

**SIXTH PERIODIC REPORT OF TURKEY
PREPARED TO BE SUBMITTED
TO THE CEDAW COMMITTEE**

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ANKARA**

This report has been prepared pursuant to Article 18 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which Turkey has been party since 1986, and within the context of which the adherent states are obliged to submit to the CEDAW Committee a quadrennial report on the progress made regarding the status of women and the difficulties encountered in this respect.

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INTRODUCTION

Turkey's sixth country report was prepared in a participatory process, integrating the contributions of relevant government agencies as well as academicians and non-governmental organizations working in the areas of women's human rights and gender equality. The report aims to highlight achievements made vis-à-vis each article of the Convention since the last reporting period which covered the period 1999-2003. Turkey's previous report (combined 4th and 5th Periodic Report) was reviewed by the Committee in January 2005.

ARTICLE 1:

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

“The Convention on the Elimination of All Forms of Discrimination Against Women” was signed by the Government of Turkey in 1985 and ratified in 1986 with certain reservations, since some provisions of the Convention were incompatible with the Family Law section of the Turkish Civil Code. These reservations were withdrawn on September 1999 in expectation of the then-proposed amendments to the Turkish Civil Code (See 4th and 5th Country Report). The Declaration to Article 9 of the Convention was withdrawn as of 19 January 2008 due to the amendments to the Turkish Nationality Law. Thus, Turkey no longer has any reservations and/or declarations to any substantive articles of the Convention. However, Turkey’s reservation to Article 29 of the Convention remains.

The Optional Protocol to the Convention, which was signed by Turkey on 8 September 2000 was ratified on 30 July 2002, became effective as of 29 January 2003. By adopting the Optional Protocol, Turkish Government has strongly confirmed its commitment to full compliance with the Convention on the Elimination of All Forms of Discrimination Against Women. Although equality between women and men has been among the basic principles of the Constitution of the Turkish Republic for years, definition of “discrimination against women” is not included in the Turkish Constitution in the way stated by the Convention. Articles of the Constitution regarding equality between women and men were made more clear and stressed as of 2000 and this principle is reflected to all related laws.

The amendment made to Article 90 of the Constitution in 2004 paved the way for the provisions of the international agreements to prevail in case of a conflict between international agreements in the area of fundamental rights and freedoms duly put into effect and the domestic laws due to differences in provisions on the same matter.

In Turkey, there are ongoing efforts to further amend the Constitution some of which can be expected to impact women’s human rights and equality between women and men. There is a lively public discussion on these matters and different stakeholders, including women’s NGO’s, take an active part in this discussion.

ARTICLE 2:

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

Since the late 1990s, Turkey has introduced important pieces of legislation on women’s rights and a law reform directed towards ensuring equality between women and men and preventing discrimination against women in all fields has been embarked on.

In this respect, since the last reporting period, the provision “Men and women have equal rights. The State shall have the obligation to ensure that this equality exists in practice” has been incorporated into Article 10 of the Constitution in 2004. The state thus, undertook the obligation not only to abstain from gender-based discrimination, but also to take all measures and adopt policies necessary for women and men to have equal rights and means to enjoy them. The extension of this Article to include temporary special measures is a matter of ongoing debate in the public opinion.

b) To adopt appropriate legislative and other measures, including sanctions where appropriate prohibiting all discrimination against women;

With the new Turkish Penal Code (TCK), which became effective as of 1 June 2005, significant improvement has been made regarding the protection of women's human rights, ensuring gender equality and sanctioning of violence against women. Article 3 of Turkish Penal Code, on the principle of equality before justice and law, states that no discrimination shall be made between persons in respect of race, language, religion, sect, nationality, colour, sex, political or other opinion, philosophical belief, national or social background, birth, economic and other social status and no one shall be granted any privileges in implementation of the Penal Code.

Article 122 of Turkish Penal Code, provides that persons practicing discrimination on grounds of language, race, colour, sex, disability, political opinion, philosophical belief, religion, sect or similar reasons and preventing a person from accessing goods or services on such grounds shall be subject to punishment.

Also parallel to the regulations in the Turkish Penal Code, the first clause of Article 2 of "The Law on the Enforcement of Penal and Security Measures" states that the rules regarding the enforcement of penal and security measures shall be enforced without any discriminatory notion on the basis of race, language, religion, sect, nationality, colour, sex, political or other opinion, philosophical belief, national or social background, birth, economic and other social status and no one shall be granted any privileges in the application thereof (For regulations regarding discrimination in Labour Law, see Article 11).

In the period under review, one of the most important means for the realization of the progress made in the laws is, the "Ninth Development Plan" covering the period 2007-2013. This plan, ratified by the Plenary Session of the Grand National Assembly of Turkey (TBMM), stipulates that employability of women will be increased and combating domestic violence will be sustained through enhancing education and vocational training opportunities with the aim of ensuring women's participation in economic and social life. Accordingly, in the Annual Programmes for 2005- 2006, combating violence against women was stated as an issue of priority for the state and the effort to prevent violence against women was further increased.

c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

The 2nd- 3rd Combined Report as well as the 4th- 5th Combined Report of Turkey to the CEDAW Committee presented details pertaining to the foundation and organization of the General Directorate on the Status and the Problems of Women, a national mechanism founded to protect women against discrimination. While this agency was founded in 1990, owing to legal and political developments in the ensuing periods (as explained in the previous reports) its status within the state structure had remained ambiguous. The Law on the Organization and Responsibilities of the General Directorate on the Status of Women (KSGM) was entered into force in just 2004 and this legal ambiguity was eliminated. Organized under the Prime Ministry, KSGM aims at conducting activities to protect and improve women's human rights, strengthening women's status in social, economic and political life and providing women with equal access to rights, opportunities and facilities. With this legal status warranted, the General Directorate was granted the means to perform all of its duties in a more efficient manner.

Under the new legal regulations, an Advisory Board on the Status of Women was formed with the participation of representatives from public agencies, non-governmental organizations and universities to help KSGM perform its policy making and coordination duties more effectively. The State Minister for Women and Family Affairs heads the Advisory Board on the Status of Women, which is composed of 36 members. The decisions made by this body are monitored by KSGM.

Law proposal on the establishment of “Equal Opportunities Commission” under The Turkish Grand National Assembly (TBMM) was submitted to the Office of the Speaker of TBMM on 9 April 2008. According to this proposal, “Equal Opportunities Commission” shall be in charge of protecting and enhancing human rights of women, monitoring and negotiating the improvements achieved in our Country, to ensure equality between women and men, pursue the improvements achieved on this issue in other countries and international organizations and inform Turkish Grand National Assembly on these improvements and by request, presenting its view to specialization commissions on the convenience of the draft laws, proposals and decree laws submitted to the Turkish Grand National Assembly with national legislation and international obligations. Moreover, the law which was drafted with the aim of developing an ombud system (called public auditor) to review complaints regarding operations of the administration and to make suggestions thereupon became effective in 2006. However, as the Constitutional Court stopped the implementation of Article 1 of the said Law, Public Auditor Institution could not complete the institutionalization process.

d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

Women’s surnames are regulated by Article 187 of the Turkish Civil Code. According to the provision, a married woman can use her former surname between her first name and her husband’s surname provided that she makes the necessary applications to authorities at marriage or any time after. Nevertheless, this provision is not regarded as sufficient in Turkey with respect to equality between women and men. Taking into consideration Articles 10, 41 and 90 of the Constitution and the provisions of the CEDAW Convention as well as the European Convention on Human Rights Article 187 needs to be amended in order to be compatible with higher legal norms. A draft law on the amendment of the Turkish Civil Code in accordance with this need and pursuant to the relevant decision of the European Court of Human Rights was issued to enable married women to use solely their own surname after marriage, if they wish to do so. The draft is under legislative process.

