

European Union Delegation to Turkey

Final Report

Preparation of a Gender Analysis in Turkey

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## LIST OF ACRONYMS AND ABBREVIATIONS

AAD:	Annual Action Documents
ABPRS:	Address Based Population Regulation System
AD:	Action Documents
AK Party:	Justice and Development Party
Alo 183:	Hotline for Social Support to Family, Women, Children, People with Disabilities, Relatives of Martyrs and Veterans
ALMP:	Active Labour Market Policies
AFAD:	Republic of Turkey Prime Minister Disaster and Emergency Management Authority
BIST:	Stock Exchange Istanbul (Borsa Istanbul)
CEDAW:	The Convention on the Elimination of All Forms of Discrimination against Women
CEFM:	Child and Early Forced Marriage
CEOMW:	The Committee on Equal Opportunity for Women and Men of the Grand National Assembly of Turkey (acronym in Turkish as KEFEK)
CGO:	Chief Growth Officer
CHP:	The Republican People's Party
CRIS:	The Common External Relations Information System
CSO's:	Civil Society Organizations
DAC:	Development Assistance Committee
DGCS:	Directorate General of Child Services
DGMM:	Ministry of Interior Directorate
DEVCO:	Development Cooperation
DG NEAR:	Directorate General for Neighbourhood Policy and Enlargement Negotiations
GAP II:	Gender Action Plan II
GDSW:	Directorate General Directorate on the Status of Women
EAMR:	External Assistance Management Report
EBRD:	European Bank for Reconstruction and Development
EC:	European Commission
EEAS:	European External Action Service
EU:	European Union
EUD:	European Union Delegation
EURF:	European Union Results Framework
FRIT:	The EU Facility For Refugees In Turkey
FHC:	Family Health Care
GBV:	Gender Based Violence
GEWE:	Gender Equality and Women Empowerment
GFP:	Gender Focal Points
GONGOs:	Government Organized Non-governmental Organizations
GRB:	Gender Responsive Budgeting
GWG:	Gender Working Group
GNAT:	The Grand National Assembly of Turkey, (acronym in Turkish as TBMM)
GSDW:	The General Directorate on Status of Women
HDP:	The People's Democratic Party
HQ:	Headquarters

ILO:	International Labour Organisation
ISKUR:	Turkish Labour Agency
IPA:	Instrument for Pre-accession Assistance
IPARD:	IPA Rural Development
IPU:	Inter Parliamentary Union
ISP:	Indicative Strategy Paper
KAGİDER:	Women Entrepreneurs Association of Turkey
KOSGEB:	Small and Medium Enterprises Development Organization
LBGTI:	Lesbian, Gay, Bisexual, Transgender no reference to Intersex in the document
MAAP:	Multi Annual Action Programme
MoFLSS:	Ministry of Family, Labour and Social Security
MoNE:	Ministry of National Education
MoH:	Ministry of National Health
MP:	Member of Parliament
NTUS 2 :	Nomenclature of Territorial Units for Statistics-subregions
NGO's:	Non-Governmental Organizations
OECD:	Organization for Economic Cooperation and Development
OSCE:	Organization for Security and Co-operation in Europe
PCM:	Project Cycle Management
ROM:	Results Oriented Monitoring
SDGs:	Sustainable Development Goals
SRH:	Sexual and Reproductive Health
SWD:	Joint Staff Working Document Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020
TBMM:	The Grand National Assembly of Turkey
TEA:	Turkish Employment Agency
TESK:	The Confederation of Turkish Tradesmen and Craftsmen
TL:	Turkish Lira
TURKSTAT:	Turkish Statistical Institute
TPC:	Turkish Penal Code
TPHS:	Turkish Population Household Survey
TURKONFED:	Turkish Enterprise and Business Confederation
TUSIAD:	Turkish Industry and Business Association
RTÜK:	The Radio and Television Supreme Council
UNDP	United Nations Development Programme
UNHCR:	United Nations High Commissioner for Refugees
UN WOMEN:	United Nations Entity for Gender Equality and the Empowerment of Women
UYAP:	National Judiciary Informatics System
VAWG:	Violence against Women and Girls
VET:	Vocational Education and Training
VPMC:	Violence Prevention and Monitoring Centres
WEF:	World Economic Forum

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## PREFACE

The Gender Action Plan II, (GAP II): “Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020, formally adopted by the Council in October 2015, identifies four pivotal areas, three thematic and the last one horizontal: (1) Ensuring girls’ and women's physical and psychological integrity, (2) Promoting the social and economic rights / empowerment of women and girls, (3) Strengthening girls' and women's voice and participation, and (4) Shifting the Institutional Culture to more effectively deliver on EU commitments, including leadership, systematic reporting, results-focused, coherence and coordination.

The GAP II, covers the Commission services’ and the European External Action Service’s (EEAS) activities in partner countries, especially in developing, enlargement and neighbourhood countries, including in fragile, conflict and emergency situations. It promotes policy coherence with internal EU policies, in full alignment with the EU Human Rights Action Plan. In its endorsement conclusions, the EC emphasized that it is mandatory for all EU actors to report annually on the institutional culture shift against the relevant indicators and on EU contribution to at least one objective per thematic priority.

Despite the noted progress with regards to legislative framework and existing and upcoming national action plans, Turkey still faces challenges with the implementation of legislation and policies. Significant gender disparity in the fields of economic participation and opportunity; access to services including education, health, justice and social protection; well-being and security with the engendered dimensions of violence; representation at decision making processes and political empowerment. However, updated data and gender analysis is not easily available to ascertain the extent to which such disparities persist across different sectors. Hence, a gender analysis of the situation is being conducted as part of this assignment, to serve as the basis for the future EUD programming.

In line with the GAP II, EU delegations, including Turkey, must select specific objectives to contribute towards bridging the existing gender gaps and select indicators and identify targets based on local priorities and capacities. As stipulated in the GAP II, indicators also should align with the UN Sustainable Development Goals (SDGs) and the EU Results Framework.

The EUD in Turkey has selected three objectives pertaining to the three thematic areas:

(1) Ensuring girls’ and women's physical and psychological integrity,

Objective 7. Girls and women free from all forms of violence against them (VAWG) both in the public and in the private sphere.

(2) Promoting the social and economic rights / empowerment of women and girls,

Objective 13. Equal access for girls and women to all levels of quality education and vocational education and training (VET) free from discrimination.

(3) Strengthening girls' and women's voice and participation,

Objective 18. Women's organizations and other CSO’s and Human Rights Defenders working for gender equality and women's and girls' empowerment and rights freely able to work and protected by law.

The Report provides a detailed count of the process of selection of the indicators for the three thematic objectives and the actual indicators selected.

Likewise, the EUD in Turkey sought to analyze gender issues in its multi-annual and annual programming documents, emanating from the IPA II Strategy 2014-2020, with a view of identifying challenges and developing tools to support improvement. In the framework of this assessment, relevant programming documents were reviewed, and the reasons and the challenges faced by staff in terms of gender mainstreaming were discussed, forming the basis for the development of set of recommendations, to serve senior management as a guidance to improve internal processes and capacities for gender mainstreaming.

Based on the assessment and as stipulated in the ToRs for the assignment training materials were developed aiming at increasing the capacity of staff to mainstream the gender issues in the EU programming.

This Report presents the response to the above specific requirements of the ToRs. It contains the findings of the Gender Analysis, of the review of the programme documents of the EUD as aligned to the Indicative Strategy Paper 2014-2020, and of the relevant indicators to guide the future EUD Turkey reporting on the GAP II. The Report is structured around the results stipulated for this assignment, except the preparation of training materials, Guidance Note on Gender mainstreaming and a Checklist of Gender Mainstreaming, which are contained in separate documents accompanying this Report.

## EXECUTIVE SUMMARY

This Report presents the findings of the Gender Analysis of Turkey as well as of the assessment of the extent to which gender is mainstreamed in the programmes and projects of the EUD in Turkey. It also presents the findings of the process of identification of relevant indicators upon which the EUD in Turkey will report on progress in the achievement of the GAP II objectives.

The Report is structured in three sections. The first one contains the findings of the Gender Analysis for Turkey, the second presents the identified GAP II indicators, while the third section contains the findings of the assessment of the EUD programmes and projects from a gender perspective.

### **Section One: Gender Analysis of Turkey**

The Gender Analysis of Turkey aims to understand the gender disparity in Turkey and suggest recommendations for EUD's future programming. It is structured around key indicators relevant to the following themes: (1) Participation to decision making, (2) Education, (3) Employment, (4) Health, (5) Violence against Women and Girls (VAWG) (6) Child and Early Forced Marriages (CEFM), and (7) Women 's human rights defenders.

For each of the above themes, quantitative data is provided and the factors that affect negatively the status of women and gender equality related to institutional cultures and larger societal gaps, as well as the legal and policy environments are assessed. Quantitative data was obtained from the official sources, where available, and was corroborated through interviews with relevant stakeholders. Qualitative data was obtained through interviews with key actors, including government, NGO's, and international organizations. Additionally, scanning of media was conducted and data and opinions were verified through formal and informal interviews with CSO's and opinion leaders.

The Gender analysis also places a focus on the situation of the Syrian women refugees in Turkey as well as of the situation of the lesbian, gay, bisexual, and transgender (LGBT) community.

The Gender Analysis depicts the legal and policy framework for gender in Turkey and provides statistical data about the status of women and men. It provides an understanding of the social and cultural factors affecting women and girls negatively, focusing specifically on areas such as child early and forced marriages (CEFM), gender-based violence (GBV), work and family care, to explore if and how traditional gender roles of women and men impact gender equality and identify the venues for their transformation.

### **Main Findings and Conclusions of the Study**

As per the Global Gender Gap 2017 rankings of WEF, Turkey ranks **131st out of 144** countries. Gender issues have been placed at the agenda of the public institutions and the private sector, as well as NGO's. Gender equality issues are addressed in number of relevant Laws, such as the Turkish Civil Code, Turkish Penal Code, the Law No. 6284 (Law to Protect Family and Prevent Violence against Woman), and through the establishment of the Committee for Equal Opportunities of Men and Women in the TBMM, amongst others.

However, despite the government's, women's movement groups' and the international community' efforts, gender disparity still exists in areas such as decision making, employment, education and health. VAWG, CEFM and the situation of women's rights defenders remain of concern.

### **Participation in Decision Making**

Available data shows that the percentage of women in the TBMM was 17,45% in 2018, which is way below the global average rate 23.3%. In local governments, the disparity is higher - only 2.9% women are mayors. Glass ceiling in the private sector is significant, with only 15% of CEOs being women. The main reasons for such gender gap in decision-making relate to the persistence of patriarchal norms and corresponding gender roles and stereotypes.

### **Education**

The number of *illiterate women is five times higher than that of illiterate men*. The total illiteracy rate is 5.1 % for the population aged 25 and above, while for women it is 8,5% and for men 1,6 %. In 2017, the net schooling rate was 82.54 %, 82.69 % for boys and 82.38 % for girls. The study finds that 6 % of girls do not pass from elementary to high school, mainly due to the current 4+4+4 compulsory education system model, thus contributing to lower educational attainment rates for girls in comparison to those of men. Likewise, the rate of employment of higher education graduates is 14,2% for women and 18,8% for man.

Lower educational attainment of women affects negatively their status in society, particularly their economic and political empowerment, as well as CEFM. For example, the employment ratio of high education is 72,7 %, whereas, the ratio of vocational education graduates' participation to employment is 42.6 %.

More women victims of gender-based violence are with lower education. CEFM affects negatively the educational achievement of girls, requiring consistent monitoring of the dropout rates of girls. Additionally, the study reveals the negative impact of the persistent gender stereotypes in the school textbooks, which require revision.

### **Employment**

Though Turkey is the 17th biggest economy of the world, it is the only country in Europe with an employment rate among women lower than 40 %. The population of women not participating in the labour force is about 20 million, standing at 34.3 %. The employment rate for men aged 15+ is 71.9 % while for women 29.1 %. The number of women not participating in the labour force is about 20 million (34.3%).

Although Turkey managed to improve women's employment and participation in the labour force through recent policies and initiatives, significant number of women work without being registered to social security (44.3%), while this percentage is strikingly high in the agricultural sector (94.3%).

The biggest number of employed women work in the services sector (55,4 %), followed by the agricultural sector (28,7 %) and the industrial sector (15,9 %). Only 8.8 % of the employed women work in the private sector, whereas more than half of all women in Turkey in 2016, reported being engaged in household activities (55,3 %), both confirming the persistence of the traditional gender roles and occupational gender gap.

It is thus important that positive discrimination in scholarship programs for girls and a support system for their career choice are needed, to ensure more girls reached higher education and increase their chances of getting a job.

## **Health Services**

According to the results of TPHS-2013, the total fertility rate is 2.26%, while maternal mortality stands at 14.7 per 100000 births, showing differences across the regions – from 9.4 per 100000 in Eastern Anatolia to 23.5 in the Aegean region. Early Pregnancy is an important concern and an indicator of CEFM, standing at 5% (15-19 years old). There has been a decrease of more than 6 % each year, in the last 10 years, yet this being insufficient. Data on abortion rate shows a decrease from 18 % to 5 % in the last ten years, according to the TPHS-2013, suggesting an increase in the awareness and use of contraceptives, with use of contraceptives after the abortion, standing at 48%.

## **Violence Against Women and Girls (VAWG)**

According to UN Women data about VAWG in Turkey, the lifetime prevalence of physical and or sexual intimate partner violence is 38 % and CEFM is 15 %. An important correlation exists between education and VAWG. The ratio of women without education subjected to physical violence at least once during a lifetime is 43 %, whereas this ratio is 21 % of those with university and graduate levels education. The study confirms that significant number of women victims do not report violence (44 %), attesting to the lack of awareness of their rights, insufficient services and protection, and persistence of traditional norms and beliefs.

## **Child and Early Forced Marriages (CEFM)**

The legal age of marriage in Turkey is 18, or 17, with parental consent. In exceptional circumstances, people can marry at the age of 16, subject to court approval. Turkey has the highest percentage in Europe of CEFM, with an estimated 15 % of girls aged 15-18. Agri province has the highest percentage of child marriage (16.6 %), whereas Tunceli has only 0.4 %. Regional differences point to the impact of different factors on CEFM's, related to the specific cultural and economic conditions. To remedy this situation, public awareness programmes, targeted actions ensuring enrolment of girls in schools are necessary.

## **Human Right Defenders**

The failed coup attempt and the adoption of the emergency rule in July 2016, led to different challenges to the civil society organizations, including the women's movement. Within the scope of the state of emergency, 370 associations were closed, and 11 of which were women's and 1

child' organization. This caused additional challenges to women victims of GBV, who lost support services.

Support to women's organizations to strengthen their institutional capacity and ensure their sustainability is necessary, so that their vulnerability to political factors can be decreased.

**The situation of the Syrian women refugees**, comprising 47% of all Syrian refugees (a total of approximately 1.27 million), is similar, with women facing gender disparity in education, and employment.

## **Key Challenges and Recommendations**

Based on the findings and conclusions of the Gender Analysis, the Report provides number of specific recommendations for each of the areas assessed. However, there are number of challenges and factors that appear to have systematic negative impact on gender equality. The most important ones are contained below:

**Challenge:** The **weak implementation of the legislation** and loopholes in the legislative framework are main challenges for gender equality in Turkey.

**Recommendations:** To remedy this situation, capacity building programs on gender-sensitive law making should be conducted. Likewise, a systematic legal review, with the participation of CSO's working in the field of women's rights, should be undertaken. Implementation of relevant laws should provide for targeted actions to ensure successful application in different regions. Therefore, the EUD should support capacity-building programs for public officials.

**Challenge:** The government has taken positive steps to improve gender equality, as stated in Action Plans on education, employment and VAWG. However, these Action Plans are not fully implemented, as there is a lack of periodic monitoring that will assess their impact and suggest corrections in the implementation process.

**Recommendations:** Existing Action Plans need to be reviewed and compared with EUD targets. Moreover, gender equality should be a fundamental principle of the Development Plans, and it should be linked to quantitative and qualitative targets within the development axis and sectoral priorities. EUD programs can support capacity building for public sector officials on gender equality, to equip them, in particular, with methods for sex-disaggregated data collection and the use of gender-responsive budgeting methodology in designing sectoral policies.

**Challenge:** Persistence of traditional gender roles and associated gender stereotypes. The study revealed the negative impact of gender stereotypes on women's position in society in general, particularly in participation in decision-making. Gender stereotyping in school textbooks and in the media, contribute to perpetuate such situation.

**Recommendations:** The promotion of gender equality in early education is key for eliminating **gender stereotypes**. This needs to be organized at national curriculum and needs to be supported by peer-to-peer education. Public awareness on gender equality programs coordinated mostly by CSO need the financial and monitoring support of EUD.

**Challenge:** Gender budgeting is a new concept, not implemented enough at national and local-level policy making.

**Recommendations:** Gender responsive budgeting (GRB) should be systematically introduced at both local and national levels, to ensure that budget processes take enough account of women's needs and provide for financing of policies aimed at increasing gender equality. The EUD should support the introduction and application of the GRB in relevant budget processes.

**Challenge:** Women are associated with family and housework. Women's unpaid hour and care work is not recognized and its impact on development is not fully realized.

**Recommendations:** Socio-cultural expectation of women to engage in child and family care represent significant burden and an obstacle for women achieving their productive capacity. Hence, the government should ensure that child and older persons care centres are readily available. This requirement needs financial investment as well as professional staff. Social entrepreneurship in family care can be supported by loans. The EUD should consider supporting innovative schemes, based on public-private partnership.

## **Section two: selection of GAP II indicators**

To fulfil its reporting obligations emanating from GAP II, a process for the selection of indicators was undertaken, based on the following methodology: a) review the GAP II suggested indicators for the three thematic objectives selected by the EUD, for their relevance and applicability; b) review the main expected results as contained in the Action Documents for the three selected thematic areas for the period 2018-2020; and c) assessment of the extent to which baseline data for the proposed actions in the selected areas is available and the extent to which planned actions could contribute to progress in the three selected areas.

As a result, numbers of indicators were selected. Under the thematic area: Ensuring girls' and women's physical and psychological integrity, **Objective 7 was selected.** Girls and women free from all forms of violence against them (VAWG) both in the public and in the private sphere.

**From the following list of indicators proposed in the GAP, the EUD in Turkey has selected indicator 7.2.**

- 7.1. % of women aged 20-24 who were married or in a union by age 15 (SDG 5.40)
- 7.2. Prevalence of girls and women 15-49 who have experienced physical or sexual violence (by an intimate partner) in the last 12 months (SDG 5.38)
- 7.3. % of referred cases of gender and sexual based violence against women and children that are investigated and sentenced (SDG 5.39)
- 7.4. % of girls and women aged 15-49 years who have undergone Female Genital Mutilation and Cutting (SDG 5.41)
- 7.5. N# of individuals directly benefiting from Justice, Rule of Law and Security Sector Reform programmes funded by EU (EU RF)
- 7.6. Measure of sex ratios and comparison of child mortality according to the gender

According to the availability of data in the country and in order to capture other programs the EUD in Turkey has selected also the following indicators:

- Number of women and men service providers trained in counselling and referring survivors of GBV; and  
Percentage of girls and women aged 20 and above who were married or in a union before the age of 18.

**Under the thematic area Economic, Social and Cultural Rights - Economic and Social Empowerment, Objective 13 was selected.** Equal access for girls and women to all levels of quality education and vocational education and training (VET) free from discrimination.

**From the following list of indicators proposed in the GAP, the EUD in Turkey has selected indicators 13.7, 13.8 and 13.9.**

- 13.1 Primary completion rate for girls and boys (SDG 4.33)
- 13.2 Secondary completion rate for girls and boys (SDG 4.35)
- 13.3 Tertiary enrolment rates for women and men (SDG 4.37)
- 13.4 Literacy rate of 15-24-year-olds, women and men (SDG 4.5)
- 13.5 % of pupils enrolled in primary and secondary schools providing drinking water, adequate sanitation, and adequate hygiene services (SDG 6.4)
- 13.6 Personnel in Research and Development (per million inhabitants) (SDG 9.63)
- 13.7 N# of children enrolled in primary education with EU support (EURF)
- 13.8 N# of children enrolled in secondary education with EU support (EURF)
- 13.9 N# of teachers trained with EU support (EURF)
- 13.10 Ratio of female to male who have benefitted from Vocational Education and Training / Skills development and other active labour market programmes with EU support (EURF)

**Under the thematic area Political and civil rights - Voice and Participation, Objective 18 was selected.** Women's organizations and other CSO's and Human Rights Defenders working for gender equality and women's and girls' empowerment and rights freely able to work and protected by law.

**From the following list of indicators proposed in the GAP, the EUD in Turkey has selected indicator 18.1.**

- 18.1. N# of women Human Rights Defenders who have received EU Support (EURF)
- 18.2. N# of partner countries that guarantees the CSOs right to associate, secure funding, freedom of expression, access to information and participation in public life
- 18.3. N# of Human Rights and Democracy Country Strategies that include gender equality objectives

### **Section three: EU programming and gender mainstreaming**

For the three thematic areas (physical and psychological integrity, economic and social rights, voice and participation) of the GAP, the EU actors are required to identify which specific objectives they will focus their interventions on, either through targeted gender actions or through mainstreaming gender equality in other actions (at relevant level dependent on the type of programme). Gender mainstreaming involves the integration of a gender perspective into the reparation, design, implementation, monitoring and evaluation of policies, regulatory measures



and spending programmes, with a view to promoting equality between women and men and combating discrimination.

The review of the programme documents in the EUD revealed that:

- a) Overall, while there have been some isolated efforts to address broader gender issues through targeted projects (VAWG, women's employment), the tendency is to seek small, women-focused activities in the framework of larger programmes and projects which are gender neutral (fundamental rights and judiciary);
- b) Gender analysis is not an integral part of all its actions and sporadic sex-disaggregated data is provided, even for indicators for which sex-disaggregated data is available. This makes gender mainstreaming a challenge. Such information is either not available to a sufficient degree, or not used even when available, as its significance is not understood.
- c) The consequent results frameworks are gender neutral, and do not allow for monitoring and assessing tangible and measurable progress in gender equality;
- d) Gender, as a horizontal issue is not always and systematically included in the programming documents. And when done, it is only of a declarative nature without clear description of the implications of it for the programme/project.

To understand the reasons why gender is not fully mainstreamed in the programme documents of the EUD, an assessment of the institutional capacities, operating environment and roles and responsibilities was also undertaken in close consultation with the Gender Working Group and heads of relevant sectors.

The **findings** of the assessment indicate that:

- a) There is an overall lack of critical knowledge and in-house expertise on gender issues and gender mainstreaming, as programming staff has not been systematically exposed to gender mainstreaming training. In fact, most of the people interviewed have not been trained on how to mainstream gender in programming and on gender sensitive programme/project cycle management, and the existing knowledge among some staff members interviewed is related to either previous work experience or individual strive to learn;
- b) Although there is a Gender Working Group, their work is not guided by specific ToRs, nor is such additional work recognized in their job descriptions and performance appraisal. This creates additional workload which must be recorded and recognized in some way;
- c) Gender and the need to mainstream gender in EU programmes is a relatively new development and very little guidance has been provided by HQs. In fact, some of the interviewed staff members were not aware of the obligations emanating from the GAP II, while also more of them were not aware of the Gender Marker and how it has been used in their respective programme documents.
- d) The EUD programming process in Turkey is largely driven by the national partners in terms of identification of the specific annual and multiannual actions, as the EU in Turkey operates mostly under the indirect management modality. As there is a general lack of awareness, as well as commitment by the national partners to integrate gender in the situation analysis and in the

proposed Results Framework, most often MAAPs and AAPs are gender neutral. Efforts have been strengthened to mainstream gender in the EUD Action Documents and at HQ, through regular comments and suggestions by the quality support groups. The EUD plays a key role supporting the national counterparts to mainstream gender in the programmes. The Gender Focal Points provide comments to improve gender mainstreaming but due to their workload, some programs can not be revised. The EUD should define the role of the GFP and for the rest of the staff regarding gender equality. There are other projects implemented under different EU financial instruments, such as support to civil society and human rights defenders, where the EU is better positioned to influence the programme/project design and ensure gender-sensitive programming. In view of this, it seems very important that any effort to improve gender sensitive programming should involve building of capacities of not only the EUD staff but staff relevant national partner institutions.

e) There is a need to address this deficiency in the institutional/staffing set-up of the EUD, by either an appointment of a designated gender Advisor or contracting of gender expertise for the specific programming phases in the EUD. Additionally, relevant national partners should be trained on gender mainstreaming and their accountability to develop gender sensitive programmes should be enhanced. The review of the Action Documents (ADs) shows not only an absence of gender sensitive objectives, results, and indicators, but inconsistent structure of the templates used across different sector/portfolios. Whereas some ADs refer to gender as a horizontal issue (one paragraph at the end of the AD), some mention gender in the situation analysis. Yet, even so, the RFs of the reviewed ADs are gender neutral. In view of the current efforts to revise the templates, it is expected that they will support better integration of gender. However, it is also important to enhance the PCM skills of programming staff in conjunction with their gender mainstreaming skills, so that the resulting RFs are improved;

f) Monitoring and Reporting on results is also largely a responsibility of the national partners although EUD staff could and should conduct some monitoring activities as well. From the discussion, it is suggested that very little monitoring is being undertaken, and that the knowledge of the available EU tools for monitoring is very low. Closely related to this is the issue of the monitoring and reporting on the GAP II. It seems that there is no structured process for the preparation of the Report and that the responsibility to do so is entrusted to few people. The GAP II reporting is an important learning exercise and the report should be based on inputs from all relevant thematic area/sector managers and staff working on specific gender projects and also in projects where gender has been mainstreamed. But for this exercise to become a useful tool, the EUD should design a process for its preparation, with clearly defined responsibilities of all staff, deadlines for provision of inputs, based on a document template that is uniform and user-friendly. Accountability for the provision of inputs should also be identified to ensure timely and successful completion of the exercise.

To address the challenges faced by the EUD staff, it is important to understand the capacity gaps for gender mainstreaming, both within the EUD and in HQ. While the current effort of the EUD to prepare a Gender Analysis and Guidance and Training materials for gender mainstreaming are expected to improve the internal capacities, other recommendations are also pertinent, including:

a) Strengthening commitment by the senior management of the EUD and key national partners to promote gender equality through making it an integral part of all activities at all stages of the

programme implementation. This requires an effort to engage into an analysis of the operating environment, and the situation/problem that ought to be solved from a gender perspective. To achieve that, an internal procedure or gender mainstreaming should be established and its mandatory use should be enacted by the senior management in a form of a Staff Instruction on Gender Mainstreaming.

b) Establishment of clear accountability for implementing gender mainstreaming for all programming staff and the Heads of sectors and offices. Top management should take ultimate responsibility and ensure accountability of individuals and units, including through the performance appraisal process.

c) Development of a Gender Action Plan for putting the gender mainstreaming policy into effect. For that, the senior management should support the Gender Working Group and the Gender Focal Point in developing an Annual Action Plan of activities, based on the selected indicators for reporting on the GAP II (see section 2 above) as well as indicators that will depict progress in mainstreaming gender in the organizational, institutional, and cultural aspects of the EUD. Such Plan (based on adequate template) should serve as a tool for proper annual planning, monitoring, and reporting on GAP II, and as such will facilitate information and data collection for the preparation of the annual GAP II Report.

d) Closely linked to the above recommendation is the need to ensure qualified senior expertise to advise on gender mainstreaming within the country programme/EUD operations. Ensuring knowledge and expertise on gender mainstreaming is a collective organizational responsibility in view of the GAP II requirements. Hence systematic training in the gender mainstreaming concept, tools and issues is necessary, and this should be mandatory for all staff working in programming and programme implementation.

e) Additionally, relevant national partners should be trained on gender mainstreaming and their accountability to develop gender sensitive programmes should be enhanced.

f) To address the deficiency in gender expertise, the EUD should consider either an appointment of a designated Gender Advisor or contracting of gender expertise for the specific programming phases in the EUD.

g) In addition to accountability and expertise, successful gender mainstreaming requires support and incentives to staff that engages in supporting task managers in the gender mainstreaming efforts. The work done by the members of the Gender Working Group should be recognized in their performance appraisal and should be part of their job descriptions. Terms of Reference for the Working Group should be developed and upheld by the senior management.

h) And finally, to address problems related to inconsistent practices on integrating gender in the programming documents, the EUD may consider to: i) revisit and assess the templates used and agree on a consistent structure to be followed indicating clearly where and how gender issues should be addressed, and ii) enhance the PCM skills of programming staff in conjunction with their gender mainstreaming skills, so that the resulting RFs are improved.

## SECTION I. GENDER ANALYSIS OF SELECT SECTORS IN TURKEY

### 1 INTRODUCTION

Turkey ranked 131th out of 141 countries in 2017 in the Global Gender Gap Index of World Economic Forum<sup>1</sup>. Even though, there is a specific agenda to narrow the gender gap inequality among the governmental policies, the decisive studies of non-governmental organizations (NGO's) and also the interest of the private sector, overall gender gap has not improved over time.

*Table 1: World Economic Forum, Global Gender Gap Ratings: Turkey*

	2006		2017	
<b>TURKEY</b>	<b>Rank</b>	<b>Score</b>	<b>Rank</b>	<b>Score</b>
<b>Global Gender Gap score</b>	105	0,585	131	0,625
<b>Economic participation and opportunity</b>	106	0,434	128	0,471
<b>Educational attainment</b>	92	0,885	101	0,965
<b>Health and survival</b>	85	0,969	59	0,977
<b>Political empowerment</b>	96	0,052	118	0,088
<b>Rank out of</b>	115		144	

**Source:** *The Global Gender Gap Report 2017*, p. 324.

It is important to acknowledge the women rights history of the country. Among the reforms of the Republic of Turkey in 1923, the law on unity of education in 1924, which enabled women to have equal education opportunities with men; and the Turkish Civil Code, adopted in 1926, which provide equal rights for women both within the family and as an individual are very early gains of Turkish women compared to Europe. Turkish women were entitled with the right to elect and be elected in local elections in 1930 and in the general elections in 1934, earlier than many of the Western countries.

Turkish government has done significant efforts to improve its institutional and policy framework to accelerate the elimination of discrimination against women and promoting gender equality. Without any doubt, international conventions such as UN Convention on the Elimination of All

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<sup>1</sup> WEF, Global Gender Gap Report, 2017

Forms of Discrimination against Women (CEDAW)<sup>2</sup> signed in 1985 notably and the provisions of “The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence”, known as the "Istanbul Convention", the European Social Charter, the Convention on the Rights of the Child, the decisions and recommendations of international organizations such as the EU, ILO, OECD, OSCE, Action Program of the 4<sup>th</sup> World Conference on Women and Beijing Declaration, and the Action Plan of Cairo International Conference on Population and Development<sup>3</sup> has made Turkish legislations closer to international standards on women's rights.

In the 10<sup>th</sup> Development Plan (2014-2018)<sup>4</sup> and also in the upcoming 11<sup>th</sup> Development Plan (2019-2023), women's rights, are focused with the statement of increasing the active participation of women in employment and decision mechanism with regard to the equality in opportunity, preventing violence, sustaining the improvements in the areas of education and health, and increasing the effectiveness in implementation.

The General Directorate on the Status of Women (KSGM) reorganized as a branch of the Ministry of Family and Social Policies with the statutory decree No 633 is the national mechanism and the Directorate has *The Strategy Paper and Action Plan on Women's Empowerment (2018-2023)*, *The National Action Plan on Combating Violence against Women (2016-2020)*, *The Strategy Paper and Action Plan on Combating Early and Forced Marriages (2018-2023)* to cooperate with all relevant stakeholders.

This report gives the Gender Analysis of Turkey with regards to above parameters with a desktop review of the legal framework and the Action Plans of the government as well as CEDAW and shadow CEDAW reports. The interviews with related policy machinery and CGO's? and prominent women's right defenders and academicians are added to the Report to give voice to different parties. These are added as the comments and recommendations of the stakeholders in Annex 2 and also to the Report. Moreover, media scanning is included especially for VAWG and women right's sections.

This report includes data analysis of Turkish women and as well as it gives input about Syrian women refugees. According to the 2017 data of Turkish Statistical Institute (TURKSTAT)<sup>5</sup> the total population of Turkey is 80.810.525, and half the population is comprised of women (49,8%). As of June 2018, as per the data of the Ministry of Interior Directorate General of Migration Management (DGMM), women refugee comprised 47% of the Syrian refugees, number of which is approximately 1.27 million. Therefore, gender analysis of Turkey also includes the data especially with a focus on the Syrian refugee women who live outside the camps (10%)<sup>6</sup>.

The Gender Analysis of Turkey Report includes 6 themes; *1. Decision Making 2. Education 3. Employment 4. Health Services 5. VAWG & Child, Early and forced Marriage 6. Women's*

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<sup>2</sup> CEDAW, 2016

<sup>3</sup> Women in Turkey, General Directorate on the Status of Women

<sup>4</sup> The Ministry of Development, The Tenth Development Plan of Turkey, 2014-2018

<sup>5</sup> Turkish Statistical Institute Key Indicators, [turkstat.gov.tr](http://turkstat.gov.tr), 2017

<sup>6</sup> Data of DGMM, [goc.gov.tr](http://goc.gov.tr), June 2018

*Rights Defenders. Social protection as a significant cross cutting theme is included in these sections.*

With regards to above themes, the Report aims to give a voice to different parts of the gender mapping in Turkey and include the recommendations of international and local stakeholder of gender. The Report has very brief data and recommendations of status of LGBTI in Turkey since the public data does not include enough on the issue which indicates that LGBTi issues have been deeply ignored.

## **1.1 MILESTONES OF GENDER EQUALITY IN TURKEY (1985-2018)**

- In 1985, Turkey signed and ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Turkey initially had reservations against CEDAW's Articles 9, 15 and 16, but lifted them in 1999. There were three reservations about; citizenship, accommodation and custody which have then lifted.
- In 1995, the Turkish government signed the Beijing Declaration of the Fourth World Conference on Women<sup>7</sup>, and committed itself to its Action Plan.
- The same year, Turkey ratified the UN Convention on the Rights of the Child following signing this document in 1990. The Convention requires that those under 18 be considered as children. Best interest of the child is the guiding principle in all applications concerning children. Dispositions such as care, guidance and supervision orders, counselling, foster care, education and vocational training programmes and other alternatives to institutional care should be available for children.
- In 2002, it signed the Optional Protocol of CEDAW that allowed the right of individual petition to the CEDAW Committee. CEDAW is widely described as the international bill of rights for women. It led to the establishment of national machinery for the promotion of gender equality. The national machinery is today The General Directorate of Women's Status (KSGM) which had been established in 1990 and enacted in 2004.<sup>8</sup> It took 14 years for KSGM to be enacted and it is established as a result of the great efforts women movement and EU. The women movement emphasized the importance of unpoliticised and experienced personnel for the Directorate to coordinate with other national mechanisms and CSO's.
- In the same year, Turkish Civil Code Reform had opened a new page for women's human rights. The Code set 18 as the legal inimum age for marriage for both women and men,. The previous civil code set the legal age as 15 for women and 17 for men. The Code also set the equal division of the property acquired during marriage as a default property regime, assigning an economic value to women's hitherto invisible labour for the well-being of the family household. This reform was the result of sustainable cooperation and joint campaigns with Turkey's women's movement in all over Turkey including feminist academic

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<sup>7</sup> UN Women, Fourth Conference on Women, Beijing

<sup>8</sup> Kazete, <https://kazete.com.tr/haber/-nbspondort-yildir-cikmayan-yasa-kadin-orgutlerinin-ve-abnin-dayatmasiyla-cikti-40453>

individuals, journalists and human rights activists, as well as with the support of some of the women MPs at the Turkish Parliament.

- In 2003, with the New Turkish Civil Code entering into effect, the establishment of the Family Courts had been brought to agenda and the “*Law on the Establishment, Duties and Adjudicatory Procedures of Family Courts*” entered into force. With this law, the trial of suits and acts arising from the Family Law was ensured to be tried in Family Courts, and also judges who were on duty in juridical courts, who were married with children, over 30 years of age and preferably had Master’s Degree on Family Law. These courts hear the trials, in addition to the ones related to Family Law, which arise from enforcement of the law on the Protection of Family and Prevention of Domestic Violence against Women.
- In 2005, Turkish Penal Code was amended. Similar to the Civil Code, feminist movement with a strong support from female MPs and some other NGOs forced the Parliament to change the relevant articles which causes ongoing violations of women’s human rights including girls. Following a three-year campaign by the extensive networking of women’s NGOs and with an effective use of the media, more than 35 amendments were done. Sexual crimes defined as sexual assault that breaches a person’s bodily inviolability.
- In 2009, the Committee on Equality of Opportunity for Women and Men (acronym in Turkish as KEFEK) was established in the TBMM. Women movement has suggested the name of the Committee as the “Committee on Equality of Women and Men”, whereas; “equality” has been changed into “equality of opportunity” which is expressed as a sign of rejecting gender equality starting from its establishment. This Committee is mainly responsible for protecting and improving women’s rights and promoting equality between women and men. Therefore, the Committee plays a critical role for the achievement of gender equality in Turkey since enables legal proposals and amendments prepared by the government to be analysed from a gender equality perspective. However, women's movement states that the Committee is not as impactful as the first years of its established. Women's organization state that, KEFEK, which had a dialogue with NGOs at first, published significant reports however it has lost its open dialogue recently. In the following years, the gender perspective has decreased and KEFEK was influenced by this.
- In 2011, the Ministry for Women and Family Affairs was replaced by "Ministry of Family and Social Policies" by the government. This is considered as a step backward in combating gender inequality and violence against women by most of women's rights defender and CSO’s stating that women are no longer considered as individuals but a part of the family, and it emphasizes the role of the women in the family which opposes international agreements signed by Turkey and also the legal acquis of the European Union. The change was made on June 8, 2011, four days before the June 12 general election, as part of a revised structure for the Council of Ministers. Besides the change of the name of the Ministry, there were signals of a reduced emphasis on the promotion of women's rights, non-discrimination and freedom from violence., Human Rights Watch said: “Rather than taking the spotlight off women's rights, Turkey needs to take urgent steps to combat endemic violence against women.”<sup>9</sup> This

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<sup>9</sup> Human Rights Watch [hrw.org/news/2011/06/09/turkey-backward-steps-womens-rights](http://hrw.org/news/2011/06/09/turkey-backward-steps-womens-rights)

question was raised to Erdogan (Prime Minister as of date), he replied that “Ak Party is a conservative democrat party. Family is our focus”<sup>10</sup>.

- In 2014, Turkey ratified the Istanbul Convention (The Council of Europe “Convention on Preventing and Combating Violence Against Women and Domestic Violence). The Convention points out that violence against women, including domestic violence, is one of the most serious forms of gender-based violations of human rights. The convention also raises the issue of forced marriage.
- In 2017, the law that grants muftis –religious civil servants employed in the country’s Directorate of Religious Affairs (Diyanet) – allow the muftis to register civil marriages. This has been a contradictory law since Article 174 of the Turkish Constitution cites the principle of civil marriage as one of the fundamental laws of reform that date back to the founding of the Turkish Republic; it directly refers to article 143 of the Civil Code, which states that a religious marriage ceremony cannot be held before a civil one.
- The law is proposed by the government to reduce the number of unregistered marriages, which is occasionally practiced in rural areas of Turkey under religious ceremonies. But critics, including opposition parties and women's rights groups, see the move as a step towards the weakening of Turkey's secularism and say it will increase the number of CEFM.<sup>11</sup>
- After the presidential and parliamentary elections on June 24, 2018, the number of ministries has been reduced to 16 in the presidential system of government. Thereafter, the Ministry of Family and Social Policies and the Ministry of Labour and the Ministry of Social Security has been unified as the “Ministry of Labour, Social Services and Family”.

## 1.2 INTERNATIONAL LEGAL FRAMEWORK

Turkey ratified CEDAW in 1985 and the Optional Protocol in 2002. In the same year, Turkey cancelled its reservations on the Convention.<sup>12</sup> The Optional Protocol was put into effect on 29 January 2003 and provides right to hear complaints from individuals or inquire into "grave or systematic violations" of the Convention. In 2014 the Government of Turkey submitted its 7th Periodic National Report to the CEDAW Committee. The Committee published its concluding observations in July 2016 after dialogue with the official delegation of Turkey. CEDAW Committee recommendations outline the steps that are needed to efficiently implement CEDAW over the next four years until the succeeding reporting period.<sup>13</sup>

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<sup>10</sup> Ekmek ve Gül, <https://ekmekvegul.net/gundem/kadin-erkek-firsat-esitligi-komisyonu-ortadan-kaldiriliyor-mu>

<sup>11</sup> Daily Sabah, <https://www.dailysabah.com/turkey/2017/10/18/turkish-parliament-passes-law-allowing-muftis-to-register-civil-marriages>

<sup>12</sup> Kadınlara karşı ayrımcılığın önlenmesi komitesi genel tavsiye kararları, [https://www.tbmm.gov.tr/komisyon/kefe/belge/uluslararasi\\_belgeler/ayrimcilik/CEDAW/tavsiye\\_kararlari/CEDAW%20Komitesi%20Tavsiye%20Kararlari%C4%B1\\_\(1-29\).pdf](https://www.tbmm.gov.tr/komisyon/kefe/belge/uluslararasi_belgeler/ayrimcilik/CEDAW/tavsiye_kararlari/CEDAW%20Komitesi%20Tavsiye%20Kararlari%C4%B1_(1-29).pdf)

<sup>13</sup> CEDAW State Reports by Turkish Government can be followed in details on MoFLSS’s website. <http://kadininstatusu.aile.gov.tr/kaynak/uluslararasi-belgelerkuruluslar/cedaw-ulke-raporlari> (Link deleted after May 2018)



The Turkish government signed the Beijing Declaration of the Fourth World Conference on Women, and committed itself to its Action Plan in 1995 without any reservations.

The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (İstanbul Convention) entered into force in 2014 in Turkey<sup>14</sup>. It takes a multi-level approach to combating violence against women. One of the purposes of the Convention is to protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence.

The convention frames the eradication of violence against women and domestic violence in a context of achieving de jure and de facto equality. Its Preamble recognizes the structural nature of such violence, which is both a cause and a consequence of unequal power relations between women and men and which limits the full advancement of women. To overcome inequality, the convention requires states to implement gender equality policies and to empower women. It is not about treating women as helpless victims but about making sure they can rebuild their lives.

While the focus of the convention is on all forms of violence against women, which includes domestic violence committed against women, the convention also recognizes that there are other victims of domestic violence, such as boys and men. This may include gay men, transgender men or men that do not conform to what society considers constituting appropriate behaviour. States can choose whether or not to apply the convention to these victims of domestic violence. Applying a gender perspective to these groups of victims is equally important. Many forms of discrimination, harmful practices and gender stereotypes are the starting point for violent behaviour.

The Istanbul Convention established GREVIO, an independent expert body responsible for monitoring the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by the Parties. GREVIO draw up and publish reports evaluating legislative and other measures taken by the Parties to give effects to the provisions of the Convention. In cases where action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the Convention, GREVIO may initiate a special inquiry procedure. GREVIO may also adopt, where appropriate, general recommendations on themes and concepts of the Convention. Prof. Feride Acar from Turkey is the head of GREVIO<sup>15</sup>. GREVIO received the Turkey report on July 2017.<sup>16</sup> This monitoring committee published its evaluation report for Turkey in September 2018.<sup>17</sup>

### 1.3 LEGAL FRAMEWORK OF GENDER EQUALITY POLICIES IN TURKEY: NATIONAL LAWS AND LEGAL REFORMS

#### 1. The Constitution

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<sup>14</sup> Resmî Gazete, <http://www.resmigazete.gov.tr/eskiler/2012/03/20120308M1-1.htm> (The first decision)

<sup>15</sup> A Turkish professor from Middle East Technical University (ODTÜ) was elected as the first president of the Council of Europe's Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) on Sept. 22

<sup>16</sup> <https://rm.coe.int/turkey-state-report/1680737201>

<sup>17</sup> <https://www.coe.int/en/web/istanbul-convention/-/grevio-publishes-its-reports-on-montenegro-and-turkey>

In the Constitution of Turkey Act. No: 2709/1982 , the principle of equality between women and men was reinforced with the following amendments:.

