170</td>
<td>104</td>
<td>58</td>
</tr>
<tr>
<td>2012</td>
<td>8.828</td>
<td>231</td>
<td>122</td>
<td>20</td>
</tr>
</tbody>
</table>

Source: Employment Injury and Occupational Diseases Statistics, Social Security Institution

Table 2:

![Fatalities from workplace accidents and occupational diseases](image)

Table 3:

<table>
<thead>
<tr>
<th>Place</th>
<th>Date</th>
<th>Accident</th>
<th>Fatality</th>
<th>Operator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yoğat Sorgun</td>
<td>26.3.1995</td>
<td>Firedamp explosion</td>
<td>37</td>
<td>Private enterprise</td>
</tr>
<tr>
<td>Karaman Ermenek</td>
<td>22.11.2003</td>
<td>Firedamp explosion</td>
<td>10</td>
<td>Private enterprise</td>
</tr>
<tr>
<td>Kütahya Gediz</td>
<td>8.9.2005</td>
<td>Firedamp explosion</td>
<td>18</td>
<td>State-owned Enterprise (in the process of privatization)</td>
</tr>
<tr>
<td>Baiskehir Dursunbey</td>
<td>2.6.2006</td>
<td>Firedamp explosion</td>
<td>17</td>
<td>Private enterprise</td>
</tr>
<tr>
<td>Bursa M.Kemalpaşa</td>
<td>10.12.2009</td>
<td>Firedamp explosion</td>
<td>19</td>
<td>Private enterprise</td>
</tr>
<tr>
<td>Baiskehir Dursunbey</td>
<td>23.2.2010</td>
<td>Firedamp explosion</td>
<td>13</td>
<td>Private enterprise</td>
</tr>
<tr>
<td>Zonguldak Karadon</td>
<td>17.5.2010</td>
<td>Firedamp explosion</td>
<td>30</td>
<td>Private enterprise</td>
</tr>
<tr>
<td>Kahramanmaras Elbistan</td>
<td>10.2.2011</td>
<td>Slope failure</td>
<td>11</td>
<td>Private enterprise</td>
</tr>
<tr>
<td>Manisa Soma</td>
<td>13.5.2014</td>
<td>Fire</td>
<td>301</td>
<td>Private enterprise</td>
</tr>
<tr>
<td>Karman Ermenek</td>
<td>28.10.2014</td>
<td>Flooding</td>
<td>18</td>
<td>Private enterprise</td>
</tr>
</tbody>
</table>
Figure 1:
7.2 References

Books & journal articles


Newspaper articles


Reports


Parliamentary debates & other material

Constitution of the Republic of Turkey. (7 November 1982). Retrieved from: http://www.unhcr.org/refworld/docid/3ae6b5be0.html