With the Municipality Law No.5393, effective as of 2004, municipalities were designated the authority to provide services to women victimized by violence. With this law, Metropolitan Municipalities and municipalities with a population exceeding 50.000 were put under the obligation to establish shelters for women and children. Protective and preventive services provided to battered women by local authorities are envisaged to be further improved in the next stages of the process.

Within the context of the Turkey-European Union Pre-Accession Financial Cooperation Programme and under the “Strengthening Institutional Capacity Component” of the project titled “Promoting Gender Equality”, seminars were held and gender equality trainings were provided to public servants with the aim of gender mainstreaming (see Article 5-a).

Moreover, via a Protocol signed between the General Directorate of Security and the General Directorate on the Status of Women, in-service trainings are being introduced to 40.400 police officers working in police stations. The aim of these trainings is to ensure that they act in compliance with the obligation of public authorities and institutions to abstain

from discriminatory behaviour and practices when they perform their duties to combat domestic violence.

For the same purpose, the Protocol on “The Role of Health Personnel in Combating Violence Against Women and the Applicable Procedures” was signed on 3 January 2008 between KSGM and the Ministry of Health (See Article 2-f).

e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

In addition to the provision related to equality between women and men appended to Article 10 of the Constitution, sex discrimination is defined as an offence punished by imprisonment in Article 122 of the Turkish Penal Code. Additionally, for regulations regarding the prevention of sex discrimination in employment, contained in Labour Law, see Article 11/1-b.

f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

As stated earlier, a series of laws and legal provisions have been modified, abolished and/or drafted within the framework of a comprehensive law reform started in Turkey in the past decade. New legal institutions such as specialized courts and laws that pertain to matters which constitute discrimination against women have been adopted as part of this process. In this context:

The Law on the Establishment of Family Courts:

In the Combined 4th-5th Report of Turkey to the CEDAW Committee, it was stated that the draft statute on the Establishment of Family Courts was put before the Parliament due to the need to establish expert courts to try cases related to domestic violence as well as other family law matters. The draft statute has become law in 2003 and Family Courts were established in all districts with a population exceeding 100.000, in all provinces of Turkey. Family Courts are furnished with the authority to warn spouses about the obligations imposed on them by conjugal community, to mediate between spouses and take necessary measures, including deciding on precautionary measure for children and maintenance.

The Law on the Protection of the Family:

In response to the problems encountered in the implementation of the Law on the Protection of the Family (No:4320) an amendment was introduced in 2007. With this amendment the Law now, interprets violence from a broader perspective and family members that may be living apart or that are legally separated are also accorded legal protection. Additionally, inclusion of the expression “the wrongful party or one of the other family members” in the amended law now enables courts to award an injunction ruling for all family members living under the same roof, i.e. not only spouses. When and if the Family Court Judge deems appropriate, he/she can, under the law, award the perpetrator of violence an order to “apply to a healthcare institution for examination or treatment”. Besides, it is adjudged that the charges incurred in the applications made benefit from the Law, and decisions made by the court shall not be subjected to the expenses.

Following the adoption of the Proposal on the amendment to the Law No 4320, the regulation which clarifies the implementation of the Law on the Protection of the Family was

prepared under the coordination of KSGM and in collaboration with the jurist representatives of NGOs was entered into force on 1 March 2008.

Table 1: Number of Court Cases Filed before Criminal Courts on the Basis of the Law on the Protection of the Family No.4320 and the Number of Defendants

Years	No. of Court Cases Filed	Number of Defendants								
		Age 12-15		Age 16-18		Age 19 +		Total		
		Male	Female	Male	Female	Male	Female	Male	Female	Total
1999	109	0	0	0	0	122	1	122	1	123
2000	108	0	0	2	5	108	2	110	7	117
2001	125	10	0	4	0	115	5	129	5	134
2002	158	2	0	1	0	160	3	163	3	166
2003	213	3	0	0	0	218	4	221	4	225
2004	322	0	0	4	0	319	10	323	10	333
2005	439	5	0	0	0	447	12	452	12	464
2006	646	30	6	2	0	685	18	717	24	741

Source: General Directorate of Forensic Registers and Statistics, 2007.

Table 2: Types of Judgment in Court Cases Filed/Concluded in the Penal Courts on the Basis of the Law on the Protection of the Family No.4320 and the Number of Defendants

Years	No. of Court Cases Filed	No. of Defendants for Each Type of Judgment			
		Condemnation	Acquittal	Other	Total
1999	80	52	15	13	80
2000	106	52	31	23	106
2001	128	71	25	32	128
2002	151	98	37	38	173
2003	182	131	52	30	213
2004	280	204	100	39	343
2005	323	202	95	92	389
2006	669	574	128	121	823

Source: General Directorate of Forensic Registers and Statistics, 2007.

Turkish Penal Code (TCK):

Contributing a very significant legal foundation to combat violence against women, the new Turkish Penal Code (TCK) became effective as of 1 June 2005 after a long period of deliberation and discussion on the draft by public institutions and the civil society.

The new Turkish Penal Code recognizes the individual as the focus of its function. In order to underscore the importance attributed in the Turkish Penal Code to the individual, “Crimes against Humanity” and “Crimes against Individuals” are regulated as priority sections among special provisions. Crimes committed against sexual privacy, which are more frequently committed against women, the legal value protected is the sexual privacy of individuals are regulated in the Second Section of the new TCK titled “Crimes against Individuals”.

Primary amendments to the old Penal Code effectuated in respect of violence against women are listed below:

- The article defining the “woman-girl distinction” is removed from the text.

- Sex crimes regulated under the title of crimes against society in the old Penal Code are addressed under the title of crimes against individuals as crimes against sexual privacy in the new Code.
- The concepts of rape by force and carnal abuse by force have been replaced with the concepts of sexual assault and sexual child abuse.
- In case of sexual assaults committed against a spouse, the execution of investigation and prosecution is made subject to complaint by the victim. With this regulation, acts committed against a spouse and constituting the major form of sexual assault crime have been made liable to penalty.
- Sexual assault and the basic form of sexual assault crime have been defined. Perpetration of the sexual assault by the insertion of an organ or other objects has been defined as the major form of this crime.
- For sexual assault crimes, the states of active repentance, which necessitates the postponement of the court case or penalty, have been regulated and it has been resolved that remission, suspension or revocation of sentence will by no means be possible for perpetrators of sexual assault by reason of contraction of marriage by one of the detained defendants or condemned persons.
- The concept of sexual harassment in the workplace has been introduced and the major forms of sexual harassment crime have been established. With this amendment, perpetration of sexual harassment against an individual by undue influence on the basis of hierarchical and service relationships or by taking advantage of working in the same work place have been regulated to require heavier penalties than the basic form of the crime. In addition, sexual harassment crime is legally regulated as a crime perpetrated not only among the managerial hierarchy but also among workers.
- With the addition of the expression “in the name of honour” to the article that regulates the major forms of felonious homicide, which require penal servitude for life, it has been resolved that perpetrators of honour and custom killings be punished with the severest sentence.
- The wrongful instigation article (referring to undue provocation) has been amended and a regulation has been made to the effect that wrongful instigation can be recognized as being of relevance only in cases where it is the result of a wrongful act. It was explained in the article’s justification that family members, relatives and others who have murdered a woman victimized by sexual assault cannot avail themselves of reduction of sentence on the grounds of wrongful instigation and that all wrongful acts do not necessarily constitute wrongful instigation.
- It has been adjudged that “In cases where a woman becomes pregnant as a result of a crime which she has been the victim of, penalty shall not be given on condition that the pregnancy is terminated by specialized practitioners in the hospital environment and the gestation period has not exceeded twenty weeks and the woman in question has given consent to the operation”.
- The major forms of the sexual assault crime have been regulated and sexual assault crimes that lead to deterioration in the physical or mental health of the victim are punished with heavier sentences. The perpetrators of crimes that cause the crime victim to develop irreversible coma or to suffer death are punished with penal servitude for life.
- In the article that regulates the sexual assault crime; major elements that require heavier sentences have been defined for the cases where the crime has been

perpetrated by undue influence on the basis of public office or service relationships.