- In October 2001, Article 41 was amended redefining the family as an entity that is "based on equality between spouses." The new article reads: "The family is the foundation of Turkish society and is based on equality between spouses".
- In the article 10 the following paragraph “Women and men have equal rights. The State has the obligation to ensure that this equality exists in practice” was added on May 7, 2004; Act No. 5170. 1. Constitution Article 10 – Amendment 14
- In the Article 10 , the sentence of “Measures taken for this purpose shall not be interpreted as contrary to the principle of equality” was added on September 12, 2010; Act No. 5982..

In the article of 90, the following sentence was added in 2004, “In the case of a conflict between international agreements, duly put into effect, concerning fundamental rights and freedoms and the laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail.”

## 2. Turkish Civil Code

Law No: 4721 – The Turkish Civil Code, modelled on the Swiss Civil Code of 1912, was enacted on 17 February 1926. Following the amendment of the Constitution the new Turkish Civil Code, which abolishes the supremacy of men in marriage and thus establishes the full equality of men and women in the family was approved by TBMM on November 22, 2001, and came into effect on January 1, 2002.

The new Civil Code has taken a new approach to the family and to women’s role in the family and for the first time women and men were acknowledged to be equal. Under the prior legal system, both the women’s share in the inheritance and the weight of women’s testimony in the courts was half of that of the men. Under the Code, men and women were made equal with regard to inheritance and testimony. Also legal marriage was made compulsory, and polygamy was banned. The women were given the right to choose any profession and the right to divorce.

*Table 2: Some major regulations of the renewed civil code*

Previous	Amended
Husband is the head of the family.	Women and men conduct the union of marriage together.
Except for certain situations, the representation of the union in the marriage belongs to husband.	The representation of the union of marriage has been granted to both parts.
The selection of the domicile belongs to husband.	The domicile is to be selected and decided by both parties.
Women need to use the husband’s family name	The revision of the article of which grants women to use their maiden name before the husband’s surname in

	1997, has been adopted.
Spouses have the custody of their child, in case of disagreement husband has precedence.	The custody of the child belongs to both parties. The custody of a child out of wedlock is given to the mother.
Woman is to receive her husband's permission to choose a job or an occupation. (Supreme Court has invalidated/annulled this clause)	Spouses do not have an obligation to ask permission from each other. "Family's peace and benefits shall be accounted for the selection of occupations for both parties."
The effective marital property would be the separation of goods unless another regime had been decided.	The agricultural immovable properties clause that grants the sons have the precedence in the portion of inheritance has not been entered into the new law.
	The clause of "the regime of participation in acquired property" has been entered. According to this clause, when the divorce takes place, the properties that have been acquired during the marriage divides equally in between husband and wife. Personal goods and the goods that have been via inheritance do not take place in the participation.
The subsistence of the house and children belong to husband.	The economical administration of the house belongs to both parties.
The lower age limit of marriages is 15 for women and 17 for men.	Both women and men should attained 18 for marriage.
The divorce petitions are declared on court	The divorce petitions could be heard in secret sessions upon the request from the parties.

*Source: Women in Turkey, January 2018, MoFLSS , General Directorate on the Status of Women*

**3. Turkish Penal Code:** The new Penal Code was enacted in 2004. It constitutes a major step towards gender equality and protection of women's human rights in terms of bodily and sexual autonomy. Sexual crimes are regulated as crimes against individuals/crimes against the inviolability of sexual integrity, instead of as crimes against society, family or public morality. All references to vague patriarchal constructs such as chastity, morality, shame, public customs, or decency have been eliminated and definitions of such crimes against women were brought in line with global human rights norms.

**4. Law on Protection of the Family And Prevention of Violence Against Women No: 6284** entered into force on march 2012, with the amendment made in 2007 and extension of the scope of Law No. 4320 on the Protection of Family, which was the first legal document defining the concept of domestic violence in Turkey that entered into force in 1998.

**Family Courts** were established in 2003 in all districts with population higher than 100.000 in order to enforce the civil code and ensure gender equality. The Family courts have jurisdiction for gender policy in family as well as for the legislation on the protection of the family.

These courts hear the trials, in addition to the ones related to Family Law, which arise from enforcement of the law on the Protection of Family and Prevention of Domestic Violence against Women.

The family courts have some deficiencies; interlocutory injunctions are inadequate in the cases of violence. Mediation is still being operated in cases of domestic violence, and there is an insufficiency of lawyers and judges specialized in laws on women's and children's rights in family courts. For this reason, it is important to support civil society organizations that are working on this area to fill these gaps.

**6. Labor Code (No. 4857)** The articles in the Labor Code and other relevant laws, pertaining to job security have been amended and are in force on 15 March 2003. The amended law protects the employee against all forms of discrimination on the basis of race, sex, marital status, family responsibilities, pregnancy, religion, political opinion and social and ethnic origin. By the new amendment, “sexual harassment in the workplace” is clearly indicated in the act number 4857 as protective measures.

**7. Municipal Law (No: 5393)** amended in July 13, 2005, with the Article 14 (a):  
“...metropolitan municipalities and municipalities with larger than 50,000 population shall establish shelters for women and children...”and “... shall provide or arrange for emergency relief, rescue, and ambulance services... social services and assistance... services...”

## 1.4 OVERALL RECOMMENDATIONS ON GENDER EQUALITY <sup>18</sup>

### Implementation of laws needs a holistic gender perspective

- The fundamental challenge for Turkey is the weak implementation of the legislation. Institutional and individual tailor-made capacity building programs should be conducted for the full-fledged implementation of legislation to translate the constitutional and legislative equality into equality in practice for the women and their families and eliminate the gap between the legal and actual rights. For this, loopholes in the legislative framework that prevents gender equality need to be addressed through systematic review with the participation of CSO's working in the field of women's rights.
- Gender Equality National Plan needs to be issued in every five years in order to be sustainable. (e.g. The Sexual and Reproductive Health strategic action plan covering the period between 2005-2015 was not renewed)
- CSO's should hold government and companies accountable for the fulfilment of the commitments – *the Report is issued at the time of state of emergency which may restrict women's right defender organizations to oppose the new laws freely.*
- Legal, administrative and financial arrangements for the compulsory set up of Local Gender Equality Units should be undertaken. The staff of these units should receive a training on gender equality and its impact on development. The perspective of gender

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<sup>18</sup> Recommendation related to specific sectors is commented on each section separately.

on “women-soft skill” topic may only be changed by trainings on economic and development impacts.

- During the democratisation process EU Chapter 23 focusing on judiciary and fundamental rights and justice and Chapter 24 focusing on freedom and security should immediately be opened for further progress to be achieved. This needs the understanding of EU institutions’ and cooperation on this aspect to decrease the gender gap in Turkey. EUD can support NGO’s for awareness of progress areas on these chapters.
- Ensuring gender equality should be adopted as the fundamental principle of Development Plans, and it should be linked to quantitative and qualitative targets within the development axis and sectoral priorities.

### **Sex-disaggregated data needs to be provided at all national mechanisms**

- Collection and dissemination of sex-disaggregated data in all sectors should be systematized and structured.
- Realisation of trainings and workshops, in coordination with KSGM, line ministries and CSO’s in order to improve data collection.

### **Mind shift in gender stereotypes needs public awareness programs:**

- Gender stereotypes should be tackled through awareness-raising, education, the media and the training of professionals.
- Concrete policies to tackle gender discrimination and eradicate these discourses in politics as well as private and public spaces are needed. The discriminative language against women used in the public sphere by politicians and members of the Turkish General Assembly constitutes a major problem.

### **Independent mechanisms need to be supported**

- Set up and finance independent mechanisms and frameworks at national level in implementing its key gender commitments. Such mechanisms should include representatives from women’s and grassroots organisations.
- Projects focusing on disadvantaged groups should be prioritized e.g. women in rural areas and girls’ dropping out of school and Syrian refugee women.

### **Gender Budgeting needs to be implemented**

- Authorities should act in accordance with the target of ensuring gender equality while maintaining both financial and monetary policies, and medium-term programs, medium term financial plans and annual plans should be redesigned to this effect.
- Gender-sensitive budgeting should be adopted both at the central and local levels with accompanying legal and financial arrangements.
- A transition to a gender-sensitive budgeting system should be made, with a more comprehensive and integrative approach being adopted while defining needs so as to ensure that the resources are distributed gender-sensitively.

- For both the budget and the monitoring work, it is very important that, starting from the public sector, the awareness of all partners on the topic of a gender-sensitive budget should be raised and their capacity should be improved. Resources should be transferred to this area.

## 2 PARTICIPATION AT DECISION MAKING PROCESSES

### 2.1 GENERAL FRAMEWORK

Equal participation in political decision-making is one of the most important elements for gender equality and thus, for democracy. In the scope of the analysis, women's participation at decision making processes is examined on two main axes: *decision-making at institutional levels, including public administration, academia and business*; and, *politics both at national and local level*.

The national practices, tools and mechanisms eliminating gender inequalities in the participation of decision making, have mostly been shaped by international conventions for several countries. The international developments and regulations about the participation of women in the politics emerged in the second half of the 20<sup>th</sup> century. The Convention on the Political Rights of Women adopted by the UN in 1952 is an important document for the international recognition of women's political rights.

In addition to this, CEDAW includes the statement that the States Parties shall take all appropriate measures to ensure the equal rights of women with men for the participation in the political and public life. Also the World Conferences on Women organized by the UN played a significant role in the development of women's political rights. One of the 12 critical areas defined in The Beijing Platform for Action adopted at the end of the 4<sup>th</sup> World Conference on Women, is "Women in Power and Decision-making Process". In the action plan prepared at the end of the conference, it was stated that "the obstacles before the equal participation of women in private and public life, shall be removed by women participating in the political resolution positions and mechanisms."

Women in Politics 2017 Map developed by IPU and UN Women reveals that the proportion of women in the world's parliaments is 23.4%<sup>19</sup>. As of October 2017, 11 women are serving as Head of State and 12 are serving as Head of Government. As of January 2017, only 18.3% of government ministers are women; the most commonly held portfolio by women ministers is *environment, natural resources, and energy*, followed by social sectors, such as *social affairs, education* and the *family*. The global proportion of women elected to local government is currently unknown, constituting a major knowledge gap.

According to the research of the EBRD the political dimension of agency is essential for women's empowerment. Notwithstanding the progress achieved in the educational and economic spheres and in statutory laws, social conditions and traditional roles, which customary laws and religious observances and interpretations tend to impose on women, prevent them from accessing influential positions in the political spheres, and more generally senior positions in any organization of power from where they would be able to make their voice heard.<sup>20</sup>

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<sup>19</sup>IPU & UN Women, Women in Politics 2017 Map. <https://www.ipu.org/resources/publications/infographics/2017-03/women-in-politics-2017>

<sup>20</sup> Enhancing, Women's Voice, Agency and Participation in the Economy, studies in Egypt, Jordan, Morocco, Tunisia and Turkey by European Bank for Reconstruction and Development, 2015.

Women's underrepresentation as they move up the corporate ladder is even valid for the sectors where women's presence is higher. When Women Thrive Report 2016<sup>21</sup> highlights that the global average of women actively participating in the labour market is 60-70%; yet at all levels they are underrepresented. Women are mainly in staff or administrative positions and hold fewer positions in senior or executive positions. As per the findings of this Report, women make up just 20% of executives.

## 2.2 LEGAL FRAMEWORK FOR TURKEY

### *Relevant Laws and Conventions*

#### General:

TR Constitution (Article 10), No: 2709, November 1982

Political Parties Law, No: 2820, April 1983

Elections of MPs Law, No: 2839, June 1983

CEDAW, ratified in 1985

#### Specific:

Civil Code, in 1926

Act No. 1580, in 1930

Law No. 4445, in 1999

TR Constitution (Article 68), No: 4121, July 1995

Turkey adopted a Civil Code in 1926 by which the rights of Turkish women and men were declared equal except in suffrage. After an intense struggle, Turkish women achieved voting rights in local elections four years later with Act No. 1580 on 3 April 1930. By 1934, through national legislation, they gained full universal suffrage, earlier than many other countries. Despite these gains, women's representation in politics, managerial positions in the public administration, or in trade unions remains generally limited.

On February 6, 1935, the women in Turkey were allowed to vote in national elections for the first time. Women were even allowed to stand for office and eighteen female candidates were elected to the parliament. When multi-party elections began in the 1940s, the share of women in the legislature fell, and the 4% share of parliamentary seats gained in 1935 was not reached again until 1999.

The amendments in 2004 and 2010 to Article 10 of the constitution, paved the way for positive discrimination applications, including the ensuring the equality of women and men in the authorization and decision-making mechanisms.

The constitution in Articles 67, 68 and 70, entitled all citizens with the right to "elect and be elected" in mayoral and general elections, "to form political parties", "duly join and withdraw from them", "participating in referendums", "right to enter public service"; in Articles 25, 26, 28,

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<sup>21</sup> Mercer, Global Women Thrive Report 2016, <https://www.mercer.com/Our-Thinking/When-Women-%20Thrive-2016-Report.html>



29, 33, 34 “freedom of thought and opinion”, “freedom of expression and dissemination of thought”, “freedom of the press”, “right to hold meetings and demonstration marches”.<sup>22</sup>

The prohibition in the Article 68 that “political parties cannot establish women’s branches” was abolished with the law no. 4121 dated 23<sup>rd</sup> July 1995, thus enabling extra position for participation of women in political parties.

## 2.3 SITUATION IN TURKEY

Patriarchy, gender stereotype roles and cultural background in Turkey keep women away from decision making positions. Because of lack of gender policies women are not supported to have equal opportunities in taking part in politics, especially in decision making process. Women are regarded as “helping actors” to get public support for the political parties to raise the votes. Women who are interested in politics are encouraged to take role at that level; visiting the districts, distributing handouts, asking for votes for male candidates and etc.

Women face barriers in almost all sectors. The glass ceiling, an intangible barrier, prevents women obtaining upper-level positions

In this Report, the situation in decision making Turkey is segmented as public, local and private sectors and each segmentation is analysed as the participation of female/ male. It should be emphasized that LGBT is not freely expressed especially in authority levels. Political participation of LGBTs is still a “red line” and has never been discussed Turkey’s political agenda. No openly LGBT politician has ever been elected as a member of the Turkish Parliament.<sup>23</sup> Yet, Peoples’ Democratic Party (HDP) and some MPs from Republican Peoples’ Party CHP support and provide collaboration with LGBTI community.

### 2.3.1 WOMEN IN NATIONAL POLITICS

Women are underrepresented both in national and local politics despite of the fact that Turkey is one of the pioneering countries that recognizes the right of election in 1934. As per the Global Gender Gap Report,<sup>24</sup> Turkey is 118th out of 144 countries in political empowerment. Under its sub-parameters, Turkey is 108th with the presence and proportion of female to male is 0.17. The percentage of the women in the Turkish parliament has increased gradually from 4.4% in 2002 to 17.45% in June 2018; however, the rates are below the global average which is 23.3%.

In the sub-parameter of women in ministerial positions Turkey ranks 135th as the ratio of female is 3.8% as opposed to 96.2% male proportion in the Cabinet. Proportion of female to male is 0.04. Under the sub-parameter of years with female Head of State in the last 50 years, Turkey ranks 38th owing to the women Prime Minister term with the proportion of 2.7%.

Though several gender reforms were made in Turkey, representation of women in politics is still one of the most problematic areas. While the recent elections, the number of female deputies and

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<sup>22</sup> Women in Turkey, MosFSP, 2017

<sup>23</sup> The Executive Committee for NGO Forum on CEDAW, Turkey, Shadow NGO Report on Turkey’s Seventh Periodic Report to The Committee on The Elimination of Discrimination Against Women For Submission to The 64th Session of CEDAW, July 2016.

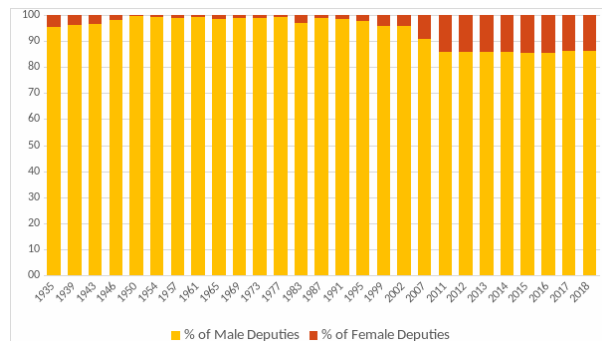
<sup>24</sup> World Economic Forum, WEF, Global Gender Gap, 2017

ministers increased, Turkish parliament is still predominantly male and Turkey is far from achieving a balanced representation of sexes.

In June 2015 and November 2015 elections, 97 and 81 female deputies were elected to the 550-seat parliament respectively, corresponding to 17.6% and 14.7% of all lawmakers in the national assembly.

This number increased to a total of 104 woman deputies reaching 17,45% of the 596-seat parliament,<sup>25</sup> in the 27th period of the government which still has disparity.

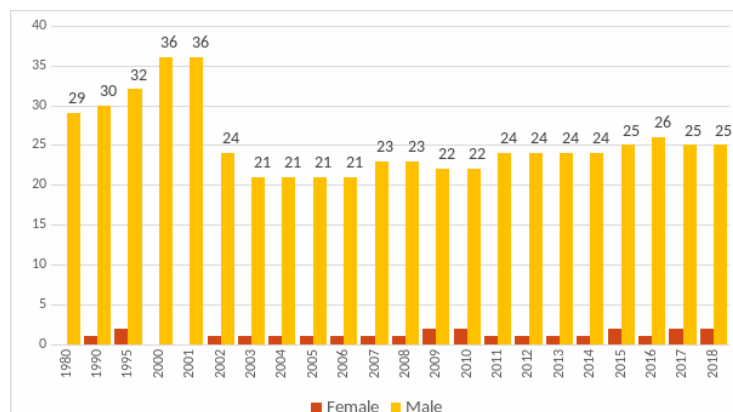
**Table 3 Share of Male and Female Deputies, 1935-2018**



Source: TURKSTAT and the TBMM

The country ranks 135<sup>th</sup> in terms of its score of women in ministerial positions<sup>26</sup>. There were two Ministers namely as the Minister of MoFLSS - Fatma Betül Sayan Kaya and Minister of MoLP Jülide Sarieroğlu in the 26<sup>th</sup> term of the government before the elections on June 24<sup>th</sup>, 2018.

**Table 4: Number of Ministers by Sex, 1980-2018**



Source: TURKSTAT and the TBMM

<sup>25</sup> Daily news, <http://www.hurriyetdailynews.com/103-woman-candidates-elected-to-turkish-parliament-in-june-24-poll-133781>

<sup>26</sup> Turkstat, <http://www.turkstat.gov.tr/Start.do;jsessionid=v5hCb19bmJGHfBnRh02NNMGyrnBWGp1QTqgFGGKgLzDpxXB1H2wm!58077392>

In the 27<sup>th</sup> term; there are also two women ministers; Labour , Social and Family Minister Zehra Zümrüt Selçuk and Trade Minister Ruhsar Pekcan.

### 2.3.2 WOMEN IN LOCAL POLITICS

Presence of women at the local politics is lowest than the national level. Comparison of the last two local elections reveals the slight increase in the proportion of female mayors. Turkish Statistical Institute's Report on Women dated March 2017<sup>27</sup> suggests that the percent of female mayors in total increased from 0.9% in 2009 local elections to 2.9% after 2014 elections. According to the last mayoral elections on 30<sup>th</sup> March 2014, 3 out of 30 metropolitan mayors are women, and 40 out of 1,381 mayors are women. The percentage of women mayors is 3%, council members of municipalities is 10,7% and members of provincial councils is 4,79%.<sup>28</sup>

At the level of provinces, women candidates were elected as mayors in Aydın, Diyarbakır, Gaziantep and Hakkari. However, after the appointment of trustees to 28 municipalities in the southeastern region where HDP was in charge, the women mayor numbers decreased as only 2.198 of 20.498 (10.7%) aldermen are female.<sup>29</sup>

On 11 September 2016, state-appointed trustees took the place of 86 elected mayors in municipalities of dense Kurdish population, 34 women co-mayors were arrested. Another challenging fact is related to the decrease in the number of district and village municipalities which results in delocalization and people being deprived of political representation at the local level. The new regulation makes difficult women's political representation and participation as well as their access to local services.<sup>30</sup>

Following the local elections in 2014 the ratio of female mukhtars raised 1.2% from 0.8%. Given the fact that there are in total 1,398 municipalities and more than 50,000 headmen, *mukhtars* in Turkey, political representation statistics reveal how little the women are represented in the political arena. Here also there is a social barrier. Public opinion also encourages females to start political life from their district.

The women's movement in Turkey is working to achieve the establishment of quotas, which would be the next step towards the political empowerment of women and the translation of constitutional and legislative equality into equality in practice. KA.DER, a NGO established in 1997 with the mission to eliminate inequality, to provide participation of all citizens in decisions and to bring women's experience and resolution ability into social and political arenas, strives to have positive discrimination articles for women, in laws and party by-laws, to secure equal representation in decision making bodies.

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<sup>27</sup>Turkstat, <http://www.turkstat.gov.tr/PreHaberBultenleri.do?id=24643>

<sup>28</sup>:UN Women, <http://eca.unwomen.org/en/news/stories/2017/11/in-turkey-talks-focus-on-eliminating-barriers-to-womens-leadership>

<sup>29</sup> Women in Turkey, MoFLSS, January 2017

<sup>30</sup>The Executive Committee for NGO Forum on CEDAW, Turkey, Shadow NGO Report on Turkey's Seventh Periodic Report to The Committee on The Elimination of Discrimination Against Women For Submission to The 64th Session of CEDAW, July 2016.

### 2.3.3 WOMEN IN PUBLIC SECTOR

As of May 2016, the percentage of women currently serving as governor is 2.4%. The rate of women's representation in Turkey's Higher Judicial Bodies is 26.8%. Furthermore, only 9.7% of the universities have women rectors.<sup>31</sup>

According to State Personnel Presidency, there were in total 1.7 million female public employees in Turkey in 2017, constituting 37.8% of all public employees while the number of male public have a share of 62.2%. Also, it is seen that the rate of women in the senior level resolution position in the bureaucracy is low. 89.11% of the senior level executives in bureaucracy are men, only 10,89% are women.

Table below shows the sex- breakdown of different types of public employment. According to the statistics, the gender gap is smallest in academia and personnel subject to special terms. The proportion of female professors/lecturers in higher education is 43.1%

According to the results of higher education statistics; in 2007, it was observed that the proportion of male professors/lecturers was 59.9% while that of female professors/lecturers was 40.1%. This proportion decreased to 56.9% for male and increased to 43.1% for female in 2017.<sup>32</sup>

**Table 5: Public Employees by Type and Gender (September 2017)**

	Female	(%)	Male	(%)	Total
Public officers	996,470	40.68	1,453,068	59.32	2,449,538
Judges and prosecutors	5,484	31.52	11,916	68.48	17,400
Academics	55,173	43.01	73,104	56.99	128,277
Contractual personnel	58,256	35.57	105,544	64.43	163,800
Temporary personnel	4,169	20.47	16,194	79.53	20,363
Permanent workers	18,511	8.05	211,450	91.95	229,961
Permanent workers on hold	831	23.26	2,741	76.74	3,572
Temporary workers	2,904	11.67	21,971	88.33	24,875
Personnel subject to special terms	30,018	48.27	32,165	51.73	62,183
<b>Total</b>	<b>1,171,816</b>	<b>37.8</b>	<b>1,928,153</b>	<b>62.2</b>	<b>3,099,969</b>

Source: State Personnel Presidency, 2017

<sup>31</sup>The Executive Committee for NGO Forum on CEDAW, Turkey, Shadow NGO Report on Turkey's Seventh Periodic Report to The Committee on The Elimination of Discrimination Against Women For Submission to The 64th Session of CEDAW, July 2016.

<sup>32</sup>Turkstat, <http://www.turkstat.gov.tr/Start.do>

#### 2.3.4 WOMEN IN PRIVATE SECTOR

According to the results of household labour force survey reported in March 2018 by TUIK, the proportion of females working in senior and middle managerial position was 14.4% in 2012 and 16.7% in 2016.<sup>33</sup>

Findings of TUSİAD's research titled "Women Matter Turkey 2016"<sup>34</sup> show that representation of women decreases with seniority: overall women representation ratio of 41% drops to 25% for the executive committee level and 15% for CEO positions. Out of this executive representation, 60% of female holds administrative functions such as human resources, corporate communications and legal. Another interesting feature is that these women representation at the executive committee level is mainly the male dominated sectors such as construction, energy and automotive.

Also, data reported by TURKONFED in "Women Report 2017"<sup>35</sup>, shows that Turkey is far below the accepted glass ceiling proportion of 33%, after which women representative meaningful participation shaping the policies and decisions is possible. However, it is worth to note that this ratio is higher compared to the average of Asia and Latin America (8%), even Europe (20%). On country basis comparison, this ratio is higher than the US where the ratio is 17%.

**Table 6: Middle and High-Level Executive Women's Ratio in Total Employment (%)**

	2007	2013	2014	2015
<i>Australia</i>	29	32	32	
<i>Belgium</i>	34	31	31	31
<i>Denmark</i>	25	28	26	27
<i>Ireland</i>	41	30	31	30
<i>Italy</i>	22	22	22	22
<i>Holland</i>	27	23	24	25
<i>Norway</i>	33	31	33	34
<i>Sweden</i>	31	36	38	40
<i>Turkey</i>	18	17	16	14

Source: TURKONFED, Women Report, 2018

In another research covering 410 companies traded on the Istanbul Stock Exchange (BIST) in 2016,<sup>36</sup> it is noted that the proportion of women directors in public-traded companies has increased to 14.2%. Out of 2813 members of Executive Boards, 304 are women. While the Boards of 178 out of 410 companies were composed of solely men in 2015, in 2016 this number is decreased to 168. Efforts to have women representatives on their Boards have paid off. Ratio of women has increased from 52.9% in 2012 to 59% in 2016. Out of these companies 10% have three women Board members.

<sup>33</sup> TURKSTAT, Women in Statistics, March 2018 – Household Labour Survey

<sup>34</sup> McKinsey, <http://www.mckinsey.com.tr/arastirma-ve-yayinlarimiz/women-matter-turkiye2016.html>

<sup>35</sup> TURKONFED, Kadın Raporu, 2018

<sup>36</sup> Istanbul Stock Exchange, <http://www.borsaistanbul.com/>

## **A Focus on Glass Ceiling in Private Sector – BIST Report 2017**

Since 2012, the number of BIST companies that have at least one woman director on their boards has been slowly but steadily rising. This ratio increased from 52.9% in 2012 to 59% in 2016. Furthermore, 10% of the companies listed on BIST have at least three woman directors. According to the research, based on the minority status of women on boards, there must be a minimum of three woman members on a board to become effective.

According to the findings of the report, 31 companies had a chairwoman in 2016. This corresponds to 7% of all companies. There were only 14 woman CEOs that sat on boards of directors.

- No women at top boards in 168 firms of 404 which in Stock Exchange-İstanbul (BIST). In 2017, 41% of the total firms have all-male administrative boards. 386 women were elected to administrative boards in BIST in 2017 (13.9% of all boards. It was 14.2 in 2016).
- Only 70 of those women (19%) are performers (executives). This rate is not contradictory with the global picture of gender equality is improving slower in line positions.
- Only 14 firms have female CEO while 164 firms are directed by male CEOs in 2017. Accordingly, only 3.4% of publicly-traded companies have woman CEOs.
- According to the Financial Index there are 15% female directors and in the Sustainability Index the female directors' rate is 12.6%. Even in the firms who care sustainability, gender stereotypes are still a challenge.

## **2.4 POLICIES, INCENTIVES AND IMPLEMENTATIONS OF GOVERNMENT**

Though quota is recognized as one of the efficient means to increase women's participation in politics, there is not a legal obligation for this practice in Turkey. Its practice is left to the will of the management of the parties.

Repression of participation in political parties is a significant obstacle to women. The Law No. 4445 passed in 1999, related the ban on establishing women's branches or youth branches of political parties, removed this obstacle.

As for the glass ceiling in private sector, MoFLSS led to the initiative of "*Equality at Work Platform*" aiming at closing the gender gap in economic field down to 10%. This initiative achieved its objective as the gap was reduced to 10.9% by the end of 2015.

## **2.5 SOCIO-CULTURAL FACTORS AND CONSTRAINTS**

The constraints that prevent women's participation in decision making processes can be categorized as inadequate social protection, in particular inadequate care infrastructure and political and institutional culture, that value men and masculinity and devalue women and

femininity, “think-leader-think-men”, limited skills and lack of financial resources. Participation in politics takes money and time, and these are barriers for women in order to run in campaigns. ,

The discourses that idealize women’s reproductive roles as wives and mothers also foster the environment that does not welcome women’s participation to decision making processes. Inter-parliamentary Union research reveals that cultural attitudes and attitudes hostile to women’s participation in politics was nominated as the second most important barrier to running for parliament, just behind the problems of balancing time demands.

In most cases, particularly in political parties, women are positioned as silent supporters of their leaders work with commitment for the vision of the party without demanding visible and influential roles. In the case of Turkey, women’s advancement is possible when the leader supports her regardless of her liability. This dominating culture prevents women act as a subject in politics; instead she is treated as an object. In addition, although Turkish parties often tend to have women's branches, their effectiveness is questionable, because they function as auxiliaries, easily co-opted by the party leadership and the women close to it.

Despite this chronic under-representation, raised by CEDAW Committee assessment, there has been no national effort to increase women's participation in politics. The issue is left to the initiative of political parties. In this context, only two parties currently set a quota of women for all functions and candidacies: The Republican People's Party (Cumhuriyet Halk Partisi, CHP), a centre-left party founded by Ataturk which sets a quota of 33 percent - defined in 1996 as a minimum of significant commitment by the Council of the European Union - and the HDP, with a quota of 50 percent.

The issue of women's participation in politics is more complex than the bald figures would indicate, because women must deal with patriarchal norms and traditions as well as the sexist and misogynist rhetoric which often prevails in the world of politics. Even when they are elected or when they belong to the leadership of a political party, women come up against a very male political arena where teamwork is required, at the same time as resisting a generally misogynistic environment.

Different researches show women can continue their education or consider to actively taking part in politics only after their children grown up and with arrangements of less commuting time compared to men. Most women respondents of the Inter-parliamentary Union (IPU) Research<sup>37</sup> cite domestic responsibilities as the single most important deterrent to entering a life in politics, an obstacle rated much lower among male respondents.

### **A Case Study on sexist Language Against Women in the Parliament**

Language is a powerful tool through which gender discrimination is perpetrated and reproduced. On July, 2015, the statement made by The Former Vice Prime Minister Bülent Arınç against Peoples' Democratic Party Diyarbakır Deputy Nursel Aydoğan: "Hush, keep your silence as a

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<sup>37</sup> Inter-Parliamentary Union, <https://ipu.org/>



woman..." got reactions from various women's organizations and Arinc was invited to apologize "immediately".<sup>38</sup>

KA.DER argued against this discourse of Arınç which is "abusive, discriminatory, sexist, humiliating, marginalizing" and stated that "this mind-set which questions the woman's voice, body, dressing style, life style, woman's existence in politics and society and which is trying to shape the woman in accordance with his own lifestyle and ideology is also the main reason behind violence against women and murders."

In the written statement made by Istanbul Union of Women's Organizations, it was stated that: "For the first time in the history of the Turkish Republic under the parliament, we are witnessing the manifestation of a mind-set that does not consider women as individuals. We warn the public about human rights violations that mind-set will lead to. We would like to remind that the basic criterion of democracy is Equality. Equality between men and women is a matter of democracy. We continue to struggle for a real democracy. "

## 2.6 RECOMMENDATIONS

### 2.6.1 RECOMMENDATIONS OF CSO'S

#### **Women Inclusion in Politics:**

- Measures such as quotas, zipper system enabling women's increased presence in politics and decision-making processes including equal gender representation among electoral candidates should be introduced on compulsory basis, not left to the will of the political party leaders of respective management layers of the institutions.
- State aid to political parties should be allocated in direct proportion to the number of women members of the political parties and the rate of women in decision making mechanisms of political parties. A certain proportion of state funds should be used for research, support and policy making for women until full equality is attained.
- Financial support is needed for the candidates of national and local politics. The political parties shall develop leadership programmes for women and the role of the women in the party needs a cultural change from the supported of the leader to "be a leader".

Women are under-represented in political decision-making. It is important to ensure that women in all their diversity are represented in politics. Women of all ages, from all racial or ethnic origin, with disabilities, from the LGBT community, migrants, etc.

#### **Comment of the Editor:**

- To change the institutional norms of "think-leader-think-men" capacity building programmes and leadership training in politics needs to be initiated regardless of political parties as a civil society initiative. Workshops and a research among 27<sup>th</sup> term women parliament will be helpful to have a concrete roadmap for capacity building programmes.
- Establishment of quotas for politics and public private sector should be supported with a research and projection of its impacts for public awareness.

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<sup>38</sup> Hurriyet, [www.hurriyet.com.tr](http://www.hurriyet.com.tr),



- Local elections in 2019 may be a good launching opportunity for a public awareness campaign on “More Women in Decision Making Less Gender Parity “can be conducted as social media campaign with short videos and role models.
- Financial aid is critical for increasing women in politics since women seek the investment needed for election campaigns. The funding can be directed to NGOs that support women candidates.

### **Leadership and management:**

- Support women’s leadership and career development through mentoring and creating specific programs dedicated to women’s career development and access to management and board positions.
- Women’s positions in non-traditional roles, such as management, and sectors should be promoted through state-led policies.

Comment of the Editor:

- Projects supporting women directors and board members need to have special programs for so-called man field professions.

### 3 EDUCATION

#### 3.1 GENERAL FRAMEWORK

Education is a key indicator that can minimize the inequalities between genders as the tool for both social and individual change. It is of great significance that women benefit from education possibilities and opportunities equally in all levels of education so that they can play active roles in the social life, have better opportunities in employment and lower the risk of CEFM.

Article 10 of CEDAW, which governs the right to education, imposes liability on signatory states to take all appropriate measures to eliminate discrimination against women in order to ensure to them with equal rights with men in the field of education.

As a result of the 4<sup>th</sup> World Conference on Women (The Beijing Declaration and Platform for Action), the Millennium Development Goals in Turkey, the Convention on the Rights of the Child and the international commitments under the appeal for accession to the European Union reveal that Turkey has to adopt all regulations that would enable women and girls to have equal rights with men in education.

#### 3.2 LEGAL FRAMEWORK

##### *Relevant Laws and Conventions*

##### General:

TR Constitution, No: 2709, (Article 42) November 1982  
CEDAW (Article 10). Ratified in 1985.  
Convention on the Rights of the Child. Ratified in 1989.

##### Specific:

Child Protection Law No: 5395

Basic Law on National Education No:1739. Article 4 states that education institutions are open to every person without discrimination with respect to language, race, sex and religion. Article 8 states that equality of opportunity shall be provided for every person, men or women.

Primary Education and training Law No: 222 Article 2 states that primary education is compulsory for girls and boys at the age of education, and free of charge in state schools. With the amendment to the aforementioned Law No 628- Bill on Amending the Primary Education Law and Other Law- in 2012, the period of compulsory education was regulated as 12 years which covered 4 years of primary school, 4 years of secondary school and 4 years of high school education.

The main purpose of the bill was to disqualify primary education from being an uninterrupted basic education program and to establish schools where different programs could be implemented after the 5th grade. The bill also made it possible to establish secondary schools attached to high schools, therefore students, after finishing the 5th grade, could continue their education in schools

that are affiliated with vocational high schools, or imam hatip schools (vocational schools to train Islamic clergy).

### 3.3 SITUATION IN TURKEY

As per the Global Gender Gap ranking of WEF, Turkey is 101st out of 144 countries in educational attainment that includes parameters of literacy rate, enrolment in primary, secondary and tertiary education. Compared to the EU and OECD countries, Turkey lags behind gender equality in education and there is a significant gender gap in all levels of national education system in Turkey.

In 2016, the proportion of persons who were 25 years of age and older and completed at least one education level in population was 88.9%, this proportion was 95.1% for males and 82.8% for females.

Turkish Statistical Institute's Basic Labour Force Indicators Database (November 2017) indicates that the total number of illiterate citizens decreases year by year, nevertheless, there is still a huge gender gap. According to the year 2016 data; about 2.5 million citizens who are over 6 years old are illiterate (3.5%). 84% of this total is female. The number of illiterate women is five times higher than men who are illiterate.<sup>39</sup>

Female early school drop-out rates remain high, still four times higher in Turkey than it is in the European Union, and low enrolment in secondary and tertiary education remains a major obstacle to Turkish women's educational attainment.

Also, there are significant gaps in education and skill sets across men and women in Turkey.

**Table 7: Overview for Education in Turkey**

<i>Parameter</i>	<i>Rank</i>	<i>Female</i>	<i>Male</i>	<i>F/M</i>
Literacy rate	<b>94</b>	92.6	98.6	0.94
Enrolment in primary education	<b>97</b>	93.7	94.6	0.99
Enrolment in secondary education	<b>110</b>	85.5	87.2	0.98
Enrolment in tertiary education	<b>105</b>	88.3	101	0.87

*Source: WEF, Global Gender Gap, 2017*

Moreover, sex breakdown of Gender Development Index shows that average years of education is 8.8 years as opposed to 7 years for women.

#### 3.3.1 EDUCATION LEVEL BY SEX

When the general status is considered, illiteracy rates for both sexes exhibit an increase between groups “youth to elders”, “urban population to rural population” and “Western areas to Eastern

<sup>39</sup> Turkish Statistical Institute's Women in Statics Report 2016

areas”. However, the influence of these variables on women is more severe, under all conditions, than men.

According to the UNESCO data<sup>40</sup>, 7 of 100 girls are not registered in primary education and 19 of 100 women have not completed their primary education. Of 100 young women, 19 of them did not go to high school, and in adults only 29 of 100 women are graduated from a high school.

**Table 8: The rate of women/men in education and schooling in Turkey**

	Of 100 Women	Of 100 Men	W/M Rate
Children not registered in any primary school	7	6	1,18
Rate of Graduation in Adults from primary schools	81	94	0,86
Adolescents not registered in any high schools	19	15	1,27
Rate of Graduation in Adults from high school	29	42	0,68

*Table: UNESCO Data, 2015-2016*

According to the 2015 results of the Address-Based Population Registration System (ABPRS), the illiterates in Turkey constitute the 3.69% of the population aged 6 and over; and this rate is higher in women (TÜİK 2015). Although the literacy rate has constantly increased in years, it has not reached to the targeted level yet.

#### **8 out of 10 illiterate persons are women:**

According to the “National Education Statistics” prepared by the Turkish Statistical Institute, the information on the educational levels of population over 6 years is presented in the table below.

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<sup>40</sup> <http://uis.unesco.org/country/TR>

**Table 10: Completed Educational level and Population by Sex (6+ age) 2015 Turkey**

Completed Level of Education	Total	Men	Women
Illiterate	2.482.432	396.138	2.086.294
Literate but did not graduate from a school	8.126.281	3.407.809	4.718.472
Primary school	19.805.044	8.871.176	10.933.868
Primary education	8.481.757	4.937.224	3.544.533
Secondary school or equivalent	8.473.020	4.715.308	3.757.712
High school or equivalent	13.717.008	7.779.690	5.937.318
College or Faculty	8.922.146	4.884.110	4.038.036
Master's Degree	673.405	387.994	285.411
Ph.D.	171.486	102.501	68.985
Unknown	496.317	239.368	256.949
<b>Total</b>	<b>71.348.896</b>	<b>35.721.318</b>	<b>35.627.578</b>

Source: TURKSTAT, ABPRS Education, Culture and Sports Database 2016 Results \* Foreigners not included.

### **The Consequences of 4+4+4 System in Turkish Education System:**

In Turkey, the proportion of adults aged 25-64 graduated from upper secondary education is 39%. This is one of the lowest in OECD as the average is 74%. Though the average education year for the age group of 5-39 in Turkey is higher than OECD, 17.9 years to 17 years.<sup>41</sup>

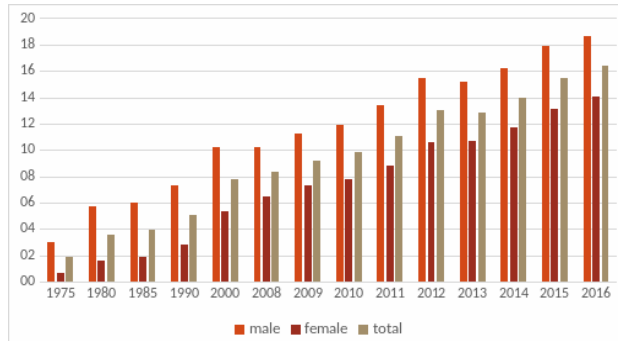
In 2014, Eğitim Sen (Educators' Syndicate)<sup>42</sup> commented the adoption of model of 4+4+4 years of education, instead of 12 years continuous education, has led to a decrease in the schooling rates of especially girls while passing from the first 4 years to the second 4. There is a difference of approximately 600,000 girls as compared to boys, not attending the elementary school(4+4) . Thus, there is a loss of more than 6% of the girls when passing from elementary to high school.

Moreover, according to the official statistics of the Ministry of National Education (MoNE), while the gender ratio for primary school + middle school is 101.81 in favour of girls, this ratio is 95.40 in high school. The causes of the dropout rates of girls and the related risks, increase in child labour and CEFM, should be evaluated.

<sup>41</sup> OECD; <http://www.oecdbetterlifeindex.org/countries/turkey/>

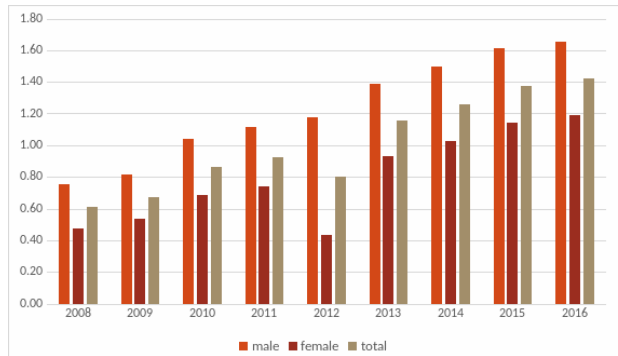
<sup>42</sup> Birgun, <https://www.birgun.net/haber-detay/4-4-4-ile-binlerce-kiz-cocugu-okulu-birakti-90857.html>

**Figure 1: Population with Higher Education, (% of total, 2 years and 4 years university degree)**



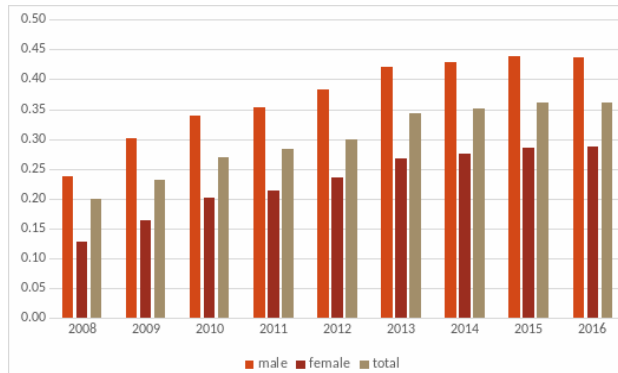
Source: TURKSTAT, Censuses 1975-2000 and Address Based Population Registration System, 2008-2016

**Figure 2: Population with a Master's degree, (% of total)**



Source: TURKSTAT, Censuses 1975-2000 and Address Based Population Registration System, 2008-2016

**Figure 3: Population with a PhD Degree, (% of total)**



Source: TURKSTAT, Censuses 1975-2000 and Address Based Population Registration System, 2008-2016

The higher education is a key indicator for employment and wage gap. According to income and living conditions survey results; while working females who graduated from higher education had an average annual income of 29.238 Turkish Lira (TL) with a gender gap of 23.1 percent. Working females who graduated from high school had an average annual income of

16.124 TL in 2015 with the gap of decreasing to 32.4 percent.<sup>43</sup> Working females who didn't complete any school had an average annual income of 8.528 TL with a 38 percent gap between men and women in this category. University graduates earned an average of 32,480 liras.