- Malicious injury crime has been regulated to the effect that the perpetration of this crime against an individual from lineal or secondary ancestors or against a spouse or sibling is recognized as the major form of this crime.
- Under the title of Torture and Cruel Treatment, the crimes of torture and cruel treatment are regulated. In these articles, the obligations imposed by international agreements to which Turkey is a party have been taken into account. In the face of these obligations and for the purpose of protecting human dignity from violations, these acts are defined as an independent class of crime in order to prevent impunity for criminal acts of torture.
- Failure to discharge obligations of care and support imposed by Family Law is defined as a crime. Execution of investigation and prosecution proceedings has been made subject to the filing of a complaint. In this article, a man that abandons a woman who has become pregnant by him and with whom he is permanently living with and fails to provide her with due assistance is liable to penalty, whether they are married or not. Penalty of imprisonment is required by the Code for parents that heavily jeopardize the moral disposition, security and health of their children due to negligence or lack of care by reason of habitual intoxication, drug abuse or discreditable lifestyle even if their parental rights have been foreclosed.
- Regulations have been made to specify under which conditions the act of soliciting individuals and especially instigating children to prostitution constitutes a criminal act. The obligations imposed on Turkey by international agreements on the struggle against trafficking were taken into consideration in the making of these regulations.
- Genital Examination is regulated in a separate article and a person who sends a woman for genital examination or carries out this examination without consent or without a decision taken by an authorized judge upon the request of a prosecutor is made liable to penalty of imprisonment from three months to one year.
- Sexual intercourse with an underage (under 18) person is defined as a separate crime.
- Acts of sexual child abuse have been defined as crimes. In cases where the crime has been committed by a lineal ancestor, stepfather, adoptive parent or guardian, including second and third degrees, the resultant sentence has been increased by half.
- Regulations have been made to combat trafficking in women and children. In these regulations, the obligations imposed on Turkey by international agreements were taken into consideration.
- The crime of discrimination is regulated under the Penal Code and sex is listed among the grounds for discrimination. Deprivation of certain people of the facilities provided for by law due to acts of discrimination, other than those permitted by laws and regulations is liable to penalty.

Since coming into force of the new Turkish Penal Code, positive developments regarding the implementation of the statute's provisions are increasingly being observed. Courts are passing tougher judgements particularly on custom and honour crimes.

In several cases concluded after the addition of the expression "in the name of honour" to the article that regulates the major forms of felonious homicide, which require penal servitude for life, penalty was pronounced not only upon the perpetrator, but also upon the instigators.

In order to promote and ensure the full enforcement of the new Penal Code, many training seminars and colloquia were held by the Ministry of Justice for approximately 8.500 judges and public prosecutors serving in various courts throughout Turkey.

The Law on Child Protection:

The Law on Child Protection, effective as of 15 July 2007, resolved that appropriate shelters be provided to individuals with children with no means of sheltering and to pregnant women in fatal danger and that the addresses of these individuals be kept confidential upon their request.

In addition to the Penal (explained above) and the Civil Code (combined 4th and 5th Periodic Report) amendments elaborated earlier on legal provisions concerning maternity leave and breast-feeding leave have been reregulated in the new Labour Law (For detailed information on this issue, see Article 11-2-b).

With the new draft law prepared by KSGM on parental leave, KSGM aims at providing a legal basis which shall make the rights of female workers and civil servants to be compatible and allow active participation of fathers in child care and upbringing, a function which is still widely regarded as the mother's responsibility in Turkish society (For detailed information on this draft law, See Article 11-3).

Turkey has incorporated provisions regarding equal participation of women and men in working life both into its Constitution and into the Labour Act and has furnished this issue with legal and Constitutional guarantees (For detailed information, see Article 11).

The Prime Ministry Circular:

Another significant step taken for the elimination of violence against women was the formation of a Parliamentary Commission of Inquiry for purposes of "Investigating the Reasons Behind Custom and Honour Killings and Violence Against Women and Children, and Identifying the Measures to Be Taken".

Following the submission of a comprehensive report prepared by the Commission a Prime Ministry Circular was published identifying measures to be taken and institutions responsible. This Circular entrusted the General Directorate on the Status of Women with the duty of providing coordination for the activities and the measures to combat violence against women and custom and honour killings. Within the context of this function, KSGM monitors the activities of responsible/collaborating institutions and relevant agencies. A "Monitoring Committee for Violence Against Women" was established by KSGM with the participation of representatives of all related public agencies and institutions, universities and non-governmental organizations working for combating violence against women. The Committee meets under the chairmanship of the State Minister for Women and Family Affairs in order to assess the current situation and to determine the extent to which the responsibilities specified by the Prime Ministry Circular have been discharged. Moreover, in accordance with the precautionary measures envisaged in the Circular, a "National Action Plan for Combating Domestic Violence Against Women" (2007-2010) has been prepared with the participation of all parties related to the issue of violence, in order to constitute a base for public policies. This Action Plan was put into effect upon approval by the State Minister for Women and Family Affairs.

Apart from legislative efforts, the following activities are performed in relation to implementation:

- As stated above under Article 2 (d), with the collaboration of KSGM and General Directorate of Security, a Protocol, prepared for the initiation of an in-service training project to be delivered to 40.400 members of the police force with the aim of raising their awareness and sensitivity on the issues of violence against women, domestic violence, gender equality, methods of approach to violence victims and implementation of the Law on the Protection of Family and other related laws, was signed by relevant Ministers at the end of 2006. Within the framework of training of trainers launched as of May 2007 across Turkey, trainings of 270 participants have been completed. Since then, 270 trainers have been delivering training to members of the police force working at police stations which female violence victims apply to as first agencies. With the conclusion of the trainings by the end of 2008 the standardization of registry systems in police stations and adoption of a victim-centred approach will be possible. The activity in question is also of importance in terms of gaining experience on working with men.
- Within the context of the Turkey-European Union Pre-Accession Financial Cooperation Programme, the project titled “Promoting Gender Equality” was initiated for the years 2007-2008. Implemented by KSGM, the Project consists of two components, the first of which is “Strengthening Institutional Capacity” and aims at strengthening the institutional capacity of KSGM and the cooperating agencies. Within the context of the second component of the project titled “Combating Domestic Violence Against Women”; qualitative and quantitative research studies will be conducted on the reasons and consequences of domestic violence against women, database and service models and awareness-raising and in-service training modules will be developed.
- In-service training programs were delivered to the personnel of the Presidency of Religious Affairs covering the issues of “Duties, Authorities and Responsibilities of the General Directorate on the Status of Women”, “The New Turkish Civil Code from the Perspective of Women Rights”, “Custom and Honour Killings” and “Gender Equality”.
- Within the framework of the Law on Child Protection, entered into force in 2007, General Directorate of Social Services and Child Protection Agency provides appropriate shelter to individuals with children with no means of sheltering, pregnant women in fatal danger and women victimized by violence via the “guest houses” for women.
- There are 25 guest houses for women in service under the General Directorate of Social Services and Child Protection Agency. Moreover, there are 24 guest houses for women established under Governorships, Municipalities and Districts or within the framework of special legal provisions. As of July 2008, there are 49 guest houses in total across Turkey. It is a well known fact that these services are not yet sufficient for the country as a whole. Therefore, with the Municipality Law No.5393, municipalities were also furnished with the authority to provide services to women victims of violence. This law will thus enable the improvement of the protective and preventive services offered to women victims of violence. In addition, efforts were initiated, 2007, under the cooperation of the Ministry of Interior, European Union and United Nations Population Fund for the foundation of 8 other shelters.
- 183 Hotline for Women and Children was established and is currently in service for 7 days and 24 hours with the aim of providing women and children victimized by

violence or carry a risk thereof, with information services in psychological, legal and economic areas, with information on the service institutions they can avail themselves of and with the assistance they require in the shortest time possible. The process started in 2002 was generalized in 2006 to 81 provinces. Applications received through the hotline are responded to by social workers and psychologists. The responders evaluate the state of the applicant, the urgency of the situation and the services necessitated and get into contact with Bar Associations for legal issues, Law Enforcement Agencies when the situation requires the assistance of emergency intervention teams and Provincial Directorates for Social Services when psychological assistance or sheltering is requested by the applicant. As of 2007, hotline has provided services to 132.617 people.

- The number of Family Counselling Centres which provide guidance and counselling services as well as protective-preventive, educational-developmental and therapeutic-rehabilitative services in order to protect and support family life and to provide solutions to problems thereof was increased in 36 provinces to 40 as of April 2008. The number of people who have received services since the previous reporting period is 37.782.
- Within the framework of the participation of women in development, 71 Community Centres under the General Directorate of Social Services and Child Protection Agency have provided services to 213.023 women since the previous reporting period. Community Centres implement women-related projects, promoting attitudes and behaviours compatible with the urban way of living, directed to solve problems with the participation of people and official and non-governmental organizations, enabling the local people to attain better living conditions. In line with their basic objectives, Community Centres also provide women victimized by violence with psychological and legal counselling and economic assistance and assess the situations of women who request sheltering and communicate these requests to relevant authorities.
- Besides, projects such as Support to Housewives Project, Home Based Childcare Project and income-generating activities such as various vocational courses (carpet weaving, needlework, embroidery, marbling, computer skills, elderly care, patient care etc.), bazaars and exhibitions for women as well as training programs for increasing the knowledge, awareness and skill levels are conducted. Activities for Women's Human Rights Training program (see Article 3), My Family, Family-Children Training, Functional Adult Literacy Training and Father Support Programmes are carried out in these centers.
- Services are provided on matters of education, guidance, vocation etc. for women in 29 Multi-Purpose Community Centres (ÇATOM) located in Eastern and South Eastern Regions under the South-Eastern Anatolia Project Regional Development Administration (See Article 14-2-a).
- Within the framework of general healthcare, mental disorders constitute an important public health problem in Turkey, as is the case around the world. Various measures are taken to prevent cases of suicide related to mental disorders, which is also a phenomenon with a high prevalence among women. In this respect, 16.056 health personnel have been trained by province-based Training Councils within the context of the activities initiated in 2004 by the Ministry of Health. In another aspect of preventive activities, "Psychosocial Support and Crisis Intervention Units" were established and started services in February 2006 in the emergency rooms in hospitals. The mentioned units have been established in 97 hospitals in 49 provinces as of 2008. It is aimed to generalize these units across Turkey by 2010 and the number of suicide cases is targeted to be reduced by 1/3 by the year 2011.

- The Protocol on “The Role of the Health Personnel in Combating Violence against Women and the Applicable Procedures Project” was signed on 3 January 2008 between KSGM and the Ministry of Health. With signing the Protocol, efforts are under way to specify the health service procedures offered to female victims of violence and women under risk and to organize relevant in-service trainings for health personnel. Training programs for health personnel have been initiated as of May 2008. Under the said Protocol, it is targeted to train 500 trainers and to reach 75.000 health personnel through these trainers.
- Meetings are organized with non-governmental organizations involved in activities for women in various provinces to assess the developments pertaining to the status of women. In addition to education, health, law and employment and entrepreneurship commissions established and working under the coordination of the General Directorate on the Status of Women, international relations, media, environment and disaster committees were also established.
- The United Nations Population Fund Turkey IV. Country Programme (2006-2010) aims at reducing poverty, improving maternal health, combating sexually transmitted diseases/HIV/AIDS, promoting gender equality, promoting equal rights for women and enhancing women’s powers. IV. Country Programme comprises three components, namely “Reproductive Health”, “Gender” and “Population and Development Strategies”. Within the scope of the “Gender” component of the Programme, coordination and programming processes of most of the international assistance for promoting gender equality and empowerment of women in Turkey are carried out. With this component, consideration of women’s human rights is furnished with a priority position in activities towards establishing the required political environment. The component thus aims at the subsequent reduction of gender-based violence and protection and empowerment of women.

Activities Performed for Awareness-Raising:

Within the context of combating violence against women, “Stop Violence Against Women Campaign” was initiated in 2004 as the first step of a long-term programme under the cooperation between the State Ministry of Women and Family Affairs and the United Nations Population Fund.

This campaign aimed primarily at raising awareness in the society and increasing social sensitivity on the issue of violence against women. Activities within the scope of the campaign are performed with the support provided by relevant public agencies and institutions, local authorities, media, non-governmental organizations and international organizations, as well as renowned artists in Turkey, Football Teams of the 1. Turkish Super League and the State Polyphonic Chorus. Within the scope of the campaign, in order to raise awareness:

- Concerts presenting folk songs on the theme of women were held;
- Football players of the 1. Turkish Super League who took the field in matches wearing labels and t-shirts reading “Stop Violence Against Women” via a collaborative effort with the Presidency of Turkish Football Federation;
- Badges bearing the “Stop Violence Against Women” logo were provided for use by members of the Parliament;
- Products of men’s clothing companies were offered for sale with labels carrying the “Stop Violence Against Women” logo via a collaborative effort with Turkish Clothing Manufacturers’ Association;

- Display posters and placards on the Stop Violence against Women campaign were used by stores, shopping centres and streets during the week including the day of 25 November;
- Two film spots were prepared and broadcasted on local and national television channels. One of these film spots presented famous actors and footballers of Turkey, whereas the other included the statements of the Prime Minister, the State Minister of Women and Family Affairs, President of Religious Affairs and the General Director on the Status of Women, drawing attention to violence against women.
- In 2007, two film spots were prepared and presented to the attention of the public.
- Young Journalists Competition was organized in 2005 on the theme of “Stop Violence Against Women” in order to create awareness among young journalists and to contribute to their development of correct approaches to this problem.
- With the cooperation of the Chief of the General Staff, training materials, CDs and posters were designed and submitted to 600 garrisons. These contained messages on the issues of schooling for girls, equality between women and men, women’s human rights, violence against women and prevention of custom and honour killings to be used as part of the routine training programs delivered to recruits during their military service with the aim of raising sensitivity of men as an important element of combating violence against women.