Another significant factor effecting employment is the graduates by degree type:

**Table 11: Gender Disparity at Higher Education**

Sectors	Female,%	Male,%
Agri., Forestry, Fisheries and Veterinary	2.3	2.9
Arts and Humanities	13.8	8.1
Business, Admin. and Law	36.6	40.0
Education	13.5	7.4
Engineering, Manuf. and Construction	7.4	19.4
Health and Welfare	8.9	4.2
Information and Comm. Technologies	1.6	2.9
Natural Sci., Mathematics and Statistics	5.2	3.7
Services	2.6	4.7
Social Sci., Journalism and Information	7.8	6.7

As the table shows, there is a significant gender differences in career choice. Arts and humanities, education, health and welfare, natural sciences, mathematics and statistics, social sciences, journalism and information are the fields dominated by female. For the male, agriculture, forestry, fisheries and veterinary; business, administration and law; engineering, manufacturing and construction; information and communication technologies and services are the fields of preference.

### 3.3.2 REGIONAL DIFFERENCE IN EDUCATION BY SEX

As expected, there are significant regional gender differences in education. Tables below show regional educational profile of the population in three different skill levels. The first one is the population with 8 years or less education, the second one is population with schooling between 8-12 years and the last one is population with higher than 12 years of education which includes women and men who have 2 years of university diploma, 4 years university degree, master's degree and PhD degrees.

**Figure 4: Population with less than 8 Years of Education by NUTS2<sup>44</sup> Regions (Age 15+)**

<sup>43</sup><http://www.hurriyetdailynews.com/turkish-women-earning-far-less-than-men-in-equal-jobs--88984>

	Illiterate Men	Illiterate Women	No Degree Women	No Degree Women	Primary School Men	Primary School Women
Istanbul	42,182	253,725	116,055	275,684	1,011,317	1,397,196
Tekirdag, Edime, Kırklareli	6,376	26,155	17,326	37,429	163,453	217,757
Balikesir, Çanakkale	6,809	27,365	23,050	47,985	189,314	264,294
Izmir	10,582	51,821	37,617	109,145	356,166	486,009
Aydin, Denizli, Mugla	8,105	42,818	27,761	84,161	312,824	385,606
Manisa, Afyon, Kütahya, Usak	10,616	60,796	36,170	99,359	321,346	448,540
Bursa, Eskişehir, Bilecik	13,491	77,118	25,411	68,412	294,354	464,250
Kocaeli, Sakarya, Düzce, Bolu, Yalova	13,149	78,327	26,223	73,239	267,614	409,649
Ankara	12,701	88,481	23,052	78,863	289,832	485,630
Konya, Karaman	7,500	45,423	17,701	61,779	223,353	332,743
Antalya, Isparta, Burdur	6,568	36,695	23,666	77,231	255,009	334,068
Adana, Mersin	18,660	96,777	51,136	131,630	305,626	407,242
Hatay, Kahramanmaraş, Osmaniye	20,051	89,397	38,773	111,683	248,076	312,814
Kırıkkale, Aksaray, Niğde, Nevşehir, Kırşehir	6,044	47,256	13,711	38,439	130,209	185,609
Kayseri, Sivas, Yozgat	11,721	71,936	24,081	62,670	186,081	273,551
Zonguldak, Karabük, Bartın	7,253	43,386	9,600	31,552	94,854	130,614
Kastamonu, Çankiri, Sinop	6,974	32,071	12,392	29,565	85,799	107,482
Samsun, Tokat, Çorum, Amasya	15,395	69,467	50,467	121,700	264,223	342,704
Trabzon, Ordu, Giresun, Rize, Artvin, Gümüşhane	18,632	104,236	37,361	114,211	232,020	276,274
Erzurum, Erzincan, Bayburt	8,587	48,373	14,977	34,316	74,981	110,501
Agri, Kars, Iğdır, Ardahan	11,934	60,754	32,903	55,451	84,912	82,447
Malatya, Elazığ, Bingöl, Tunceli	15,801	74,661	22,834	68,415	103,202	155,697
Van, Mus, Bitlis, Hakkari	22,703	109,900	58,760	135,325	124,044	129,188
Gaziantep, Adıyaman, Kilis	14,919	93,014	34,873	81,343	176,079	244,498
Sanliurfa, Diyarbakir	42,273	219,510	97,325	233,162	203,641	200,732
Mardin, Batman, Siirt	25,628	128,488	42,114	107,754	112,154	124,168

Source: TURKSTAT, 2015<sup>45</sup>

The regional breakdown of population by education shows that in all NUTS2 (Nomenclature of Territorial Units for Statistics 2) regions, there are significantly more illiterate women than illiterate men, and there are significantly more women without any degrees than men without any degrees. And the gender differences in those two education categories are more than twice in many regions. The gender gaps in primary school degrees show a different trend though; it seems that in all regions there are many more women with a primary school degree than men, except in Ağrı, Kars, Iğdır, Ardahan, Sanliurfa and Diyarbakir.

**Figure 5: Population with 8-12 Years of Education by NUTS2 Regions (Age 15+)**

<sup>44</sup> Nomenclature of Territorial Units for Statistics-subregions

<sup>45</sup> Please note that The data is taken from Turkstat website and the third column about no degree should be named as “men” however it has mistakenly published as women



	Primary Education Men	Primary Education Women	Secondary School Men	Secondary School Women	High School Men	High School Women
Istanbul	928,275	656,743	799,470	645,026	1,485,005	1,251,101
Tekirdag, Edirne, Kırklareli	118,085	86,388	94,003	74,939	198,936	144,044
Balıkesir, Çanakkale	93,235	65,305	86,195	70,159	176,550	137,736
Izmir	256,196	169,288	221,861	184,597	444,700	382,210
Aydın, Denizli, Muğla	190,924	135,366	151,884	121,160	286,893	240,822
Manisa, Afyon, Kütahya, Uşak	202,713	155,770	156,038	116,399	285,235	202,285
Bursa, Eskişehir, Bilecik	234,908	185,732	221,967	182,276	460,003	330,629
Kocaeli, Sakarya, Düzce, Bolu, Yalova	230,248	185,964	206,040	163,942	428,935	307,091
Ankara	240,071	183,966	283,759	235,676	613,560	530,048
Konya, Karaman	160,077	126,861	120,275	91,044	204,794	153,465
Antalya, Isparta, Burdur	176,322	131,320	158,143	125,409	314,924	250,336
Adana, Mersin	243,164	164,781	217,289	174,084	382,061	310,321
Hatay, Kahramanmaraş, Osmaniye	201,611	152,667	181,415	137,207	272,022	197,499
Kırıkkale, Aksaray, Niğde, Nevşehir, Kırşehir	96,518	77,664	85,338	67,437	157,117	113,450
Kayseri, Sivas, Yozgat	141,072	107,531	131,478	100,415	246,559	176,811
Zonguldak, Karabük, Bartın	67,266	46,608	53,540	42,403	116,113	81,957
Kastamonu, Çankırı, Sinop	44,293	35,533	39,284	27,975	73,460	49,940
Samsun, Tokat, Çorum, Amasya	163,457	131,834	145,786	114,904	250,704	192,765
Trabzon, Ordu, Giresun, Rize, Artvin, Gümüşhane	138,621	106,289	149,119	115,768	294,016	214,379
Erzurum, Erzincan, Bayburt	59,007	46,697	58,530	39,951	113,140	74,420
Ağrı, Kars, Iğdır, Ardahan	78,967	41,787	59,281	41,235	75,117	43,661
Malatya, Elazığ, Bingöl, Tunceli	101,015	70,000	98,358	71,731	185,991	126,377
Van, Muş, Bitlis, Hakkari	154,441	89,499	106,211	71,040	147,876	75,855
Gaziantep, Adıyaman, Kilis	217,845	148,645	147,512	105,756	196,527	143,992
Sanliurfa, Diyarbakır	248,762	139,520	175,737	116,497	213,848	127,037
Mardin, Batman, Siirt	150,131	102,775	111,261	78,722	155,604	79,087

Source: TURKSTAT, 2015

**Figure 6: Population with Tertiary Education by NUTS2 Regions (Age 15+)**

	University		Masters		PhD	
	Degree Men	Degree Women	Degree Men	Degree Women	PhD Men	PhD Women
Istanbul	1,040,220	998,543	118,464	97,468	25,569	19,234
Tekirdag, Edirne, Kırklareli	101,894	85,004	6,340	4,978	1,766	1,162
Balıkesir, Çanakkale	117,478	89,562	6,742	4,757	1,880	1,132
Izmir	313,333	294,879	24,190	22,258	7,202	5,962
Aydın, Denizli, Muğla	188,794	162,765	11,200	8,829	3,341	2,196
Manisa, Afyon, Kütahya, Uşak	158,724	119,512	9,143	5,845	2,520	1,373
Bursa, Eskişehir, Bilecik	260,263	216,343	17,808	13,583	4,862	3,481
Kocaeli, Sakarya, Düzce, Bolu, Yalova	227,698	186,051	16,459	10,832	4,345	2,559
Ankara	486,360	430,117	59,736	46,290	17,530	13,214
Konya, Karaman	133,216	94,881	10,287	6,086	3,262	1,699
Antalya, Isparta, Burdur	200,979	170,359	12,539	9,350	3,713	2,273
Adana, Mersin	227,084	193,110	13,360	9,968	3,170	2,308
Hatay, Kahramanmaraş, Osmaniye	156,753	115,137	8,621	4,576	1,862	1,028
Kırıkkale, Aksaray, Niğde, Nevşehir, Kırşehir	81,753	58,906	5,504	2,947	1,524	853
Kayseri, Sivas, Yozgat	137,240	101,272	8,718	5,627	2,708	1,595
Zonguldak, Karabük, Bartın	57,683	45,647	3,536	2,362	1,066	588
Kastamonu, Çankırı, Sinop	41,817	29,754	2,393	1,461	675	391
Samsun, Tokat, Çorum, Amasya	155,935	118,715	9,039	5,744	2,564	1,594
Trabzon, Ordu, Giresun, Rize, Artvin, Gümüşhane	159,205	122,393	9,142	5,769	2,913	1,694
Erzurum, Erzincan, Bayburt	62,195	41,134	4,326	2,448	1,847	834
Agri, Kars, Iğdır, Ardahan	42,029	28,602	1,907	1,052	643	314
Malatya, Elazığ, Bingöl, Tunceli	109,084	75,868	6,781	3,810	2,312	1,086
Van, Muş, Bitlis, Hakkâri	83,675	42,729	3,827	1,399	954	418
Gaziantep, Adıyaman, Kilis	116,544	84,696	7,334	3,765	1,708	971
Sanlıurfa, Diyarbakır	132,567	84,357	6,636	2,860	1,847	738
Mardin, Batman, Şırnak, Siirt	91,587	47,700	3,962	1,347	718	288

Source: TURKSTAT, 2015

The figures show that that Turkish women have much less schooling as compared to men in all regions of Turkey but the gender gaps narrow as we move to higher educational categories.

### 3.4 GOVERNMENT POLICIES AND INCENTIVES<sup>46</sup>

Ministry of National Education (MoNE) reports that in order to improve the quality of education, education spending has become the largest item in the national budget. Expenditure in this area now accounts for nearly a quarter of tax revenues. The government will increase education expenditure to 134 billion liras (over \$37 billion), including investments worth 14.3 billion liras (\$3.97 billion), amounting to around 18 percent of total public investment.<sup>47</sup>

**Policies for Rural Areas:** Turkey has a long history of boarding and pension schools to promote equality for the children living in remote rural areas. As per the statistical data of MoNE, the

<sup>46</sup>Data is taken from the Ministry of Family and Social Policies Report of Women in Turkey, 2018.

<sup>47</sup>Daily news, <http://www.hurriyetdailynews.com/education-to-get-lions-share-of-turkeys-2018-budget-defense-to-see-big-boost-minister-120950>

number of students enrolled to the category of schools is 269.485 out of which 133.917 are girls, representing the 49.6%.

The policy “Mobile Primary School, Secondary School Education Program” designed for dispersed settlements with little population and lack school relies on the mobility of schools. In the year 2016/17 the number of students benefited from these mobile schools was 818.839 out of which 401.759 are girls, representing 49% of the total.<sup>48</sup>

**University Education:** In May 2014, the Higher Education Council (YÖK), Turkey’s supreme decision-making body for universities and higher education, published a road map for enhancing higher quality education system. Despite announcements on the issue, the government continued to refrain from strengthening universities’ autonomy, and the universities’ ability to act autonomously further deteriorated after the failed coup attempt of 15 July 2016. Currently, Turkey has 181 universities, but there is not a significant gender sensitive system at these universities.

**Social Protection:** In the scope of the social protection schemes of Turkey, to promote enrolment of girls to schools and prevent drop outs, the family support fees are kept higher for the girls. While the monthly amount for primary education is 40TL for girls, for boy is 35 TL. At the secondary school this amount is 60TL for girls and 50TL for boys. Numerous campaigns and projects such as “Let’s Go to School, Girls”, “Dad, Send me to School”, “Snowdrops”, “Basic Education Utility Project” were conducted in cooperation with different stakeholders such as international organizations, private sector and non-governmental organizations to reduce the dropout rates for girls and conduct training programs for girls and women who dropped out early.

**Women Labour:** Various initiatives were taken to address skill mismatch of the female labour force. MoNE General Directorate of Vocational and Technical Education signed a protocol with Turk Tractor and Agricultural Machinery Corporation, the Turkish Family Health and Planning Foundation (TAPV), Turkish Educational Foundation (TEV) in 2016 to provide qualified women labour force required for automotive and agriculture sectors. Also, the General Directorate of Vocational and Technical Education signed another protocol with Bursa Technical University in 2017 to increase the number of qualified women engineer candidates required in technological fields by ensuring that particularly girls choose the most suitable job for themselves in accordance with their skills and interests.

**Lifelong Learning Policies** of the Government are also designed to address gender equality within families. Programs developed in the scope of this heading aim at not only teenage out of school but also their parents. Lifelong learning strategy of the Ministry of National Education aims at promoting access to education for women in disadvantaged groups and increasing the opportunities of distance learning and open university. Public Education Centres arrange not only literacy programs but also vocational training and skills building programs to increase the employability of the women.

**Content of the Curricula and Promoting Gender Equality:** It is of great significance that the contents of the curricula, course books and education materials are sensitive to gender equality

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<sup>48</sup> MoNE 2017 Statistics

for not directing the students to traditional gender roles by transferring the gender stereotypes to students via overt or covert messages. Within the scope of the studies for removing images, statements and all similar elements containing discrimination from the course books, a system that would enable the instructors working in the formal and non-formal education institutions under MoNE to evaluate the course books to be used was developed in 2012. Concordantly, the same year, the Regulation on Course Books and Educational Aids was adopted and it stipulated that the course books should present an approach in support of basic human rights and freedom and rejecting all kinds of discrimination. Accordingly, it is reported that expressions praising or criticising either sex are meticulously avoided in the textbooks and education materials prepared by the Ministry of National Education and special attention is paid not to include such elements. In addition, it was specified that it is intended to use equal numbers of girl and boy students in the texts and visual images in the textbooks, attention is drawn in the parts discussing the attainments relating to the family to the equality of men and women depicting a democratic structure of family and defining the roles of fathers and mothers meticulously. It was also stated that great care is taken to avoid conceptions neglecting, ignoring or damaging the equality of women and men, in the textbooks. In this respect, one of the evaluation criteria determined by the Board of Education is “to observe a reasonable balance in the examples given and characters used, in terms of gender.”

In addition to this information, the issues such as “women’s rights”, “the roles of women in the Turkish society”, “gender equality” etc. are included in the curriculums and it is considered that these curriculums will contribute to the solution of problems such as violence against women and gender inequality which are among the greatest problems in the society.

Another initiative of the same Ministry namely “Project on Technical Assistance for Promoting Gender Equality” was designed to address the negative effects of gender stereotypes, improve gender equality in schools for boys and girls by mainstreaming gender in the education system.

### 3.5 SOCIAL AND CULTURAL FACTORS & CONSTRAINTS

Patriarchal values justify CEFM and the dropouts, undermining the importance of girls’ education,.

#### **Socio- Cultural Barriers can be listed as:**

**Household Poverty:** Economic barriers constitute an important factor in the exclusion from education. Household poverty is among the most important reasons of dropouts. One of the coping strategies in the face of poverty is prevention of girls’ attendance to school. The non-attendance of a child in school not only eliminates the expenses related to education but it also creates the opportunity for creating an additional source of income for the household if the child can be employed.

**Household Responsibilities:** Different roles assigned to girls and boys in terms of the child’s responsibility to the family also contributed to exclusion from education. 56.2% of the out-of-school girls work an average of 17.7 hours per week on household chores whereas 17.1% per cent of the out-of-school boys work an average of 4.8 hours per week on household chores. On the other hand, 9.5% percent of out-of-school girls work an average of 46.6 hours per week in

income-generating work whereas 18.8% out of school boys work an average of 44.5 hours per week in income-generating work. Values related to disability can also be considered among the socio-cultural barriers that may bring about the exclusion of children from education.

**Labour force in Agriculture:** In cases of mobile and seasonal agricultural work, the decision for the child to work brings about the decision for the child not to attend school for a few months that year; in these cases, the decision for the child to work does not directly bring about exclusion from education but it increases the risk of it. Central level design of school calendar is not responsive to the local conditions and agricultural calendar which results in absenteeism of children from schools. Data proves the direct correlation between absenteeism and high level of drop outs

### **Learning Environment Barriers can be listed as:**

**Location of Schools:** Optimal design of education infrastructure turns to be an important constraint for girls' attainment to education as the families do not welcome transfer of girls or unwilling to let girls living in boarding schools. In this reservation again gender related concerns are the main reason.

**Security of Schools:** Security may contribute to a child's dropping-out of school, particularly for girls, when the child does not feel secure at the school and the parents are worried about their security. For example, a study on the factors that play into a household's decision about education shows that security is considered to be an important factor, and among the perceived sources of risk to a child's security are sexual violence, discipline problems, drugs and men.

**Lack of Gender Mainstreaming:** Lack of gender awareness in the society means fewer girls in schools. National education system does not build gender capacities of the teachers and neither the school environment is gender-friendly. With the ETCEP project<sup>49</sup> run by the Ministry of National Education, 189 teachers and education professionals benefited from gender training; and an awareness raising campaign on gender reached out to 6.000 teachers.

### **3.5.1 SEXUAL ORIENTATION AND GENDER IDENTITY**

There is a lack of sexual health education in Turkey and limited access to resources related to sexual orientation and gender identity. Problems of LGBTI students are left unaddressed. In the science curriculum there is a general module on the biology of reproduction, but does not include sexual health, sexual orientation and gender identity.<sup>50</sup>

### **3.5.2 GENDER BIASED CURRICULUM AND TEXTBOOKS**

Even though the Regulation on Course Books and Educational Aids was adopted and it stipulated that the course books should present an approach in support of basic human rights and freedom and rejecting all kinds of discrimination case, studies show that gender biased

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<sup>49</sup> Promoting Gender Equality in Education (ETCEP)" project was launched on 19 September 2014 as a 24-month project. Funded by the European Union and the Government of Turkey, it has been implemented by a consortium led by the General Directorate for Secondary Education of the Ministry of National Education.

<sup>50</sup> CEDAW NGO Shadow Report.

curriculum is a significant barrier in gender equality.

### **A Case Study on Negative Changes Made in New Curriculum<sup>51</sup>**

At the beginning of the education period of 18 September 2017-2018, 17 different curriculums at primary and secondary school level, 24 different curriculums at high school level and 10 different curriculums at religious vocational high school (Imam hatip) level, and 176 different curriculums were changed based on the classes. Ismet Yilmaz, Ministry of National Education, defended the curriculum by stating that, "the new curriculum is the most democratic, most scientific, most contemporary curriculum that is ever prepared, with the changes we made in it."

However, the textbooks include controversial statements about social life, from jihad to marriage and divorce. These textbooks of Basic Religious Information, the Life of Muhammad, which are taught in secondary schools and high schools; and Islamic Jurisprudence textbooks which are taught in religious vocational high schools (Imam Hatip) were reviewed and there were reactions on social media, under hashtag #BöyleMüfredatOlmaz.

The following are selected examples of the new curriculum that caused the reactions:

- ✓ In the textbook of Life of Mohammad of 12th grades "Marriage unit is male-centred, while leaving the woman idles from the beginning. The textbook, which will be taught in schools, only allows men to choose their spouses. In the textbook, it was suggested that men should choose their spouses from the prayerful women and it was stated: "A lady who knows the orders of Allah (cc) and Prophet (pbuh) to be fulfilled for the happiness of humankind and peace also knows how to act. She; is acting in a conscious awareness that building a good family, and making her husband and children happy is an important step in worshipping the God (cc), and positions herself as the lady of both this world and afterlife."<sup>52</sup> The textbook also mention that men can give bride wealth (money or goods) to the women whom they got married. It was also stated that the money can be donated by the woman to her husband.
- ✓ In Islamic Jurisprudence textbooks which are taught in religious vocational high schools (Imam Hatip), it was stated that "In marriage, the guardian parents have a voice. Bride's guardian can be her father and her grandfather, her brother, etc. Islamic experts stated that especially the girl's family may be involved in the marriage".
- ✓ The new curriculum fully protects and praises the patriarchal family structure and the presence of the male-dominated society within the family and counts women's obedience to their husbands as a form of 'worship'. In addition to the expressions like "men are more advanced in terms of power and strength, therefore they are the responsible person of the family", there are expressions like "Islam states that women should obey their husband and this obedience is a kind of worship. Nurturing and caring of children in the family is mostly in the responsibility of the mother. The man in the family does his duty, acts fairly for his family; if woman approaches him with affection, reverence and obedience, the order and harmony in the family are ensured".

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<sup>51</sup> <http://sosyalkafa.net/2017/09/06/yeni-mufredatta-agizlari-acik-birakan-8-dikkat-cekici-degisiklik-ve-sosyal-medya-tepkileri/>

<sup>52</sup> Aydınlık Newspaper, 05.09.2017

- ✓ The new curriculum requires children to build a religious family. It is stated that "the marriage is an impetus of human nature" and that "According to our traditions, marriages occur at a young age"; which states that CEFM is a part of tradition.
- ✓ According to the curriculum, "People should be careful in the process of dating, they should behave in a way that they should not harm the family establishment which is a sacred relation, because every meeting may not end with marriage. In this context, do not entertain yourself or have a good time during dating and decision-making processes."
- ✓ Another issue that attracts attention in the new curriculum is about relation to the opposite sex. The advice on chastity is included in the 'cleanliness' chapter; "One must preserve the chastity until marriage; and should be with the opposite sex only under the protective umbrella of the marriage. It should not be forgotten that clean women deserve clean men and clean men deserve clean women".

### 3.6 SYRIAN REFUGEE GIRLS AND EDUCATION

Since the start of the Syrian refugee flows in mid-2011 there have been changes within the education system in Turkey to meet the needs of the refugees.

The refugee statistics reflects a young population. The age group of 0-19 and 20-64 represent the 49%. The estimated number of children aged 0-4 is over 362,000 and more than half of them were born in Turkey.<sup>53</sup> Currently less than 10% of the Syrian refugees are living in the camps, the majority of them are urban refugees.

As per the UNICEF data, Turkey is hosting more than 1.2 million child refugees, making it the top child refugee hosting country in the world. Though nearly half a million Syrian refugee children are currently enrolled in schools, over 40 per cent of children of school-going age – or 380,000 child refugees – are still missing out education. Statistical data reveals that schooling of boys is higher than girls. As of December 2015, while the number of boys enrolled was 223,529, number of enrolled girls was 55,361. In a year time, due to the efforts of the Government of Turkey, the number of boys has reached to 330,981 and number of girls has reached to 160,915.<sup>54</sup> According to Turkish law, basic education is free for all children, including foreigners. But the limited capacity of public schools and language barriers pose serious challenges for the education of refugee children and youth. Temporary Education Centers (TECs), which follow a modified Syrian curriculum and are taught in Arabic, are another option for the children of Syrian refugees. However, some TECs are not accredited by the government due to low quality of teaching and Government has taken steps to address this low quality challenge.

Compared to boys, Syrian refugee girls are facing complex challenges including being more exposed to violence within the home, being encouraged or forced to marry at a young age and experiencing barriers to accessing services such as education and health care. In the case of girls' access to education cultural factors are at force as well. The Report highlights the concerns of parents about the safety of their daughters. As one of the coping strategies they also prefer not to send their children to school.<sup>55</sup> When the children are out of school they are more vulnerable and

<sup>53</sup> Data of DGMM, UNHCR and UNICEF of respective years.

<sup>54</sup> Preparing for the Future of Children and Youth in Syria and the Region through Education: London One Year On, Brussels Conference Education Report, April 2017.

<sup>55</sup> International Rescue Committee, "Are We Listening? Acting on Our Commitments to Women and Girls Affected by the Syrian Conflict", 2014.



at risk of entering the labour market or being forced to early marriage. It is noted that CEFM prior to the Syrian crisis was common in rural areas yet it was uncommon in urban areas. Yet it has become more frequent for Syrian girls since the break of the Syrian crisis.<sup>56</sup>

According to Mavi Kalem's (NGO) report on supporting Syrian girls' schooling both in rural areas and nationwide in Turkey, some of the barriers for schooling are; child work, CEFM, language barrier, teachers' lack of know-how in working with refugees, domestic roles, transport to school, lack of social integration and peer victimization.<sup>57</sup>

### 3.7 RECOMMENDATIONS

#### 3.7.1 RECOMMENDATIONS OF CSO'S

##### Access to education

- Compulsory education should be undivided for 12 years and dropout rates should be followed to support the parents to continue the education of the student.
- Following the dropout rates of girls from school is a very significant data to have an insight for early marriages. Therefore, school administrations especially with high dropout rates need to be trained about (1) how to peruse the families of these girls and (2) how to inform the related authorities about the risk of CEFM's.
- As the risk of drop out for the girl children of poor families living in rural areas is very high, policies and solutions addressing to them should be developed.
- Free and compulsory early childhood education, which has the potential to decrease the inequality between children, should be provided to all children. Thus, relieving women and older sisters of the burden of childcare.
- Policies ensuring equal access and affordable education should be developed in close consultation with CSO's, academia and trade unions active in education and monitoring of the compulsory education should be done systematically in close partnership with them.
- Support initiatives to increase girls' physical accessibility to school. Build schools in remote and rural areas. Provide safe and affordable transportation to school by working with education, transport and infrastructure sectors.
- Dormitories should be assessed from gender equality perspective and improvements should be done as per the findings.
- The State should provide data related to the multi-dimensional discrimination experienced by women and girls, whose mother language is not Turkish, in relation to access to education and educational attainment, as well as developing policies towards eliminating the obstacles.

##### **Gender sensitive education policies**

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<sup>56</sup>UNHCR, Protection of Refugee Children in the Middle East and North Africa, 2014, available at: <https://data.unhcr.org/syrianrefugees/download.php?id=7325> accessed 16.7.2015; see also Dorman, Stephanie, Educational Needs Assessment for Urban Syrian Refugees in Turkey, Duke University Felsman Fellow at YUVA Association.

<sup>57</sup>Yerelden Genele Suriyeli Kız Çocuklarının Okullaşmasını Desteklemek, <http://www.mavikalem.org/wp-content/uploads/2017/10/Yerelden-Genele-Suriyeli-K%C4%B1z-%C3%87ocuklar%C4%B1n%C4%B1n-Okulla%C5%9Fmasını-C4%B1-Raporu.pdf>



- Develop and implement gender-responsive education plans which target and prioritise girls at risk of CEFM and married girls.
- Education policies minimizing the gap between girls and boys in vocational training should be adopted.
- Quotas for the girl students should be defined in the male-dominated fields of engineering, ICTs and similar. Career coaching at the high school education level.
- End discriminatory policies and practice of excluding pregnant girls or married girls from school. Offer flexible schedules, provide childcare and change the attitudes of teachers and parents through community dialogue.
- Include gender equality education, comprehensive sexual and reproductive health education in school curricula at every level of education, including life-long learning and in-service training. It should explicitly address women's rights and gender inequality.

Comment of the Editor:

- School textbooks and curriculum require an in-depth review and revisions needs to be implemented to the curriculum and textbooks. A research on gender sensitive curriculum with the coordination of NGO's with the funding and expertise of EUD consultants for know-how transfer is needed. This research also should include vocational education and Imam Hatip schools documents.

### **Measurements for improvement**

- Develop strong recruitment and retention strategies for teachers, particularly female teachers, and invest in teacher training.
- Public officers should be enjoined about GBV.
- Religious courses (Kuran Kursu) should be taken under control and monitored.
- Women's participation to lifelong learning policies and parent training should be promoted and supported. It is crucial to have longer education to prevent early marriage.
- Barriers to lifelong learning should be removed. Adapting and upgrading the skills and competences of those already in the labour market would also create a significant momentum.
- The Multi-Purpose Community Centers, which provide women with legal literacy and women's human rights education, should be reopened.
- Awareness raising programs on gender equality for the teachers, medium and senior-level managers should be delivered to all without exception.
- All of the teachers working in educational institutions should be provided with gender equality awareness training and girls should not be lead to choose occupations which are extensions of traditional gender roles. The MoNE needs to develop action plans encompassing all of the disadvantaged groups such as the disabled and LGBTI, publish the education indicators revealing the students who need special education regularly and cooperate with the other ministries in order to ensure that all levels and types of schools are accessible.
- Sustainable training programs should be provided for women, who live in rural areas and especially work on agricultural production techniques and the preservation of the natural environment. These activities should be predominantly provided through the agricultural

development cooperatives run by women and women's NGOs. These activities should be planned so that rural women can not only access knowledge about the activities and projects available to them, but also participate in the planning of the rural development activities they will take part in.

- The registration of girls in rural areas as citizens should be ensured with priority together with their attendance to formal schools. The MoNE should develop an action plan in cooperation with the Ministry of Food Agriculture and Husbandry to cater for the girls in nomadic agricultural worker families.

Comment of the Editor:

- "Career Opportunities" roadshows with role models may guide girl students at secondary level schools for "so-called man field occupations" before their choice of vocational training and universities. This will also have a positive impact on employment ratios.

## 4 EMPLOYMENT: PARTICIPATION TO LABOUR MARKET AND ACCESS TO OPPORTUNITIES

### 4.1 GENERAL FRAMEWORK

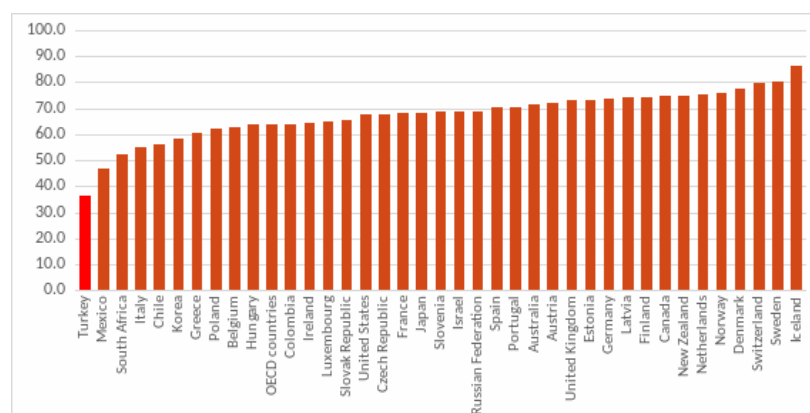
Gender gap and youth unemployment are two crucial challenges that have the potential to cause numerous domestic, regional and global risks, including social exclusion, mass migration and generational clashes over fiscal and labour-market policies. These are defined as not just economic risks but socio-economic risks. On the eve of the recovery from the global crisis, in the World Economic Forum (WEF) talent was referred as the new era in the world order ranges from economy to politics.

By this WEF strongly calls for the integration of women and girls as the beneficiaries and shapers of the development process without which the global community loses out on skills, ideas and perspectives that are critical for addressing global challenges and harnessing new opportunities. The global crisis has shown the importance of inclusiveness of economies without which fragility of the economy increases.

Whilst women make up over half of the population, they do not have equal access to opportunities for formal employment, finance or services. Labour markets and decision making abilities are still divided along gender lines. Women still face significant wage differentials with respect to their male peers and there is still discrimination in the labour market.

In its emphasis on talentism, WEF argues that as the most essential factors for growth & competitiveness talent of the communities and societies needs to be untapped which can be possible by ensuring that everyone has the equal opportunity in accessing services, control over resources and fulfilling their own potentials.

**Figure 7: Labour Force Participation Rate, 2015 OECD Countries (Ages 15-64,%) 2015- 2016**



Source: OECD Statistical Database

The figures reveal that the main source of inequality and gender gap most stems from income differences and that in turn is driven by the low participation of Turkish women in work life. Women's role- or lack thereof- in the economy is highly problematic and lack of participation in

economic activities is preventing Turkey to take full advantage of the dynamic population and the demographic window of opportunity.

## 4.2 LEGAL FRAMEWORK

### General Law and Conventions

- TR Constitution No: 2709, November 1982
- CEDAW, ratified in 1985
- ILO, Convention 111 - Discrimination (Employment and Occupation)

Specific Laws 6111, 6552 and 6663; In order to remove structural, social and other types of obstacles before women's employment, several measures were taken, legislative arrangements were made and incentive and support programs were adopted.

- **Labour Act:** With the amendment of June 10, 2003, no discrimination shall be allowed in the employer-employee relationship on any grounds including sex in terms of human rights.
- There shall not be any direct or indirect unfair treatment based on gender or pregnancy in hiring, implementation or termination of an employment contract.
- It is prohibited to pay employees of one sex a wage rate that is lower than the rate paid to employees of the opposite sex for works substantially equal.
- Sex, marital status and family responsibilities, pregnancy and maternity leave shall not constitute a valid reason for termination of the employment contract.
- In case of a sexual harassment at work and there is no adequate measures taken although the employer is informed, the employee is entitled to terminate the employment contract any time for just cause.

**Law No. 6111 on Social Security** dated 25 February 2011 stipulates: a/ During their employment women are entitled to sixteen weeks of leave in total, as eight weeks for giving birth and as eight weeks for afterwards. b/ In the case of multiple pregnancies, another two weeks are added to this period of leave before giving birth. c/ If in case of preterm birth, the leave that cannot be used before birth is added to the period of leave afterwards. The law also provides as positive discrimination to provide new employment opportunities to women and features that when women, older than 18 years of age, are employed, insurance premiums will be covered from the employer shares of Unemployment Insurance Fund for a period of 12 and 54 months depending on certain conditions. Laws also introduced other provisions as well for improvement of business life of women.

- **Income Tax Law:** With the amendment of 2007, it is established that the incomes generated as a result of the sale of products, produced in household by women, in fairs, exhibitions and state-owned places shall be exempted from tax. The changes introduced by Law No. 6663 on Income Tax that entered into force on 10 February 2016 are as follows: The period of time spent by government officials for the unpaid maternity leaves will be assessed in staging. With the regulation made on the condition that the new-born survives, following the maternity leave, the opportunity of paid half-time work is introduced; for the first child till 2 months, for the second child till 4 months and for the third child till 6 months. One month to these periods are added in multiple pregnancies. In case the children with disabilities, the employee is entitled to a paid work part-time for 12 months.

- **Labour Law**  
 Art. 5 (regarding gender discrimination)  
 Art. 5 (regarding equal pay)  
 Art. 72 and 85 (regarding profession excluded for women)  
 Art. 73 (regarding house of work prohibited)  
 Unpaid family workers: Not covered by social security  
 Maternity leave: 16 weeks (67% salary)  
 Childcare service: Regulation on working conditions of pregnant and nursing women (2004-2018)  
 Art. 105 of the Penal Code (regarding sexual harassment)  
 With Law No. 6552, the scope of birth in-depth, which was applicable for two children previously, is broadened.
- **Law No. 4956** The Law abrogated the condition of being the head of the family for women farmers, who are engaged in agricultural activities on their behalf and account, to benefit from insurance coverage.

### **Selected Regulations Regarding the Reconciliation of Work and Family Life**

Law 657 on Civil Servants and Law 4857 on labour were revised with the goal of increasing the numbers of women in the workforce through strategies to help balance work and family life. The discrepancies between standards for female workers and civil servants (such as over the duration of paid maternity leave) were removed.

The strengthening of the legal framework with regard to more flexible jobs (such as on-call positions or telecommuting) was achieved with the amendments of Articles 3 and 14 of Law 4857. In addition, the government and industry leaders agreed to increase the number of child care centres in organized industrial zones to better support working mothers.

The government also initiated a plan called the “Operation on Promoting Women’s Employment” (2011 – 2013).

- Women workers and women civil servants can use maternity leave for sixteen weeks in total (eight weeks before the birth and eight weeks after the birth).
- Women can work as a paid part-time employee up to 2 months for the first child, 4 months for the second child and 6 months for third and others, on the condition that the child survives. In the event of multiple births, women may use one additional month. In the event of disabled childbirth, women may work as a paid part-time employee for 12 months.
- In the event of premature births, civil servant women shall extend their maternity leave corresponding to the period of premature birth.
- In the event of adoption, parents benefit from maternity leaves partially.
- In the event of the spouse of a civil servant gives birth, the civil servant may enjoy a paternity leave for ten days.
- A worker whose spouse gives birth can be on paternity leave for five days.

- The civil servant mother can have 3-hours breastfeeding leave per day for the first six months after the end of maternity leave; and 1.5 hours a day for the subsequent six months. A total of 1.5 hours breastfeeding leave per day is given to women workers for breastfeeding their children below 1 years of age.
- Workplaces employing more than 150 female employees are obliged to provide breastfeeding rooms and crèche services regardless of the marital status of the women.
- There will be no sex-based discrimination in public service recruitment except for the requirements of the services necessitate the otherwise.

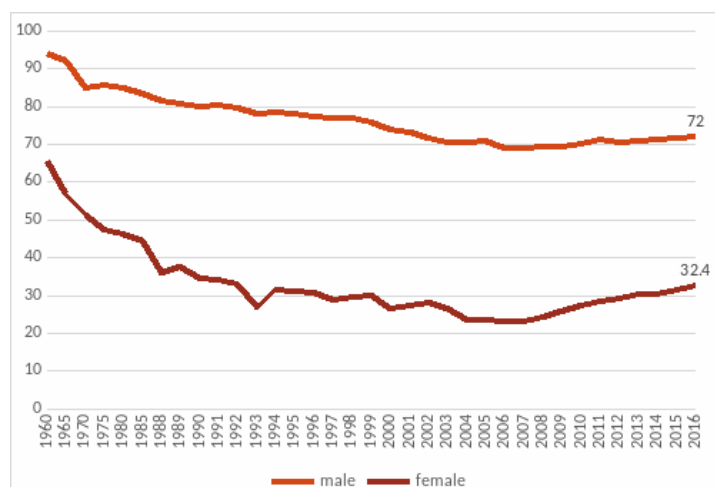
There is not any gender discrimination in the laws related to the entry of women in the labour force and maintaining their jobs after the entry. However, some discrimination examples are encountered such as the social disapproval of some particular occupations and jobs as suitable for women, the unfairness in distribution of roles, the immediate dismissal of women in economic crisis periods, the salaries being low especially in informal sectors.

### 4.3 SITUATION IN TURKEY

As per the Global Gender Gap 2017 rankings<sup>58</sup>, Turkey is 128th out of 144 countries in economic participation and opportunity. Though Turkey is the 17th biggest economy of the world, it is among the lowest ranks of the G20 group. Moreover, Turkey is the only country in Europe with an employment rate among women lower than 30%.

The rate of **employment** among women in Turkey is still low, around **29,1%**, while participation to **labour force** is **34.3%** as of March 2018. Number of total employed women is 8.2 million. 43.7% in the service sector, 41.7% in agriculture and 14.6% in industry. According to the data of TURKSTAT 2015, there are 19,8 million women in Turkey who have not participated to labour force. Therefore, the target is to have 3 million women to be included to labour force reaching 41% by 2023.<sup>59</sup>

**Figure 8: Labour Force Participation Rates, Turkey 1960-2016 (% , Ages 15+)**



<sup>58</sup> World Economic Forum, <https://www.weforum.org/reports/the-global-gender-gap-report-2017>

<sup>59</sup> Türkiye’de Kadınların İşgücüne Katılımı, KSGM, 2017

Source: World Bank, WDI, 2017

With this current participation ratio, Turkey has the lowest female labour force participation rate of OECD countries whose average is 63%.

## Correlation of Education and Employment

Parameters clearly highlight the disparities experienced by women and men. Proportion of the young women unemployed and education is nearly two-and-half times more than young men: 33.7% to 14.1%.<sup>60</sup>

**Table 12: Gender Differences in Labour Market**

	Labour force participation rate (%)		Employment Rate (%)		Unemployment Rate (%)	
	Female	Male	Female	Male	Female	Male
<i>Illiterate</i>	15.2	30.4	14.7	26.8	3.2	11.8
<i>Less than high school</i>	27.2	68.9	24.2	62.1	11.0	9.8
<i>High school</i>	33.7	71.2	26.6	63.7	21.1	10.5
<i>Vocational high school</i>	41.4	81.6	32.9	74.5	20.6	8.7
<i>Higher education</i>	71.3	86.4	59.3	78.8	16.9	8.8

Source: TURKSTAT, 2016

In all education categories except the illiterate and individuals less than high school, unemployment rate is more than twice that of men. Unemployment rate is higher for women who have vocational school degrees, which indicate that the demand for these skill sets are limited for women. The unemployment rate for women with tertiary education is also significantly high in Turkey.

Out of this, high-skilled share of labour force is higher in favour of men, an indicator hints the women's disadvantaged position in accessing opportunities for specialization and skills-building as labour force. Proportion of women as part-time workers and unemployed labour force is higher than men: while proportion of part time employed female workers is 25.7%, this is 12.6% for male workers.

Considering women's labour force participation rates by educational backgrounds, women graduates of higher education come to the forefront by 71,3%. They are followed by the

<sup>60</sup> WEF, Global Gender Gap, 2017

graduates of vocational and technical high schools (by 41,4%) and the graduates of high school (33,7%).<sup>61</sup>

As the education levels of women increase, their opportunities to participate in the labour force increases. In this respect, in addition to formal education, there is a need for informal education for developing knowledge and skills.

### **Informal Employment**

Although many activities have been carried out to promote women's employment, informal employment continues to be a challenge to be addressed. While the rate of women working without being registered to social security institution for their actual jobs had been 64,9% in 2005; the same rate fell down to 44,3% at the end of 2016 which is still very high.

The National Employment Strategy (2014-2023) which sets the target of increasing the women's participation ratio of the labour force to 41% also targets to decrease the rate of informal employment to 30% in 2023.<sup>62</sup>

### **Women as Job Seekers**

Proportion of discouraged job seekers is higher in male labour force (57.7%) than the women labour force (42.3%), an indicator that can be interpreted as the resilience of the women. Higher proportion of the values of women in other sub-parameters underlines women's unpaid labour force features and participation to precarious employment in the form of family workers along with longer working hours. As per the parameters, women's contribution as family workers is much higher than men: 26.4% to 4.6%. While the proportion of unpaid work per day is 75.3% for women, this reduces to 24.4% for men-a three-fold difference among gender. Women as labour force works 500.3 minutes per day as opposed to 476.7 minutes of men.

### **Occupations by Gender**

Women labour force is concentrated in industrial fields which are labour-intense occupations and cheap labor force such as textile, food, garment industry and tobacco industry. However, female employment in these sectors is low compared to the agriculture sector.