In addition to the public activities carried out by the state for provision of information and awareness-raising, non-governmental organizations and the private sector are also involved in ongoing activities and campaigns particularly to combat violence against women. For instance, “The Training Program on Women’s Human Rights” is delivered in Community Centres as a result of the cooperation between the state agency and a non-governmental organization for the purpose of raising awareness on the rights of women. Moreover, a media organization, the national daily newspaper with the highest circulation in the country, has also been conducting a large-scale media campaign titled “Stop Domestic Violence” since 2004.

g) To repeal all national penal provisions which constitute discrimination against women.

Almost all of the penal provisions that constituted discrimination against women have been nullified. The remaining provisions of the TCK which are sometimes interpreted as unfavourable for women by some women’s NGO’s and are referred to in the Concluding Comments of the Committee to the 4th-5th Periodic Report of Turkey are currently being debated by the public opinion.

ARTICLE 3:

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Turkey became party to both CEDAW and the Optional Protocol, the Convention on the Rights of the Child and other related international agreements pertaining to institutions such as ILO, OECD, Council of Europe and Conference of Security and Cooperation in Europe (CSCE). Moreover Turkey supports all regional and global steps for equality and human rights and participates in relevant international platforms.

Turkey assigned KSGM, structured as a national mechanism to ensure gender equality, to support all efforts pursuing the aim of advancing the status of women, develop strategies, plans and programmes and to contribute to the development of basic policies. Furthermore, KSGM also undertakes the functions of monitoring and assessing the results of the activities performed and informing the public to the effect that equality between men and women is recognized as a social issue.

Because of the definition/figure discrepancies detected in statistics, which is one of the most important means employed in its endeavours, KSGM initiated the study named "Identification of Gender Indicators" gathering the parties which are producing and using data. The final aim of the Study is to make the deficiencies in women statistics and to provide access to accurate, current, reliable and comprehensive statistics. Within the context of the Study, an inventory was created of the data pertaining to some agencies and institutions that undertake fundamental functions in the process of data generation.

Moreover, Working Groups have been formed on the issues of Education, Health, Working Life-Rural Development-Poverty, Violence, Media and Participation in Political/Decision-Making Mechanisms and solution recommendations for legal/administrative regulations to be implemented by related institutions have been presented.

In order to implement the legal reforms that have been realized with the aim of eliminating discrimination against women, "Women's Human Rights Training Programme" has been implemented for 10 years by a non-governmental organization and the Prime Ministry General Directorate of Social Services and Child Protection Agency (SHÇEK). The programme, which aims to raise the knowledge and awareness level of women on laws and human rights, is in progress as of 2007 in 55 centres under SHÇEK in 32 provinces.

ARTICLE 4:

4.1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

Temporary special measures towards the improvement of the existing status of women in Turkey are rather limited in number. All social parties and particularly the civil society have been more involved in the discussion on this issue. Although Article 10 of the Constitution paves the way for the state to take such measures, the issue of temporary special measures is still under discussion by social parties.

With the Educational Assistance provided within the framework of Conditional Cash Transfer, which has been implemented for the purpose of establishing a social relief network that aims at providing full access to basic educational services to the children of families that are among the most destitute fraction of the society gives them the opportunity to receive education. A temporary special measure was executed for the first time in the delivery of this Assistance by providing for girls higher assistance than that offered to boys. Female students receive 21% more assistance during basic education and 40% more assistance during secondary education. Another significant aspect of the Conditional Cash Transfer is the fact that the payments are transferred directly to mothers in order to empower women and families (See Article 10/d).

Although it does not constitute an affirmative action towards women, as majority of the victims of domestic violence are women, another regulation worth to mention is the

exception from court fees in cases of applications and judgments under the Law on the Protection of the Family.

4.2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

(For information on maternity leaves, see Article 11/2-b, for information on parental leaves, see Article 11-3.)

ARTICLE 5:

States Parties shall take all appropriate measures:

a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

Modification of the prevalent socio-cultural behaviour patterns in the society is only possible via a multi-dimensional course of action. Numerous efforts are in progress in Turkey towards the purpose of modifying negative socio-cultural behaviour patterns pertaining to the roles of women and men in life and for the advancement of women.

In this context, efforts covering 2004 and 2006 to eliminate all discriminative pictures, expressions and similar elements from textbooks in order to remove sexist elements from educational materials are ongoing (For further information see Article 10-c).

Due to the significant role of the media in the advancement of women and modification of socio-cultural behaviour patterns, various regulations have been made to designate the principles and procedures to be taken into consideration in radio and television broadcasts with the aim of preventing the presentation of discriminatory gender role patterns and commodification of the female body in the media and the paragraphs below have been added to the relevant by-law:

- No broadcast shall contain private life expressions and behaviours which would be unacceptable in public life, which are intended to exploit sexuality, which present individuals as sex objects and reduce the human body to a sexual symbol.
- Discrimination and violence against women, vulnerable people and children shall not be Broadcasts should never be of a nature that disregards women's rights and the right to consent approve and be presented. No broadcast should approve of inequality between men and women in either public or private life and or legitimise, minimise or instigate such crimes as domestic violence, beating sexual harassment and rape.

Moreover, "Principles of Broadcasting Ethics" was signed by the Radio and Television Supreme Council and the Association of Television Broadcasters as a result of the activities carried out with the aim of establishing a common foundation for ethical behaviour which broadcasting corporations can agree on in their responses to the problems encountered in the field of television broadcasting in Turkey. According to these principles of ethics, it is required from broadcasters, among others, to abstain from encouraging and justifying violence and from discrimination, degradation and prejudices on the basis of colour, language, religion and sex, to be sensitive to women's problems and to avoid the commodification of women.

With the “Media Literacy Project”, initiated across Turkey in the 2007-2008 school years under the cooperation between the Radio and Television Supreme Council and the Ministry of National Education, a media literacy course was included in the curricula of seventh grades as an elective course. The aim of the “Media Literacy Project” is to enable children, who constitute the most susceptible and open group to media influences, to assess and monitor the structure, operation and edited content of the media body from a critical perspective, i.e. to ask the right questions and find the correct answers on the media.

The training programs conducted, under cooperation with the General Staff, for soldiers and officers towards the purpose of eliminating negative behaviour patterns fostering inequality between women and men and the idea of women’s inferiority are elaborated in this report, see Article 2-f Activities Performed for Awareness-Raising.

Within the scope of the “Strengthening the Institutional Capacity Twinning Project”, which is a component of “Promoting Gender Equality Project, implemented by KSGM with the financial cooperation of EU, the “Gender Equality” training program is delivered to a target group comprising trainers, policy experts, policy implementers and senior executives with the aim of creating a collaborative environment of information and strategy exchange for gender mainstreaming. In 2007, 110 individuals, constituted by representatives from public institutions, non-governmental organizations and universities, received training of trainers and 130 individuals received “Gender Equality Training”. Thus, 750 individuals in total received training in 2007. Apart from these trainings, 110 individuals participated in the “Gender Equality Training Seminar”; 55 of the participants were senior public officers and the remaining 55 were mayors or deputy mayors. For 2008, the training activities are planned to reach 500 policy implementers.

b)To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children it being understood that the interest of the children is the primordial consideration in all cases.

Delivery of information and awareness-raising activities aimed at meeting the prospective needs of families during the upbringing of their children are being implemented with the collaboration of various public institutions and non-governmental organizations, foremost of which is the Ministry of National Education.

The projects implemented in this framework are the Pre-School Parent-Child Training program Project that pursues the aim of supporting the in-house and in-class development of children attending pre-school education institutions and improving the collaborative connections between schools and families; Family Training programs (My Family, 0-6 Years Family-Children Training program, Father Support Programme) towards the aim of raising the awareness of families on such issues as the importance of establishing good family structure, developmental stages of the child, parent-child relationships and consciousness of behaviour disorders; “Homes Approaching Schools and Changing Parenting Roles Project” for the purpose of contributing to a healthy family structure, biological and psychological development of the child, family relationships, communication between generations and upbringing of young individuals; and “Mother-Father-Child Training Project” that addresses the issues of the place and importance of women in the society and family relationships (see Article 10-b).

In addition to the projects above, the Ministry of Health is conducting a Campaign titled “Communication in Marriage” which also addresses the common responsibilities of women and men in the family environment.

ARTICLE 6:

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

In recent years, Turkey has come a long way in terms of combating human trafficking, which is an organized crime. In 2002, “National Task Force for Combating Human Trafficking” was established with the participation of all related public agencies and institutions, local authorities, NGOs and international organizations under the coordination of the Ministry of Foreign Affairs. Relevant actions are taken within the framework of the National Action Plan prepared by the Task Force. In addition to its collaborative efforts with all stakeholders, Turkey supports and is actively involved in international activities performed under the Organization for Security and Cooperation in Europe, NATO, European Union, Council of Europe, Black Sea Economic Cooperation and Stability Pact.

Having agreed on the UN Convention against Transnational Organized Crime and the additional two Protocols on Human Trafficking and Immigrant Smuggling in 2003, Turkey also signed a cooperation protocol with the International Centre for Migration Policy Development (ICMPD) and became a member of the International Organization for Migration (IOM) in 2004.

A cost free emergency assistance and complaint telephone hotline (157) was appropriated for victims of human trafficking. Victims accommodated in shelter houses are provided with sheltering services and arrangements are made at the same time for their safe return to their countries. Under the Circular issued by the Ministry of Health in 2004, health assistance and treatment services are offered to victims of human trafficking on a regular and cost-free basis. Both administrative (sheltering, safe and willing return to home etc.) and forensic proceedings regarding victims are entrusted to expert personnel (psychologists, social services experts, female security officers).

In cases where victims do not stay in Turkey of their own will and want to go back to their own country, the Ministry of Interior of the country in question is informed and required steps are taken to ensure that the victim safely leaves Turkey in such a manner as to avoid being exposed to human trafficking, safely arrives in his/her country and becomes reintegrated into the country of arrival and receives due protection.

With an amendment made in the Nationality Law in 2003, the provision enabling the automatic acquisition by a foreign woman of Turkish citizenship by reason of marriage with a Turk was abolished. In order to prevent exploitation of marriage for different purposes, acquisition of citizenship is made subject to the conditions that the couple in question has been married for a minimum of three years and that the marriage bond is maintained.

In Article 80 of the New Turkish Penal Code, effective as of 1 June 2005, human trafficking is defined and made punishable by imprisonment from 8 to 12 years and to a judicial fine up to ten thousand days. The Article also adjudges that implementation of security measures is applicable for legal persons by reason of the crime of human trafficking. With an amendment made in the said article in 2006, the expression “forcing to prostitution” was added to the definition of human trafficking. Consequently, the Code was rendered compliant to the provisions of the UN Convention against Transnational Organized Crime (Palermo) and the Additional Protocol on Human Trafficking.

Moreover, with an amendment made on the “Land Transportation Regulations” in 2004, holders of certificates of authority on whom a defined imprisonment sentence has been passed by judicial bodies by reason of illicit human transportation and human trafficking and other specific crimes shall be decertified.

With the Circular and as an annex “Guide on Combatting Trafficking in Human Beings” issued by the Ministry of Interior in 2006, crime of human trafficking was defined,

related provisions of the Penal Code were explained and the personnel who apply the procedures for the victims were instructed to pay attention on the issues of ensuring security and facilitating investigation. Foreign national persons identified as victims of human trafficking are provided with a combined residence and work permit for a maximum period of six months free of charge.

In cases where a victim of human trafficking is recognized legally as “a child”, special measures are taken on the basis of the principle of the “best interest of the child” pursuant to the UN Convention on the Rights of the Child, as well as the applicable legal procedure. In this context, in cases where foreign national women victimized by human trafficking and prostitution have their children with them, the children are accommodated by institutions appropriate for their age and sex under the Prime Ministry General Directorate of Social Services and Child Protection Agency and are availed of care, nutrition, health, clothing, rehabilitation etc. services without being exposed to any kind of discrimination during the legal proceedings conducted to enable them to be returned to their countries.

In line with the goals identified in the Action Plan prepared by the National Task Force in Combating Human Trafficking, numerous campaigns are conducted towards the aim of raising awareness and delivery of information both for potential victims and for the general public opinion. Within the framework of these campaigns, leaflets on the emergency assistance hotline 157 are distributed at airports and sea border crossings and short films are broadcasted on visual media in order to inform the public.

Training activities are in progress for the police force, judges and prosecutors with the aim of improving legal awareness on human trafficking (345 Gendarmerie Personnel and 3888 Foreigners’ Police Officers were trained as of 2007). “Human Trafficking” is incorporated into curricula of Gendarmerie Schools where gendarmerie officers are trained to serve in remote settlements from city centres. Moreover, pamphlets printed in Turkish, English and Russian languages and guidelines are disseminated for the purpose of increasing the efficiency of the struggle against this crime. NGOs that are in service in this field contribute to these training activities with trainers and experts.

Combating human trafficking, which influences multiple countries with its transnational nature, necessitates the establishment of international cooperation. In this respect, protocols were signed and implemented with Belarus, Georgia, Ukraine, Moldova and Kyrgyzstan for the establishment of cooperation for combating human trafficking. Within the scope of this collaborations and protocols, the Ministry of Foreign Affairs held an international conference on “Combating Human Trafficking in South-Eastern Europe – Reflections on Human Security” in Istanbul in 2005 and KSGM organized a regional conference titled “Assessment of Regional Needs and Tendencies in Combating Human Trafficking – the Role of NGOs” in Antalya in 2006 with the participation of authorized representatives of relevant public agencies and institutions and NGOs with expertise on the issue from Moldova, Ukraine, Azerbaijan, Kyrgyzstan, Georgia, Federation of Russia, Uzbekistan and Belarus.

The Project on “Strengthening Institutional Capacity in Combating Human Trafficking” was initiated in 2006 by the Ministry of Interior with the contributions of all relevant public agencies and institutions. It was completed in July, 2007. Within the project scope, “Combating Human Trafficking National Action Plan” was prepared.

Prostitution:

Although sex work is not recognized as a crime under the applicable legislation in Turkey, sex workers must work in places whose security and sanitary controls are provided by the state and be medically examined twice a week. Approximately 3000 sex workers are currently employed in 56 officially inspected brothels in Turkey. However, apart from these, there are sex workers some of whom are from other nationalities.