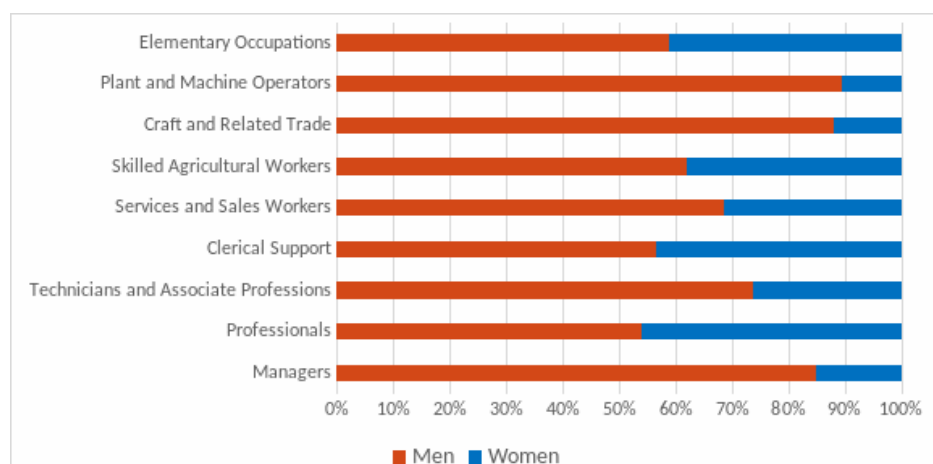
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<sup>61</sup> Women in Turkey Report, 2017

<sup>62</sup> G20 Employment Plan 2014 – Turkey. [http://g20.org.tr/wpcontent/uploads/2014/12/g20\\_employment\\_plan\\_turkey.pdf](http://g20.org.tr/wpcontent/uploads/2014/12/g20_employment_plan_turkey.pdf)



**Figure 9: ISCO-08 Occupations by Gender, 2016 (% of total working population)**



Source: TURKSTAT, 2016

#### 4.3.1 WOMEN ENTREPRENEURS

The number of women business owners worldwide is 392 million and for every 100 male business owners around the world, there are only 69 female business owners. According to the “gender parity” research of McKinsey, if we could have reached gender equality by now, there would have been a 28 trillion dollar increase in the global GDP. Women entrepreneurs constitute 29% of entrepreneurs (11.6 million) in Europe. In the last ten years, there has been a slight increase of 3% of women entrepreneurs in the EU.

In Turkey, 75% of women entrepreneurs established their business in 2000 and following years. Ratio of women entrepreneurs, which was 4.5% in 2004, became 8,6% in August 2018. Among 1.5 million companies that are registered with The Union of Chambers and Commodity Exchanges in Turkey; more than 120,000 of them are owned by women.<sup>63</sup>

Research shows that 82% of women entrepreneurs are operating in the service sector, 40% of in commerce and sales, and 70% of them own micro enterprises.<sup>64</sup>

There are 3.9 million SME’s in Turkey, 99% of the privately owned companies are small and medium sized enterprises. Women entrepreneurs promise a significant potential for SME’s. Only 25% of all firms in Turkey (SMEs and other) have female participation in ownership and only

<sup>63</sup> The Union of Chambers and Commodity Exchanges in Turkey, business women in Turkey March 2018

<sup>64</sup> Daily Sabah, March 1 106

0.3% has majority female ownership. Among SMEs, only 26% are partially owned by women, 16% are majority-owned by women and only 10% of SMEs equity is held by women. The World Bank estimates that Turkey's gross national income could increase by 22% if the gender gap in legally documented economic participation was closed. 15% Women-owned businesses have access to finance, representing a credit gap of \$4 billion. They also have 23% less access to technology than men-owned firms. All this limits women's entrepreneurial potential and prospects for contributing to economic growth.

There is big untapped potential for economic growth and economic development, for this reason, there are NGO's focusing on the empowerment of women through entrepreneurship, namely, KAGIDER (Women Entrepreneurs Association). Even though, there are specific support for women entrepreneurs, they still have problems in reaching financial support and network besides the cultural barriers. The programs that support women entrepreneurs to meet with new markets, and solve the financial problems are key elements for upraising this untapped potential in economy.

### 4.3.2 WOMEN IN AGRICULTURE

The values of the above tables shed light on an important risk and vulnerability of the economy that is high proportion of informal activities. Women as the unpaid labour force of the family are mainly absorbed in the agriculture sector. As per the data of Turkish Statistical Institute, in 2016, the number of female unpaid workers was about 1.8 million which declines to about 519000 unpaid male workers. The rate of informal employment was 94.3% for women in agricultural activities whereas it was 24.2% for women in non-agricultural activities. It points to the facts that informal employment concentrates rather on those in agricultural activities, particularly on unpaid family workers. Men comprised 22% of the unpaid family workers engaged in agricultural activities informally while women made up 78% of the same group in 2016.

Women as the unpaid labour force of the family are mainly absorbed in the agriculture sector.

*Facts in 2016???:*

- 2.678.000 women are working in agriculture (46.5%).
- 2.2 million Women working in agriculture are not paid.
- The number of women employers is 2000.
- The number of paid female workers is 248.000.
- 268.000 women are self-employed.
- The rate of black economy in agriculture is 50% for women.
- 95.3% of unpaid family workers are subjected to black economy.

Women in the agriculture sector, cannot enter into the social security system, although there is not any legal hindrance; since they mostly work as unpaid family workers and thus cannot generate income or generate little income.

### 4.3.3 WAGES GAP

Sub-parameters of the ranking reveal the huge disparity with regards to participation to labour market, earnings and qualifications as labour force. Ranking cannot provide figures in relation to wage equality for similar work:

**Table 13: Gender Equality in Wages**

<i>Parameter</i>	<i>Rank</i>	<i>Female</i>	<i>Male</i>	<i>F/M</i>
Economic participation and opportunity	128			
Labour force participation	131	33.6	76.6	0.44
Wage equality for similar work (survey)	94	?	?	0.59
Estimated earned income (PPP, USD)	122	14,917	33,867	0.44
Professional and technical workers	104	39	61	0.64

Source: UNWomen, 2016

Data from France, Germany, Sweden and Turkey suggest that women earn between 31 and 75 per cent less than men over their lifetimes. The gender gap in lifetime income is likely to be especially wide in countries such as Turkey, where women's labour force participation is low, and in developing countries where social protection coverage is very limited.<sup>65</sup>

According to the study *Industry-Level Female-Male Wage Gap in Turkey* by Murat Anıl Mercan and Mesut Karaka, the education and tenure are control variables in the analysis of wages gap between man and woman. Education has a greater benefit on men's wages than on women's wages. On the other hand, tenure seems to provide higher wages to women compared to men because women generally do not continue to work after maternity leave. If women continue to work, they are generally promoted more easily compared to men regarding their commitment to success.

Female wage differentials are relatively high and negative in the human health activities, education activities, and financial service activities (except insurance and pension funding). The wages in these sectors seem to be prone to gender discrimination.<sup>66</sup>

Due to social approval of some jobs and occupations as "women jobs" and "men jobs" in the labour market, women employment is concentrated on the traditional women jobs, and women agree to work in lower status and income jobs. This brings about short time and temporary employment, and social insecurity.

#### **4.3.4 SOCIAL PROTECTION POLICIES AND ITS IMPACT ON WOMEN**

As per the 2016 social protection statistics of Turkey<sup>67</sup> 334 billion 751 million TL was spent for social protection, which represents 12.8% of GDP. Contributions of the Government comprised 40.7% of this total. The rest is provided from employers, 27.7%, and contributions of the people benefitting from protection schemes, 26.5%. Though Turkey's social protection expenditure is on rise since 1980s with regards to its share in its GDP still she is among the lowest within OECD after Korea. OECD average for social protection is 22%.<sup>68</sup>

<sup>65</sup> UN Women, [http://Progress.Unwomen.Org/En/2015/Pdf/Unw\\_Progressreport.Pdf](http://Progress.Unwomen.Org/En/2015/Pdf/Unw_Progressreport.Pdf)

<sup>66</sup> Bilig, <http://bilig.yesevi.edu.tr/yonetim/icerik/makaleler/309-published.pdf>

<sup>67</sup> Turkstat, 2016 Statistics

<sup>68</sup> OECD Stat <https://stats.oecd.org/>

Statistical data shows that the highest unit within social protection expenditure is on pensions with 162 billion 140 million TL (6.2%) followed by those related to the health care expenses with 91 billion 318 million TL (3.5%).

**Table 14: Expenditures on social protection, as% of GDP, 2015, 2016<sup>69</sup>**

	(%)	
	2015 <sup>(r)</sup>	2016
Total social protection expenditure	<b>12.0</b>	<b>12.8</b>
Administration costs and other expenditure	0.2	0.2
Total social protection benefits	<b>11.8</b>	<b>12.6</b>
Sickness/health care	3.4	3.5
Disability	0.4	0.5
Old age	5.7	6.2
Survivors	1.4	1.5
Family/children	0.4	0.4
Unemployment	0.2	0.3
Social exclusion n.e.c.	0.2	0.2

Figures in the table may not add up to totals due to the roundings.

(r) 2015 data have been revised due to the update of the administrative registrations and GDP.

Source: [TURKSTAT](#), *Social Protection Statistics, 2016*

Difficulties of women in accessing these programs are on two main axis: when the women are employed, they generally earn less than men, are more likely to work in the informal economy or be in casual, temporary or part-time employment and much of the work undertaken by women such as housework, care of children and other dependents is not formally recognized as such and therefore renders them ineligible to participate in social protection programs. Worldwide, women experience greater difficulty than men in accessing essential social services including health-care and education.<sup>70</sup>

#### **4.4 POLICIES, INCENTIVES AND IMPLEMENTATIONS OF GOVERNMENT<sup>71</sup>**

Policies to increase the employment of women in Turkey are mainly designed to address the gap in the social protection schemes with an effort to increase the child care services and other support mechanisms for the women.

**Turkish Employment Agency (İŞKUR)** is another key public organization to promote women's participation to labour market. In the scope of İŞKUR led Active Labour Force Services, the following programmes: On-the-job Training Programs, Entrepreneurship Training Programs and Vocational Training Courses have been implemented to create employment opportunities.

<sup>69</sup> Turkstat, <http://www.turkstat.gov.tr/PreHaberBultenleri.do?id=24575>

<sup>70</sup> ILO Social Protection Hub

<sup>71</sup> Data is taken from the Ministry of Family and Social Policies Report of Women in Turkey, 2018.

Women constitute the top beneficiary group of active labour force programs organised by ISKUR. A total of 508.851 people participated in the courses and programs organised in 2017 out of which 279.508 were women. This comprises 55% of the total participants. The same proportional feature is also valid for the vocational training programs. As of 2017, 117.580 people participated to these programs out of which 81.819, nearly 70% are women. In the scope of on-the-job training programs which enable registered unemployed people's gaining experience by practice at the workplaces, 51% of the trainees were women in 2017: out of 297.255 people participated to these programs 151.388 were women. In 2017, 94.016 people participated to entrepreneurship programs and nearly 49% (46.301) of the participants were women.

Different policies and initiatives of the Government and ISKUR to increase employment of women covering a broad scope are summarized below:

#### **4.4.1 SOCIAL SUPPORT FOR FAMILY CARE**

According to Address Based Population Registration System (ABPRS) results, the total age dependency ratio, which is defined as the number of persons aged 0-14 and 65 and over for every 100 persons in the working age at 15-64 age group, was 47.2% in 2017. The child dependency ratio, which indicates the number of children in the 0-14 age group per 100 persons at 15-64 age groups, was 34.7%.

According to the population projections, it was foreseen that the child dependency ratio will decrease to 33.5% in 2023, 28.7% in 2050 and 26.7% in 2080. This indicates a significant need for family care support system in Turkey.

In order to solve these limitations, KAGIDER and Mother Child Education Foundation (ACEV) started to work in 2010 on day care services public finance model and they succeeded in introducing it to the state plan in 2011. As of then, the day care service support, which is the subject of lobbying against media and policy makers, was discussed at the related commission meeting on 13 February 2018, within the scope of the Draft Law No.553 on the Amendment of Tax Laws and Some Others and Statutory Decrees", also known as "Omnibus Law".

The program proposes a minimum of TL300 monthly subsidy (per child) to be provided for all employees with children ages 1-5 to be used towards childcare and education expenses (the amount would be adjusted proportionally for part-time employees). This program has been introduced but has not been applied yet. Moreover, this new subsidy covers only the Women workers but it needs to be applied for any parent.

In addition, as an alternative to direct cash payments, child care benefits can be offered in the form of tax incentives, where costs would be subsidized by exemptions on Social Security and Income taxes for the contributions of both employers and employees. Such arrangement would allow the parents, employers and the government to jointly bear the costs of childcare, establishing a more comprehensive, sustainable scheme.

The program is realized with the "Omnibus Law", enacted in TBMM. In that law, a paragraph is added to the first paragraph of Article 23 of the Law No. 193. According to this, taxpayers or corporate taxpayers, who provide nursery and day care services at work places, are rewarded with tax exclusion that is not exceeding 15% of the monthly gross salary of the subsistence wage and the Cabinet is authorized to upgrade it to 50%.

In addition, a pilot initiative of the MoFLSS with the Ministry of Science, Industry and Technology, and Borusan Holding entitled "*Mom's Job, My Future*" aims at establishing child care units within the Organized Industrial Zones (OIZs). This initiative is in full conformity with one of the priorities of the Turkish Industrial Strategy Paper and Action Plan (2015-2018) that aim at increasing women's employment in industry.

Another pilot initiative to this end and designed to support families is shaped by MoFLSS and the Ministry of Labour and Social Security by providing financial benefit to grandmothers to care their grandchildren aged 0-3. Upon the assessment of the evaluation data on the progress of the pilot initiative its scale up as a policy response will be assessed.

#### **4.4.2 SOCIAL PROTECTION**

Turkey has put into effect series of minor and major reforms since 1999 in relation to social protection. In 2005, the Government expanded and enhanced Turkey's flagship Universal Health Insurance program, which was Turkey's largest targeted social assistance program up to that time. In addition, a number of new social assistance programs were developed, including the provision of coal and food and a Conditional Cash Transfer program for education and health. Education programs were implemented in order to facilitate access to basic education, including free textbooks and school lunches and transport and shelter subsidies. In 2005, the Turkish Disability Act was adopted, which led to a substantial increase in the disability pensions provided under Law 2022.

Housing programs were implemented in 2006 and 2009. New programs providing cash transfers for widows and for families of soldiers conducting compulsory military service were implemented in 2012 and 2013, respectively. Establishment of the Ministry of Family and Social Policies in 2011 enabled a more efficient management and implementation of social protection programs.

Turkey's Integrated Social Assistance Service Information System (ISAS) is an e-government system that electronically facilitates steps related to the management of social assistance, including the application, assessment of eligibility requirements, disbursement of funds, and auditing.

#### **4.5 SOCIAL AND CULTURAL FACTORS AND CONSTRAINTS**

The participation of women to work life needs a holistic approach with access to education, equity pay to equity work and supportive social support for family care. Important factors which exacerbate the low female participation rate are:

- Limited access to childcare and elderly care facilities especially for women with low-skills
- Conservative view on women's role at home and in economic life which can even lead to economic violence
- Difficulty in transportation to work
- Skill mismatching with the needs

Regardless of education or socio-economic status women spend more time than men in home. As per the OECD data, while men spend 71 minutes on average for house work, women spend 173 minutes on average. Turkey is among countries of high disproportion as women spend 261 and men spend 21 minutes to house work. This also explained longer hours of rest and sleep for men compared to women. KEIG research<sup>72</sup> reveals that after marriage women's unpaid labour burden is increasing 49% while men are decreasing 38%. This also results the termination of women from labour force after the marriage.

Also, the legislation has a specific condition for entitling to severance pay, which is the marriage for female employees. Newly married women have the right to terminate the employment contract due to marriage and request severance payment.

Although Labour Law No.1475 has been abolished and replaced by Labour Law No.4857; article 14 of Labour Act no. 1475, which regulates severance pay, is still valid and reads as follows: "... Or in the case that the woman dissolves the contracts voluntarily within a year beginning from the date of marriage a severance pay equal to 30-day salary shall be paid to the employee by the employer for each full year which has passed during the period of the service contract beginning from the starting date of employment. For periods exceeding one year, the payment shall be made on the basis of the same proportion."

This is another factor of terminating labour force after marriage. Therefore, it has a negative impact on equal participation

The Women in Business World Report 2018, published by the Confederation of Turkish Enterprises and Business Unions highlight that the number of marriages and the number of spouses that left work decreased by half from 2007 to 2015. In 2007, 1,800,000 women left their jobs at the request of their husbands, and this number dropped to 588,000 in 2015. This is an example of the empowerment of women about their own life and economic freedom<sup>73</sup>.

#### 4.5.1 LIMITED FAMILY CARE

Domestic responsibilities are diagnosed as an important factor for limiting women's participation to labour market. Women with low level of education and limited skills increase labour market insecurity. Women with higher education degrees on average have more economic freedom and are able to afford childcare while women with medium or low skills likely face lower pay and informal employment cannot rely on this support.

<sup>72</sup> Keig, [http://www.keig.org/wp-content/uploads/2016/03/policy\\_report\\_2014\\_ENG-1.pdf](http://www.keig.org/wp-content/uploads/2016/03/policy_report_2014_ENG-1.pdf)

<sup>73</sup> The Women in Business World Report, TÜRKONFED



TURKSTAT's statistics also show that an overwhelmingly large proportion of inactive women suggest that household responsibilities, which include child and elderly care, are the main reason why they do not participate in the labour force. As of 2015, 57% (representing 1.12 million,) of women reported that home related tasks are the reason why they stay out of the labour market while 7% reported that they lost their hopes to find a job. High day-care prices and the quality of the day-cares block their way in joining the workforce. These expenses could be included with the Social Security Institution [SGK] coverage, as it is in many developed countries.

In addressing care related services, the Government of Turkey has launched new policies such as an eighteen-week maternity leave, a flexible part-time working model and establishment of day care centres at the workplace to permit women to work while starting families. As it will be discussed under social protection heading, as the data reveals, the scope and coverage needs to be repeated. Currently, there are around 4 million children between the ages of 0-6, and capacity of the existing centres is for 126.000 children. To reach the OECD average, approximately 42,388 new child care facilities would be needed.

#### **4.5.2 LIMITATIONS OF WOMEN ENTREPRENEURS**

KAGİDER lists the challenges faced by women entrepreneurs in Turkey as follows:

1. Limited access to finance (reliance on savings, inheritance and informal loans), limited access to collateral (only 7% of collateral is held by women).
2. Limited access to markets, clients, buyers, supply and distribution chains, poor integration into business networks to access market information and business opportunities.
3. Skill gap due to low female labour participation, discouraging social attitudes toward female entrepreneurship, lack of role models, insufficient support system so that women conciliate work with family care.

Limited access to credit is another challenge, due to lack of owned property by women and the bureaucracy involved in the process of request a credit.

Women's entrepreneurship in Turkey is significantly concentrated a middle and upper class women who as a result of their class privilege have greater choice and agency in the access to and control over resources. Women may have access to a credit, but not necessarily the business. There are also concerns about the fact that men may get their daughters or wives to apply for credit, but without involving them in business decisions or activities. According to the Union of Chambers and Commodity Exchanges of Turkey (TOBB), "there are many examples in which women get the credit and men do the business. There are also women who are made to sign the papers for credit by their husbands but they are not aware of what they are signing for. This is why it is necessary that women get training for financial literacy.

#### **4.5.3 TRANSPORT CHALLENGES**

Reduced mobility lowers women's access to education, work, services and participation in community and societal activities. While there may be no specific restrictions on women's movement in the countries' constitutions, women's freedom of movement across the region is



reduced due to various factors including lack of safety, affordable and poor public transportation. In the main cities, factories or large companies provide special bus services for their employees, and the firms located on the outskirts of the city arrange their own means of transportation for their workers.

Sexual harassment on public transportation is a common limitation for women. The first nationwide campaign against the sexual harassment of women on public transportation was called the “purple needle campaign”. Women carried needles to use against those who assaulted them in buses or other means of public transportation. Recently Istanbul’s Feminist Collective started a campaign for manspreading under the social media with hashtags “Do not over spread your legs, Do not occupy my space, Do not harass me”, designed to send the message that men occupy more space on public transport, making women feel unsafe as a result of their behaviour.<sup>74</sup>

The authorities of the city of Malatya put into service pink women-only buses designed to protect female passengers from harassment. Also, two “pink” tram buses, designed for use only by women, were brought into service on September 2017.<sup>75</sup> Drivers of these tram buses were also women. The new transportation stirred the debate among the locals as well as across Turkey over “gender apartheid.”

#### 4.5.4 SOCIAL SUPPORT FOR WORK LIFE

Social Security Hotline “ALO 170” operates 7 days 24 hours to provide prompt information and effective solutions to every question, suggestion, criticism, report, complaint, application and request about work life and social security offered by the Ministry of Labour and Social Security, Social Security Institution and the Turkish Employment Agency. All the incoming calls to the Communication Center are directly answered by the experts, and the requests are tried to be responded during the first call. In the event of no urgent answer is provided, institutions and agencies are requested to answer within 72 hours latest.

Women’s increased participation to labour market is among the most important levers for the GDP growth of the country. If Turkey attains the OECD average of 63% it is estimated that 200-250 billion USD GDP could be created. By this, share of GDP created by women could increase to 35-37%.<sup>76</sup>

KAGIDER indicates that strategies supporting women’s empowerment can contribute to women’s ability to formulate and advocate their own visions for their society – including interpretations and changes to cultural and gender norms. Empowerment is about people – both women and men – taking control of their lives: setting their own agendas, gaining skills, building self-confidence, solving problems, and developing self-reliance. Only women can empower themselves to make choices or speak out on their own behalf. However, institutions, including

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<sup>74</sup> Kadinvejadin, [http://www.kadinvejadin.net/erkeklerin\\_toplu\\_ulasimda\\_rahatini\\_bozacak\\_hareket.html](http://www.kadinvejadin.net/erkeklerin_toplu_ulasimda_rahatini_bozacak_hareket.html)

<sup>75</sup> Daily News, <http://www.hurriyetdailynews.com/two-women-only-pink-trambuses-brought-into-service-in-turkeys-malatya-118128>

<sup>76</sup> McKinsey Company in cooperation with TÜSIAD, Women Matter TURKEY 2016: Turkey’s Potential for the Future: Women in Business

international cooperation agencies, can support processes that increase women's self-confidence, develop their self-reliance, and help them set their own agendas.

## 4.5 SYRIAN REFUGEE WOMEN AND EMPLOYMENT

While Turkey has been generous in providing emergency care for Syrian refugees since 2011, it now faces the challenges of providing them with certain rights and opportunities that will facilitate their integration into the broader communities, an important means of which is participation to labour market.

Though Syrians were not granted official refugee status, by the Regulation on the Work Permit of Foreigners under Temporary Protection that took effect in January 2016 Syrians were allowed to apply to the Ministry of Labour for work permits six months after their registration. In July 2016 the International Labour Force Law was passed to attract highly skilled workers to protect and increase productivity. Unlike the previous regulations, the law employs a selective policy on the qualifications of immigrants to determine who will enter the Turkish labour market.<sup>77</sup>

An important factor for limited participation of Syrian women to labour market is their low education level, as indicated in Education section. Therefore, informal sector remains the main platform of employment for both Syrian and non-Syrian refugees which pose different challenges including unhealthy, dangerous, and unstable working conditions. Syrian women refugees are mostly employed in the agriculture sector as seasonal workers, domestic and care services, entertainment, sex work, leather and textile industry.<sup>78</sup>

The AFAD research<sup>79</sup> reveals that majority of the Syrian women refugees do not have an occupation. Though it is not an income generating occupation, the most frequent response given was "housewife". Proportion of this response is 49% for the women living in camps and 69% for those out of camps, total of which is 87%. Teaching is the highest proportion among the occupation holders with a 3%. Proportion of women in tailoring, hairdressing, farming and nursing is less than 1%. Owing to this profile, women are more prone to labour-intensive and unqualified jobs majority of which is in the informal sector.

## 4.6 RECOMMENDATIONS

### 4.6.1 RECOMMENDATIONS OF CSO'S

#### **Policies for Women's Participation in Labour Force**

- "The National Employment Strategy and "The Program for Protection of the Family and the Dynamic Demographic Structure" should be revised on the basis of a gender equality

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<sup>77</sup> Directorate General for Internal Policies Policy Department, Economic and Scientific Policy Turkey: Labour Market Integration and Social Inclusion of Refugees, December 2016.

<sup>78</sup> AFAD, Syrian Women in Turkey, 2015 .

<sup>79</sup> [https://www.ilo.org/ankara/projects/WCMS\\_379375/lang--en/index.htm](https://www.ilo.org/ankara/projects/WCMS_379375/lang--en/index.htm)

perspective and inspection and monitoring methods should be determined for their implementation. The legislative and institutional mechanisms which are needed for the conciliation of family and work life should be introduced as the basic component of all national policies which promote women's employment. The law on post-birth parental leave should be adopted so as to ensure that fathers fulfil their responsibilities related to childcare.

- Independent women's organizations, trade and labour unions and professional organizations should be recognized as essential components of the National Employment Strategy. Structured platforms enabling government's interaction and policy dialogue with CSO's, business organizations should be introduced and strengthened to diagnose challenges faced by women in different sectors and develop tailor-made policies.
- Incentives promoting women employment and regional active labour force policies should be harmonized.
- TURKSTAT should develop new modules in order to collect sex/age disaggregated data on in-home services as well as home-based working. Social assistance benefits should be excluded from the employment rates so that real women's employment rates should be determined.
- Home-based workers and in-home workers, who are mostly women, should be taken into the scope of Labour Law No.4857 and they should benefit from the regulations and rights provided by the Law.
- Domestic services which are mostly women's work and which are outside the scope of laws such as the Labour Law No. 4857 and the Law on Occupational Health and Safety No. 6331 etc. should be in the scope of these laws.
- Labour relations in the Labour Code should be defined to include an "engagement process" to eliminate discrimination during the recruitment process.
- Legislation should be developed to ensure that employers rehire any worker who had been fired as a result of discrimination after the Court's decision requiring they do so. In this regard, amendments should be made to Articles No. 5 and No.18 of the Labour Law, the CEDAW Convention should be put into effect and stereotype prejudices and values should not be allowed to influence the decision-making processes.
- Besides, the coordination done by the Supreme Council for Monitoring and Coordination of Women's Employment, auditing and measurement should be done actively. Implementing results should be evaluated and audited continuously by independent monitoring mechanisms.

Comments of the Editor:

- The targeted 35% of women's employment is a very low target comparing to EU's target of 75%. EUD needs to promote Turkey to set much higher target to activate the national mechanism.
- The new presidential system unifies different financial institutes. This restructuring is a very important opportunity to conduct a research for Turkey about the impact of women in work life. This research will aim to set development perspective for gender sensitive policies.

## **Reducing the Family Care Responsibility of Women and Increasing Work-Life Balance**

- 11 million claim that they cannot participate in work life because of house work load. Low cost family care institutions need financial funding and capacity building programmes which can be conducted in regions with high density worker population. Holistic policies including child and old age care services and early childhood education should be universal, accessible and good quality for all women working in the public and private sector.
- Policies harmonizing work-family life and promoting work-life balance should be adopted. Some of the policies that favour women in work life such as flexible working hours after birth retain the employers to hire new graduate women employees.
- Systems those define services and cash transfers on citizenship basis, as in the case of Scandinavian states, promote an enabling environment for women's economic independence and individual well-being.<sup>80</sup>
- It should be accepted that preschool education is under the responsibility of the Government. Government should be providing high quality, accessible, low-cost and state-funded childcare support.
- Educational institutions should be established to cater for the education and care of children between 0-5 years of age and sufficient financial resources should be allocated for this aim.
- In the "Regulation on the Working Conditions of Pregnant or Breastfeeding Women and Breastfeeding Rooms and Child Nursing Homes" the total number of employees should be taken into consideration while determining the employers' obligation to set up dormitories and day-care centers. The ILO Conventions No: 177 and 187, which have been opened for signature to member states, should be signed and the required domestic amendments should be made accordingly.
- The regulation regarding the obligation of breastfeeding rooms and crèche services should be updated to "Workplaces employing more than 150 employees" instead of "Workplaces employing more than 150 female employees".

**Comments of the Editor:**

- "Maternal leave" and "social supports" about child care needs a gender sensitive policy change in governmental policies since the implementation have the risk to make a negative impact in women employment. EUD can lead with "examples of paternal rights" for lobbying a policy shift.

## **Skill Building Activities**

- Incentives and skills-building programs including e-state practices should be developed for the women cooperatives.
- Government should adopt incentives and skills-building policies including digitalization, innovation, social and communication skills those promoting and supporting women entrepreneurship.
- While applying incentives, it should be ensured that women are excluded from the averages while taking into account the scope of the incentive. Incentives can be applied to employment of female staff irrespective of the average.

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<sup>80</sup> Bozçağa, Tuğba, Women and the Welfare State Regime of Turkey, Turkish Policy Quarterly, Volume 11, Number 4; see also UNDP, Social Protection: Towards Gender Equality, 2015.

- Women and girls need to be encouraged to choose STEM areas (science, technology, engineering, arts and mathematics) to widen the opportunities for a digital women entrepreneurship and innovation.
- International organizations such as She Trades and WEConnect may reach a very limited group of women in business life. NGO's that are working with these institutions need to be supported for a lead to new markets.

### **Scale up Projects for Women in Agriculture:**

- Actions should be taken to breach the gender stereotypes which stand in the way of rural women's possession of agricultural land and other valuable assets as well as the implementation of the Law no: 6537 on Preservation and use of the Land.
- A gender sensitive national database should be developed to determine the problems of women working in agriculture.
- The unregistered women in agriculture are a significant segment that needs an urgent Action Plan. Therefore, EUD may support the projects reaching the women in agriculture with one-to-one seminars to explain the need of social security.

### **Gender Responsive Employment:**

- Institutional capacity of the private sector should be enhanced to mainstream gender-responsive policies in the recruitment, training, promotion and retention of women.
- Horizontal and vertical discrimination against women should be eliminated in both employment and appointment to decision making positions in the public and private sectors. Moreover, in order to eliminate the inequality in the wages of men and women caused by vertical discrimination must be eliminated by introducing positive discrimination for women into the Public Servants Law together with a merit-based equal assignment system as well as a job classification system which will prevent the horizontal discrimination through which the wages will be determined.
- Empowerment trainings on gender equality, violence against women, laws and human rights should be mandatorily included in the in-service training seminars carried out in public institutions together with vocational and entrepreneurship trainings provided for women.

### **Amount and Scope of Social Protection:**

- Social protection schemes and the labour market are interdependent institutions. Social and cultural constraints affecting the labour market have also influences on the social protection schemes.
- Coverage of social protection systems should be broadened to all sectors, public and private and should be adapted to new forms of employment and participation to labour market.
- Amount and scope of social assistance to the working women should be increased as the income level of the women/household decreases.

- The current state of affairs concerning a significant part of MoFLSS's budget being allocated for social assistance should be changed and the share of financial resources allocated to general and specialist support services intended for the improvement of the lives of women and children who are subjected to violence and long-term work to eliminate VAWG should be increased.
- The social protection system is mainly composed of pensions and health care. Women's limited participation to labour market is due to low qualified nature of women as labour force, owing to lower education levels, limited participation to skills building programs, employment in informal sector or unpaid agriculture sector. Benefits of women from the social protection system hint that they are disadvantaged compared to men. Social assistance decisions are made by assessing the welfare of the whole household rather than the individual applicant.

## 5 HEALTH SERVICE

### 5.1 GENERAL FRAMEWORK

Access to quality health services fully and equally by the women is defined as a prerequisite for the enjoyment of women's human rights. When access is defined from rights perspective the service composition includes access to information on health, good nutrition and utilization of the health services. This analysis covers women's access to health services, in particular services related to sexual and reproductive health. Fertility rates, maternal morality ratio and infant mortality rate as well as abortion are thematic indicators of this Report.

Turkey has promised the full and equal access of women to the right to health with the international conventions to which she acceded and the international documents she adopted. Article 12 of CEDAW is related to the access to health services. The Article provides for the precautions the State Parties should take in order to ensure the equal access to health services including family planning for both women and men.<sup>81</sup>

One of the 12 critical fields governed by the Beijing Action Platform is "Women and Health". The UN "Millennium Sustainable Development Goals" adopted in 2015, included targets such as "improving maternal health" until 2030, "decreasing maternal and infant mortality", combating HIV/AIDS, measles and other diseases", "providing universal access to sexual and reproductive health services", "encouraging gender equality and empowerment of women" in order for women to have equal rights and opportunities.

Also, the İstanbul Convention deals with the domestic violence against women with regard to health. Article 24 of the Convention on the Rights of the Child regulates the issues that children shall have the best health conditions and all traditional applications harmful to child health shall be abolished.

### 5.2 LEGAL FRAMEWORK

- 27/5/1983 Law No 2827 on Population Planning cites the following on Article 5: "Until the 10th week of abortion, the fetus can be evicted in the case that it would medically not harm the mother." According to this article, public hospitals are entitled to end pregnancies until the week 10 by the request of women. However, during the interviews about the reproductive health women movement express that the majority of hospitals take the government's opinion as reference instead of respecting the laws.<sup>82</sup>

- Article 56 of the Constitution titled "Health Services and Protection of the Environment", states that everyone has the right to live in a healthy and balanced environment; and the state shall regulate the health services in order to achieve this.
- With Article 90 of the Constitution, CEDAW has been rendered superior to national legislation in the event of a conflict:

The "Fundamental Law on Health Services" adopted in 1987 to regulate the basic procedures of health services states that preventive health care services shall be given priority, the

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<sup>81</sup> Women in Turkey Report, 2017

<sup>82</sup> <http://www.milliyet.com.tr/kurtaj-olmak-isteyen-kadinin-/pazar/haberdetay/14.06.2015/2073520/default.htm>

training and monitoring of citizens about protection from diseases, healthy environment, nourishment, maternal and infant health and family planning, and etc. shall be performed in cooperation with the related institutions.

- The Law no. 2827 on Population Planning includes provisions especially on family planning services and intentional miscarriages. The Law on Population Planning is supported by the “Regulation No. 507 on the Training, Duties, Authorities and Responsibilities of the Staff Conducting Population Planning Services”, “Regulation on the Implementation of Population Planning Services”, “Code on the Implementation and Supervision of Uterine Evacuation and Sterilization Services”.
- According to the Statutory Decree no. 663 which regulates the organization of the Ministry of Health, the ministerial Public Health Agency of Turkey is responsible for the development of protective and preventive health services. As part of the Law no. 5258 on Family Medicine which entered into force in 2004, and the Regulation on the Implementation of Family Medicine issued referring to this law, the procedures and principles were determined for the implementation of family medicine and had been implemented all over the country since 2010. After the election in July 2018, the Public Health Agency of Turkey has been merged under the MoH again as the Director General of Public Health
- “The Law no. 5510 on Social Security and General Health Insurance Law” regulate the “maternal status” and “maternal insurance”.
- “The Regulation on the Employment Conditions of Female Employees in Night Shifts” adopted with regard to the Law no. 6331 on Occupational Health and Safety regulates the conditions of female employees in the night shifts who are in pregnancy or maternity. Also, based on the same law “The Regulation on the Employment Conditions of Pregnant or Breastfeeding Women, and Breastfeeding Rooms and Child Care Homes” was issued.

### 5.3 SITUATION IN TURKEY

Turkey ranks as the 59th country in the Global Gender Gap Report of WEF and with this ranking health is the field where gender equality is achieved utmost compared to other parameters. As per the Global Access to Healthcare Report, Turkey is among the top 20 performing countries owing to the reforms realized in the last decade. In the scope of the health care reform programs, in 2003 Turkey achieved universal health coverage and has expanded access to care for the population.

The reform under the name of the Health Transformation Program (HTP) is characterized by significant investment in the hospital sector and the establishment of a family physician system. Expansion of health insurance and improving access and, in the clinical domain, on maternal and child health is the priorities of the reform.

Turkey achieved remarkable gain in life expectancy between 1960 and 2008 with an overall increase in longevity of 25 years. As of 2017, life expectancy at birth is 78 years in Turkey, 75,3 years for men and 80,7 years for women. Typically, women live longer than men and the difference between men’s and women’s life expectancy at birth is 5,4 years.<sup>83</sup>

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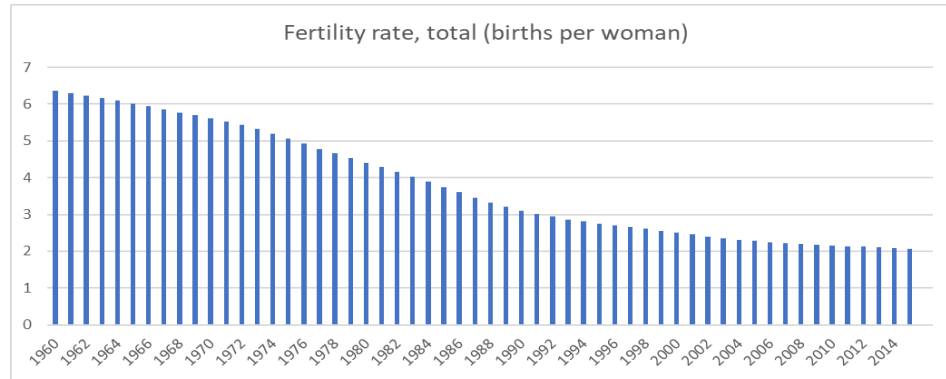
<sup>83</sup> Women in Turkey Report, 2017



### 5.3.1 FERTILITY RATES

Turkey has made progress in improving reproductive health since the 1994 International Conference on Population and Development (ICPD), and population and development targets and strategies are integrated to the national development plans.

**Figure 10: Fertility rates**



Source: World Bank, World Development Indicators (2017)

According to the results of TPHS-2013, the total fertility rate is 2.26. The highest age-specific fertility rate in TPHS-2013 is observed in 25-29 age groups. In the previous surveys the highest age-specific fertility rate was found for 20-24 age groups, in TPHS-2008 for the first time, the age-specific fertility rate was found highest in the 25-29 age groups. This result indicates that the age-specific fertility pattern has changed and births are postponed to older ages in Turkey. According to TUIK data, the total rate of fertility was realised as 2,14 in 2015.

5% of the women in the adolescent age (15-19 age groups) have already got children or are pregnant for their first child. The adolescent pregnancy follows a downward trend as the years pass. While this rate for 1988-1993 period was 10.2% in the TPHS-1993, it decreased to 4.6% in the TPHS-2013 covering the years between 2008 and 2013 (5.9% according to TPHS-2008).

As per the statistical data, the highest total fertility rate was in Şanlıurfa with 4.33 children and the lowest was in Karabük with a rate of 1.46 children. The first 10 provinces with the highest and lowest total fertility rates in 2016 are as follows:

**Table 15: Fertility Rate Differences by Provinces**

(Number of children)			
Highest provinces	Total fertility rate	Lowest provinces	Total fertility rate
Şanlıurfa	4.33	Karabük	1.46
Ağrı	3.69	Edirne	1.48
Siirt	3.46	Kırklareli	1.48
Şırnak	3.45	Zonguldak	1.50
Muş	3.35	Kütahya	1.52
Bitlis	3.29	Eskişehir	1.53
Mardin	3.23	Bartın	1.54
Van	3.18	Çanakkale	1.56
Diyarbakır	3.12	Giresun	1.56
Batman	3.10	Gümüşhane	1.56

Source: TURKSTAT, Birth Statistics 2016

Figures show population growth in rural areas vastly surpassing that in the largely secular cities. While western provinces nearer Europe, such as Edirne, had birth rates as low as 1.5, the south-eastern province of Şanlıurfa, which has a high Kurdish population and half a million Syrian refugees, had a rate nearly three times higher, 4.33.

This regional difference in fertility rates indicates the cultural differences. The decline of fertility rates masks steeper falls in the cities but is coupled with an accelerating birth rate among refugees and rural communities that heralds the potential for major changes in the country's demographics over the next decade.

A National Strategic Plan for Women's Health and Family Planning was developed, which highlights the need to reduce disparities between and within the regions and between different population groups.<sup>84</sup>

Throughout Turkey there is an apparent increase in the use of these services; the proportion of women who have never used any health services during their pregnancies decreased from 38% to 3% between 1993-2013. In the same two decades proportion of delivery at health centers has increased from 60% to 97%.<sup>85</sup>

The use of contraceptive methods among married women increased to around 10% and become steady at a level in which 7 out of 10 married women are using these methods after 2000. Due to effective contraceptive methods, induced abortion rates have decreased substantially: while this proportion is 18% out of 100 in 1990s, this declines to 10% in the second half of 2000s.<sup>86</sup>

According to the results of TPHS-2013, all factors are related to the intentional miscarriages in Turkey. According to the standard procedure to be followed after intentional miscarriage, women are directed towards effective contraceptive methods. However, the findings show that nearly half of women (48%) do not use, deliberately, any post-abortion method.

### **The Shift from Family Planning to Reproductive Health**

<sup>84</sup> Population Association, Current Overview of Turkey's Population, 2016

<sup>85</sup> Ibid

<sup>86</sup> Ibid

Turkey's population, which has expanded at a rate of around 1.3 percent in the last few years resulted a promotion of population increase by the Government. This has caused a shift in policy from family planning to reproductive health.

Therefore, the wording of family planning has been rephrased as reproductive health in the current health system.

This is also emphasized with the speeches of Erdogan, as in his speech in 2016 “People talk about birth control, about family planning. No Muslim family can understand and accept that! "As God and as the great prophet said, we will go this way. And in this respect the first duty belongs to mothers.”<sup>87</sup>

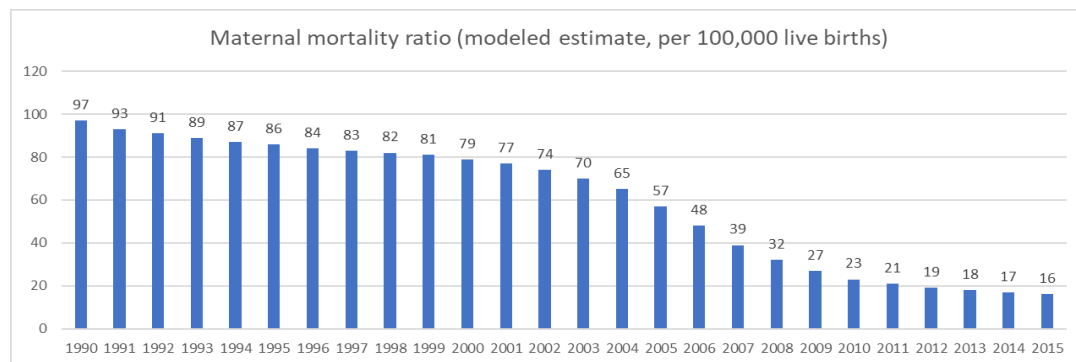
This policy also applies for the Syrian refugees as emphasized with the announcement of MoH.<sup>88</sup>

### 5.3.2 MATERNAL MORTALITY RATIO

Before abortion was legalized in Turkey, unsafe abortion was one of the leading causes of maternal mortality. In 1974, there were 208 maternal deaths for every 100,000 births, and in 2013, this was reduced to 20 maternal deaths for every 100,000 births<sup>89</sup>.

Maternal deaths in Turkey have been monitored since 2007 with the “Maternal Mortality Data System”. The distribution of 2013 data according to NUTS-1 indicates that maternal mortality rates vary from 9.4 per hundred thousand (Eastern Anatolia) to 23.5 per hundred thousand (Aegean). In addition, according to the data from the Ministry of Health, the maternal mortality rate calculated for 2016 is 14.7 per 100,000 (The Ministry of Health, Department of Women’s Reproductive Health).

**Figure 11: Maternal Mortality Ratio**



Source: World Bank, World Development Indicators (2017)

### 5.3.3 INFANT MORTALITY

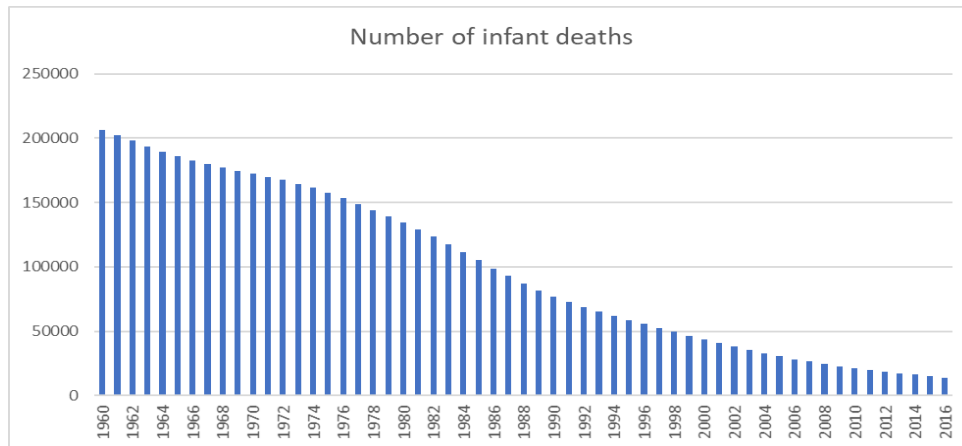
<sup>87</sup>The Telegraph, <https://www.telegraph.co.uk/news/2016/05/30/family-planning-not-for-muslims-says-turkeys-president-erdogan/>

<sup>88</sup>TGRT, <http://www.tgrthaber.com.tr/gundem/saglik-bakanligindan-suriyelilere-aile-planlamasi-destegi-haberine-aciklama-198312>

<sup>89</sup> International Women’s Health Coalition; <https://iwhc.org/2015/02/access-abortion-turkey-no-laughing-matter/>

There is a significant decrease in infant mortality 170,9 out of 100,000 live births in 1960's whereas it is 10,9 in 2016. The decrease rate per year is more than 6% in the last ten years.

**Figure 12: Infant Deaths**



Source: World Bank, World Development Indicators (2017)

#### 5.3.4 ABORTION IN TURKEY

Abortion in Turkey was legalized in 1983 to reduce the high number of women dying from unsafe, self-induced terminations. In 2016, there have been 1,309,771 live births and 43,428 abortions reported which are 3,21%.<sup>90</sup> According to the Turkish Doctors Union Women's Health Branch, only 2% of pregnancy-related deaths are the result of unsafe abortion methods today, while the number stood at 50% in the 1950s<sup>91</sup>.

5 out of 100 pregnancy results in abortion according to the results of TPHS-2013. Considered in general, a significant decrease in intentional miscarriages is observed in the 20 years period covered by the surveys. The 18% rate in the TPHS-1993 has decreased to 5% in TPHS-2013.

The law provides the legal right to terminate pregnancies up to the tenth week, and up to the twentieth week in cases of rape, without imposing any additional conditions. Health professionals in the public system are defying the law, making it very hard for women to obtain these services. Some hospitals have introduced a policy of sending messages to fathers informing them of their daughters' pregnancies. Some refuse to provide abortion services if the woman is not married or more than 6 weeks pregnant; even though the law actually permits abortion until the 10th week of pregnancy.

As it is the case in many other countries, abortion is one of the areas that the Government confronts with the women movement. President Recep Tayyip Erdoğan has stated several times that he considers abortion to be murder<sup>92</sup>.

<sup>90</sup> Johnstons Archive, <http://www.johnstonsarchive.net/policy/abortion/ab-turkey.html>

<sup>91</sup> The Guardian, <https://www.theguardian.com/world/2013/feb/01/turkish-law-abortion-impossible>

<sup>92</sup> BBC, <http://www.bbc.com/news/world-europe-18297760>

In 2012, the government worked on the ban of abortion with the argument that the practice is a murder and even pregnancies resulting from rape should not be terminated and the state will take care of babies born as a result of incidents of rape, this was postponed as a result of the countrywide protests. Under the draft law, abortions will only be permitted if carried out by obstetricians in hospitals. Currently the procedure is also offered by certified practitioners and local health clinics. The new law also introduces the right for doctors to refuse performing an abortion on the grounds of their conscience, and a mandatory "consideration time" for women requesting a termination.

Key areas of the reform are reflected in the significant improvements across indicators such as maternal mortality and infant mortality. Expansion of contraceptive methods was an important policy achievement; yet it is limited only to the married women. From rights perspective, its expansion to the single women is one of the recommendations to the Government of Turkey. Induced abortion is a national problem in women's health, as it is for the whole world, and unsafe abortion is one of the major causes of death among women of reproductive age in Turkey. Restriction of legal abortion up to 10 weeks is examined as a factor that restricted the requirement of presence of gynaecologist for the abortion. This turns to be a serious challenge for the women, particularly those living in rural Turkey.<sup>9394</sup>

#### **5.4 SYRIAN REFUGEE WOMEN & GIRLS AND HEALTH SERVICES**

With regard to access to health services, Temporary Protection Regulation of 2014 ensures that Syrians under temporary protection have right to benefit from health services and that health services will be provided under the control and responsibility of the Ministry of Health in coordination with AFAD.<sup>95</sup>

Registered refugees have access to all health services provided in the province they are registered and they need referral for health facilities in other province.

Refugee women and children are the most vulnerable of the refugees and they need special and diverse protection needs in comparison to the adult male refugees. The same is valid for the challenges they face and access to the health services. Due to the harsh and unhealthy living conditions, traumatic experiences and anxiety and other stress factors threats on the wellbeing of the refugees is at extreme levels. Existence of infectious diseases through sexual relation has intensified the threats on women. One of the main challenges to diagnose the need for women refugees in health services is the lack of sound and comprehensive data. This challenge is also valid for Turkish women.

As per the UNFPA 2015 data, out of 2,154,826 Syrian refugees 538,707 were Syrian women at the age of fertility and out of these 34,320 was pregnant. In 2015, daily they delivered 128 babies

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<sup>93</sup> ibid

<sup>94</sup> On 15 May 2012, then-PM Recep Tayyip Erdoğan had a keynote speech at an international conference on population, saying that he was against caesarean section. "Every abortion is a murder," he said.

<sup>95</sup> AFAD, Syrian Women Refugees, 2014.

with a total of 70,728. Though fertility rate is high among the Syrian refugee women they are receiving inadequate care before and after the delivery. This resulted in high proportions of early delivery and miscarriage. In Adana, the proportion has reached to 50%, in Diyarbakır to 21.37%, in Mersin to 33.33%, in Istanbul 27.84% and in Van to 30.55%. In addition to this, inadequacy, cultural norms, lack of knowledge about the system and lack of language skills are also among the factors preventing their access to services.<sup>96</sup>

As per the data of Union of Turkish Doctors, mother and child care is the most failing services delivered to the Syrians. Though health services including mother and child care are delivered are much better within the camps, even these are not sufficient. Out of the camps, access to the health services is much limited. As per the 2013 data of AFAD, while 94% of women living in the camps have access to health services this is reduced to 58% out of camps.

Sixty percent of female refugees live in AFAD camps and 80 percent of those outside the camps claim to be satisfied with the healthcare service they are receiving in Turkey.<sup>97</sup> The language barrier is a very important constraint for the Syrian refugees and the translation services at the hospital lack to meet the need of these individuals.

## 5.5 POLICIES, INCENTIVES AND IMPLEMENTATIONS OF GOVERNMENT<sup>98</sup>

For the relevant Ministries of the Government of Turkey reproductive health programs have been delivered as per the National Strategic Action Plan covering the era of 2005-15 and will be replaced by the Reproductive Health Strategy and Action Plan upon its completion. In the scope of the Action Plan:

- *15-49 age Women Monitoring Program* was monitored by primary healthcare institutions at least twice a year. Findings related to fertility trends, risky situations, confirmed pregnancy in the early periods, get knowledgeable about the use of reproductive health methods are reported to the Ministry of Health.
- *The Pre-Marriage Counselling Program* aims at ensuring enough knowledge on reproductive and sexual health to those who apply for the pre-marriage medical reports. The couples are provided with counselling about healthy family structure, reproductive health, reproductive health methods, sexually transmitted infections and kin marriage and genetic diseases, mainly hereditary blood diseases, *hemoglobinopathy*.
- *Prenatal Care Program* is among the routine services conducted countrywide to increase maternal health levels and reduce maternal death rates.
- *Pregnant Information Class Program* aims at providing the pregnant women with the information about prenatal, natal and postnatal care, ensuring that they have an informed birth experience and ensure that the expectant parents are knowledgeable about vaginal delivery, pain management and adoption of the new rules.

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<sup>96</sup> Beşer, Ayşe and Tekkaş Kerman, Kader, Göç Eden Bireylerin Öncelikli Sağlık Sorunları ve Sağlık Hizmetine Ulaşımındaki Engeller 2017, Türkiye Klinikleri Public Health Nurs-Special Topics 2017; 3(3): 143-8.

<sup>97</sup> AFAD Syrian Women in Turkey

- *Nutritional Support Program for Pregnant and Puerperant Women* is implemented to provide iron support by giving daily 40-60 mg elemental iron and extra vitamin D supplements required in pregnancy.
- *Emergency Obstetric Care Program* aims at establishing an effective referral system by classification of health institutions as basic and comprehensive, ensure safe blood transfusion, update knowledge and skills of the staff, increase service standards and establish a safe data and registration system in order to prevent maternal and neonatal mortality incidents caused by preventable causes.
- *Birth and Caesarean Section Monitoring Program* is implemented for ensuring that all pregnant women give birth under healthy and safe conditions, ensuring that caesarean section rate is kept at a reasonable level and minimizing inequality in access to health services due to geographical location, age and sex.
- *Maternal Near Miss Program* aims at raising awareness and knowledge about maternal morbidity and improving surveillance system.
- *Postnatal Care Program* is devised to prevent maternal and infant mortality incidents caused by preventable causes in the postnatal period. In general, it is ensured the mother is not discharged before complete postnatal recovery.
- *Reproductive Healthcare Services Program* aims at ensuring that the couples have as many children as and when they want, and identify the reasons and provide treatment to the infertile couples who cannot have children. Information and counselling services play a significant role in providing reproductive healthcare services in Turkey. Reproductive health counselling and method presentation services are provided free of charge by the MoFLSS.
- *Program for Monitoring and Preventing Maternal Mortality* aims at investigating each maternal mortality case with regard to its cause and preventing maternal mortality incidents which are caused by preventable causes. “Provincial Units for Monitoring and Preventing Maternal Mortality” and “Provincial Examination Commissions” are established in all provinces, and also “Maternal Death Preliminary Examination Commission” and “Central Examination Commission” are established in the Ministry.
- *Mother-Friendly Hospital Program* aims at creating environments in which the monitoring and delivery would take place considering the patient rights, safety and privacy during pregnancy and delivery.
- In the scope of *Enabling the Participation of Men to the Reproductive Health Services Program*, training programs are conducted about reproductive organs, sexual health, sexually transmitted infections, HIV/AIDS and its social consequences, pregnancy, reproductive health/reproductive health method, safe maternity, gender and domestic violence for all ranks and files in all military troops all over Turkey.
- *Reproductive Health In-Service Trainings* to increase the service quality about reproductive health, in service trainings are conducted to provide the health service personnel with knowledge and skills about the changing and improving subjects in health.
- *Guest Mother Program* was created in 2008 in order to identify the pregnant women who live in the settlements with unfavourable weather and transportation conditions and who may have problems in accessing health institutions during delivery due to social reasons
- The *Mobile Health Care Services and Domiciliary Care Services*, are provided in situ to the people who have difficulty in accessing to the services are expected to increase women’s access to health services. In order to deliver health services in the remotest parts



of the rural areas, mobile health service programs have been developed and the rate of access to services by the target group of population has risen to 99%.

- With regard to the protocol signed with the Ministry of Health, the expectant mothers from the most destitute layer of the society are provided with pregnancy aid for once in scope of the conditional health aid. In this respect, in case the delivery is performed at a hospital 75 TL is paid once; in case the regular inspections are performed 35 TL is paid monthly before the delivery, and also a monthly aid of 35 TL is paid for two months after delivery. In addition, poor families are provided with financial aid on condition that they bring their preschool children to regular medical examinations. These payments are transferred to the bank accounts opened on behalf of the mothers. With this aid which is in control of women, it is expected that they would cover the care and health expenses of the children and at the same time it is expected that their statuses in the family and society would be improved.

## 5.6 SOCIO-CULTURAL BARRIERS AND CONSTRAINTS

Despite all these crucial results of the reform programs, there are still important challenges that need to be addressed for improved access and quality to health services. The OECD Health Review data of 2014 analyses deficiencies in the service delivery with regards to quality and accessibility. The Review underlines the need for qualitative data in the health service monitoring reports of the Ministry which are dominated by supply and activity. OECD suggests open comparison of service-level data which will contribute to higher quality standards and reduce variation<sup>99</sup> in particular among urban and rural settlements. This is crucial as there are still serious gaps in the availability of healthcare services, particularly between urban and rural areas as opposed to towns and cities, and among the regions, especially for those living in the poorer eastern part of Turkey rather than in the west.<sup>100</sup>

General overview for challenges in health and gender, from Prof. Şevkat Bahar Özvarış, Hacettepe University Women Studies Center (HÜKSAM) give a clear picture of the situation:

- The nationwide healthcare system handles only the prenatal and family planning services. Thus women ask healthcare service from private hospitals and clinics.
- No holistic approach to women's health.
- Women living in city centers and women in rural areas cannot benefit equally from prenatal services.
- Demographic health surveys are crucial but need much sources and time.
- Public bodies cannot produce data regularly.
- Laws and regulations encourage women to deliver babies at home.
- Reproductive health services target married women only.
- Policy differences between abortion and family planning.
- Women in rural areas cannot access gender-based reproductive health approach.
- Birth control methods such as condom or spiral are mostly not available in rural areas in C and D type Family Health Centers. Only A and B type centers which have more than 4 doctors provide these.

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<sup>99</sup> OECD Health Service Review

<sup>100</sup> Population Association, 2016



- Total fertility rates (child number per woman) increased.
- Social pressure on women about abortion. Doctors might have fear too.
- Women are seen as responsible to control birth.

#### 5.6.1 ABORTION LIMITATIONS

Though abortion is legal, its accessibility is limited owing to the approach of the service providers. In addition to the promotion of fertility, the government's attempted in 2012 to ban the abortions. Reducing the pregnancy termination period is a step contrary to international norms which jeopardizes women's health. No regulation has been made to the existing law no. 2827, which regulates the legal status of pregnancy termination period up to 10 weeks thanks to the reaction of the women's movement, academics work on women's health and the pressures of international organizations, to the initiatives to reduce the pregnancy termination period to 4 weeks and to deter the pregnant women from having abortion by making them to listen the heartbeats of the fetus.

However, despite the absence of any regulation made in the law, the debates reflected on media have created a belief in the community that abortion is forbidden and has caused the community to have misinformation about the subject. Moreover, after those debates took place, there are limitations observed on the accessibility of fertility regulations (abortion and family planning) services in health care institutions, and in many public institutions these services have begun not to be provided in the same manner as previously provided.

This situation, which has been noted by women's organizations, especially with regard to abortion, was later supported by a nationwide survey. According to the survey, which investigates whether state hospitals in Turkey provide abortion services, 7.8% of the 431 state hospitals with gynaecology service/postnatal ward provide abortion services on demand, while 78% of these hospitals provide these services only if there is a medical necessity. 11.8% of the state hospitals do not provide abortion services even though they had gynaecology service. In the study, it was stated that out of the 431 hospitals, 1.4% did not give information about the subject. Of the 58 education and research hospitals with gynaecology services, 17.3% provide abortion services on demand and 71.1% provide these services only if there is a medical necessity. The study revealed that there is no state hospital providing abortion services on demand in the Western Marmara and Eastern Black Sea regions, and that this service is not provided in the 53 cities of 81 cities<sup>101</sup>.

In the light of these ratios, the women movement have concerns that access to abortion is more difficult at state hospitals than at private hospitals.<sup>102</sup>

This challenging aspect of abortion is also committed by CEDAW. The Committee also highlights that critical positioning of high level decision-makers led to the refusal of performing abortion by large number of public despite its legality up to 10 weeks. This compels many women to resort to very expensive private clinics or to unsafe abortion. In the light of these

<sup>101</sup> O'Neil, Aldanmaz, Quiles, Kılınç, 2016

<sup>102</sup> The Executive Committee for NGO Forum on CEDAW, Turkey, Shadow NGO Report on Turkey's Seventh Periodic Report to The Committee on The Elimination of Discrimination Against Women For Submission to The 64th Session of CEDAW, July 2016.

concerns, the Committee recommends ensuring equal and full access to sexual and reproductive health information and services for all women which are safe and accessible.<sup>103</sup>

## **5.7 RECOMMENDATIONS**

### **5.7.1 RECOMMENDATIONS OF CSO'S**

#### **Equality in Health Services**

- Inequalities with regards to access to health services due to socio-economic status, geographical setting and age should be addressed in close partnership with respective CSO's.
- Mobile health services should be expanded for seasonal agricultural workers with a particular focus on girls and women.
- The number of interpreters should be increased in order to provide equal conditions in the hospitals for refugees and native women who cannot speak Turkish. This can prevent home birth.
- Reproductive and sexual health services should be for all women independently of their status .
- Individual capacity building programs should be delivered for the health sector professionals on gender equality and anti-discrimination. A user-friendly website and a call center with information may allow more women to request their healthcare rights. This public data promoted with social media will reach young and single women since the governmental authorities only target married women.

#### **Abortion and Reproductive Rights**

- Reproductive rights frame should include women's sexual rights as well as infertility.
- Abortion policies should be reviewed from rights-based perspective. Turkey should abolish the need for authorization from 3rd persons (informing spouse, partner or father) for abortions performed on married women.
- Arrangements shall be made in the related health regulations so as to ensure women who cannot currently have access to their abortion right due to factual obstacles to have access to healthy abortion.
- Health institutions and health professionals *ipso facto* preventing women to have access to their right of abortion shall be legally investigated.
- There should be quantitative researches to unveil the regional differences and cross check the data of different resources.
- Another new research topic should be 'to show the inequalities in health and the factors that affect it.

#### **Health Problems caused by GBV and Child Early and Forced Marriage (CEFM)**

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<sup>103</sup> CEDAW Committee, 2016

- GBV should be considered as a public health and women's health problem. GBV Centers should be established in hospitals.
- Mufti marriage regulation should not be tolerated since it legalizes CEFM.
- The state bodies should support NGO's projects on preventing CEFM and child pregnancy.
- Officers in health sector needs to be trained about births under the age of 18 to trace the CEFMs.
- Awareness raising programmes should be targeting both men and women. CEFM can not stopped without the involvement of men. Therefore, trainings should be given during the military service and in mosques where there are mostly men.. The trainers of these seminars need to be monitored by EUD to avoid any political influence.

## 6 GENDER-BASED VIOLENCE

### 6.1 GENERAL FRAMEWORK

Violence against women is a form of human rights violation and a widespread problem all over the world varying degrees. Women all over the world face the risk of being exposed to gender-based violence regardless of their country, ethnicity, class, religion, age, economic or social status. There are physical, psychological, sexual, financial, cultural and verbal/emotional types of violence<sup>104</sup> as well as human trafficking<sup>105</sup> and child, early and forced marriages which are globally interpreted as ‘modern slavery’.

Empowering women and girls is the starting point to combat violence against women. The second step should be to set up a gender policy in all sectors (health, education, social security etc.) led by the government.

The trafficking of women and children is a lucrative industry internationally. Women and children are its primary victims and are most often enslaved in the form of bonded labour, domestic servitude, sexual exploitation, or forced marriage.

CEFM is a global problem which has been too long ignored. 12 million girls are married every year. It puts women and girls at increased risk of domestic violence as well as the other forms in public sphere. They face high risk of death or injury during delivering a baby. Besides, they are more likely to be poor and remain poor.

### 6.2 LEGAL FRAMEWORK

#### *Relevant Laws and Conventions*

##### General

- TR Constitution No: 2709, November 1982
- CEDAW, ratified in 1985
- İstanbul Convention, ratified in 2014

##### Specific

- Penal Code: Reformed in 2004 and a new Domestic Violence Law was introduced in 2012. With the reform of the Penal Code, most of the discriminatory articles against women were abolished and heavy penalties were provided for cases of honour crimes, rape and sexual assault, and sexual harassment in the workplace.
- Art. 96 (2004) Law to Protect Family and Prevent Violence Against Women, No: 6284 (2012)

#### Turkish Penal Code

No: 5237

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<sup>104</sup> Types of violence definitions are defined in Annex 6

<sup>105</sup> ILO, <https://www.ilo.org/global/lang-en/index.htm>

There are some significant regulations, which brought improvements, provided by Turkish Penal Code that entered into force on 1 June 2005, as follows:

- "The distinction between girl and woman" has been removed. This distinction was used to highlight the virginity.
- Sexual offenses are defined as offenses against sexual integrity.
- The concepts of rape and indecent assault are replaced by sexual assault and child molestation.
- The definition of sexual assault is provided and the main form of the offense of sexual assault is defined.
- Sexual assault as a major crime is defined as the act committed by means of inserting an organ, or other object into the body.
- With the amendment made on 18.06.2014, the penalties of sexual offenses become harsher.
- The concept of sexual harassment in the workplace is introduced.
- In cases of killings in the name of honour/tradition, it is accepted by the authorities to fine the perpetrators with the maximum penalty.
- It is resolved that family members and relatives who killed the woman sexually assaulted on grounds of honour cannot benefit from the unjust provocation, any unfair act can constitute an unjust provocation.
- In cases of sexual assault the concept of victimization is replaced by the concept of mental health. In case of the death or falling into vegetative state of the victim as a result of the offence, aggravated life imprisonment is introduced.
- Sentence to a penalty of imprisonment for a term of three months to one year is introduced, in cases where a person dispatches a person for a genital examination or conducts such examination without the decision of judge or prosecutor.
- Sexual intercourse with minors and sexual abuse of children are defined as crime.
- Regulations are made for the fight against the trafficking of women and children.

At the same time, the Turkish Penal Code introduced a new regulation against the progress to eradicate violence against women and prevent CEFM: the practice of reducing the sentence of the perpetrator in case of the perpetrator's marriage with the abducted woman.

The new Penal Code stipulates that anyone causing torment to their spouse or family members will be sentenced to between three and eight years in prison.

- Art. 102 (regarding rape)
- New Penal Code in 2004, as a result of a concerted campaign by women's civil society organizations, removed the justification of "unjust provocation". Killing in the name of custom is an aggravated circumstance (regarding honour crimes).
- Law No. 6248: In 2012, Turkey adopted a new domestic violence law, named as the Law to Protect Family and Prevent Violence against Women. In cooperation with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, this new law seeks to protect women, children, and family members of victims of domestic violence and to provide services such as shelters, financial aid, and psychological and legal guidance services.
- Article 232 of the Penal Code provides for imprisonment of up to one year for the maltreatment of anyone inhabiting the same abode.

### 6.3 SITUATION IN TURKEY

Turkey ranks 130th in Global Gender Index. According to UN Women's data<sup>106</sup> about VAWG in Turkey, the lifetime prevalence of physical and /or sexual intimate partner violence are is 38% and CEFM<sup>107</sup> is 15%. Regarding physical and/or sexual intimate partner Violence in the last 12 months is 11% (2).

UNFPA Report<sup>108</sup> states that Turkey has the highest prevalence of physical violence and one of the highest prevalence of sexual and psychological violence amongst East European and Central Asian countries. This indicates one out of three women is exposed to domestic violence.

“The National Research on Domestic Violence Against Women in Turkey” conducted by Ministry of Family and Social Policies is a large scale study in order to determine indicators to monitor domestic violence against women. The study was conducted for the first time in 2008 and a follow-up research was conducted in 2014. It is important to repeat the research at least in every five years to monitor the impact of the programmes against violence.

The results of the study show that domestic violence is a nationwide problem. As per the data of the Ministry of Family and Social Policies, 86% of the women have encountered physical or psychological violence from a family member. According to the report by the General Directorate on the Status of Women (KSGM), two in every five women have experienced physical violence, while one in every two women experienced psychological violence.

Data prove the prevalence of violence against women regardless of their marital status. They are subjected to violence by the closest men such as husbands, fiancées, betrothed, boyfriends in the first place and are followed by their fathers, brothers and other male relatives.

According to a poll conducted by the Gender and Women's Studies Research Center at Istanbul's Kadir Has University, violence is by far the biggest problem that people think women face in Turkish society in 2018. 61% of respondents said they believe “violence” is the most important problem women face in society. In 2017, . the rate was 55%.<sup>109</sup>

According to data compiled in 2017 by the “We Will Stop Femicide” women's rights activist platform, a total of 409 women were killed and 387 children sexually abused. 337 women were subjected to sexual violence, 45 women were killed by their family members and 41 children were sexually abused in December. 88 women were killed because they had decided to choose how to live their lives, and 30 were killed because they wanted a divorce. 134 suspicious female deaths and 110 undetected female murders also took place in the same year. The age range of the women killed decreased in 2017. A total of 65 women in the 15-25 age group were killed. The place with the most murders of women was Istanbul with 57, followed by the western province of İzmir with 32, the Mediterranean province of Antalya with 25, the Marmara province of Bursa

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<sup>106</sup> UN Women, <http://evaw-global-database.unwomen.org/en/countries/asia/turkey>

<sup>107</sup> This percentage is 17,9 at Turkstat data please 7.3 “Situation in Turkey Early Marriages” for more information.

<sup>109</sup> KHAS, <http://www.khas.edu.tr/gender/136>

with 18, the southern province of Adana with 17, the south-eastern province of Gaziantep with 15 and the central Anatolian province of Konya with 12.

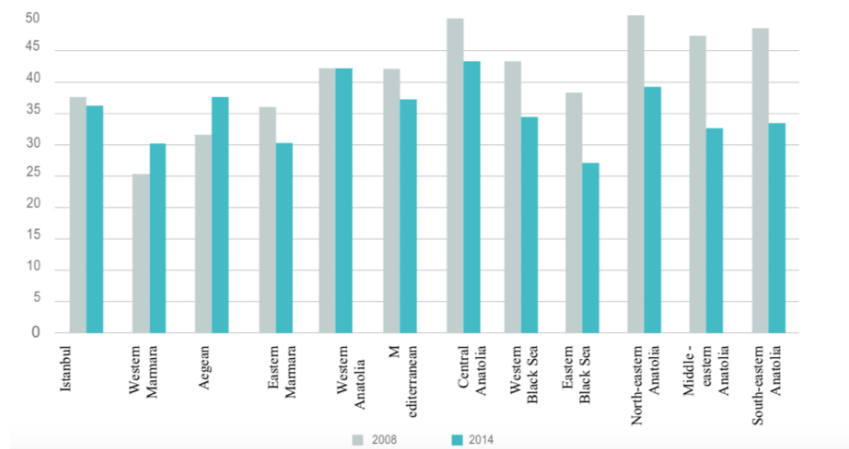
### 6.3.1 PHYSICAL VIOLENCE

The most aggravated form of gender-based violence is physical violence. Physical violence includes, but is not limited to:

- Using physical force which results in pain, discomfort or injury;
- Hitting, pinching, hair-pulling, arm-twisting, strangling, burning, stabbing, punching, pushing, slapping, beating, shoving, kicking, choking, biting, force-feeding, or any other rough treatment;
- Assault with a weapon or other object;
- Threats with a weapon or object;
- Deliberate exposure to severe weather or inappropriate room temperatures; and,
- Murder.

In the 2014 Domestic Violence against Women in Turkey study, the ratio of women subjected to **physical violence** by her husband or ex-husband in any period of her life is **36%** This rate was 39% in 2008.

**Figure 13: Prevalence of Physical Violence Percentage of Women Subjected to Physical Violence by Their Husbands or Intimate Male Partners by Region (2008-2014)**



Source: National Action Plan on Combating Violence against Women (2016-2020)

In the 2014 study<sup>110</sup> the ratio of women without education subjected to physical violence at least once is 43%, and this ratio is 21% at the university and graduate levels. In 2008 study this ratio was 55.7% for women without education. Also, in the Regions Central Anatolia is reported as the

<sup>110</sup> Ibid

highest ratio. However, the numbers should be evaluated with the concern that in regions with low education and high social barrier women do not report VAWG.

Though the reasons for the murder of women remain unknown for the majority, the most frequent reason for the murder was the women's taking decisions about their own lives, with a ratio of 21%<sup>111</sup>, a finding in full conformity with the Research of 2014. The most common reasons for violence is disobedience against men and issue of "honour" with the pretext that women's behaviour can "bring bad reputation to the honour". In addition to these, economic pressures, reasons related -to the families of the couple, use of alcohol and drug by men are other reasons.

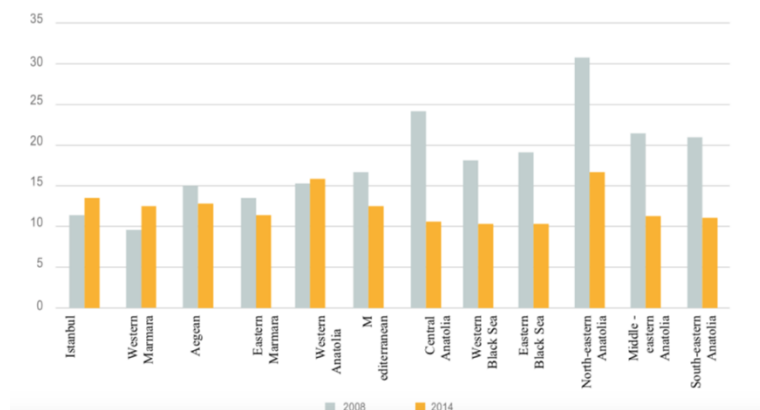
The report stated that 15% of the women killed were victims of murder for "wanting to get a divorce," 11% were killed for "taking decisions about their lives independently," 7% were killed for "financial reasons," 4% were killed for "turning down [the man's] reconciliation efforts," and another 4% were killed over "debates about their children."

### 6.3.2 SEXUAL VIOLENCE

According to the results of the study of Domestic Violence against Women in Turkey 2014, the ratio of women experienced sexual violence in any period of her life is 12% . This ratio was found 15% in the 2008 study which shows a slight decrease. In 2014 the ratio of experiencing physical and sexual violence in any period of life is 38% and 42% in 2008.

The age of women increases the threat of being subjected to sexual abuse increases; the threat of sexual abuse increases as the education levels of women decreases. In addition, exposure to sexual violence of divorced or separated women increases.

**Figure 14: Prevalence of Sexual Violence Percentage of Women Subjected to Sexual Violence by Their Husbands or Intimate Male Partners by Region (2008-2014)**



Source: National Action Plan on Combating Violence against Women (2016-2020)

<sup>111</sup> We Will Stop Femicide Platform database



Also, in the Regions North Eastern, Anatolia is reported as the highest ratio. However, the numbers should be evaluated with the concern that in regions with low education and high social barrier women do not report VAWG.

This situation points out that physical and sexual violence are mostly experienced concomitantly. The report also concludes that 9% of women have been subjected to sexual abuse during childhood (before the age of 15). 38% of the sexual abuse has been perpetrated by strangers and 29% of the sexual abuse has been perpetrated by male relatives other than father, step-father, younger brother, older brother, grandfather, maternal uncle and paternal uncle.

### **A Case Study: Proposed Bill to Grant Amnesty to the Perpetrators of Sexual Abuse**

The government proposed a bill late at night on November 17, 2016 that would grant amnesty to the perpetrators of sexual abuse if they married their victims. This proposal was withdrawn following widespread uproar first and foremost from the *TPC 103 Women's Platform* comprised of nearly 140 autonomous women's organizations, as well as from numerous groups in society, ranging from women's NGOs to children's NGOs, from general practitioners to lawyers, all across the country and abroad. However, Article 13 of omnibus Draft Law No. 438, which proposed amendments to Article 103 of the Turkish Penal Code (TPC), passed through TBMM on November 24, 2016. Accordingly, there is now a separate category for sexual abuse victims aged 12 to 15 in Article 103 of the TPC.<sup>112</sup>

In its amended form, Article 103 of the TPC does still prevent seeking consent from children below 15 years of age. Yet because age of consent is not clearly stated in the law in a way that leaves no room for interpretation, this could lead to different interpretations in practice, as witnessed in certain cases in the past.

The demands and recommendations to effectively combat children's sexual abuse as in the TPC Platform's statement are:

- It should be clearly stated in Article 103 of the TPC that it is unacceptable for children under 15 to consent to sexual behaviour: If both parties who engaged in sexual behaviour are children, persons who facilitated, encouraged or forced this behaviour must be punished. Otherwise, it is highly likely that emboldened by the fact children receive no punishment for it, these children will be forced into "marriage" on the basis of excuses such as traditions, customs, and religious references.
- Child early and forced marriage should be criminalized in the TPC: CEFM needs to be defined as a crime; this is an obligation Turkey must fulfil according to Article 37 of the Istanbul Convention.
- Marrying children via a religious ceremony should be criminalized and all religious marriage ceremonies should go on official record: When the Constitutional Court annulled the article in the TPC that criminalized holding a religious marriage ceremony prior to an official marriage ceremony, it cleared the way for both children's sexual abuse through means of a religious marriage, and male polygamy.

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<sup>112</sup> TPC 103 Women's Platform

### 6.3.3 PSYCHOLOGICAL/ EMOTIONAL VIOLENCE

The proportion of the women subject to psychological/emotional violence has increased, from 2008 to 2014. 44% of married women shared that they were subject to emotional violence in the form of threatening, swearing, being insulted and humiliated by their husbands or intimate partners.<sup>113</sup>

According to the study Violence Against Women carried out by Yeşim Arat and Ayşe Gül Altınay, three out of ten women in Turkey cannot go out for shopping food, clothes, goods or other needs, or for courses and trainings to develop herself without their husband's permission.

### 6.3.4 ECONOMIC VIOLENCE

Forms of economic violence were defined, according to research, as preventing women from work or causing them to quit their job, depriving them of money for household expenses and grabbing woman's money without her consent<sup>114</sup>.

Across Turkey, 30% of women experienced at least one of the foregoing forms of economic violence at any time in their lifetime and 15% had such experience in the last 12 months. Among the forms of economic violence reported, preventing women from work or causing them to quit their jobs have the highest prevalence. One in four women and one in ten women experienced economic violence at any time their lifetime and in last 12 months, respectively.

Ways of economic violence can occur as follows:

- The husband takes all the valuables (mostly gold) obtained as wedding presents and invests them without allocating a share to his wife. He does not let his wife decide how to use her bequest or her salary. The wife is not informed about the husband's income and expenses.
- Women give their salary to their fathers or husbands. They are not informed about the family income, expenses and investments and neither can they benefit from them.

Women are hindered from activities of personal development. The women have no alternative to working as an unpaid family-worker or in a household. The work as housewives is not being seen and deemed worthless. The necessity to request permission for leaving the house, going shopping or attending courses is another form of economic violence.

## 6.4 WAY OF BEHAVIOUR WHEN EXPOSED TO VAWG

Data from different researches highlights there is not a particular group of women free from threat of violence though certain differences are observed with regards to age, education and type of residence. The common immediate coping strategy against violence is try to combat it alone without telling anyone. An important factor beneath this is the acceptance of violence as a normal situation, or even worse, blaming of women as the reason for violence. This also sheds light the relatively low percentage of utilizing existing institutional structures. Instead, the most preferred

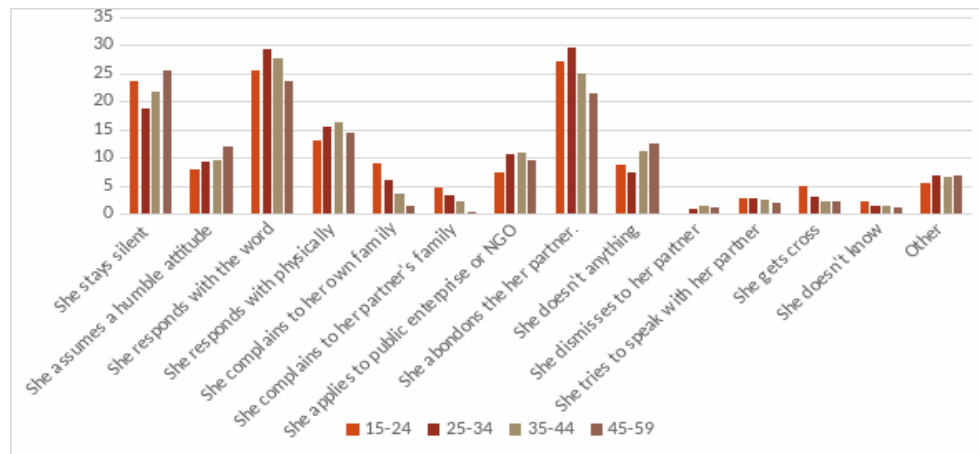
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<sup>113</sup> UNFPA, Violence Against Women, 2015

<sup>114</sup> National Action Plan on Combating Violence Against Women, 2012-2016

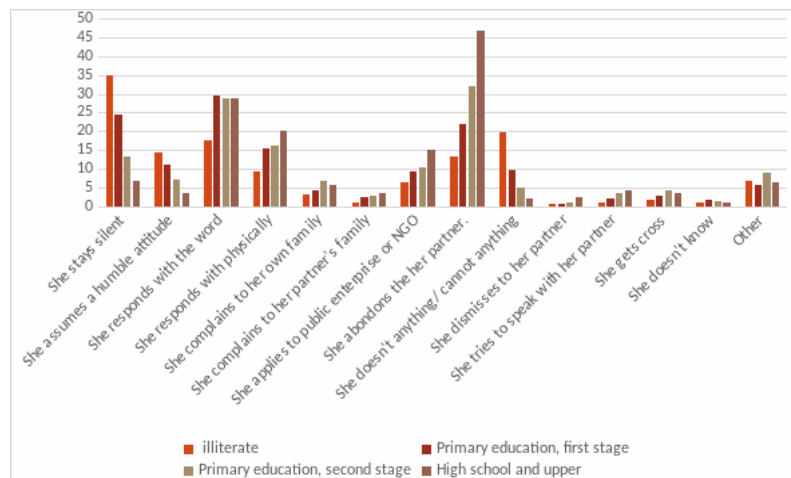
strategies combating violence are telling about the violence to immediate social networks, leaving home and fighting back.<sup>115</sup>

**Figure 15: Way of behaviour of women who exposed to violence from their partner (by age)**



Source: Domestic Violence Against Women in Turkey of Hacettepe University 2014

**Figure 16: Way of behaviour of women who exposed to violence from their partner (by education)**



Source: Domestic Violence Against Women in Turkey of Hacettepe University 2014

Research findings also reveal that men who have tendency for violence are adopting the behaviours of their fathers since they witnessed violence in their families during their childhood.<sup>116</sup>

<sup>115</sup> Hacettepe University, National Domestic Violence Research, 2014

<sup>116</sup> ibid

## 6.5 SYRIAN REFUGEE GIRLS AND WOMEN VICTIMS OF VAWg

As UNODC most recent global data of 2016 reveals that approximately 79% of the victims of trafficking were women and children and among international migrants who have moved from one country to another represent a high percentage .<sup>117</sup>

This also reflects the situation for Syrian refugees in Turkey.

As per the data of Refugee Association, a high number of refugee women and girls are facing sexual exploitation and violence. They are the victims of either the organized crime gangs or the men that they are forced to marry despite the efforts of the Government. Lack of information about the mechanisms of appeal, fear of deportation, lack of economic independence, lack of support or solidarity network in their close community and reservations about possible pressure on them and their children in the form of exclusion from the community are the main reasons why the Syrian women cannot escape from the vicious cycle of sexual exploitation and gender-based violence which resulted in serious psychological and physical problems including depression, loss of hope and faith.

Like their counterparts in the host communities, domestic violence and is widespread in the Syrian families. In most murder cases, murderer is either the husband or male relative. As per the Bianet data, out of 261 murdered women 6 of them are Syrian refugee women. This number is increased to 17 in the following year out of the total 290 murdered women. In these murders, the reason was explained as “honour”.<sup>118</sup>

## 6.6 VIOLENCE AGAINST LGBT

CEDAW Committee also points out the ongoing violence against lesbian, bisexual and transgender women despite Turkey’s ratification of the Istanbul Convention without reservations. The Committee also notes that this violence is exacerbated by impunity for the perpetrators of hate crimes, including severe violence against and killings of lesbian, bisexual and transgender women and by the lack of integration of “sexual orientation and gender identity” into legislation on hate crimes or into the prohibited grounds of discrimination in Law No. 6701, which is in violation of article 4 (3) of the Istanbul Convention, and by the courts’ acceptance of the applicability of article 29 of the Penal Code on “unjust provocation” to cases of killings of lesbian, bisexual and transgender women, thus providing mitigating circumstances for perpetrators of such crimes.<sup>119</sup>

## 6.7 TRAFFICKING<sup>120</sup>

Human trafficking (HT) is a type of global violence. Women and girls are the primary victims of HT compared to other groups. Also, LGBT are under the high risk groups. Women and girls are trafficked mainly for sexual exploitation, 99% of the victims, but also for forced marriages, out of

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<sup>117</sup> UNODC, [https://www.unodc.org/documents/data-and-analysis/glotip/2016\\_Global\\_Report\\_on\\_Trafficking\\_in\\_Persons.pdf](https://www.unodc.org/documents/data-and-analysis/glotip/2016_Global_Report_on_Trafficking_in_Persons.pdf)

<sup>118</sup> Bianet 2016 and 2017

<sup>119</sup> CEDAW Committee, 2016

<sup>120</sup> ILO, <https://www.ilo.org/global/lang-en/index.htm>

which 84% are women and girls, for begging, for domestic servitude, for forced labour in agriculture or catering, in garment factories and in the cleaning industry and for organ removal.

Categories defined in the table below are based on the classification of the United Nations Trafficking in Persons Protocol which states: “*Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.*” (Article 3, paragraph (a)).

**Table 16: Types of Trafficking**

<b>Category</b>	<b>Women &amp; Girls, %</b>	<b>Men &amp; Boys, %</b>
Trafficking for sexual exploitation	96	4
Trafficking for forced labour	37	63
Trafficking for organ removal	18	82
Trafficking for other forms	76	24

*Source: UN Trafficking in Persons Protocol, Article 3, paragraph (a)*

The emerging challenge of Turkey with regards to human trafficking is related to hosting of the highest number of refugees in the world, majority of whom is Syrians with a number of more than three million. 125.000 Iraqis and 120.000 Afghans are other dominating refugee groups. Turkey case, as a transit zone to reach to the Western countries, illustrates how conflict, political instability and economic hardship lead to the feminization of migration and increased risk and vulnerability for human trafficking<sup>121</sup>.

Turkey is a party to relevant international legal instruments to combat human trafficking. As mentioned above UN Conventions against Transnational Organized Crime (Palermo Convention) and its supplementary protocols on Trafficking in Human Beings and Smuggling of Migrants were ratified in March 2003 by Turkey. Turkey has also signed the Council of Europe Convention on Action against Trafficking in Human Beings in March 2009 and became a party as of 2nd May 2016. The National Task Force on Fight against Human Trafficking was established in 2002 with the composition of relevant government institutions and NGOs.<sup>122</sup>

The related two Action Plans aim at achieving relevant international standards in the fight against human trafficking, eradicating human trafficking in Turkey, strengthening relevant institutions, enhancing harmonization with the EU Acquis and strategy development in combating human trafficking. The National Task Force also led to the establishment of the Coordination Commission on Combating Human Trafficking.<sup>123</sup>

<sup>121</sup> Gül, Murat & Sarıkaya Güler, Tuğba, "Trafficking in Human Beings in Global Age: A Case Study of Turkey". Ekonomi, İşletme, Siyaset ve Uluslararası İlişkiler Dergisi 2 (2016): 93-117; Office to Monitor and Combat Trafficking in Persons, US Department of State, 2017 Trafficking in Persons Report: Turkey Report.

<sup>122</sup> Ministry of Foreign Affairs of Republic of Turkey.

<sup>123</sup> Ibid.

Women shelters opened in the scope of protection services in Ankara and Kırıkkale and providing support to the shelters run by NGOs to address the problem. 157 helpline for victims of human trafficking has been in operation.<sup>124</sup>

Employment of children in informal sector as well as beggars is among the priority coping strategies of the Syrian families. Both local and international civil society organizations point out the increasing vulnerability of Syrian refugee women and girls to sex trafficking. Syrian girls are sold for marriage these are cases where they are vulnerable to domestic servitude and sex trafficking. As per the official data, the number of human trafficking victims is on rise: 21 cases reported in 2013, 50 in 2014, 108 in 2015 and 151 in 2016, marking a about 45% percent increase from 2015 to 2016. These numbers need to be read with reservation as trafficking cases often remain unreported. In the cases of Syrian refugee women identification of sex trafficking victims is even more difficult as they are forced to trafficking usually by their family members, acquaintances and neighbours rather than organized criminal networks.<sup>125</sup>

Despite the policy responses due to the complexity and nature of HT Turkey is still facing serious challenges in her combat against the crime. International community in general reports has criticisms with regards to victim identification efforts in the highly vulnerable refugee and migrant communities those live outside of camps or provide sufficient protection resources to address trafficking in these communities. NGOs also have raised their concern that the government had increasingly removed them from identifying and providing services to victims.<sup>126</sup>

In its assessment of Turkey's combat against HT, CEDAW Committee notes the efforts made by Turkey. The Committee shared its concerns about the persistence of trafficking in women and girls, both internal and cross-border, for the purpose of sexual exploitation, including frequent cases of Syrian girls being trafficked into exploitation in prostitution through false promises of marriage and a better life in Turkey, as well as about documented allegations that adolescent refugee girls are sold as brides from refugee camps in Turkey. The Committee is furthermore concerned about the limited number of shelters for victims of trafficking are operational, which is only four; insufficient measures for early identification of victims of trafficking as well as the insufficient protection services for them. The Committee also reports that victims of trafficking, including women engaging in prostitution, have been arrested, detained and deported for acts committed as a consequence of having been trafficked.<sup>127</sup>

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<sup>124</sup> Ministry of Foreign Affairs of Republic of Turkey; Office to Monitor and Combat Trafficking in Persons, US Department of State, 2017 Trafficking in Persons Report: Turkey Report.