Starting in 2004, two programmes implemented across Turkey tried to satisfy the healthcare needs of sex workers. “Project for the Prevention of Sexually Transmitted Infections and HIV/AIDS by Promoting Safe Sex Behaviours among Sex Workers” within the scope of Turkey Reproductive Health Programme and “Project for Mobile Education and Counselling Units for Sex Workers Working on Streets” within the scope of the Turkey HIV/AIDS Prevention and Support Programme were implemented.

Instigation, facilitation of and soliciting for prostitution are the crimes, legally punished under Turkish Legislation. In this regard, with Article 77 of TCK titled “Crimes against Humanity”, perpetrators of the acts of sexual assault, forced impregnation and forced instigation to prostitution are resolved to be punishable by penal servitude for life.

The crime of prostitution has been revised in 2006 and regulations have been made to specify under which conditions the act of soliciting individuals and especially children to prostitution constitutes a criminal act. According to Article 227 titled “Prostitution”;

- (1) A person, who instigates a child to prostitution, facilitates such instigation, elicits or accommodates a child for this purpose or acts as an agent for child prostitution shall be punished with penalty of imprisonment from four to ten years and a judicial fine up to 5000 days. Preliminary movements for the perpetration of this crime are also punished as the completed form of the crime.
- (2) A person, who instigates another person to prostitution, facilitates such instigation, acts as an agent for prostitution or accommodates a person for this purpose shall be punished with penalty of imprisonment from four to ten years and a judicial fine up to 3000 days. Making a living in whole or in part out of the earnings of the person pulled into prostitution is regarded as instigation to prostitution.
- (3) A person who introduces another person into the country or enabling a person to depart from the country for prostitution purposes shall be punished in accordance with the preceding subclauses.
- (4) A person who instigates another person to prostitution or providing them the means to engage in prostitution by way of force, coercion or deception or by taking advantage of the person’s state of desperation shall be awarded with an aggravated form of the aforesaid penalties, increased by a figure ranging from its half to its double.
- (5) In cases where the aforesaid crimes have been committed by a spouse, lineal ancestor, sibling, adopter, guardian, instructor, teacher, caretaker or other persons that possess an obligation of protection and supervision by way of undue influence on the basis of public service or service relationships, the penalty to be imposed shall be increased by half.
- (6) In cases where these crimes have been committed as an organized action formed for the intent to commit the crime, the penalty to be imposed as necessitated by the subclauses above shall be increased by half.
- (7) Specific security measures shall be taken against legal persons on the basis of these crimes.
- (8) A person who has been instigated to prostitution shall be able to receive treatment or psychological therapy.

ARTICLE 7:

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

Article 67 of the Constitution states that “In conformity with the conditions set forth in the law, citizens have the right to vote, to be elected, and to engage in political activities independently or in a political party, and to take part in a referendum,” and Article 68 that “Citizens have the right to form political parties and in accordance with the established procedure to join and withdraw from them. One must be over 18 years of age to become a member of a party”. Turkish citizens’ right to participation is guaranteed by law, without discrimination between women and men. Even though no legal instrument includes provisions leading to gender discrimination in terms of political rights, it is still not possible to say that de facto equality between women and men has been established in politics.

Turkish women acquired the right to vote and to be elected in 1934. The percentage of female members of the Parliament who took office following general elections of 1935 was 4,6%. This figure remained the highest percentage of female membership in Parliament until the general parliamentary elections of 2007. With the General Elections of 2007, the percentage of female members of the Parliament increased by 100% and is currently 9,1%. There are two female deputy chairs in the Parliament formed in 2007.

The percentage of women participating in local authorities, on the other hand, is still around 2%.

In the last two decades, the issue of political presentation has constituted a main agenda item for the women’s movement in Turkey. Non- governmental organizations which are making activities on development of special policies of political and legal decision-makers, including temporary special measures to accelerate the desired changes on the issue, increasing the number of women candidates and raising awareness of the society on the issue, have conducted activities in cooperation.

A national Campaign was initiated by an NGO, prior to 2007 elections. It was aimed to increase the ratio of women in the Parliament with the slogan “This Assembly Needs Women” by emphasizing the male-dominated nature of the existing Parliament.

There are no legal and binding regulations either at Constitutional and /or Political Party Law level, on quotas and other special temporary measures, some political parties apply a women’s quota on their intra-party boards and bodies and/or require reduced fee of application from female candidates applying for place on lists.

Table 3: Percentage of Female Members of Parliament Elected between 1935 and 2007

Election Year	Total	Female	Male	Female %
1935	399	18	381	4.5
1939	424	16	408	3.8
1943	455	16	439	3.5
1946	465	9	456	1.9
1950	487	3	484	0.6
1954	541	4	537	0.7
1957	610	8	602	1.3
1961	450	3	447	0.7

1965	450	8	442	1.8
1969	450	5	445	1.1
1973	450	6	444	1.3
1977	450	4	446	0.9
1983	400	12	387	3.0
1987	450	6	444	1.3
1991	450	8	442	1.3
1995	450	13	437	2.9
1999	550	22	528	4.0
2002	550	24	526	4.4
2007	550	50	500	9

Table 4: Percentages of Women in Local Administrations

Women in Local Administrations			
2004	Women	Total	Women (%)
Mayor	18	3225	0.56
Municipal Council Member	817	34477	2.3
Provincial Council Member	57	3208	1.8
1999			
Mayor	18	3215	0.6
Municipal Council Member	541	34084	1.6
Provincial Council Member	44	3122	1.4

Source: Ministry of Interior – General Directorate of Local Administrations

b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

A closer look at the participation rates of women in bureaucratic decision-making mechanisms reveals low rates. Among the middle level and senior executives in the public sector, the ratio of women is 5.1% among Deputy General Directors or in higher echelons, 14.9% among Head of Departments.

In academic administration 5,3% of University Presidents and 12.6% Faculty Deans are women.

Upon a closer look at the ratio of women working as prosecutor which is considered as male-dominated profession in the society, it is observed that this ratio is 42% in the Council of State, which is one of the supreme judicial organs. The percentage of women in office in higher judicial bodies is 33%. This positive picture of higher judicial bodies cannot be observed when considering prosecutors working in Court Houses outside the scope of supreme judicial bodies. According to the current situation, the percentage of female judges is 28.19% as of 2007, whereas the percentage of female prosecutors reached 5.62% with an increase of 1.45% since the year of 2005. The total percentage of female judges and prosecutors is 20.7% (see table 5).

Table 5: Judges and Public Prosecutors in Office across Turkey as of September 2005 and October 2007

	2005			2007		
	Total Number	Number of Women	Percentage	Total Number	Number of Women	Percentage
Judge	5972	1690	28.29%	7076	1995	28.19%
Prosecutor	3211	134	4.17%	3822	215	5.62%
Total	9183	1824	19.86%	10898	2210	20.27%

Source: Ministry of Justice, General Directorate of European Union Affairs, 2007.

The Council of State, designated as Supreme Administrative Court, consultation and investigation authority with the Constitution of the Turkish Republic, reviews the appeals brought against the decisions and verdicts given by administrative or tax courts and judgments rendered in the cases which have been examined by the Council of State as a first instance court, See Table 6 for the status of female personnel who work in the Presidency of the Council of State.

Table 6: Status of Female Personnel in Presidency of State Council (May 2008)

Title	Female	Total	Share In Total (%)
President	0	1	0
Chief Prosecutor	1	1	100
Dep. President	1	2	50
Head of Dept.	2	13	15.3
Member	36	76	47.3
Prosecutor	16	38	42.1
Investigation Judge	94	237	39.6
Temp. Rapporteur for Constitutional Court	1	3	33.3
TOTAL	151	371	40.7

Source: Presidency of State Council

See Table 7 for the status of women working in the presidency of the Judicial Council which is the final scrutiny authority for the decisions and verdicts given by the court of law in matters not referred by Law to other courts of law.