<sup>125</sup> The Global Initiative against Transnational Organized Crime, Human Trafficking, Sexual Exploitation: A Growing Risk for Syrian Refugees, 2017; Danish Refugee Council, Synthesis of Migration Trends In and Around Turkey, February 2017.

<sup>126</sup> Office to Monitor and Combat Trafficking in Persons, US Department of State, 2017 Trafficking in Persons Report: Turkey Report.

<sup>127</sup> CEDAW Committee Report, 2016.

## 6.8 POLICIES, INCENTIVES AND IMPLEMENTATIONS OF GOVERNMENT<sup>128</sup>

There are various categories of policies, incentives and implementations to combat gender-based violence in Turkey which are summarized below as there are described in Women in Turkey 2018<sup>129</sup> Report of MoFLSS:

- **Action Plans** provide a framework for the steps to be taken in the field of combating gender-based violence and used as a reference by relevant institutional organizations. Accordingly, *National Action Plans on Combating Violence against Women* cover three-year periods starting from 2016 to 2020. Also, Provincial Action Plans define comprehensive activities for efficient implementation of the legislation, raising awareness, developing institutional mechanisms, increasing coordination and cooperation.<sup>130</sup>
- **Monitoring and Evaluation:** The General Directorate on the Status of Women (GDSW) is assigned as the coordinating body on “*violence against women and honour killings*” pursuant to the Prime Ministry Circular on “*Measures to be taken for the prevention of Violence against Children and Women and Honor Killings*” No. 2006/17. The “*Committee on Monitoring Violence against Women*” is established to follow up the measures included in the Prime Ministry Circular. It also evaluates the current developments of with the participation of parties. Also at the local level, the committee ensure the establishment provincial commissions.
- **Research:** In order to monitor the domestic violence against women and determine indicators for combating domestic violence, the *National Research on Domestic Violence against Women in Turkey* was conducted for the first time in 2008 to answer the question “What are the sources and types of violence against women? The research was updated in 2014 with a similar scope of research. Data of the research highlights the problems encountered in the implementation of Law No. 6284 in cooperation with the relevant institutions and organizations.
- **Data Integration Activities:** A common inter-institutional data system through the integration activity between the institutions enables to monitor the violence against women and to keep record of the protective and preventive injunction orders issued under the Law No.6284 on a shared database. The system is also connected to UYAP (National Judiciary Informatics System); and the Follow-up Module has been renewed. Activities for building “*Family Information System Female Module*” is to be used by the Provincial Directorates social service centers, Violence Prevention and Monitoring Centers (VPMC), women’s shelters and first-step stations. Additionally, “*6282 Order Follow-up System*” aims to contribute to the efficiency of follow-up and monitoring of the orders has been put into service for 81 Provincial Directorates affiliated to MoFLSS and VPMCs to shorten the time to reach the victim. Integration activities with relevant institutions and organizations such as the Ministry of Interior General Directorate on Population and Citizenship, Social Security Institution and the Banks Association of Turkey are maintained for the automation of “the confidentiality orders” issued for the victim of violence.

<sup>128</sup>Data is taken from the Ministry of Family and Social Policies Report of Women in Turkey, 2018.

<sup>129</sup> Women in Turkey, 2018, MoFLSS

<sup>130</sup> National Action Plan on Combating Violence Against Women by Ministry of Family and Social Policies, 2016

- **Training Activities:** MoFLSS organizes seminars and conferences to strengthen the awareness and sensitivity of the stakeholders and the different sections of the society in strengthening the equality of women and men in Turkey and combating violence against women. Within this scope, protocols were signed between the Ministry of Justice, Ministry of Interior and Ministry of Health and the General Command of Gendarmerie, Presidency of Religious Affairs and Ministry of National Defence. As of today, 326 Family Court Judges and Public Prosecutors, 71,000 policemen, 65,000 health personnel and 47,566 religious officers and 7,177 Turkish Armed Forces personnel were trained within the scope of aforementioned protocols; seminars were organized. It is planned to provide trainings for nearly 450.000 rank and files recruited every year on violence against women and gender equality through the progressive trainings carried out by the expert trainers who have received the trainings concerned including Family Court Judges and Public Prosecutors, local authorities, employees of public institutions and organizations at various levels, media members and university students.

MoFLSS aims to adopt a holistic policy and service response to address gender-based violence. Main service lines are summarized as follows:

- **Violence Prevention and Monitoring Centers (ŞÖNİM)** have started their services in pursuant to the Law Nr. 6284 on Protection of Family and Prevention of Violence against Women. These centers provide services of accommodation for the victims of violence, temporary financial assistance, counselling and guidance, follow-up and procedures of provisional protection orders ruled in case of life risk, crèche support, legal assistance, medical assistance, employment support, scholarship for children and education and training. As of January 2017, ŞÖNİMs are active in 68 provinces with the objective of having one in each province. Between 2012 and 2017, 125.581 people in total have benefitted from the centers out of which 163.988 are women, 12.832 are men and 41.096 are children.
- **First Step** As of July 2018, there are 25 nationwide First Step Stations where preliminary evaluations on psycho-social and financial situations were done for women as victims of violence, who need accommodation and applied to ŞÖNİMs or to Family & Social Policies Provincial Directorates for that purpose, and where they can stay for up to two weeks following their temporary acceptance.
- **Women's Shelters** are the residential social services for the women exposed to abuse or violence of any form to provide protection and empower them psychologically, socially and economically where women accommodate temporarily with their children under the responsibility of The General Directorate on Status of Women (GDSW). Overall there are 144 shelters. Among these 110 shelters affiliated to MoFLSS; 1 shelter owned by NGOs; 1 shelter affiliated to the Ministry of Interior and 32 shelters are affiliated to local administrations with a total capacity of 3454 people. In 2018, 37.229 people in total comprised of 21.356 women and 15.873 children in their company received services from the shelters. The shelters provide counselling, psychological and legal, medical care support, temporary financial aid, allowance, kindergarten, vocational training course, group work, scholarship for children, social, artistic and sports activities.
- **ALO 183 Social Support Line** functions as a psychological, legal and economic advisory hotline for women and children who are at risk of violence and who need support and assistance. It is also taken as a precautionary measure for negligence, abuse and violence



or for the prevention of honour killings; considering the urgency of the situation, the emergency response team responsible for the incident and/or the law enforcement officials is informed to intervene. This line is available 7/24 and functions multi-lingual in Turkish, Arabic and Kurdish.

Though MoFLSS's mandate is directly related to combat against gender-based violence, other line ministries in the combat against gender-based violence are:

- **Ministry of Interior:** *Governorates* and *District-Governorates* are responsible for the provision of temporary accommodation, temporary financial support, psychological, professional, legal and social support for the women and accompanying children who are subjected to violence or in case of a life threat. Law enforcement officers (police and gendarmerie) are among the frontlines for the women exposed to violence apply. They also have taking decision of injunction, demanding a decision to be taken and ensuring that decisions are fulfilled under the authority of Ministry of Interior.
- **Ministry of Justice:** Victims of violence can appeal directly to *the Public Prosecution Offices*. 56 Domestic Violence Investigation Bureaus are established in metropolitan municipalities under the Chief Public Prosecutor's Offices. These Bureaus are mandated to monitor the investigations for the crimes against women and to conclude these investigations, perform the task and procedures under the law no. 6284, control and monitor the duly implementation of the preventive-protective measures. . There are 263 active Family Courts in Turkey, another appeal mechanism for the victims of gender-based violence. Victims can appeal to the Family Court by filing a petition to benefit from the Law. If a Family Court is not present at the whereabouts, the Civil Court of First Instance is authorized and in charge. *Institution of Forensic Medicine* is the institution where the women exposed to violence are referred when they appeal to police forces or Public Prosecution offices, to get medical reports. The institution has an important function in determining the status of violence and the damage inflicted on women, in cases of violence against women. There have been 9 Departments for Forensic Medicine and 72 Sections of Forensic Medicine which provide service.<sup>131</sup>
- **Ministry of Health:** Director General of Public Health of Turkey, Public Hospitals Administration and the General Directorate of Emergency Services –112 Department of Emergency Health Services- at the headquarters of the Ministry. In its field organization, Provincial Public Health Directorates and Public Hospital Union are the units in charge of gender-based violence. Family health centers and Public Health Centers are the institutions in provinces delivering services to the victims of violence on behalf of hospitals.
- **Women's Rights Commissions:** These Commissions are conducting studies to ensure the equality of women and men in the fundamental legislation and provide free counselling service to those who does not have enough information about their rights and appeal process. The Union of Turkish Bar Associations established the Women's Rights

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<sup>131</sup> The data is taken from MoFLSS and updated in January 2018.

with the participation of the bar representatives to provide guidance to the problems caused by all kinds of discrimination against women.

## 6.9 SOCIO-CULTURAL FACTORS AND CONSTRAINTS<sup>132</sup>

Gender roles, patriarchal values and perceptions about women's honour are the main socio-cultural factors.

Constraints in effective fight against violence are insufficient enforcement of law, low awareness of the law enforcing bodies, limited infrastructure and preventing measures.

**Law:** There are some loopholes in the state-led efforts. Though Law No. 6284 on the Prevention of Violence against Women and the Protection of the Family has expressed its concern of not criminalizing domestic violence and without any provision relating to the prosecution or punishment of perpetrators; persistence of systematic and widespread gender-based violence against women, including sexual violence, psychological violence and deprivation of access to essential goods, against women in the private sphere, that a large number of women are murdered by their intimate or former intimate partners or husbands or members of their families.

In these terms, protection orders are rarely implemented and are insufficiently monitored, with such failure often resulting in prolonged gender-based violence against women or the killing of the women concerned.

**Violence Unreported:** Hence, violence is considerably underreported owing to stigmatization, fear of reprisals, economic dependence on the perpetrator, legal illiteracy, language barriers and/or lack of trust in the law enforcement authorities; that inadequate assistance and remedies are offered to women seeking to escape violent relationships, inappropriate conditions for women in shelters including invasive searches, confiscation of the women's cell phones and restricted hours for entering and exiting the shelter, as well as the frequent practice of sending victims back to their abusive partners or compelling them to part with their children.

Lenient judgments are given to perpetrators of sexual violence, including those found guilty of the rape of girls, and reduced sentences are imposed owing to the perpetrator's "good behaviour" during trial; persistence of crimes, including killings, committed in the name of so-called "honour", and about the relatively high number of forced suicides or disguised murders; insufficiency of the awareness raising efforts to reject the concept of "honour" that perpetuates and condones the killing of women.

## 6.10 RECOMMENDATIONS

### 6.10.1 RECOMMENDATIONS FROM CSO'S

#### **Awareness raising, Training and Empowerment:**

- Campaigns for a change in the discourse of the politicians and leaders on the role and status of the women should be arranged countrywide.

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<sup>132</sup>Data is taken from the Ministry of Family and Social Policies Report of Women in Turkey, 2018.

- CSO's working for the women's empowerment should be supported and treated as solution partners by the government and international community. The Ministry of Family and Social Policies does not accredit feminist associations and groups. It prefers to work with pro-government women organizations. Those organizations are mostly away from gender policy.
- Training and empowerment programs contributing to change in mind-sets should be developed and put into practice in close cooperation with the Turkish Armed Forces, Ministry of Interior, Ministry of Justice, Ministry of National Education and Justice Academy. Significantly increase victim identification efforts among vulnerable populations including refugees, Turkish and foreign women and girls in prostitution, and children begging in the streets.
- Enhance training for law enforcement officers on a victim-centered approach.

Comment of the Editor:

- Awareness raising programs for media sensitive to gender-based violence should be developed and delivered countrywide to professionals, managers and students of respective departments. TV channels are the most common digital environment for women in Turkey. Productions such as serials must inform women audience about their civil rights and combating VAWG and must encourage solidarity between women.
- Muhktars and "imams are two important groups to that can persuade families against violence as the prominent members of the society. Therefore, programs with their inclusion need to be designed.

### **Obligations, Sanctions and Law Enforcement:**

- All data collection and statistical work should be sex disaggregated, gender, sexual orientation and gender identity sensitive. Relevant statistical data should be collected in line with the Istanbul Convention, at regular intervals, on cases of all forms of violence, incidents and conviction rates, as well as the efficacy of measures.
- Measures for full-fledged implementation of the Istanbul Convention and other instruments should be taken. At the courts/cases, judges must refer to the Convention and take decisions according to the Convention. This is an obligation according to the 90<sup>th</sup> Article of Turkish Constitution.
- Parliamentary Committee on the Equality of Men and Women, in cooperation with the Ombudsperson and CSO's, should create benchmarks and monitoring frameworks on the performance of law enforcement and judiciary in their address to gender-based violence.
- Make trafficking-related data, especially disaggregated statistics on victims and on prosecutions.
- The Government and the MoFLSS should recognize, encourage and support the work of gender equality focused women's NGOs and establish effective co-operation with these organizations particularly during the law making process.
- The term "custom killings" in the Penal Code should be replaced with "honour killings" to be comprehensive. Additionally, the penalty stated as "aggravated life sentence" for this crime should be enforced for the murders due to sexual orientation and gender identity.

- The intervention of gender equality focused women's NGOs should be allowed for all trials relating to violence against women and children and those in which there may be an issue of violence.
- Government officials, police, military, prison/detention staff, but particularly the judiciary should regularly and constantly be trained on non-discrimination, gender equality, VAWG and women's rights etc. Women's NGOs should be able to contribute to the content.
- Sanctions should be applied particularly to government authorities, who are against gender equality, in the event that they make discriminatory remarks about women.
- Provincial Action Committees liable to implement effective, comprehensive and co-ordinated policies should meet regularly in every province with the participation of gender equality focused women's NGOs active and experienced in the field and decision makers responsible for combating VAWG. Monitoring should be ensured to achieve concrete results in prevention, protection and prosecution which would lead to improving the lives of survivors.

### **NGOs, Shelters and Referral Centers:**

- The locations and physical conditions of almost every shelter, ŞÖNİM (Violence Prevention and Monitoring Centers) and Provincial Directorate of the MoFLSS in Turkey should be improved so as to be accessible for all women and in particular, women with disabilities. Moreover, the relevant websites as well as the visual and printed materials prepared to inform the public should be accessible.
- NGO shelters providing direct services to trafficked women should be appropriately funded by the State to enable continuity and to even improve them further and partnerships with NGOs should be institutionalized.
- The budget allocated for activities towards collaborations with non-state actors and civil society and for training of the personnel working in public offices responsible for combat VAWG should be increased.
- The municipalities, with over 100,000 populations, should be obliged to open shelters in compliance with the Municipality Law No. 5393. Sanctions should be put in effect for those that do not comply. Furthermore, the number of overall shelters in Turkey should be increased in line with the Istanbul Convention.
- The number of qualified human resources such as social workers, child development specialists, psychologists, etc., working at ŞÖNİMs, Provincial Directorates and shelters, should be increased. They should be supervised and supported regularly to prevent secondary trauma and burnout. They should also be provided with pre-service and in-service training on issues such as gender equality, women's rights, VAWG, interviewing techniques with survivors of violence, feminism, working with women with disabilities, LGBT, refugees, etc. All the services should be tailored to the needs of women and girls subjected to violence and improved to empower them.
- ŞÖNİMs, Provincial Directorates and shelters should provide support services to every woman without discriminating on the basis of sexual orientation, gender identity, nationality, ethnicity, religion, occupation, etc. Language interpreting services should also be budgeted.

- The term “shelter” which is in compliance with European standards should be used for the women’s shelters in all of the relevant legislation instead of “guesthouse” to symbolize the character and function of these facilities and dignify the attributes of the women’s movement.
- Appropriate, easily accessible sexual violence referral centres should be set up for survivors, in sufficient numbers to provide for medical and forensic examination, trauma support and counselling in line with the Istanbul Convention.
- A nation-wide round-the clock (24/7) free telephone helpline with a widely advertised public number should be set up to provide support and crisis counselling in all relevant languages in relation to VAWG as contemplated in the Istanbul Convention.

Comment of the Editor:

- Protecting and supporting the victims of violence against LBGTI is a barely touched issue and NGO’s such as KaosGL need international funding.

## 7 CHILD/EARLY/FORCED MARRIAGE (CEFM)

### 7.1 GENERAL FRAMEWORK

CEFM is any formal marriage or informal union where one or both of the parties are under 18 years of age. Each year, 12 million girls are married before the age of 18. That is 23 girls every minute. Nearly 1 every 2 seconds.<sup>133</sup> CEFM is a human rights violation that we must end to achieve a better future for all. This is a form of gender-based violence. Though this is a reality for both boys and girls, girls are affected mostly.

As per the UNICEF data, worldwide, more than 650 million women alive today were married as children. While discussing the negative effects of CEFM, OECD refer to the empowerment aspect as CEFM restrict girls’ access to education, a factor that has repercussions in all cycles of their lives and on the income and poverty ratio of the countries. These girls enrolment rate at the secondary school is decreasing. Girl child spouses are also vulnerable to domestic violence and sexual abuse within relationships that are unequal, and if they become pregnant, often experience complications during pregnancy and childbirth, as their bodies are not ready for childbearing.<sup>134</sup>

About early pregnancy, is one of the most dangerous causes and consequences of this harmful practice. Girls married early are more likely to experience violence, abuse and forced sexual relations and they are more vulnerable to sexually transmitted infections (including HIV).

### 7.2 LEGAL FRAMEWORK

#### *Relevant Laws and Conventions*

##### General

- TR Constitution (Article 10), No: 2709, November 1982
- CEDAW, ratified in 1985

<sup>133</sup> Girls not brides, [www.girlsnotbrides.org](http://www.girlsnotbrides.org)

<sup>134</sup> UNFPA: Child Marriage in Turkey: Overview, 2012

- Convention on the Rights of the Child, ratified in 1989
- İstanbul Convention, ratified in 2014

#### Specific

- Civil Code, in 1926
- Legal age for marriage: 18

The legal age of marriage in Turkey is 18, or 17 with parental consent. In exceptional circumstances people can marry at 16, subject to court approval.

### 7.3 SITUATION IN TURKEY

Statistical data available may not be representative of the scale of the issue since most CEFMs are unregistered and take place as unofficial religious marriages.

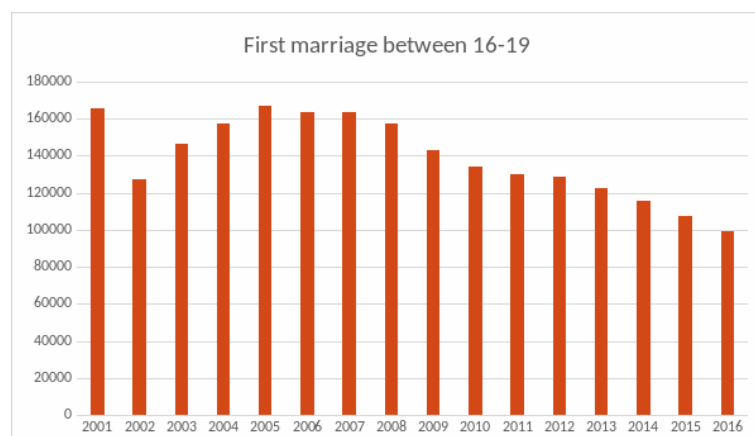
Moreover, although the age of consent for marriage is 17, some families force their children to marry by changing their date of birth on official documents or lying about the age of children when applying for identity cards.

Mean age at first marriage was identified to be 27,1 for men and 24 for women in 2016. Turkey has one of the highest rates of CEFM in Europe with an estimated 17,9% of girls<sup>135</sup> married before the age of 18.

**UN Women's data about VAW in Turkey** reports children marriage in Turkey as 15%. However, the recent TURKSTAT data of 2016 reveals that this ratio is even higher. Data reveals that first marriages took place under the age of 18 is 17.9%. In other words, nearly one in five people are married under 18. When this proportion is analysed by sex it reveals that proportion of women married under 18 is 28.2%. This is 5.6% for men.<sup>136</sup>

According to the marriage statistics, while the proportion of legal CEFMs for girls aged between 16 and 17 within the total legal marriages is 4.2 in 2017, with a slight decline compared to 6.2% in 2013.

**Figure 17: First marriage**



Source: TURKSTAT, 2016

The data released by the Turkish Statistical Institute (TURKSTAT) in August 2017 indicated that 602,982 official marriages in Turkey in 2015, over 30,000 girls aged 16-17 were forced into marriage, the daily said. This figure corresponds to 5.2 percent of all marriages that year. The government announced its goal to lower this rate to 1 percent through 2018-2023 Action Plan.

<sup>135</sup> Girls not brides, [www.girlsnotbrides.org](http://www.girlsnotbrides.org)

<sup>136</sup> TURKTAT data, 2016

According to the birth statistics, adolescent birth rate is also another important indicator to track religious marriages. While the adolescent fertility rate was 31 per thousand in 2012, this rate decreased to 21 per thousand in 2017. In other words, the number of live births was 21 per thousand women in 15-19 age groups in 2017.<sup>137</sup>

### **Demographic Changes in CEFM:**

As 2014 National Research on Domestic Violence Against Women shows 70% of the spouses of women who made an early marriage, are 5-9 and 10 years older than them. According to the 2014 study there is an apparent relationship between the age of marriage and the level of different forms of violence; young married women are also more vulnerable to both physical and sexual violence than older women. While the lifetime physical violence is 48% among women married before the age of 18, it is 31% for those married after the age of 18.

Similarly, women who are married before the age of 18 are again the disadvantaged group in term of physical violence experienced within the last 12 months, with the percentages of 10 and 8. Women who have married at a young age have experienced the acts of physical violence more prevail lent than the others.

19% of women married before the age 18 and, 10% of women married after the age of 18 reported having been exposed to sexual violence at any point in their lives. For the last 12 months and the type of residence, the exposure to sexual violence is also more prevalent among women who were married at an early age. Similar to the acts of physical violence, women who marry at an early age have experienced each act of sexual violence more prevalent than those who were married after the age of 18. While 42% of women married after the age of 18 have experienced emotional violence/abuse at any point in their lives, this proportion is 51% for the women married before the age of 18.

In the case of Turkey, in CEFM's, most of the girls are forced to marry men who are older than them. Older men are more likely to be carrying sexually transmitted infections (STIs), including HIV, than younger men, as they will most likely have more sexual experience. In addition, a large age gap weakens the woman's bargaining power to negotiate protected sex and contraception use. By virtue of these two factors, the risk of young married girls aged 15-19 having STIs increases.

In province-based analyses in 2017, the province with the highest proportion of CEFMs for girls was Ağrı with the proportion of 16.6%. This province was followed by Muş with 16.1% and Bitlis with 12.3%. The three provinces with the lowest proportion of CEFMs for girls within total marriages were Tunceli with 0.4%, Rize with 1.1% and Trabzon with 1.4% respectively.

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<sup>137</sup>Turkstat, <http://www.turkstat.gov.tr/PreHaberBultenleri.do?id=27588>



## 7.4 POLICIES, INCENTIVES AND IMPLEMENTATIONS OF GOVERNMENT

The Committee on Equal Opportunity for Women and Men (KEFEK) of TBMM set up a Sub-Committee in 2009 in response to the demands from the public and civil society on CEFMs. The Report of the Child/Early Marriages Sub-committee linked CEFM with gender inequality and accessibility of education for girls as educated girls can stand up against traditions. The Sub-Committee identified various factors fostering the practice including economic deprivation, traditional and religious beliefs, lack of education, desire to escape domestic violence at home, and social pressure are some of the main reasons.

It is also announced at the press meeting of MoFLSS, held in August 2017, the Turkish government is planning to reduce the ratio of underage as well as forced marriages in the country from five percent to one percent through an action plan regarding the issue prepared by the Family and Social Policies Ministry for 2018-2023<sup>138</sup>

The government stated that it employed female staff from the Presidency of Religious Affairs to raise awareness of the early marriages. They are assigned to districts and neighbourhoods and make personal visits to families to inform them. Local officials and clerics will also invite women to mosques to encourage them against underage and forced marriages.

## 7.5 SOCIO-CULTURAL FACTORS AND CONSTRAINTS

Despite the fact that various international treaties, conventions such as the 1962 Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages; the 1979 Convention on the Elimination of All forms of Discrimination Against Women; the 1989 Convention on the Rights of the Child; and the 1995 Beijing Platform for Action and programs for action are addressing child/early marriage owing to the deep rooted and fostered patriarchal norms and cultural values the progress for its elimination is limited..<sup>139</sup>

### **Poverty and Lack of Education**

There are mainly two factors behind early marriages: (1) the deep-rooted customs and traditions those define early marriage as a way of protecting family's honour shed light on the acceptance of the practice. (2) Poor families have the tendency of marrying of their daughters at an early age grounded on traditions to have one less mouth to feed and generate resource for the family by receiving bride price/ dowry.

Lack of education and poverty is another factor behind early marriages. Researchers from Gaziantep University in 2013 had estimated that one in three marriages in Turkey involved a person under 18, and that the vast majority were illiterate.<sup>140</sup>

Though bride price is not legal in Turkey National Domestic Violence Report reveals that 14.6% of ever-married women's families were paid bride price. Report also shows the correlation

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<sup>138</sup> Action Plan, 2018-2023, MoFLSS

<sup>139</sup> Report by the Sub-Committee of Child Marriage of KEFEK

<sup>140</sup> The Guardian, <https://www.theguardian.com/world/2016/nov/22/turkey-to-drop-child-sex-assault-bill-after-protests>

between education and prevalence of the tradition. The highest prevalence of bride price payment, 40%, was found among women who did not have any education or who had not finished primary school.

### **Case about Religious Affairs**

An online glossary of Islamic terms was posted by Turkey's Directorate of Religious Affairs – or Diyanet – which is responsible for administering religious institutions and education.

The website said that, according to Islamic law<sup>141</sup>, whoever had reached the age of adolescence had the right to marry. Elsewhere, the beginning of adolescence was defined as nine and 12 for girls and boys respectively.

Although the glossary has since been removed, 30 MPs from the main opposition Republican People's Party (CHP) have called upon the government to launch a parliamentary inquiry into CEFMs.

### **Lack of monitoring of adolescent births**

Adolescent births may reflect the real numbers of CEFM; however, the poor birth registration system enables the families to marry their daughters without fear of repercussion.

In the face of increasing violence against women and increase in the number of early marriages, various platforms are set up by the CSO's all over the world those stand for human, women and children rights in cooperation with the international community such as Girls Not Brides. Assessment of these platforms also supports the findings of the Sub-Committee, yet with variations. These platforms also refer to the male-dominated discourse in the country that promotes reproductive roles of women as wives and mothers. Economic deprivations and resulting drop outs from the school also creates vulnerabilities for the girls in defence of their rights and fulfilment of their being.

### **A Focus on Bill on Perpetrators of Sexual Assault**

In November 2016, the Turkish government recalled an amendment to a bill that would allow perpetrators of sexual assault to be exonerated if they married their victims. Civil society, the public and the international community had expressed concerns that the legislation would legitimise CEFM.

### **A Focus on “Mufti Marriages” Impact on Early Marriages**

The bill drafted in July 2017 and adopted on 19 October to amend the Population Services Law is another example of a very important concern for women organisations on early marriages. The

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<sup>141</sup>Independent, <https://www.independent.co.uk/news/world/europe/turkey-children-marry-age-nine-islamic-law-diyamet-government-chp-mp-investigation-muslim-a8142131.html>

provincial and district muftis were given the right to marry with the Act No. 7039 dated 19/10/2017. By the provisions of the Regulation on the Amendment of the Regulation on Marriage, published in the Official Gazette dated 02/12/2017, the provincial and district muftis and the personnel in the offices of muftis can be authorized to marry.

The bill is found not only violating the principle of secularism but also the Constitution and the Civil Code, and will result in the establishment of multiple legal frameworks. For example, according to the bill, the criteria for marrying such as age limit, holding a marriage license, being of suitable health, and not being close relatives will not be determined based on the law, but rather based on religious grounds. This point clearly shows that girls will be most affected by the application of this law.

- Drafting a law that concerns all citizens but is based only on Sunni Muslims is discriminating towards other religious groups. This is a violation of the principle of equality and the constitutional principle that says: “The state shall treat all its citizens equally and not discriminate based on race or sect.”
- The bill will increase the exploitation of children, consanguineous marriages and forced underage marriages. Abrogating women’s rights provided as outlined by the Civil Code will pave the way for making religious marriages compulsory.
- Civil marriage in Turkey had been carried out by civil servants with no religious affiliation. There will not be any prohibitions of parties getting married before religious authorities after this bill.

## **7.6 CEFM OF SYRIAN REFUGEE GIRLS**

There is a consensus that most vulnerable victims of migration are children and women. The women, who come from countries where the women have lower social status, are more likely to face gender-based problems such as sexual and physical abuse, exploitation and discrimination in the distribution of goods and services in the countries they live in. Among these women, early marriages and early pregnancies are the major problems.

Early marriage of girls is a coping strategy with poverty as well as a strategy to protect the girls from sexual assaults. A UNHCR survey conducted in 2014 revealed that the average age of marriage for Syrian refugee girls in Turkey was between 13 and 20 years. Statements of many respondents underline how this was regarded as a coping strategy by the families. As they said that if they had the money, they would not have resorted to marrying off their daughters at such a young age.

According to the Monthly Syrian Crisis Regional Response- Situation Reports published by the United Nations Population Fund<sup>142</sup>, 538.707 of 2,154,826 Syrians in Turkey are women and girls and 34.320 of them are pregnant. However, according to "Syrian Refugees and Health Services Report" published in 2014 by Turkish Medical Association, Syrian refugee women in Turkey have not received any aid regarding sexual and reproductive health, family planning, pregnancy scans.

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<sup>142</sup> UNFPA, 2015

In the reports of United Nations Population Fund (UNFPA, 2015, it has been reported that 2667 women were provided with counselling on reproductive health, 571 women received counselling on gender-based violence and 17 women were SGBV survivors.

Syrian refugees accept early marriages for their daughters due to the reasons such as getting rid of economic burdens of their daughters, providing permanent houses for them, and getting rid of honour issues. This emerges as a situation that they legitimize within their own socio-cultural structures.

However, recently, it has been becoming a problem that there is a widespread polygamy with Syrian women among the local people and marriage turned into a way of obtaining financial advantage. Because adult males who want to marry are applying mediators and pay them in order to get marry with young Syrian women and girls. According to Syrian families, marrying off their daughters means saving the lives of their daughters from one side and it is a way of obtaining financial gain. However, the most important factor ignored here is the abuse of the girl who is a child<sup>143</sup>. It should be noted that those who exploit these girls are certainly not only the ones who got married to these girls but also the mediators and the families who are not aware that they exploit their daughters.

## **7.7 RECOMMENDATIONS**

### **7.7.1 RECOMMENDATIONS FROM CSO'S<sup>144</sup>**

- Household and community-focused awareness raising programs should be developed and implemented.
- Monitoring of compulsory education should be done systematically with an enhanced cooperation of school, family and child.
- Nationwide risk mapping should be developed to determine the vulnerabilities and risks of regions and sub-regions for context-specific policies and implementations. The studies conducted in the regions should be taken into account, according to the NGOs. NGOs claim that the studies undertaken in the eastern provinces of Kars, Ağrı, Iğdır as well as in the southwestern province of Burdur contradict the figures released by TURKSTAT. Therefore, the sensitivities of the regions should be taken into account and measures particular to the region should be developed. EUD may fund the researches of these regions.
- Age-based contradiction among various legislative frameworks should be eliminated as per universal definition of children.
- Punitive measures against those involved CEFM should be revised.
- Identity expression in the denunciation calls should be eliminated to encourage individuals to be part of combat against CEFM.
- CSO's combating against CEFM should be supported and actively take part in the monitoring mechanisms.

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<sup>143</sup> Özgülnar, 2016

<sup>144</sup> Recommendations of "No to Child Brides" brings together 50 organisations working to end child and early forced marriage in Turkey. It is co-chaired by Girls Not Brides members Flying Broom and the International Children's Centre Turkey. Their recommendations is listed at the Annex

- Those who authorize and permit religious weddings without a document demonstrating the existence of an official wedding shall be penalized. There must be a legal arrangement to enforce this punishment.
- The age limitation to get married shall be raised to 18 for both genders, just as it is indicated in the Convention on the Rights of the Child.
- 4+4+4 education system paving the way for the forced marriage of girls shall be withdrawn.
- Provisions on “early marriages” and “forced marriages” shall be annexed to the annulment of marriage article of the Civil Code that allows easy annulment of involuntary marriages and the implementation of this article shall be strictly monitored.

Comments of th Editor:

- Islamic law about “adolescence of a girl” needs to be clearly expressed at mosques and religion lessons the gender sensitive audit of religion books by EUD is important.
- School children should be informed of the disadvantages of early marriage, as the NGOs suggested. This can be conducted through workshops, inviting those with experience in the prevention of CEFM to speak to the students to schools.
- “Call for Help against Early Marriages” call center can be conducted for girls to notify their parents before any religious marriage under the age of 18 or birth date change. The sociological impacts and the system to protect girls from being unveiled of making the call need to be conducted at a pilot region.



## **8 HUMAN & WOMEN'S RIGHTS DEFENDERS**

### **8.1 GENERAL FRAMEWORK**

The UN adopted the Declaration on human rights defenders in 1998. The Declaration recognises the importance and legitimacy of defenders, and the vital role they play in making the UN Declaration on Human Rights a reality.

The Declaration also acknowledges the huge risks that defenders face. It outlines the collective responsibility of all states in the UN to ensure that defenders are supported in their work and protected from harm.

The Declaration states that defenders have a right to:

- Defend human rights
- Associate freely with others
- Document human rights abuses
- Seek resources for human rights work
- Criticise offending government bodies and agencies
- Access. Protection from the UN and regional mechanisms.

Some regional mechanisms have also been established to provide support for defenders. The European Union adopted its own Guidelines on Human Rights Defenders, which outlines the EU commitment to supporting and protecting Human Rights Defenders in third countries (countries outside the EU, where there is an EU presence).

A basic right in a fully functioning democracy based on the supremacy of law is that individuals and social groups have the freedom to initiate personal and social change. In other words, it requires that citizens play an active and transformative role in their relationship with the system's decision-making mechanisms (i.e., the state) and not a subservient and passive one, the prevalent climate being one of respect for rights. Individuals need to internalize and develop a critical understanding of their rights before they can embrace and exercise them.

### **8.2 SITUATION IN TURKEY**

Turkey is still in the process of establishing a system where individuals can thus benefit from the rule of law and contribute towards a democracy. Gender discrimination and the patriarchal nature of our society render this situation even more crucial for women. There are very few social services and programs that enable women to translate the legal rights they have gained since the founding of the Republic from the written page into everyday life. The favourable conditions resulting from equal rights in the legal field were unfortunately turned to disadvantage through the widely-held belief that the problems of equality were solved at the founding of the Republic. This idea was so engrained that it took 75 years to change the Civil Code of 1926. Until 20-25 years ago, it was considered a luxury, at least in intellectual circles, to monitor, articulate or wish to remedy the inadequacies in the law, its administration and the pain and discrimination many encountered in daily life.

The lives of many women today are still shaped by social and religious customs instead of

constitutional rights and the Civil Code. However, the demand and resolve to change this reality now makes its presence strongly felt. Women for Women's Human Rights-New Ways works both to target lawmakers and decision-making processes and to help women gain an awareness of their rights and to put these rights into practice.

Despite the fragmented structure women movement in Turkey has achieved important strides in the form of legal changes and improvement of the policy implementations to achieve gender equality. Ensuring full equality throughout the Turkish Civil Code, securing of sexual and bodily rights in the Turkish Penal Code, enactment of Law No. 6284 and the establishment of the Committee of Equal Opportunities for Men and Women in the TBMM are some of the concrete achievements of the endeavours of the women movement. Polarized environment in the country, however, has direct repercussions on the women movement.

Those which are critical to the political discourse of the government that relegates women to the reproductive roles of mother and caregivers define themselves as independent women organizations and they are opposing majority of the policies and implementations of the government as the predominating conservative tone of the government is increasingly threatening women's enjoyment of their rights and freedoms. As these critical organizations state the space for the civil society has been shrinking rapidly for women's rights defenders in Turkey which is resulted in a significant backlash in the area of women's rights due to the mushrooming of government organized/oriented non-governmental organizations (GONGOs) which are preferred by the government for cooperation while leaving the rest of the players of the women movement out of the loops of communication and collaboration.<sup>145</sup>

The failed coup attempt and aftermath adoption of the emergency rule in July 2016 has led to different challenges to the civil society organizations including the women movement. In the scope of some of the decrees, there are cases of human rights violations and closure of some of the women's organizations, centers and shelters by the trustees appointed as mayors. The existing environment is not conducive for freedom of expression and partnership. In many provinces, the cooperation of public authorities with the women organizations was suspended and existing protocols have been cancelled. In the municipalities where trustees were appointed, directorates of women and women's shelters were shut down.<sup>146</sup>

In the light of these, critical NGOs, those define themselves as independent women movement stress that while the emergency state continues possibility for full-fledged implementation of the Istanbul Convention and an enabling environment for the women movement seem less than viable.

**Women's Coalition – Turkey**<sup>147</sup> states that Women's rights movements and organisations are key drivers for creating transformatory change to enhance equality, human rights and democracy for all, while on the other hand, they survive on severely limited financial resources and mostly under restrictive legislative conditions.

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<sup>145</sup>Shadow NGO 2

<sup>146</sup>Shadow NGO 2

<sup>147</sup> Recommendations of the Women's Coalition is included in Section 8.3.2



The funding of independent women's organizations has profound effects not only on the development and survival of civil society but also on improving and sustaining rights for women, the girl child and for all.

It is vital that resources allocated to independent women's organizations need to be flexible, sustainable and recognize diversity by all means while also taking into consideration the different country contexts.

One main concern is that the structured programme or project funding on themes, which are not responsive to core mandates of independent women's organizations or civil society, may lead to mere inclusion of governmental NGOs (GONGOs) or NGOs that do not question the anti-democratic practices of the governments. This may further cause devaluation of not only what independent women's organizations need, what they do and how they survive but also to devaluation of the understanding of equality.

### **Women's Organizations Were Closed Down Following the State of Emergency**

Within the scope of the state of emergency, 370 associations were closed down, including 11 women's and 1 children's organizations.

Adıyaman Association of Women and Life, Anka Women's Research Center, Bursa Panayır Women's Solidarity Association, Ceren Women Association, Gökkuşığı Women's Association, KJA, Muş Women's Roof, Muş Women's Association, Selis Women Association, Van Women's Association were among those organizations.

With the closure of these associations, the women who are the survivors of violence were deprived of the associations as being support mechanisms; whereas literacy courses, raising awareness trainings, projects were interrupted.

To set an example to the voluntary work of these associations;

Van Women's Association (VAKAD), was working jointly with UN, UNICEF and various ministries in Turkey was providing support for 300 survivors of violence, was reaching 2000 women with its seminars per year, was providing 400 women with leadership and financial literacy trainings.

In the last two years, Muş Women's Association reached 6,000 girls and 600 parents and provided them with trainings on gender equality, children's rights, the harms of early and forced marriages, national and international law. They also provided gender trainings to men. Finally, they provided 14 trainings of trainer with trainers coming from UK and Holland.

### **A Case Study: Istanbul 10<sup>148</sup>**

On July 5, 2017 in İstanbul Turkish police detained 10 human rights defenders activists at a hotel on the island of Büyükada, where they were attending a workshop on wellbeing and digital

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<sup>148</sup> Amnesty, <https://www.amnesty.org/en/latest/campaigns/2017/07/free-rights-defenders-in-turkey/>

security. It included open discussions about the stresses they encounter and practical ways of dealing with these.

At first, they were taken to different police stations in Istanbul, then held for several days at the Istanbul Security Directorate, the main police headquarters. On 18 July, they appeared before a Judge following the prosecutor's request that they be sent to prison pending their trial. Seven of the eight imprisoned rights defenders were being held in Silivri prison in Istanbul, the highest security prison in Turkey. İlknur Üstün is held in Sincan prison in Ankara. Two more are on bail but still face investigation.

They were accused of assisting a variety of terrorist organisations and face maximum possible sentences of 15 years. They could not receive letters, they were only allowed an hour-long supervised visit by their lawyers per week and by their closest relatives and allowed to read books and newspapers but not receive letters from outside. Also they were able to held with one other person, but could not see between each other.

The 10 people who were detained in Istanbul on 5 July 2017 are:

- İdil Eser, the Director of Amnesty Turkey
- İlknur Üstün, Women's Coalition
- Günel Kurşun, Human Rights Agenda Association
- Nalan Erkem, Citizens' Assembly
- Özlem Dalkıran, Citizens' Assembly
- Veli Acu, Human Rights Agenda Association
- Şeyhmus Özbekli, lawyer
- Nejat Taştan, Association for Monitoring Equal Rights
- Ali Gharavi, Digital strategy and wellbeing consultant, writer
- Peter Steudtner, Trainer for non-violence, Digital strategy and well-being consultant

After being in jail for six months, they were released from prison but still they are being observed by the governments and facing charges.

Many Human Rights and Women's movements showed their support for the İstanbul 10. Women Human Rights Defenders International Coalition (WHRDIC) expressed their "increasingly concerned that the far-reaching, almost unlimited discretionary powers exercised by the Turkish authorities during the first three months of the state of emergency – extended for a further three months on 19 October - endanger the general principles of rule of law and human rights safeguards".<sup>149</sup>

In their statement about Turkey, Women Human Rights Defenders International Coalition (WHRDIC) also expose the case of Ayla Akat, a leading woman human rights defender and Kurdish political activist in Turkey, who also served as an elected Member of TBMM between 2007 and 2015. She was taken into custody on 26 October in Diyarbakır/Amed. Partners in Diyarbakır informed the WHRDIC that during her arrest, Ayla was dragged across the floor,

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<sup>149</sup> Defending women, <http://www.defendingwomen-defendingrights.org/wp-content/uploads/2016/11/Turkey-Statement.-Final-1.pdf>

physically abused and harassed. The police also raided her house and office and confiscated all equipment pertaining to her human rights work, including laptops. Ayla has been moved to Kandıra Prison, an F-type (high security) prison over a thousand kilometres from her home. Akat was charged with “being a member of a terrorist organization” on 31 October 2016.

Ayla’s detention follows a wave of arrests targeting Kurdish activists in Turkey. Comayors of Diyarbakır, Gültan Kışanak and Fırat Anlı, were also imprisoned on terrorism charges on 30 October, having been taken into custody on 25 October. Gültan Kışanak is a symbolic figure of the Kurdish women's movement and after the last military coup in September 1980 experienced the most brutal forms of threats, restrictions and violence, including torture and sexual assault in prison. Other arrests include that of renowned novelist, columnist and human rights activist Aslı Erdoğan and writer and linguist Necmiye Alpay.

Since the government of Turkey declared a state of emergency, there have being target human rights defenders and suppress dissent.

## **8.3 RECOMMENDATIONS**

### **8.3.1 RECOMMENDATIONS OF CSO’S**

- In the legislative framework of Turkey, protection of women’s rights including lesbian, trans and bisexual women’s rights should be ensured.
- The Concluding Observations of CEDAW on stereotypes by considering further measures to combat the reinforcement of traditional role segregation, homophobia and transphobia as well as patriarchal norms and values at societal, policy-making and discursive levels should be implemented.
- The state of emergency measures, which generates massive human rights violations that especially affect women and LGBT members of society should be terminated as soon as possible.
- The requirements of the Istanbul Convention concerning cooperation with civil society should be fulfilled. Women’s organizations without any restrictive measures should be able to participate in legislative and executive processes related to women's rights.
- There is need to devise methodologies to ensure that resources, flexible in nature, should be made available for feminist and independent women’s rights organizations to strengthen their own capacity building. In other words EU funds must recognize the differences and unequal conditions that exists among different organizations (i.e. GONGOs and independent NGOs), and the difficulties that independent women’s organizations may face in accessing the funds.
- The allocation of resources which goes through government initiatives carry the risk to exclude independent women’s organizations, LGBTI organizations and independent civil society as a whole.
- The cumbersome bureaucracy involved in EU funding can be severely discouraging for women’s organizations, in particular for grass-root women’s organizations specifically in rural areas where they cannot even have access to internet.
- Independent Women’s organizations are not present at the decision making processes on allocation of EU funds. There is a need to take measures that will allow involvement of

experts from independent women's rights organizations in designing, managing and evaluating allocation of resources and funding mechanisms

**COMMENT OF THE EDITOR :**

- A key capacity building program which entail topics such as organizing, legal framework, fundraising, advocacy, project and program management, strategic planning, conflict management and resolution, media relations, networking and coalition building needs to be supported. The program area in line with their priorities needs to:
  - ✓ Conduct a mapping survey of locally organized women's groups and grassroots NGOs in Turkey,
  - ✓ Do a needs-analysis study in the field,
  - ✓ Develop a capacity building training program and related manuals in light of the results of the mapping survey and needs-analysis study.

Also, a press trip for European press members who are specialized in human rights can be invited for a study visit in Turkey and NGO's can vocalize their needs.

## **SECTION II. SELECTION OF GAP II INDICATORS FOR THE EUD TURKEY**

### **GENDER ACTION PLAN II - IDENTIFIED TURKEY SPECIFIC INDICATORS FOR THE SELECTED THREE THEMATIC OBJECTIVES**

The EUD has selected three thematic objectives upon which it will report on the progress during the period 2018-2020, while reporting on the results achieved and progress during 2017 is conducted in relation to all thematic objectives and corresponding GAP II indicators as appropriate.

The selected thematic objectives are:

- ✓ Girls and women free from all forms of violence against them (VAWG) both in the public and in the private sphere.
- ✓ Equal access for girls and women to all levels of quality education and vocational education and training (VET) free from discrimination.
- ✓ Women's organizations and other CSO's and Human Rights Defenders working for gender equality and women's and girls' empowerment and rights freely able to work and protected by law.

For the purposes of reporting progress on the above objectives, a process of selection and identification of indicators was initiated. The following considerations guided it:

1. The need to align its reporting to the specific GAP II indicators;
2. the need to report on the overall progress in the Turkey's context related to gender equality, resulting from interventions by the Turkish government, international organizations, and bilateral donors as well the civil society;
3. the need to report on the specific EU contribution through the specific results (outcomes and outputs) that contribute to the improvement of gender equality in Turkey in the three thematic areas selected; and
4. the availability of data sources, as well as feasibility and sustainability in terms of data collection.

The indicators were selected and identified following a methodology that included:

- ✓ Review of the GAP II suggested indicators for the three thematic objectives for their relevance and applicability in the context of the EUD and MS development and policy assistance to Turkey;
- ✓ Review of the Results Frameworks as contained in the Action Documents for the selected thematic areas (VAW, education, human rights defenders and CSO's) and of the planned results and indicators as relevant to the Actions for the period 2018-2020;
- ✓ Assessment of the extent to which baseline data for the proposed actions in the selected areas is available and the extent to which planned actions could contribute to progress in the three selected areas both in comparison to relevant indicators suggested in the GAP II and the EU Turkey specific ones;

- ✓ Selection of only those indicators that provide adequate measurement of the proposed/expected results as contained in the ADs of the EUD and development assistance programmes of the MS.

To identify the most relevant indicators for the three selected thematic objectives, meetings with the gender Working Group (GWG), Task Managers working in VAW, education and support to civil society, and the relevant project managers, as well as the EUD Co-ordination Officer/GFP took place. The list of interviewed staff is contained in Annex 1 of this Report. Likewise, discussions as well as e-mail exchange with the FRIT and EU Trust Fund project staff took place to ascertain if and how much sex-disaggregated data is available to be able to identify the indicators upon which the EUD will be able to monitor progress and report on it.

Unfortunately, the indicators for the projects funded under the Facility and the Trust Fund are not gender sensitive, nor are the available baseline data and the respective targets, which impedes the EUD to report on the important contribution it provides in the area of education, health and social services for refugees and vulnerable Turkish communities. Hence, the proposed indicators do not adequately reflect the entire EUD contribution to gender equality.

This should be kept in mind when designing the future programmes and projects, to avoid underreporting on its support to gender equality in Turkey.

Based on the available baseline as well as the actual support provided by the EUD, a list of select GAP II indicators, both contexts related and specific for the EU, has been identified, and it is presented in **Table 15**. below.

**Table 17. List of select GAP II indicators**

Thematic Objective	Indicator	Data sources
7. Girls and women free from all forms of violence against them (VAWG) both in the public and in the private sphere.	7.2. Prevalence of girls and women 15-49 who have experienced physical or sexual violence (by an intimate partner) in the last 12 months (SDG 5.38)	VAW Survey Statistics
	7.1. Percentage of girls and women aged 20 and above who were married or in a union before the age of 18. <sup>150</sup>	Official Statistics and administrative records

<sup>150</sup> Official statistics in Turkey gather data on girls and women aged 20-24 who were married or in union by the age of 18 and not 15 as stipulated in the SDG 5.40.

	<b>Additional indicator:</b> Number of women and men service providers trained in counselling and referring survivors of GBV <sup>151</sup>	Monitoring and Final Project Reports
13. Equal access for girls and women to all levels of quality education and vocational education and training (VET) free from discrimination.	13.7 N# of children enrolled in primary education with EU support (EURF)	Monitoring and Final Project Reports
	13.8 N# of children enrolled in secondary education with EU support (EURF)	Monitoring and Final Project Reports
	13.9 N# of teachers trained with EU support (EURF)	Monitoring and Final Project Reports
18. Women's organizations and other CSO's and Human Rights Defenders working for gender equality and women's and girls' empowerment and rights freely able to work and protected by law.	18.1. N# of women's and gender-rights based organizations that have received EU support	Monitoring and Final Project Reports

### SECTION III. GENDER MAINSTREAMING IN THE EUD PROGRAMME DOCUMENTS

#### 9 GENDER REVIEW OF EUD ACTION DOCUMENTS

This section presents the findings of the review and assessment of the extent to which gender is mainstreamed in the EUD Turkey programme documents. For that, analysis of the EUD's AADs was conducted, to identify the extent to which gender informs them. The analysis looked broadly at the following aspects of the AAD's:

- ✓ extent to which gender is integrated in the analysis of the situation/issues addressed;
- ✓ extent to which the objectives and corresponding results are gender sensitive;
- ✓ extent to which the corresponding indicators are gender sensitive; and
- ✓ extent to which the action empowers women and transforms the unequal gender relations.

These are in line with the G-Marker, which is a mandatory tool that needs to be employed in all EU financial assistance programmes.

<sup>151</sup>This indicator is proposed to measure the EU specific contribution to VAW and it is based on the review of the available project summaries. From the available summary of projects, awareness raising, advocacy, and capacity building of service providers (NGO's/shelter centers) is foreseen. The target should be the total expected number of trained persons by 2020.

Likewise, discussions with relevant Task Managers were conducted, to identify if and how gender considerations play a role in the programming process. EUD staff was asked their views on the following:

- ✓ Is gender sufficiently mainstreamed in the relevant programme or not?
- ✓ If yes, their view on availability of sex-disaggregated data and the in-house skills and knowledge to conduct gender analysis and design gender-sensitive Results Framework
- ✓ If not, what are the reasons for that?
- ✓ Availability of tools and guidance on gender mainstreaming;
- ✓ How can the programming process as well as monitoring and reporting on gender improve?
- ✓ What are the internal, organizational needs to strengthen gender expertise and improve gender mainstreaming, and
- ✓ What are their training needs, as Task Managers, to improve their skills for gender-sensitive programming.

The discussions on the last two questions were used to identify the training needs and guide the consultants in the development of training materials. The discussions on the five previous questions revealed number of concerns and some process and organizational deficiencies related to programming, that require urgent attention by the EUD. In addition, they confirmed the need for additional, step-by step guidance on gender mainstreaming in programme/project cycle management.

Recommendations for improvement are identified and are contained in this Report for consideration of the relevant representatives of the EUD in Turkey.

#### **9.1.1 EUD TURKEY PRIORITIES 2014-2020 AND PROGRAMMING DOCUMENTS REVIEWED**

Turkey, as a pre-accession country, currently receives financial support under the IPA II instrument (2014-2020). The priorities for the period are contained in the Indicative Strategy Paper (ISP) 2014-2020 and include:

1. Democracy and governance (PAR, PFM, corruption, civil society)
2. Judiciary and fundamental rights
3. Home affairs
4. Environment and climate change;
5. Transport;
6. Energy;
7. Competitiveness and innovation;
8. Education, employment, and social protection;
9. Agriculture and rural development;
10. Territorial and regional co-operation.



In addition, the EUD Turkey implements projects funded by the EU Trust Fund (EUTF) and the EU Refugee Facility (FRIT), whose priority areas are:

1. Education
2. Health
3. Food security
4. Socio-economic support, livelihoods, and resilience;
5. Water and Municipal Services;
3. Humanitarian Assistance, and
4. Migration Management

Considering the complexity and amount of programming documents, such as Multi-Annual Action Programmes (MAAPs), Annual Action Documents (AADs), project documents for projects funded under the EU TF and the FRIT, for the purposes of this assignment, the following planning documents were reviewed:

1. Indicative Strategy Paper 2014-2020 (ISP 2014-2020)
2. COMMISSION IMPLEMENTING DECISION of 6.12.2017 amending Commission Implementing Decision C (2014) 9675 final of 11.12.2014 adopting a multi-annual Action Programme for Turkey on Transport;
3. COMMISSION IMPLEMENTING DECISION of 6.12.2017 amending Commission Implementing Decision C (2014) 9673 final of 11.12.2014 adopting a multi-annual Action Programme for Turkey on Employment, Education and Social policies;
4. COMMISSION IMPLEMENTING DECISION of 11.12.2017 amending Commission Implementing Decision C (2014) 9576 final 11.12.2014 adopting a multi-annual Country Action Programme for Turkey on Competitiveness and Innovation;
5. COMMISSION IMPLEMENTING DECISION of 6.12.2017 amending Commission Implementing Decision C (2014) 9575 final of 11.12.2014 adopting a multi-annual Action Programme for Turkey on Environment and Climate Action;
6. COMMISSION IMPLEMENTING DECISION of 29.11.2017 adopting an Annual Action Programme for Turkey under the Instrument for Pre-accession Assistance (IPA II) for the year 2017;
7. TURKEY EU support to participation in Union programmes and Agencies 2017 Action Document;
8. TURKEY Supporting Fundamental Rights Reforms in Turkey 2017 Action Document;
9. COMMISSION IMPLEMENTING DECISION of 13.12.2016 adopting an Annual Action Programme for Turkey under the Instrument of Pre-accession assistance (IPA II) for the year 2016;
10. TURKEY Jean Monnet Scholarship Programme; Annual Action programme 2016
11. Support to participation in Union Programmes and Agencies, 2016; Annual Action programme 2016;
12. Annual Action Programme for Turkey (2016), Civil Society;
13. Annual Action Programme for Turkey (2016), Judiciary;
14. Annual Action Programme for Turkey (2016), Fundamental Rights;

15. Annual Action Programme 2016, Home Affairs;
16. Annual Action Programme, Support for negotiating Chapters 11 and 13, 2016.

In addition, three project Results Frameworks for projects funded under the EU TF and the FRIT were reviewed, with the purpose of identification of relevant indicators (see Result 2 above). The project documents for these three projects were not reviewed as their approval is vested in Brussels and not with the EUD.

The findings of the review of the above programming documents were discussed with the relevant task managers during the first field mission, which took place from March 20-25, 2018, to identify the challenges to gender mainstreaming, and discuss ways to overcome them.

## **9.2 MAIN FINDINGS OF THE REVIEW**

Overall, the review of the programming documents revealed that attention to gender aspects of the development problems addressed by the EU assistance is minimal and tends to emphasize women-focused rather than gender activities. One reason for this is that most national policy documents serving as frameworks for financial assistance, as well as the available sectoral guidelines are gender blind, as they do not explain the links between gender inequality and the specific sector.

### **9.2.1 ISP 2014-2020**

This is clearly visible in the Indicative Strategy Paper (ISP) 2014-2020 which addresses partially the gender aspects of the development problems it focuses on. The focus on gender equality is mainly a focus on women. The document states that the issue of inclusion and participation of women at all levels of society is one of the main challenges, including the persistence of VAWG and CEFM. However, it falls short of integrating gender analysis across all sectors in focus of the development assistance to Turkey. Sex disaggregated data is scarcely used and the main gender inequalities affecting different sectors have not been spelled out. Consequently, the Results Framework is also gender blind, failing to outline key objectives and results that will promote gender equality and women's empowerment in the beneficiary.

Discussions with Task Managers revealed that one of the reasons for this is the absence of gender disaggregated data and a gender-sensitive analysis of the political and social-economic context. Of concern is the fact that even in areas such as education, employment, and migration, which have significant gender aspects, no data and analysis reflect the difference between women and men in terms of the actual situation and the impact of it on their status in society.

As stated above, the analysis of the context in which the assistance is planned lacks gender considerations. Sectors, such as public administration reform, transport, environmental protection, economic growth, and competitiveness, in addition to the "soft sectors" such as governance, human rights protection and social protection, all have significant gender

components and the identification of the needs for intervention in those sectors, must be based on a proper gender analysis.

As gender aspects of the priority sectors of the IPA II assistance have not been considered in the situation analysis, the design of the pre-accession assistance to the country is largely gender neutral. The only specific reference to gender equality issues is made in the area of growth and competitiveness - to “support for implementing elements of Turkey’s national action plan on gender equality and for meeting the needs of vulnerable groups education, employment and social policies sector” (pp. 12 of the ISP), in addition to gender being identified as a cross-cutting issue that impacts different sectors together with “prevention of and fight against corruption, environmental sustainability and climate action, gender equality strengthening democracy, human rights and civil society participation as well as protection of cultural heritage as appropriate” (pp.13).

Overall, the ISP 2014-2020 does not deal with gender as a cross-cutting issue in the design of the sectoral support. Only few sectors and sub-sectors partially integrate gender as a cross-cutting issue:

1. The sub-sector “civil society”, which is mostly gender neutral, has a partial focus on gender - specific areas of intervention (LGBT and women's rights). However, gender is absent from its objectives, results, and performance indicators.
2. The sub-sector “fundamental rights”, which although gender neutral, identifies targeted interventions on women's rights and gender equality- political representation and combatting violence against women in practice, including early and forced marriages; upgrading the legal framework to address violence and discrimination based on sexual orientation and gender identity. However, the sub-sector results and performance indicators are also gender neutral.
3. The sector “competitiveness and innovation”, although gender neutral, introduces the possibility to financially support women entrepreneurs, however, this is not reflected in the results and the performance indicators for the sector.
4. The sector “education, employment and social policies”, unfortunately, does not reflect gender as a cross-cutting issue, but considers the need to target some of its interventions to women (labour market participation of women). However, similarly to the sectors above, none of its results and performance indicators is gender sensitive.

All other priority sectors are gender neutral, and the ISP fails to identify the important gender issues and to subsequently address them.

### **9.2.2 MULTI ANNUAL ACTION PROGRAMMES**

The Multi-Annual Action Programmes (MAAPs) for the priority sectors in which the EUD is engaged, are mostly gender neutral. Gender is almost fully absent from the objectives, results, and indicators of performance in all these programming documents, although there are many gender and women’s issues that could have been addressed by those.

Only the MAAP for Turkey on Employment, Education and Social Policies identifies some gender specific objectives. The programme covers four areas: (1) Employment, (2) Education and training, (3) Social policies and (4) Capacity building. The objective of the action related to employment states that it will promote employment and decent work, with a focus on women, young persons, and disadvantaged groups (pp.4). Additionally, there is one women-centered specific objective - to promote employment and employability (Activity I.II), by implementation of active labour market policies (ALMPs) with a focus on women, young and people in need of special policies.

However, most of the impact and performance indicators of the MAAP are gender blind. Use of gender sensitive indicators would have been possible, by ensuring sex-disaggregation (given that such data is available), for the following ones: Youth Unemployment Rate (+13% (DP10)); Unregistered Employment Rate (- 30% (DP10)); Job placement rate of unemployed who are registered to Turkish Employment services (İŞKUR) ( +50% (DP10)); Unemployment rate (- 5% (NES)); In-work poverty (- 5% (NES)); Rate of participants in decent work related activities/are registered in Turkish Employment Agency (ISKUR) or Social Security Institution (SSI ); Rate of reduction in occupational accidents in SMEs; Number of cases of child labour detected and solved. Opting to use sex-disaggregated indicators would have helped ensure gender mainstreamed activities, even though the corresponding results for these indicators are gender-neutral.

The multi-annual programme on education, employment, and social protection fails to identify key gender concerns in these sectors, and consequently fails to design and implement gender sensitive intervention that could have benefited not only vulnerable and excluded groups of women, but gender equality in Turkey in general. The action on education is completely gender-blind. No specific results and indicators to measure progress in equalizing educational attainment of boys and girls and women and men are contained in the Action. Data on participation and attainment levels is not disaggregated by sex, although a use of sex-disaggregated data could have helped design gender-sensitive results. Consequently, all of the selected indicators for the Action are gender blind, attesting to the problems of sex-disaggregated data availability and the awareness on the need to use such indicators. The following of the selected indicators of the MAAP could have been made gender sensitive: Number of students and families reached through guidance/counselling services; Number of 'Not in employment, education or training' (NEETs) participating in special activation programmes after SOP intervention; Gross enrolment rate for pre-school (4-5 year) – to 70% (DP10); Participation rate to lifelong learning (+ 15% (NES)).

In the social protection sub-sector, the MAAP contains one specific objective which is very relevant to gender equality- to increase access of the disadvantaged and vulnerable persons to social protection and quality health services and labour market, and combatting discrimination, exclusion, and poverty (Activity III.II). Unfortunately, it is formulated in gender neutral manner and does not depict the need to address concerns of women as “vulnerable group”, nor of specific groups of women from the socially excluded groups and communities.

Examples of themes that could have been addressed include: promoting women’s entrepreneurship, the dismantling of horizontal and vertical segregation in the labour markets and

education, the reconciliation of work and family life, supporting fatherhood and the more even distribution of family responsibilities through adequate employment and social policies, the employment in particular of men socially excluded due to long-term unemployment, and the promotion of equal pay for women and men.

Similarly, the other MAAPs are also gender blind. For example, the amended MAAP on Competitiveness and Innovation, although it deals with issues such as private sector development and capacity building for entrepreneurship, fails to provide analysis and a rationale based on gender, whereby no mention on whether women run enterprises need specific and targeted support is made. Two of its objectives - to boost entrepreneurship through facilitating establishment or improvement of capacities and capabilities of existing incubators, accelerators etc., and to increase entrepreneurs' (start-ups') and SMEs' access to financial resources, by expanding use of the financial instruments, based on equity partnership models, and facilitating access to specialized loan programmes,- could have benefited from targeted inclusion of women - run enterprises. Supporting entrepreneurship and facilitating access to finance have been proven critical for successful operations of women-run enterprises.

Likewise, the MAAP on Environment and Climate Action lacks data and analysis of how the issue of safe drinking water and municipal waste management is affecting the population and if the impact is different for women and men. For example, the activity focusing on ensuring quality and efficient supply of drinking water is gender neutral, although numerous studies have shown the importance of considering the role of women in water use and water management.

In the same manner, the Multi-Annual Programme on Transport fails to consider the gender aspects of the impact of the available transport infrastructure to social cohesion and opportunities for women to access educational and employment facilities. Safety concerns of women using public transportation are also absent, although there is a specific result on this foreseen in the Action: R3 – Improved Safety in Transport (Activity 1.3).

### **9.2.3 ANNUAL ACTION DOCUMENTS**

The review of the Annual Action documents for 2017 and 2016 show similar concerns as those related to the ISP and the MAAPs presented above. For example, the AAP on Home Affairs for 2016 is gender blind, although it stipulates that gender is a horizontal issue; however, this is not reflected in the Action, both in terms of its rationale and its Results Framework. The rationale for the Action as elaborated in the problem and stakeholder analysis, takes no note of the issue of gender, even though there are many entry points where gender could have been considered, particularly in addressing migration, border management, and cybercrime and radicalization.

Numerous studies and assessments indicate that migration is a gendered phenomenon. It can bring new opportunities for greater gender equality and a better life, for those migrating and those they leave behind, but it can also bring risks, particularly to women migrants, including abuse, sexual exploitation, reproductive health risks, etc. Likewise, the issue of radicalization is increasingly being looked from a gender perspective, as it is becoming clear that not only men, but women as well are participants and not victims of radicalization only. The reasons and

trajectories of radicalization among women and men differ, despite some common patterns, and these need to be considered if the issue is to be addressed successfully. It is thus important to understand what elements combined make a fertile ground for the radicalization of young women and men and how their roles in society and the larger, gendered cultural and social factors, impact their vulnerabilities. Addressing those differences and similarities through adequate response as well as prevention is important and should be considered in the EUD programming process.

The absence of gender analysis of the problems, including sex-disaggregated data has consequently resulted in a gender-blind Results Framework of the Action, except for one gender sensitive indicator. It is therefore not clear why the AAD has been marked GM-1 (significantly contributing).

The AAP for Turkey for the year 2017, focuses on two priorities: support to fundamental rights reforms (under the rule of law and fundamental rights sector), and support to participation in Union programmes and agencies (part of the democracy and governance sector). The Action Document is gender neutral, both in terms of the rationale, programme results and proposed activities, attesting to the absence of institutionalized procedure for gender-sensitive programming, as well as lack of knowledge on gender mainstreaming among national partners and EUD staff. Of concern is the fact that even under the Action 2 – supporting fundamental rights reforms, there is no reference and consideration of gender. There are many obvious gender aspects particularly relevant to two of the proposed results: rights of media professionals and children's rights, but the analysis of the situation lacks gender considerations, hence the programme results and indicators are gender neutral.

The situation analysis could have benefited from gender sensitive analysis, following number of relevant questions, such as: how the *Coupe* has impacted the rights of women, journalists or the girl child. Are there any specific aspects that affect the girl child differently from the boys? Has the *Coupe* affected in the same way women and men journalists or not? And if yes, how is the effect on women linked to their traditional roles and position in the society?

The AAD is marked as G-2 (gender is the main objective); however, it is also not clear why is this so, as the AAD does not reflect any gender concern and makes no specific effort to address gender issues as related to the rights of children and media professionals.

The analysis of the AAD for the year 2016 shows slightly better results, as the fundamental rights component contains some gender considerations. Although women rights are considered as rights of women as a “vulnerable category” (together with Roma population), the Action contains a result aimed at enhancing the capacity of public institutions for gender mainstreaming. Unfortunately, the component related to social inclusion of Roma is gender blind, whereas there is a body of evidence indicating the need to address the double vulnerability of Roma women – being Roma and being a woman- which puts them into significantly disadvantaged position as compared to Roma men. Overall, in view of this, it is not clear why the AD 2016 on Fundamental rights has been marked as G2 (principle objective).

Similar situation is observed regarding the Action 1: Participation in Union Programmes and Agencies, which, although marked as G-1 (gender is significant objective), the AD makes no

mention of gender. Few gender concerns could have been mainstreamed in the Action, if the analysis would have provided a break-down of who has participated in the EU programmes and Agencies, and assesses whether there is a gender balanced participation in such programme and agencies or not? How can more women and women's organizations benefit from such programmes? Do women and men have equal access to those resources, and if not, why there is a difference, and how can such difference be overcome? What is the impact of the participation in those programmes on gender equality in Turkey and how can that become an asset to the benefit of both women and men? The EU has made important steps in including a gender perspective in the HORIZON 2020, ERASMUS + programs, and the Employment and Social innovation programmes, however, this is not reflected in the AD for 2017.

The AAD for 2016 also focuses on the participation in Union's Programmes and Agencies, as well as the rule of law and fundamental rights, and agriculture and rural development. As stated above, except for the actions related to fundamental rights, and the judiciary, all other sector's objectives and results are gender blind. Gender and targeted actions on women could have been included, particularly in participation in the Jean Monnet Scholarship Programme, participation in Union's Programmes and Agencies, support to civil society, home affairs and agriculture and rural development. It should be emphasized, that the 2016 Action on support to the judiciary contains two results which address gender and women's issues (Result 2-increased competences of the judiciary regarding gender and Result 7- meeting the needs of women in penal institutions to stay with their children). This is a good example of how women's specific needs could be included in the programming, even though this is not a result of a systematic process of gender mainstreaming in the programming of the EUD Turkey, as there are many other entry points in this area where gender could have been mainstreamed. These include, amongst other, issues related to provision of gender-sensitive training of personnel working in Prisons and Detention Houses, fight against drug addiction (understanding men and masculinity and the impact on drug addiction patterns), inclusion of gender-sensitive training curricula in Turkey's Justice Academy, etc.

Given the important role of the EUD in terms of support to civil society, it is surprising that the 2016 AAD is completely gender blind. Gender and women's concerns could have been mainstreamed in a number of ways: a) participation of women's NGO's and groups in the projects; b) enhancing the capacity of all NGO's and civil society organizations to mainstream gender in their work; c) strengthening the capacity of women's NGO's for participation in policy-making/legislative processes, including through establishment of a mechanism for such participation (in parliament for example) which ensures mandatory participation of women's organizations; d) strengthening the capacities of civil society organizations to produce and share sex-disaggregated data and knowledge on gender issues in different areas and sectors. The EUD should consider integrating these aspects in its future support to the civil society development in Turkey.

And finally, the AAP on Agriculture and Rural Development for 2016 was also reviewed. Same as with other programmes, gender is not mainstreamed in the situation analysis and consequent Results Framework. The IPARDII programme however, has made some efforts to integrate women and their needs in the programme, albeit not consistently and sufficiently. Supporting

women engaged in agricultural activities and understanding how gender plays around the issues such as rights on land, use of land, access to financial resources, the role of women in agriculture and rural tourism, etc., may have proven critical in ensuring balanced and just support to women and men beneficiaries of the IPARD programme.

Specifically, although the programme document refers to the National Rural Development Strategy which among the five strategic objectives aims at improving human capital in rural communities and decreasing poverty, including by extending the coverage of social security to include agriculture workers especially women, such focus is not fully mainstreamed throughout the programme. For example, the IPARD II objective in area of Rural Economy, foresees the creation of more employment opportunities in rural areas, through Farm Diversification and Business Development, but does not clearly build on the specific roles of women and men in rural economy, nor it does foresee specific results and/or indicators targeting improved opportunities for rural women agricultural workers, although it mentions the need to improve household income by involving women in the workforce (pp.28).

Similarly to other multiannual and annual programme documents, gender and sex-disaggregated data is not available in the analysis of the context nor gender or women specific concerns are integrated in the expected results and indicators. Sporadically, the specific situation of rural women is mentioned in the document, for example under the “Farm Diversification and Business Development” measure, stating that the women’s participation in the workforce is not at the desired level. However, no specific measures to improve the situation of women are highlighted, and such statement is not backed up by a specific result targeting improved employment of rural women nor specific indicators measuring how many women and/or women-run farms/businesses will benefit from the measure. Similarly, the result related to “Crafts and Artisanal Added Value Product enterprises investing in traditional handicrafts, processing and marketing of local agricultural (food – non-food) products” for example, could have clearly stated the need to support women engaged in crafts and artisanal work.

Equality between women and men is referred to in the separate section - 16.1. Description of How Equality between Men and Women will be Promoted at Various Stages of Programme (Design, Implementation, Monitoring and Evaluation), which states that the programme will address the improvement of employment conditions for women in agriculture. It will do so by giving a priority in the ranking criteria to projects submitted by women for modernisation of farms/enterprises as well as in the diversification of economic activities. Indeed, among the selection criteria for financial assistance, women owners of farms are to be given additional score. Although there is occasional mention in the document of the need to target women, for example, in the selection of Local Action Groups, among the eligibility criteria, such groups should “ensure gender equality by women participation at a decision-making level”, efforts to mainstream gender and ensure equal opportunity for women and men and positive action measures where there is significant gender inequality are not consistently presented in the programme document. Discussions with staff however confirm that there are consistent efforts to integrate gender perspective in the programme implementation, including through use of positive discrimination in the evaluation of the applications process, and use of specific sex-disaggregated data and through programme monitoring. The good practice of integrating gender in project



implementation and monitoring, should however, be applied in the stage of programming as well, to ensure clearly defined gender sensitive results and indicators.

Overall, discussions on the findings of the review with the Task Managers of the EUD, revealed prevalence of a view that the programme/project is gender neutral because 'the measures are targeted at both genders' or because 'project target groups include both men and women' or because 'both genders can equally participate in project activities.' Such statements, however, do not justify the prevalent absence of gender perspective in the programme documents. But, they reveal absence of gender sensitivity and critical knowledge on gender issues. This is probably a result of the fact that they have not undergone gender training as well as of the absence of institutional mechanisms to ensure gender mainstreaming. No programme/project is *a priori* gender neutral. And even if it is, this can be and should be stated only after a systematic assessment of the significance of the gender perspective to the project, which in the case of the EUD is not a common practice

### 9.3 CONCLUSIONS AND RECOMMENDATIONS

As mandated in the EU GAP II, gender mainstreaming implies that the EUD should develop a process through which the implications for women and men of any planned action, in all areas and at all levels, would be assessed. That is, all actions starting 2016 should aim at integrating gender and women empowerment considerations.

However, the review of the above-mentioned programming documents revealed that:

- ✓ Overall, while there have been some isolated efforts to address broader gender issues through separate projects (VAW, women's employment), the tendency is to seek small, women-focused activities in the framework of larger programmes and projects which are gender neutral (fundamental rights and judiciary);
- ✓ Gender analysis is not an integral part of all its actions and sporadic sex-disaggregated data is provided, even for indicators for which sex-disaggregated data is available. This makes gender mainstreaming a challenge. Such information is either not available to a sufficient degree, or not used even when available, as its significance is not understood.
- ✓ The consequent results frameworks are gender neutral, and do not allow for monitoring and assessing tangible and measurable progress in gender equality;
- ✓ Gender, as a horizontal issue is not always and systematically included in the programming documents. And when done, it is only of a declarative nature without clear description of the implications of it for the programme/project.

The reasons for this are multiple, including:

- ✓ Although there are commendable efforts to mainstream gender in EUD practice areas, undertaken particularly by the members of the Working Group on Gender, there seems to be no clear strategy on how to systematically do so, and the staff does not seem to know how to apply a gender mainstreaming perspective. Overall, the internal capacity for gender mainstreaming is weak;

- ✓ There is no systematic process and procedure to ensure gender mainstreaming and hence, no accountability vested on anyone to do so, despite the GAP II objectives to ensure an organizational culture and structures conducive to gender equality. The findings indicate that, overall, while there are many committed individuals, the Delegation has not adopted clearly defined operating procedure and dedicated the resources necessary to set it up, with a view of improving systematically gender mainstreaming efforts and practices.
- ✓ There is not enough knowledge among programming staff at the EUD on gender mainstreaming and to date, insufficient gender training has been conducted. Programming staff has not been systematically exposed to gender mainstreaming training. In fact, most of the people interviewed have not been trained on how to mainstream gender in programming and on gender sensitive programme/project cycle management, and the existing knowledge among some staff members interviewed is related to either previous work experience or individual strive to learn;
- ✓ Likewise, there seems to be insufficient guidance from HQ on gender issues in different sectors, in a form of gender briefs assisting staff in identifying the entry points for gender mainstreaming in each of the sector, although efforts have been strengthened at HQ level through regular comments and suggestions by the quality support groups. However, some of the interviewed staff members were not aware of the obligations emanating from the GAP II, while also more of them were not aware of the G-Marker and how it has been used in their respective programme documents. Additionally, ROM related tools in use to monitor projects seem to be difficult to apply for a staff that has not been exposed to training. There seems to be a need for DEVCO and DG NEAR to provide additional guidance on how to mainstream gender in the programming process, including through adequate programme and project templates that will ensure a mandatory gender mainstreaming.
- ✓ Closely related to this is the issue of the monitoring and reporting on the GAP II. At the time of the Mission, the EUD was preparing its Annual Report (2017) on the GAP II. It seems that the current process of preparation of the GAP II Report is heavily led by the staff in the Co-ordination Unit, without giving them the necessary means to request timely and adequate information, thus putting the burden of reporting on progress in gender mainstreaming on them, instead of the senior management and task managers. Discussions with staff involved in preparing the Report show that there is no structured process for the preparation of the Report and that the responsibility to do so is entrusted to few people. The GAP II reporting is an important learning exercise and the report should be based on inputs from all relevant thematic area/sector managers and staff working on specific gender projects. But for this exercise to become a useful tool, the EUD should design a process for its preparation, with clearly defined responsibilities of all staff, deadlines for provision of inputs, based on a document template that is uniform and user-friendly. Accountability for the provision of inputs should also be identified to ensure timely and successful completion of the exercise. This could be part of a Staff Instruction on gender mainstreaming.
- ✓ Although there is a Gender Working Group, their work is not guided by specific ToRs, nor is such additional work recognized in their job descriptions and performance

appraisal. This creates additional workload which must be recorded and recognized in some way.

- ✓ The review of the AADs shows not only an absence of gender sensitive objectives, results, and indicators, but inconsistent structure of the templates used across different sector/portfolios. Whereas some AADs refer to gender as a horizontal issue (one paragraph at the end of the AAD), some mention gender in the situation analysis. Yet, even so, the RFs of the reviewed AADs are gender neutral.
- ✓ The EUD programming process in Turkey is largely driven by the national partners in terms of identification of the specific annual and multiannual actions, as the EU in Turkey operates mostly under the indirect management modality. As there is a general lack of awareness, as well as commitment by the national partners to integrate gender in the situation analysis and in the proposed Results Framework, most often MAAPs and AAPs are gender neutral. Although the EUD comments and can request the counterparts to integrate gender considerations in the programmes, due to lack of knowledge, expertise and a culture of “mandatory integration of gender”, action documents are approved as proposed by the national partners. Although the GFPs are expected to review all action documents and provide comments to improve gender mainstreaming, due to their workload, lack of their mandatory involvement in the programme cycle and their unclear roles, the current system in the EUD is not very efficient. Similarly, the projects implemented under the EU Trust Fund and the EU Facility for Refugees, have strong national ownership however, EU staff seems to be in a better position to influence project design and monitoring of project implementation. There are other projects implemented under different EU financial instruments, such as support to civil society and human rights defenders, where the EU is better positioned to influence the programme/project design and ensure gender-sensitive programming. In view of this, it seems very important that any effort to improve gender sensitive programming should involve building of capacities of not only the EUD staff but staff relevant national partner institutions.
- ✓ And finally, monitoring and reporting on results is also largely a responsibility of the national partners although EUD staff could and should conduct some monitoring activities as well. From the discussion, it is suggested that very little monitoring is being undertaken, and that the knowledge of the available EU tools for monitoring is very low.

To address the challenges faced by the EUD staff, it is important to understand the capacity gaps for gender mainstreaming, both within the EUD and in HQ. While the current effort of the EUD to prepare a Gender Analysis and Guidance and Training materials for gender mainstreaming are expected to improve the internal capacities, few critical factors related to the support provided by the HQ should also be considered.

Ideally, gender mainstreaming should ensure a change from gender neutral ways of thinking (taking no consideration of gender), to a gender informed one, including a change in the operating culture of the EUD. This, in turn, requires clarification of gender equality issues related to work or project activities, on the one hand, and the motivation and skills to develop such activities, on the other. For that, a minimum understanding of gender aspects in the specific

sector/area of intervention of the EUD is critical. That is, understanding a development problem through gender lenses, which will inform us how the socially-prescribed gender roles and the institutional and cultural gender discrimination, impedes progress for women and men, and developing interventions that will eliminate such barriers and provide a solution that will change the unequal gender relations.

To meet this minimal precondition for gender mainstreaming in the program/project development of the EUD, a **Guidance Note** for the EUD staff has been prepared as part of this assignment, as well as a Checklist for gender mainstreaming in the programming process. They are contained as separate documents accompanying this Report.

Moreover, other steps are recommended to be undertaken by the EUD to improve their internal capacity for gender mainstreaming. These include:

- ✓ **Strengthening commitment** by the senior management of the EUD and key national partners to promote gender equality through making it an integral part of all activities at all stages of the programme implementation. This requires an effort to engage into an analysis of the operating environment, and the situation/problem that ought to be solved from a gender perspective. To achieve that, an internal procedure or gender mainstreaming should be established and its mandatory use should be enacted by the senior management in a form of a **Staff Instruction on Gender Mainstreaming**.
- ✓ **Establishment of clear accountability** for implementing gender mainstreaming for all programming staff and the Heads of sectors and offices. Top management should take ultimate responsibility and ensure accountability of individuals and units, including through the **performance appraisal process**.
- ✓ Development of a Gender Action Plan for putting the gender mainstreaming policy into effect. For that, the senior management should support the Gender Working Group and the Gender Focal Point in developing an **Annual Action Plan** of activities, based on the selected indicators for reporting on the GAP II (see section 2 above) as well as indicators that will depict progress in mainstreaming gender in the organizational, institutional, and cultural aspects of the EUD. Such Plan (based on adequate template) should serve as a tool for proper annual planning, monitoring, and reporting on GAP II, and as such will facilitate information and data collection for the preparation of the annual GAP II Report.
- ✓ Closely linked to the above recommendation is the need to ensure qualified senior expertise to advise on gender mainstreaming within the country programme/EUD operations. Ensuring **knowledge and expertise on gender mainstreaming** is a collective organizational responsibility in view of the GAP II requirements. Hence systematic training in the gender mainstreaming concept, tools and issues is necessary, and this should be mandatory for all staff working in programming and programme implementation.
- ✓ Additionally, relevant **national partners should be trained on gender mainstreaming** and their accountability to develop gender sensitive programmes should be enhanced.
- ✓ To address the deficiency in gender expertise, the EUD should consider either an appointment of a designated **Gender Advisor** or contracting of gender expertise for the specific programming phases in the EUD.

- ✓ In addition to accountability and expertise, successful gender mainstreaming requires support and incentives to staff that engages in supporting task managers in the gender mainstreaming efforts. The work done by the members of the Gender Working Group should be recognized in their **performance appraisal** and should be part of their job descriptions. **Terms of Reference for the Working Group** should be developed and upheld by the senior management.
- ✓ And finally, to address problems related to inconsistent practices on **integrating gender in the programming documents**, the EUD, with support from HQ, may consider to: i) revisit and assess the templates used and agree on a consistent structure to be followed indicating clearly where and how gender issues should be addressed, and ii) enhance the PCM skills of programming staff in conjunction with their gender mainstreaming skills, so that the resulting RFs are improved.

## **ANNEX 1. LIST OF INTERVIEWED INDIVIDUALS EUD STAFF MEMBERS**

Ipek Seda Geçim, Co-ordination Officer/Gender Focal Point  
Banur Ozaydin- Home Affairs  
Nalan Ozdemir- Civil society  
Seda Erden- Civil Society  
Zeynep Aydemir- Education, Employment and Social Policy  
Figen Tunçkanat=- Education, Employment and Social Policy  
Demir Caner - Education, Employment and Social Policy  
Ahmet Karan - Education, Employment and Social Policy  
François Begeot Head of Section and Elif Torcu Team Leader of Environment, Özgür Öcal,  
Regional Competitiveness, Health, Education, Employment, Akif Turkel Transport- OPS2  
Section  
Stogova Maria-Fundamental Rights  
Bakalova Ekaterina- Energy  
ANBAY Feyhan Fethiye- Socio-economic support  
FALLAVOLLITA Laura- EU Trust Fund  
SCHMIDT Jochen- FRIT Education  
WHITBY Robert- FRIT Education  
Özge Akyol-Faria- FRIT Health  
ONSOY Ayse Nur- Judiciary  
Nermin Kahraman / Leyla Alma- Agriculture and rural development  
Seçil Sendağ- Consultant, and Tatjana Shikoska - Consultant  
GATTI, Simona- Head of Cooperation

## List of INDIVIDUAL CONTRIBUTED WITH INTERVIEWS and/or WRITTEN COMMENTS <sup>152</sup>

Prof. Dr Ayşe Akın	Women and Child Health and Family Planning Center, Başkent University
Canan Güllü	President, The Federation of Turkish Women Associations (TKDF)
Çiçek Tahaoğlu	BIANET, General Coordinator
Emel Armutçu	Project Coordinator, No! To Domestic Violence!” campaign, Hürriyet
Emre Topal	Committee on Equal Opportunities for Women and Men
Fatma Uz	Health Training Expert, Willows Foundation
Güler Özdoğan	General Directorate, MoFLSS, KSGM
Prof.Dr. İpek İlkaraçan Ajas	ITU Faculty of Business Management
Nuray Hatırmaz	Directorate of the European Union and Foreign Relations, MoFLSS,
Özen Tümer	Gender Programme Coordinator, EBRD
Dr. Özge Yüce	Association of Legal Aid for Women, KAHDEM
Selen Doğan	Flying Broom Women’s Communication and Research Association
Assoc. Prof. Sare Aydın Yılmaz	President, KADEM
Nur Ger	Spokesperson, UNWEP’s
Sanem Oktar	President, KAGİDER
Dr. Selma Acuner	International Relations Coordinator, Women’s Coalition-Turkey
Sema Kendirici	Lawyer, Women’s Coalition-Turkey & CEDAW Turkey NGO Group
Prof. Dr. Şevkat Bahar Özvarış	Hacettepe University, Faculty of Public Health
Nuray Karaoğlu	Executive Director, KA.DER
Prof.Dr. Yasemin Açık	Vice President, TURKONFED
Yasemin Özbal	Expert - Economic Policies, TURKONFED
Yeşim Seviğ	General Secretariat, KAGİDER

<sup>152</sup> List is in alphabetical order. Informal interviews is not added to list,yet, their contribution has given a great insight.

## ANNEX 2. EXECUTIVE SUMMARY SET OF INTERVIEWS <sup>153</sup>

Challenges (C) and Recommendations (R)

### **DECISION MAKING PROCESSES**

Daily Hürriyet<sup>154</sup> End Domestic Violence Campaign - Emel Armutçu  
(C)

No strong will from the government's side about setting a holistic policy.

Not enough implementation of the İstanbul Convention.

The government prioritizes and protects 'family' instead of 'women and girl individuals'.

Some male politicians and academics have a discriminatory discourse and behaviour to women.

Women's acquisitions are vanishing because of the government's religious and conservative social policy.

(R)

Holistic approach in order to set up policies.

Ministry of Women and Equality should be established.

Public bodies should benefit relevant NGOs' experiences.

Politicians' discriminatory discourse should be replaced with a gender sensitive language.

Gender training should be given to children beginning at pre-school.

Turkish Federation of Women Associations - Canan Güllü

(C)

There are only 75 female MPs in the TBMM; lack of a common/joint feminist struggle in the Parliament.

Female MPs from different political parties could not stand together in parity, affirmative action and other patriarchal policy making processes.

Education system is away from gender equality.

(R)

Half of the governor, cabinet, political parties' councils in 81 provinces should be female; a regulation is a must.

Legislation system should be harmonised according to the İstanbul Convention.

Police should be given gender training and child abuse.

Flying Broom Women's Communication and Research Association - Selen Doğan

(C)

Opinion leaders and politicians use discriminatory discourse and it causes misogyny.

The government is weakening gender perspective in public services, but strengthening family affairs.

(R)

NGOs should empower advocacy and prepare shadow reports to international conventions' committees.

Women organisations should develop joint programs and projects to support gender equality.

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<sup>153</sup>Data is taken from the Ministry of Family and Social Policies Report of Women in Turkey, 2018.

<sup>154</sup>Data is taken from the Ministry of Family and Social Policies Report of Women in Turkey, 2018.



Willows Foundation - Fatma Uz

(C)

No alternative methods and services to solve gender-based problems.

When ways to strengthening women is defined, no clear definitions about receiving the relevant services by women; no “women-oriented public service model” in Turkey.

Women rights and gender issues are seen as abstract headlines by some men and women, in activities for development and women empowerment.

Lack of men’s participation in gender agenda.

(R)

Women issues can also be handled among men; men’s participation is important.

A holistic approach is needed to solve gender-based problems.

Intersectoral collaboration and setting up sustainable platforms is needed.

## **EMPLOYMENT**

Women Entrepreneurs Association (KAGİDER)

(C)

Women’s participation to labour force was 30.3 in Turkey in the year 2013, while the rate of women work force was around 65.5 in the European Union. Main challenges are common:

Access to finance

Access to information, training

Access to networks for business purposes

Reconciling business and family concerns.

(R)

Stronger measures, policies and actions must be taken both in EU countries and Turkey to support women entrepreneurship which is the engine of development.

Small and medium enterprises must be supported in order to reach the Sustainable Development Goals launched by UN.

Women and girls need to be encouraged to choose STEAM areas (science, technology, engineering, arts and mathematics) to widen the opportunities for a digital women entrepreneurship and innovation.

Social protection systems should be adapted to the new forms of work.

Barriers to lifelong learning should be removed.

Strategies must be put on the table so that women’s empowerment can contribute to women’s ability to formulate and advocate their own visions for their society –including interpretations and changes to cultural and gender norms.

## **Turkish Enterprise and Business Confederation (TÜRKONFED)**

(C)

Turkey was the third country among 78 where there was the largest increase in women’s labour force participation in the period 2007-2016.

Women’s participation in labour market is (32.4% in 2016) still quite below the European Union average which is 51.6%. (ILOSTAT Statistical Database)

Childcare in Turkey is mostly undertaken by mothers, a factor driving them further away from working life.

Female labour force in business should be handled under the main issues of gender that oriented economy such as; gender sensitive budgeting, family sensitive offices, gender and income tax comparison, social security system for informal female workforce.

Child, elderly and disabled care responsibilities must be handled by the state in order to destroy gender barriers that prevent thousands of women participating in labour force.

New models related to home-based work, seasonal agriculture and unpaid domestic labour where women's informal employment is common, must be developed.

Voluntary social security contributions by home-based women workers and those employed in seasonal agriculture must be reduced.

Preschool education programmes –such as free crèches and child care centres must be extended to support women's employment.

Municipalities can extend early childhood services through their crèches or cooperate with other institutions in service delivery.

Turkey should move on its sustainable development efforts, as by 2050, a \$12 trillion addition to the world economy is predicted upon maintaining gender equality.

### **Recommendations at Work Place for Gender Equality**

*By Koç Holding and Mother and Child Education Foundation (AÇEV). Within “I Support Gender Equality for My Country” Manual.*

Attend awareness raising trainings.

Watch equal opportunities in employment.

Target to increase women participation in decision making positions at all levels in companies.

Review the branches/departments where gender inequality is.

Equal opportunities at planning and implementing developments.

Equal pay.

Supply equipments and tools that will support gender equality at workplace.

A gender-sensitive discourse in communication.

Generalise your equality principles and policies to the stakeholders and employees.

### **EDUCATION**

Turkish Federation of Women Associations, Canan Güllü

(C)

Education system is away from gender equality.

After the implementation of the “4+4+4 education system” 676.000 student left school in 2016.

(R)

Public officers should be enjoined about GBV.

Religious courses (Kuran Kursu) should be taken under control and monitored.

- Reasons why girls left school should be monitored (regarding CEFM).

## **SOCIAL PROTECTION**

### **Women and Democracy Association (KADEM)**

(C)

- Contrary to the monotype conceptions of feminism concerning women in the past KADEM believes that men and women complete one another. Therefore, we highlight gender justice, equity, fair treatment and the balance between men and women.

(R)

- Gender justice solves the problems that women face in their everyday life, and it is an affirmative action that is needed for women in all areas of life.
- To overcome the barriers women face, we need sustainable and practical policies. However, implementing these policies requires more than just legal reforms, more supportive policies should be set up for women to participate in the economy and in work life.  
Work life balance should be implemented
- Social-care services should be supplied.
- Glass-ceiling and mobbing should be avoided in work places.
- Women should be encouraged to take part in top position jobs, both in the public and private sectors.
- Women should also be encouraged in the areas of innovation technology and entrepreneurship.

## **HEALTH SERVICES**

### **Hacettepe University Women's Research and Implementation Center\*, Sevkât Bahar Özvarış**

(C)

- The nationwide healthcare system handles only the prenatal and family planning services. Thus women ask healthcare service from private hospitals and clinics.
- No holistic approach to women's health.
- Women living in city centers and women in rural areas cannot benefit equally from prenatal services.
- Demographic health surveys are crucial but need much sources and time.
- Public bodies cannot produce data regularly.
- Laws and regulations encourage women to deliver babies at home.
- Reproductive health services target married women only.
- Policy differences between abortion and family planning.
- Women in rural areas cannot access gender-based reproductive health approach.
- Birth control methods such as condom or spiral are mostly not available in rural areas in C and D type Family Health Centers. Only A and B type centers provide these.
- Total fertility rates (child number per woman) increased.
- Social pressure on women about abortion. Doctors might have fear too.
- Women are seen as responsible to control birth.

(R)

- Reproductive health services should be for all women (married, single, in menopause, women living alone, single mothers etc...).
- GBV should be accepted as well as a public health and women's health problem.
- The burden of notification is not working frequently.

- Mufti marriage regulation should not be tolerated.
- The government should guarantee health care to women.
- The state bodies should support preventing CEFM and child pregnancy projects of NGOs.
- The number of interpreters should be increased in order to provide equal conditions in the hospitals for refugees and native women who cannot speak Turkish. This can prevent home birth.
- GBV Centers should be established in hospitals.

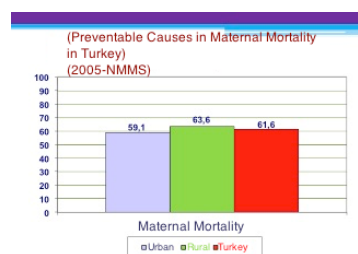
### **Baskent University Woman-Child Health and Family Planning, Research and Implementation Center/BUWCRIC – Prof. Dr. Ayşe Akın**

(C)

- In the results of Turkey Demographic and Health Survey, attitudes and behaviours related to family planning and which includes interviews with married women in the age of fertility while providing demographic data about family planning, miscarriage and stillbirth, reproductive health, determinants of fertility, etc.
- In the 2005 Turkey National Maternal Mortality Study, we see that women's health rate has decreased to 2%.
- Political will has been challenging such a correct approach since 2007. For the first time, Minister of Health Recep Akdag stated, "we said yes to reproductive health but no to family planning".
- In addition to the promotion of fertility, the fact that the government's attempt in 2012 to ban the intentional miscarriage/aborts / legalization of abortion/ reducing the pregnancy termination period is a step contrary to international norms which jeopardizes women's health.
- There should be qualitative and quantitative researches provided by further surveys in women's health on the barriers in attaining family planning and abortion services.
- Another research / project topic in health should be "to show the inequalities in health and the factors that affect it. Significant examples in this context are as follows:

**Mortality Risk in Turkey and Life Time Risk of Maternal Death**  
(2005 Turkey National Maternal Mortality Study)

Region	Rate of Maternal Death (Per 100000)	Life Time Risk (Each of ... women)
Turkey	28,5	1536
Urban	20,7	2391
Rural	40,3	869



**Mortality Risk in Turkey and Life Time Risk of Maternal Death**  
(2005 Turkey National Maternal Mortality Study)

Istanbul	11,0	4876
Western Marmara	42,1	1560
Aegea	31,5	1764
Eastern Marmara	21,7	2549
Western Anatolia	7,4	6947
Mediterranean	25,1	1737
Central Anatolia	11,9	3067
Western Black Sea	26,8	1956
Eastern Black Sea	68,3	883
North East Anatolia	68,3	439
Central East Anatolia	36,9	755
South East Anatolia	38,9	626

• Inequality is observed, 61% of maternal deaths are "preventable causes", and then there is no real sense of success.

- In the investigations made, it can be observed in Turkey that laws and legislation in general do not take the gender equality into account; it is only available in some field.
- In Turkey, towards ensuring gender equality, there have been many positive changes in national legislation although there are still gaps, and there are programs and strategies

have been developed for the realization of gender equality and ensuring the right to health.

- The expression of positive events that took place in past without sustainability could also be met with objections , but not being conducted again, since these fields are not desired to be addressed and mentioned with women
- The studies carried out by the women’s movement in the thematic areas have been conducted in a very liberal-scientific framework, and it aims to move each field one step forward in favour of the women.
- Women organisations should develop joint programs and projects to support gender equality.

### **Willows Foundation\*, Fatma Uz**

(C)

- When ways to strengthening women is defined, no clear definitions about receiving the relevant services by women; no “women-oriented public service model” in Turkey.
- Women rights and gender issues are seen as abstract headlines by some men and women, in activities for development and women empowerment.
- Sexuality is still a taboo.
- Reproductive rights of women has always been and today is regarded and defined with motherhood and birth giving.
- Lack of men’s participation in gender agenda.

(R)

- Gender, women, sex and reproductive health should be handled together.
- Reproductive rights frame should include women’s sexual rights as well as fertility.
- Fertility should not be turned into gender responsibilities.
- An equality perspective is needed.
- Women issues can also be handled among men; men’s participation is important.
- A holistic approach is needed to solve gender-based problems.
- Intersectoral collaboration and setting up sustainable platforms is needed.

### **GENDER-BASED VIOLENCE**

#### **Daily *Hürriyet*’s End Domestic Violence Campaign, Emel Armutçu**

(R)

- Violence Prevention and Monitoring Centers (ŞÖNİMs) should be more functional and wide-spread.
- A 7/24 hotline should be.
- Justice and police force should be trained about gender equality.
- Gender training should be given to children beginning at pre-school.
- Media professionals should have gender training.

### **Turkish Federation of Women Associations, Canan Güllü**

(C)

- In the first seven months of 2017, 199 children were sexually abused by the ‘help of’ policies that legalize sexual harassment.

- No comparative data about GBV victims/cases which will prove GBV increased or decreased. The government resists publishing even 2015's data. The number of women who were killed by men is not given.
- Known as "rape law" in Turkish public opinion will be a disaster for women and girls.
- This law will increase inset cases.

(R)

- Public officers should be enjoined about GBV.
- The ministry of Family and social Policies' hotline "Alo 183" is a social helpline but should be re-organised with the expertise of GBV.
- In towns ("ilçe") police station, persecutor and mukhtar should be in coordination in GBV cases.
- Police should be given gender training and child abuse.

## CEFM's AND MARITAL PRACTICES

Flying Broom Women's Communication and Research Association, Selen Doğan

(C)

Family structure in Turkish culture is the source of most forms of gender-based violence.

Opinion leaders use discriminatory discourse and it causes misogyny.

The government is weakening gender perspective in public services, but strengthening family affairs.

Good conduct abatement in courts, strengths impunity.

Wars and conflicts in the region raise GBV.

Even though the official figures of CEFM seem to decrease in Turkey, it still exists but it is getting difficult to register all the cases because of social pressure; CEFM is still regarded as 'normal' and 'understandable' by the majority.

(R)

NGOs should empower advocacy and prepare shadow reports to international conventions' committees.

Citizens should aware their power to force the government to take measures against GBV.

Alternative media should be supported by the citizens and NGOs.

Women organisations should develop joint programs and projects to support gender equality.

"Strategy document and action plan for prevention of early and forced marriage" by the Ministry of Family and Social Policies, should build;

A gender-oriented overview on CEFM, accepting the cultural and patriarchal motivation comes first in marrying children. The Plan does not articulate "gender" but it has to do.

There should be a large-scaled, independent research on CEFM which will be done by the women NGOs. The only reliable official data comes from Hacettepe University Institute of Population Studies' "Population and Health Survey-TNSA" which is done every five years. This survey 2013 data indicates that the ratio of the women between the ages 15-49 who has been married before 18 is%26.

*\*It is one of the active and leading women organisations who have been working on preventing CEFM and promoting girl's human rights in Turkey. Selen Doğan is the key adviser of End Child Marriage Program run by the Association since 2009.*

**Association of Legal Aid for Women (KAHDEM)\*, Özge Yücel**

**(C)**

Regarding CEFM; provincial and district muftis were given the right to marry with the Act No. 7039 dated 19/10/2017. By the provisions of the Regulation on the Amendment of the Regulation on Marriage, published in the Official Gazette dated 02/12/2017, the provincial and district muftis and the personnel in the offices of muftis can be authorised to marry. Thus, the principle of secularism enshrined in the Constitution of Turkey has been violated.

Social oppression based on beliefs and traditions in respect of getting married by the religious ceremony will rise to the top.

It is suspicious whether the rules of law will be distinguished from religious rules.

It will be suspicious, whether individuals state their decision to get married with free will.

Social, religious pressure, even if they are not seriously threatened, will particularly affect girls and women who are the victims of marriages made under the influence of pressure or fear, mostly.

**(R)**

Chemical castration is used to reduce sexual desire of males. Drugs used for this aim reduce male sexual desire; however do not reduce female sexual desire. These drugs harm women's fertility. Laws providing chemical castration do not accept that sexual offenders can also be women.

Women should have sexual freedom.

Chemical castration is not appropriate for preventing recidivism and rehabilitation; measures should be taken with a human rights perspective.

The society neglect violence; but care about women's or children's sexual integrity. As a result of this fact, sexual offences should be seen as violence.

The İstanbul Convention should be mainstreamed in national legislation system.

*\*Established in 2007 aiming to facilitate women's access to justice and provide an online legal aid to women. Dr. Özge Yücel is a human rights lawyer who has expertise on gender issues.*

**50 Urgent Actions to Prevent Violence Against Women (VAW)**

*Purple Roof Women's Shelter Association, Foundation for Women's Solidarity, Women's Solidarity Foundation, Women for Women's Human Rights – New Ways, Equality Monitoring Women's Group, Association for Women with Disabilities, Kaos Gay and Lesbian Cultural Research and Solidarity Foundation, Association for Struggle Against Sexual Violence:*

**(R)**

- Turkey should start treating women as autonomous individuals and not as parts of family in legislative and law enforcement processes and takes immediate and necessary steps to eliminate violence and protect their rights within the family.
- Turkey should stop excluding, ignoring and pressurising independent women's organizations with decades-long experience in violence against women. The sponsoring of GONGOs by the state should be given up and the communication and collaboration channels with independent women's organizations should be restored to their previous status.
- Gender, nationality, ethnicity, minority, property, birth, age, sexual orientation, gender identity, state of health, disability, the state of being a migrant or refugee should be stated clearly as conditions concerning which discrimination is banned according to Article 10 of the Constitution.

- It should not be forgotten that the discourses of senior politicians reflect on all state mechanisms and therefore necessary steps should be taken to achieve accord between the terms of the Convention and the discourses and practices of both senior politicians and state officials of all ranks. The discourses insulting to women and divisive between men and women should be abandoned in order to initiate the necessary transformation in society which would serve to prevent violence against women.
- The basis of the combating VAW should be redefined from a gender sensitive perspective which acknowledges that the source of the problem is gender inequality. A realistic and critical approach should be developed to the concept of family which would not ignore the fact that violence is mostly produced within the family or in close relations. The main goal of this work should be to provide for women to become more powerful and have independent lives with equal access to human rights and not a popularisation of conservative and religious values. The state should embrace these principles and develop integrative policies to that effect in its combating VAW.
- A results report including the information concerning how the intended activities within the context of 2012-15 action plan transpired, which goals have been achieved and which have not, the method according to which the work was carried out and the public institutions and NGOs that were included in the process should urgently be shared with the public.
- The Government should give up on preparing reports and holding commission meetings (i.e. Commission on Divorce and its reports) which explicitly violate women's and human rights and fulfil its duties concerning the combating VAW in line with the Istanbul Convention and start putting them into practice as soon as possible.
- The current state of affairs concerning a significant part of MoFLSS's budget being allocated for social assistance should be changed and the share of financial resources allocated to general and specialist support services intended for the improvement of the lives of women and children who are subjected to violence and long-term work to eliminate VAW should be increased. A transition to a gender-sensitive budgeting system should be made, with a more comprehensive and integrative approach being adopted while defining needs so as to ensure that the resources are distributed gender-sensitively.
- The state of emergency measures, which generates massive human rights violations that especially effect women and LGBTI+ members of society, should be terminated as soon as possible. Turkey should revert to the political atmosphere, which allows independent women's organizations to exist without feeling oppressed and the shutdown women's organizations should be opened back with their losses compensated.
- Independent women's organizations should be able to participate in legislative and executive processes related to women's rights in a meaningful way.
- A Ministry of Women and Equality should be constituted.
- GDSW's capacity on budget, human resources together with its power of co-ordination and monitoring-assessment of other state institutions should be enhanced.
- The data recorded about the perpetrator and the victim should be separated with regard to sex, age, type of violence, the prevalence of type of violence, relationship between the offender and the victim, geographical location and disability in accordance with the Istanbul Convention. It should also include information about the fundamental reasons for these offences, their effects, the ratio of convictions, measures taken and their effectiveness. The state should act in accordance with its obligation to collect data on the



violence against women and use this data as a tool to fight back against this violence. It should also generate a more comprehensive approach to data collecting and regularly undertake research. All the data (including police records) that is collected should be publicly accessible with a view to the security and privacy of the women in question.

- In order to eliminate discrimination against women, the overall theme of prevention activities must centre on altering gender-based roles, prejudices and traditions in society. The Government must change its approach and policies towards VAW with this perspective.
- Effective involvement of civil society should be ensured in the planning and implementing activities in national action plans and provincial action plans. In addition, budgeting and legislative amendments need to be made in order for the activities in these areas to be carried out. The institutions responsible for the activities should be clearly identified and monitored to ensure that their activities are implemented.
- With the understanding that the codes of conduct that constitute gender discrimination are set in place early on, the Government should eliminate gender discriminatory expressions from all formal and informal education curricula and must add courses about violence against women from a women's human rights and empowerment perspective. A regulation must be set up to guarantee that trained professionals will work with women facing violence, that their trainings will be taken into consideration for the later assignments and that they will participate in further trainings.
- Guidelines and directives should be prepared with the involvement of civil society and professional organizations in order to increase sensitivity of the media sector on gender based violence and the prevention tools, and to transform the sexist and discriminatory language and discourse which legitimises VAW. There must be effective monitoring mechanisms that ensure the media sector applies these guidelines. RTÜK members should be trained on the subject and necessary changes should be made in the RTÜK and other relevant legislation.
- To minimise the suffering from a secondary victimization, the coordinating agency should guarantee that the staff provide general support services should work with an approach that centralizes gender equality and the purpose of empowering women.
- The requests of women who have lived through violence are within the scope of social services and should be treated in a holistic manner as stated in Law No: 6284 and they should be evaluated separately to other groups who request the help of social services.
- Women should be effectively informed about all their rights at all institutions they apply to for support.
- Women and children who are subjected to violence should be provided with access to universal health insurance even if they do not request it.
- The legislation on free childcare rights should be improved in favour of women by making childcare more accessible, increase quotas and create concrete conditions for the implementation of legislation.
- VPMCs, alongside with directing women to shelters in line with its service description, shall also provide 7/24 social, legal and psychological assistance and consultancy. There shall also be catch-up work regarding support provided by VPMCs.
- A women-friendly monitoring and complaint system regarding issues faced by women in rural areas with lower population shall be established and all obstacles preventing women from benefitting from their rights shall be removed.

- Dispute resolution with the perpetrator shall by no means be allowed in institutions where women apply to stay away from violence.
- Shelter work shall be based on, both in principle and practice, an empowering, liberating and liberalizing approach. Feminist shelter movement shall be made useful and social workers in shelters, regardless of their position and rank, shall receive periodical training and supervision.
- Shelters shall be open to all women and children of all ages. Women with children over 12 years old shall also benefit from shelter services, as it is indicated in the regulations. The criterion to be a Turkish citizen for admission to shelters, implemented in shelter services although it is not a part of the legal regulations, shall be removed.
- A fully equipped, national hotline especially specialized in VAW, preferably employing women staff shall be established to offer services free of charge 7/24.
- Sexual violence crisis centres shall be opened in line with the standards of the Istanbul Convention so as to cover the requirements of both rural and urban parts of the country. In the process of establishment, necessary arrangements shall be made to enhance that these centres are accessible for immigrants, people with disabilities and other women and children with special needs who confront obstacles to have access to many public services.
- There shall be encouraging activities to inform the public sector and urge citizens to take responsibility and promote solidarity so as to foreground women rights and fight against the widespread contention that “violence is a family affair to be dealt with within the family.”
- Reliable and independent mechanisms that children can resort to when they are subjected to violence should be created, and made widespread. Measures should be taken to transform the social perception that legitimize or ignore violence against children.
- Regulations regarding the obligation of public agents such as teachers and school administrators who work closely with children to report violence against children should be reconsidered, and the sanctions should really be implemented in the case of not reporting. The protection of the person who reports should be legally secured.
- Pregnancies out of sexual abuse should be terminated shall the child wishes to benefit from the right to abortion without waiting for the prosecutor’s permission. All the necessary measures should be taken so that the child is under no pressure while she is making this decision.
- Early and forced marriages should be prevented by regulations regarding the sexual abuse of children. The age of marriage should be the same as the age of majority under all condition
- Permissions for CEFM given by court decision should be revoked.
- Orders on the custody of children and their personal contact with the father shall be taken considering their possibility to be further subjected to violence.
- The age limitation to get married shall be raised to 18 for both genders, just as it is indicated in the Convention on the Rights of the Child.
- Stalking shall be deemed a separate crime in the TPC and, given its basic characteristics, it shall be heavily and dissuasively punished. Arrangements shall be made in the related health regulations so as to enhance women who cannot currently have access to their abortion right due to factual obstacles to have access to healthy abortion. Health

institutions and health professionals ipso facto preventing women to have access to their abortion right shall be legally investigated.

- Violence against women and domestic violence shall be dealt with under a separate title in reconciliation and dispute resolution trainings. Optional alternative dispute resolution should be processed to the detriment of women. Particularly Ministry of Justice should take relevant measures on implementation of alternative dispute resolutions, including mediation and conciliation.
- The law enforcement agencies being the first unit to which women and children subjected to violence apply should be equipped with gender-sensitive and preferably women staff trained and experienced in receiving and directing application in the field of VAW.
- Protection or restraining orders should be taken based on not a standard approach but concrete requirements to be determined after a serious risk analysis and the protection period shall not be short to enhance efficient protection of women.
- It would seriously contribute to efficient implementation of interlocutory injunction orders if protection or restraining orders were rapidly notified to related parties via an SMS or an urgent call to their mobile phones.
- The right of women's NGOs that have worked on the area of VAW for over five years to become an "intervening party" in penal and legal lawsuits shall be recognized via necessary legal arrangements and Istanbul Convention shall be taken into consideration by the courts.
- DGMM commissions should develop more sensibility and new policies for several problems of the women and LGBTIQ refugees. The demands and related services identified by the government should be reshaped by a gender-equality perspective. For the women and LGBTIQ refugees subjected to violence, there should be constructed new shelters providing translation services in order to monitor and prevent violence.
- The refugee camps for Syrian refugees should be accessible for civil society's monitoring.
- The shelters, which were among the primary places for the women who had been subjected to human trafficking for years, should be reopened and be respectively funded considering the shelters' past experiences and knowledge.
- The solutions for the sake of moving the disabled women away from the violent environment should be common and accessible; the protective and preventive measures formulated in the Law No. 6284 should be held considering the special situation of the disabled women.
- The shelters equipped with professionals sensitive on gender issues, and multi-lingual services should be established. An emergency help line in the service of LGBTI+s subjected to violence should be established.
- The legislations on discriminative acts should be regulated including the violation of rights and hate crimes against LGBTIQs. There should be established a new law including all kinds of discriminative acts.

## **WOMEN RIGHTS - Independent Women's Organizations & EU Funding - Selma Acuner**

Resources allocated to independent women's organizations need to be flexible, sustainable and recognize diversity by all means while also taking into consideration the different country contexts.

EU funds must recognize the differences and unequal conditions that exists among different organizations (i.e. gongos and independent ngos), and the difficulties that independent women's organizations may face in accessing the funds.

The cumbersome bureaucracy involved in eu funding can be severely discouraging for women's organizations, in particular for grass-root women's organizations specifically in rural areas where they cannot even have access to internet.

Independent women's organizations are not present at the decision making processes on allocation of eu funds. There is a need to take measures that will allow involvement of experts from independent women's rights organizations in designing, managing and evaluating allocation of resources and funding mechanisms

EU can take leadership and put effective and flexible measures in allocation of resources, with a participatory approach, taking into account the diversity of ngos. eu has a responsibility to understand and respond to the political environment in which independent women's organizations are operating. Needless to say, such a responsive approach will strengthen the capacity of all independent ngos and their resilience even under restrictive legislative conditions.

### ANNEX 3. STAKEHOLDERS MAPPING

#### *Public Bodies*

##### A. **Public**

- Ministry of Family and Social Policies\* (MoFLSS)
- Ministry of Education (MoE)
- Ministry of Labour and Social Security\*(MoLS)
- Ministry of Economy (MoE)
- Ministry of Development (MoD)

\*The ministers and/or the heads are female

##### B. **National**

- TBMM, The Committee on Equal Opportunities of Women and Men (KEFEK)\*
- General Directorate of the Status of Women (KSGM)\*
- Directorate General of Migration Management
- Turkish Employment Agency (İŞKUR)
- Security General Directorate
- Gendarmerie
- Presidency of Religious Affairs
- Public Audit Institution

##### C. **International**

- European Union Delegation to Turkey
- United Nations Turkey\* (UNDP, UNFPA, UNICEF, UN Women, UNHCR)
- Embassies

##### D. **Local**

- Local Administrations (mayors, mukhtars)
- Equality Units of municipalities
- Local Governments (governor, district governor)

##### E. **Academy**

- Universities (Public and private universities in 81 provinces; specifically ‘gender studies centres’ besides academic departments such as sociology, medicine, STEM...)

##### F. **Organisations Active in the Field of Women Empowerment and Gender Equality**

#### *Civil Society Organisations*

Bracketed words refer the working title and expertise of the organisation:

PP: political participation and decision making mechanisms

ED: education

EC: economic participation and entrepreneurship

HE: women’s health

VAWG: violence against women and girls

CEFM: child early and forced marriages

GM: gender and media studies

LGBTI gay, lesbian, bisexual, trans, intersex

LA: legal aid

DA: disabilities

*All below organisations advocate and lobby.*

- Association for Supporting Women Candidates / KA.DER (PP)
- Women's Human Rights-New Solutions Association (PP)
- Women and Democracy Association / KADEM (PP)
- Mother and Child Education Foundation / AÇEV (ED)
- Flying Broom Women's Communication and Research Association (EFM)
- Women Entrepreneurs Association of Turkey / KAGİDER (EC)
- Turkish Businesswomen Association / TIKAD (EC)
- Willows Foundation (HE)
- KA-MER (VAWG)
- Purple Roof Women Shelter Foundation / Mor Çatı (VAWG)
- We Will Stop Femicide Platform (VAWG)
- Women Solidarity Foundation (VAWG)
- Federation of Turkish Women's Associations (VAWG)
- Women's Coalition (WR)
- Life Cooperative for Women, Environment, Culture and Enterprise / YAKA-KOOP (EFM)
- Legal Aid Center for Women / KAHDEM (LA)
- Gelincik Center of Ankara Bar (LA)
- Kaos GL (LGBTI)
- Red Umbrella (LGBTI)
- Association of Women with Disabilities (DA)

**G. Organisations with Mandates**

Education Reform Initiative / ERG (ED)

Federation of Disabilities (DA)

- Union of Chambers Of Turkish Engineers and Architects

**H. Business Organizations**

- The Union of Chambers and Commodity Exchanges of Turkey / TOBB (EC)
- Turkish Enterprise and Business Confederation / TÜRKONFED (EC)

**I: Media**

- End Domestic Violence Campaign by Daily Hürriyet (VAWG)
- Independent Communication Network / BİANET
- Gender Studies Collective / GEN-DER (GM)
- Digital Monument for Murdered Women / anitsayac.com (VAWG)

## **J. Opinion Leaders Reviewed for the Report <sup>155</sup>**

- Adem Arkadaş-Thibert, Children's Rights Activist
- Ayşe Akın, Prof. Dr., Women and Child Health and Family Planning Center, Başkent University \*
- Ayşe Gül Altınay, *Prof. Dr. Gender and Women's Studies Center of Excellence Sabancı University*
- Ayşe Gündüz Hoşgör, Prof. Dr., Middle East Technical University
- Ayşe Düzkan, Feminist-Journalist
- Canan Arın , Purple Roof Women's Shelter Foundation
- Canan Güllü, Federation of Turkish Women Associations \*
- Feray Salman, Human Rights Joint Platform
- Feride Acar, Prof. Dr. Political Science and Public Administration Middle East Technical University, Chairwomen of GREVIO
- Gülsüm Kav, Feminist-Activist
- Hidayet Şefkatli Tuksal, Dr., Islamic Knowledge Faculty, Kırıkkale University
- Hülya Gülbahar , Human Rights Activist
- İlknur Üstün, Feminist-Activist
- İpek İlkaracan, ITU
- Nalan Yalçın , AÇEV
- Prof. Dr. Nazan Moroğlu, Prof. Yeditepe University, Chairperson of the Istanbul Bar Association Women's Rights Commission and Istanbul Women's Organizations Union
- Nilüfer Narlı, Prof. Dr. Bahçeşehir University Head of Department of Sociology
- Nükhet Sirman, Prof. Dr, Sociology, Boğaziçi University
- Selma Acuner, European Women's Lobby, KA-DER \*
- Sema Kendirci, Turkish Women Union & CEDAW Turkey NGO Group
- Serap Güre, Women's Labour and Employment Initiative
- Şevkat Bahar Özvarış, Prof. Dr. Hacettepe University, Director, Institute of Public Health and Director, Women's Research and Implementation Center (HUWRIC)\*
- Şahin Antakyalıoğlu, Child Rights Lawyer & Coordinator of Lawyers' Networks Working on Child Issues.
- Umut Güner, Kaos G
- Yakın Ertürk, Prof. Dr. Board of the Asylum and Migration Research Center

## **Background for Women's Movements in Turkey<sup>156</sup>**

When, in 1927, Muhiddin included in the association's statutes an article on "working towards women's inclusion into politics and winning them their political rights," there was an immediate backlash and she was removed from the administration for an infraction of the rules. Only in 1930, Turkish women achieve their rights in local elections and four years later gain full universal suffrage.

In the fifth general elections of the newly-founded Republic of Turkey, held in 1935, 18 women

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<sup>155</sup> Interviews conducted and comments added are shown with \*

<sup>156</sup> <http://www.hurriyetdailynews.com/turkeys-womens-movement-a-century-in-the-making-97570>

were elected to parliament. Since then, women have accounted for an average of 5 percent of MPs, the number dropped to 1 percent for four decades after 1940s. The number of women in the TBMM in August 2018 accounts for 14.7 percent following the general elections in November 2015, with 81 women in parliament.

The women's movement, however, flourished throughout Turkey after the 1980s with the revival of civil society at around the same time. Campaigns and protests feminists organized after the 1980s, such as the March Against Violence, Purple Needle, Whistle and Saturday Mothers, helped the women's movement become organized.

The very first women's organizations engaged with the fight against domestic violence taking the forefront, kick-starting help centers and shelters, like the Mor Çatı Women's Shelter Foundation and the Women's Solidarity Association. Organizations focusing on women's education and employment, like Women for Women's Human Rights (WWHR) and the New Ways and Women Entrepreneurs Association (KAGİDER), followed.

Political participation by women was yet another priority area which brought feminists together, exemplified by the pioneering Association for Supporting and Training Women Candidates (KADER). Women's health, as well as lobbying and advocacy on both a national and international level, were the areas that gained momentum later, in the 1990s.

Education for women's human rights, awareness-raising, women's participation in the work force and representation of women in the media and arts are few of the areas that women's movements have been tackling.



#### ANNEX 4. LIST OF THE DOCUMENTS REVIEWED

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- Women in Turkey, General Directorate on the Status of Women
- Human Rights Watch, World Report 2016
- Mercer, Global Women Thrive Report, 2016
- IPU & UN Women, Women in Politics, 2017 Map
- Strategy For The Promotion Of Gender Equality 2016-2020, Document Of The European Bank For Reconstruction And Development
- European Union Agency for Fundamental Rights, Violence Against Women: an EU-wide survey
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- EBRD Refugee Response in Turkey, Gender Assessment & Programme, May 2017
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- NGO Report on Turkey’s Seventh Periodic Report to The Committee on the The Elimination of Discrimination Against Women, Executive Committee for NGO Forum on CEDAW, Turkey
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- “Recent Trends in Female Labour Force Participation in Turkey”, State Planning Organization of Turkey and World Bank Welfare and Social Policy Analytical Work Program Working Paper Number 2, 2010
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- EBRD Refugee Response in Turkey Gender Assessment & Programme
- The National Action Plan on Combating Violence Against Women (2016-2020), Turkish Government
- Annual Action Programme for Turkey (2016), Civil Society;
- Annual Action Programme for Turkey (2016), Judiciary;
- Annual Action Programme for Turkey (2016), Fundamental Rights
- Annual Action Programme 2016, Home Affairs;
- Un Women, Global Database On Violence Against Women, Turkey, 2016
- UNODC, Global 2016 Report on Trafficking in Persons, 2017
- Women’s Participation in Labour Market and Employment in Turkey
- Women in Work life by TURKONFED, 2017
- G20 Employment Plan 2014 - Turkey
- Women’s Tertiary Education Masks the Gender Wage Gap in Turkey

- Summary Results of the Social and Economic Problems of Lesbian, Gay, Bisexual and Transsexual (LGBT) Individuals in Turkey Research
- “Gender Inequality in Turkey” Report by KAGİDER and TÜSİAD
- Reforming the Penal Code in Turkey: The Campaign for the Reform of the Turkish Penal Code from a Gender Perspective, by Pınar İlkaracan
- Research on Domestic Violence against Women in Turkey, 2015
- Hacettepe University Institute of Population Studies, Ministry of Family and Social Policies, 2015. Research on Domestic Violence against Women in Turkey. Ankara, Turkey
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- “Trafficking in Human Beings in Global Age: A Case Study of Turkey” by Murat Gül & Tuğba Sarıkaya Güler, 2016
- The Global Initiative against Transnational Organized Crime, Human Trafficking, Sexual Exploitation: A Growing Risk for Syrian Refugees, Danish Refugee Council, Synthesis of Migration Trends In and Around Turkey, 2017
- Trafficking in Persons Report: Turkey Report, Office to Monitor and Combat Trafficking in Persons, US Department of State, 2017
- Population Association, Current Overview of Turkey’s Population, 2016
- OECD Health Service Review
- TÜRKONFED The Women in Business Report – Volume 3
- TEPAV-Gender Equality Report in 81 Provinces
- Women Matter Turkey by McKinsey Company in cooperation with TÜSİAD, 2016
- Kilis İli Kadının Güçlendirilmesi ve Kalkınmaya Katılımı Eylem Planı Çalıştayı (Basılmamış Ders Notları) 6-8 Mart 2018, Kilis.
- UNICEF Data: Monitoring the Situation of Children and Women
- UNICEF, State of the World’s Children: A Fair Chance for Every Child
- Report by the Sub-Committee of Child Marriage of KEFEK
- OECD, Social Institution and Gender Index (SIGI), 2014
- UNFPA: Child Marriage in Turkey, 2012
- *How Does the Refugee Crisis Affect Public Health in Turkey*, Tepav, Esra Özpınar, April 2016
- Syrian Women in Turkey, AFAD 2015
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- Türkiye İşçi Sınıfı Gerçeği, DISK, February 2017
- Action Plan for Sexual Reproductive Health

## ANNEX 5 RECOMMENDATIONS OF THE INTERNATIONAL COMMUNITY

### PARTICIPATION AT DECISION MAKING PROCESS

CEDAW recommends for the adoption of measures, including temporary special measures, such as including quotas, benchmarks with specific time frames and training, in order to achieve the equal and full participation of women in political and public life and in decision-making at the local and national levels, as well as among the judiciary and civil service.

It furthermore recommends conduct of awareness raising activities for society as a whole about the importance of the participation of women in decision-making, including the participation of women belonging to disadvantaged or marginalized groups, and offer specific training programs on leadership and negotiation skills for current and future women leaders.

### EDUCATION

The CEDAW Committee draws attention to Sustainable Development Goal 4.1 and calls upon Turkey to ensure that all girls' and boys' complete free, equitable and high-quality primary and secondary education that leads to effective outcomes.

CEDAW Committee has expressed its concerns about the high dropout rate and underrepresentation among girls and women in vocational training and higher education, in particular in deprived rural areas and refugee communities. The Committee also notes the possible negative repercussions of the arrangement of 12-year-compulsory education as 4+4+4 years on girls as their attendance to school after the first eight years may subject to interference by the parents.

- Implements further targeted policies and programmes to overcome educational disadvantages faced by girls and women belonging to minority linguistic and ethnic groups, especially in rural areas, inter alia by exploring the possibility of multilingual education, and address regional disparities.<sup>157</sup>
- It recommends that Turkey encourages parents to allow their daughters to pursue in-school education and address the high dropout rates.
- For women and girls with disabilities, inter alia, by integrating them into mainstream education;
- In line with Sustainable Development Goal 4.3 on ensuring equal access for all women and men to affordable and high-quality technical, vocational and tertiary education, including university education, develops a policy aimed at intensifying girls' access to higher education and technical and vocational training for women, in traditionally male-dominated fields and others;
- Implements the project on the promotion of gender equality in education, review and revise textbooks and include in the project the textbooks and teaching materials, as well as

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<sup>157</sup> CEDAW Committee Report, 2016.

conduct capacity-building programmes for teachers at all levels with a view to changing existing stereotypical views and attitudes towards the roles of women and men in the family and society;

- The Committee also highlights the existence of discriminatory stereotypes of women as wives and mothers, in textbooks, particularly textbooks for refugees, which are based on the Syrian curriculum. Moreover, it underlines lack of education on sexual and reproductive rights, low level of attendance of girls and women with disabilities whose education opportunities are insufficient and very high level of illiteracy among girls and women in Southeast Anatolia;
- Ensures the integration into the school curricula of mandatory, age-appropriate sexual and reproductive health education, paying special attention to the prevention of early pregnancies and sexually transmitted diseases, as well as violence;
- Continue efforts to ensure access to education for refugee girls and address their particularly high dropout rates; addresses the causes of the low enrolment rate of girls and women with disabilities and ensure adequate educational opportunities.

## **EMPLOYMENT: PARTICIPATION TO LABOR MARKET AND ACCESS TO OPPORTUNITIES**

The CEDAW Committee recommends Turkey to implement the action plan on women's employment; adopt policies and specific legislative measures to eliminate employment discrimination against women and work towards ensuring equal opportunities at all levels for women in the labour market, in the formal sector and elsewhere; develop job evaluation systems based on gender-sensitive criteria, with the aim of closing the existing gender wage gap in line with the Committee's general recommendation No. 13 (1989) on equal remuneration for work of equal value and introduce statutory minimum wages applicable to all sectors of the labour market in order to raise salaries in female-dominated sectors, and take all other measures to guarantee a living wage.<sup>158</sup>

Another reservation about the feminization of social protection policies that is also expressed as a concern by CEDAW Committee is the targeted women for the conditional cash transfers (CCTs). As Committee points out Turkey understands and uses temporary measures in monetary transfers to women who find themselves in disadvantaged situations. In other words, non-employed women those fulfil the conditions of CCTs are eligible to receive this social assistance upon fulfilling their caring function as mothers and caretaker of elderly and disabled. Committee recommends Turkey to accelerate its efforts for substantive equality of women particularly in the areas where they are underrepresented or disadvantaged such as education, labour market and participation in decision making processes.<sup>159</sup>

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<sup>158</sup> CEDAW Committee, 2016.

<sup>159</sup> Ibid

## **HEALTH SERVICE**

CEDAW Committee recommends Turkey to:

- Ensure equal and full access to sexual and reproductive health information and services for all women, including Kurdish women and women belonging to minority groups.
- Make sure women's rights to autonomy, privacy, confidentiality, informed consent and choice, are safe.
- Include access to modern forms of contraception, including emergency contraception, in all parts of the State party, including rural and remote areas.
- To take all measures necessary to safeguard the existing legal right to abortion and contraception, monitor hospitals and ensure that they respect their legal obligations to terminate pregnancies up to the tenth week, and up to the twentieth week in cases of rape, without imposing any additional conditions.

To collect data on the prevalence of HIV and renew the national strategic action plan on HIV/AIDS (2011-2015) and set up counselling centres for HIV and sexually transmitted infections in all parts of Turkey, including rural and remote areas

## **GENDER-BASED VIOLENCE AND TRAFFICKING**

The CEDAW Committee recommends:

- Strengthening of the efforts to combat gender-based violence against women, including the underlying causes of such violence.
- Effective implementation of its national action plan on combating violence against women (2016-2019).
- Adoption of the necessary legislative amendments that explicitly criminalize domestic violence, so as to enable the prosecution and punishment of perpetrators.
- Monitoring protection orders and sanctions their violation, and investigation of law enforcement officials and judiciary personnel accountable for failure to register complaints and issue and enforce protection orders.
- Encouragement of reporting of domestic violence against women and girls, inter alia by launching awareness-raising campaigns through the media and public education programs and by increasing the number of female judges and law enforcement officials, and ensure that reports are effectively investigated and victims provided with adequate assistance and protection.
- Provision of assistance to women for their safe return to their homes to build an independent life; such assistance may include psychosocial support, vocational training to enable them to engage in income-generating activities and, if necessary to ensure their safety, a changed identity.
- Establishment of a multi-lingual hotline, operating 24 hours a day, seven days a week, on gender-based violence against women.

- Ensure that irrelevant criteria, such as good conduct in court, do not serve as grounds to reduce the sentences of perpetrators of gender-based violence against women.
- Exercise due diligence to protect lesbian, bisexual and transgender women against discrimination and violence, by including “sexual orientation and gender identity” in the legislation on hate crimes and among the grounds for prohibited discrimination in Law No. 6701, and ensure that perpetrators of violence against lesbian, bisexual and transgender women do not benefit from the mitigating circumstances provided for in article 29 of the Penal Code.<sup>160</sup>

In addition to these, the Committee also recommends strengthening of the law to prosecute and punish adequately all crimes committed in the name of so-called “honour”; amendment of the Penal Code, with a view to excluding explicitly those crimes committed in the name of so-called “honour” from the application of article 29 of the Code; effective investigation of the suicides, accidents and other violent deaths of women and girls by using forensic evidence, such as medical and/or psychological autopsy; and dismantling of the concept that the honour and prestige of a man or the family are intrinsically associated with the conduct or presumed conduct of women related to them, which is based on patriarchal attitudes and serves to control women and curb their personal autonomy and is incompatible with the Convention.

CEDAW Committee also recommends that Turkey step up its efforts to combat trafficking, and enhance training and capacity building efforts for law enforcement and border officers to increase their ability to identify and provide assistance to potential victims of trafficking; significantly increase the capacity of shelters for trafficking victims and ensure access to high-quality medical care, counselling, financial support and educational opportunities, in addition to access to free legal services; ensure that women who are victims of trafficking and exploitation of prostitution are exempted from any liability and provided with adequate protection, such as witness protection programmes and temporary residence permits, irrespective of their ability or willingness to cooperate with the prosecutorial authorities.

There were same recommendations that for gender based violence

## **HUMAN & WOMENS RIGHTS DEFENDERS**

CEDAW Committee recommended that Turkey:

- Adopt measures to achieve equal and full participation of women in political life at local and national level.
- Establish a clear timeframe to finalize and adopt the draft National Action Plan to implement UN Security Council Resolution No. 1325 (2000) on women, peace and security;
- Implement the prohibition of child and early forced marriage and strengthen sensitization efforts on the harmful effects of child and early forced marriage on a girl’s health and development;

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<sup>160</sup> Ibid

- Implement temporary special measures to accelerate substantive equality of women and men in all areas where women are underrepresented or disadvantaged, particularly in education, labour market, political and public life.