Table 7: Status of Female Personnel in Presidency of Judicial Council (April 2007)

Title	Female	Total	Share In Total (%)
President	0	1	0
Chief Prosecutor of the Republic	0	1	0
Dep. President	0	2	0
Head of Dept.	2	34	5.8
Member	41	250	16.4
Investigation Judge	203	448	45.3
Judicial Council Public Prosecutor	10	119	8.4
TOTAL	256	855	29.9

Source: Presidency of Judicial Council

See Table 8 for the status of women working in the Constitutional Court which is another Supreme Court established by the Constitution of the Turkish Republic.

Table 8: Status of Female Personnel in the Turkish Constitutional Court (May 2007)

Title	Female	Total	Share In Total (%)
President	0	1	0
Dep. President	0	1	0
Member	2	15	13.3
Rapporteur	5	23	21.7
Director	5	11	45.4
TOTAL	12	51	23.5

Source: Turkish Constitutional Court

Moreover, there are 26 female civilian administration superintendents in Turkey. The percentage of women serving as lieutenant governors and district governors is 1.43%, with no female governors.

c) To participate in non-governmental organizations and associations concerned with the public and political life of the country;

According to the data obtained from the “Printed Media Research” conducted by the Turkish Statistical Institute in 2007, 32,96% of those working in the publication departments of the newspapers and journals are women.

Table 9: Number of the Staff Working in the Publication Departments of the Newspapers and Journals-According to the Positions (2005-2007)

Position	Year	In Total	Male	Female	Ratio of Women
In Total	2005	28928	19838	9090	%31,42
	2007	43275	29010	14265	%32,96
Editor in Chief	2005	1425	1210	215	%15,08
	2007	2048	1724	324	%15,82
Executive Editor	2005	1359	1068	291	%21,41
	2007	2015	1585	430	%21,33
Executive Coordinator	2005	752	561	191	%25,39
	2007	945	698	247	%26,13
Other	2005	24392	16999	8393	%34,40
	2007	38267	25003	13204	%34,50

Source: TUIK

ARTICLE 8:

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Although both men and women are provided with the right to represent Turkey abroad on equal terms, the development in this respect is rather slow.

Turkey has 15 women ambassadors (9 %). When the distribution of foreign affairs personnel is examined, it is revealed that women are better represented in lower echelons of diplomatic service (27%). While this number is still a minority, it indicates a clear improvement. This situation is envisaged to find reflections in the higher echelons in the coming years.

On the other hand, in terms of the representation of Turkish women in senior positions in international institutions, there are numerous Turkish women working in various committees and advisory boards under UN and the Council of Europe. The United Nations Human Rights Council the Special Rapporteur on Violence Against Women is also a Turkish woman.

Women delegates are also present in Turkish delegations that participate in regional and international meetings on different topics. Turkey has participated in the special session of the Beijing+10 General Assembly and regional meetings with a high-level delegation comprised of women representing both governmental and non-governmental organizations. Similarly, Turkey routinely attends United Nations Commission on the Status of Women (CSW) and Council of Europe meetings with delegations of women which also include representatives from non-governmental organizations.

ARTICLE 9:

9.1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

Turkish Nationality Law has built the concept of “citizenship” on the principle of equality between women and men for years. While the regulations which facilitated the acquisition of foreign national women to Turkish citizenship via marriage existed previously, same facilitation was not provided for a foreign national man who marries a Turkish woman. Government of the Turkish Republic which made declaration on Article 9 of CEDAW because of this regulation which was made in order to protect women has withdrawn the declaration in 2008 in accordance with the amendment made in the national law in 2003, in order to eliminate this discriminative situation in the framework of CEDAW.

In the new Turkish Nationality Law, which regulates the procedures pertaining to the acquisition and renunciation of citizenship and naturalization of women and men, the amendment made in 2003 on Article 5 on marriage removed the previously existing inequalities. According to the new law, foreign national can only apply to the Ministry of Interior for acquisition of Turkish citizenship if he/she has been married to a Turkish citizen for three years and he/she is actually living with his/her spouse and the marriage bond is maintained. Additionally, a foreign national can acquire Turkish citizenship without delay if the marriage to the Turkish Citizen causes them to lose their original nationality.

Another amendment in the provisions is regarding the reacquisition of citizenship. A Turkish woman, who has married a foreign man and has become divested of her nationality on account of the laws of her acquired nationality, can upon request reacquire Turkish citizenship.

Data pertaining to foreign persons who apply for shelter in Turkey in order to go to a third country or who apply for asylum have been kept in file since 1995. Sex disaggregated data on these have been collected since 2005.

Within this framework; 31.8% of those are women who applied for shelter in Turkey in order to enter a third country have been granted. The percentage of men is 38.3%.

Table 10: Number of Persons who Requested Sheltering in Turkey, 2007

Status	Total Number of Men	Total Number of Women	Total Number of Boys	Total Number of Girls	Family	Total Number of Individuals
In process	2417	1621	1049	938	2638	6077
Granted	1009	838	420	367	1474	2632
Refused	114	50	23	27	87	213
Out of status	182	126	73	62	228	442
Final Total	3776	2635	1565	1394	2247	9364

Source: Ministry of Interior, General Directorate of Security, 2007

9.2.States Parties shall grant women equal rights with men with respect to the nationality of their children.

With an amendment made in 2001 in Article 66 of the Constitution, the inequality between men and women on this issue was eliminated. It is now possible for a child to acquire Turkish citizenship if either of his/her parents is Turkish.

ARTICLE 10:

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

Turkey, party to CEDAW and other international agreements, has committed itself to the full protection of all rights of women and girls.

While in the last decade, Turkey has made significant amendments in her Constitution and relevant laws in order to establish full equality between men and women, to better protect women's rights and advance the status of women in society; these laws are not reflected in practice to a sufficient extent.

The provision in Article 42 of the Constitution that "Primary education is compulsory for all citizens of both sexes and is free of charge in state schools," provides a non-discriminatory legal guarantee for the implementation of every child's right to education, on the basis of equal opportunity. Provision of free, compulsory basic education to all and taking the measures necessary to reduce the number of dropouts are within the scope of this Constitutional principle. As is the case for all other rights, girls' right to education is guaranteed under the Constitution and by the relevant sections of other legislative instruments.

In parallel with the regulations in the Constitution, the National Education Basic Law rests on the principle of "Generality and Equality". It states that basic education is compulsory for all citizens of both sexes and is free of charge in state schools. Accordingly, each Turkish child shall avail his/herself of basic education services with no exception on the basis of gender.

Within the recently initiated 9th Development Plan Strategy for the years 2007 to 2013, schooling by girls is addressed as an issue of priority on the state agenda. This document states that "Necessary measures shall be taken with the aim of reducing the number of dropouts from primary education and the number of students attending secondary schools shall be increased with due emphasis on rural areas and girls".

In Turkey, which has a young population of a high percentage, being unable to increase the schooling ratio and especially being unable to ensure the enrolment of girls of a higher ratio are the priority development problems.

Additionally, the measures such as introducing pre-school education into the education system, launching especially country-wide campaigns and starting to implement 8 year obligatory education in 1997 have impacted the participation of girls to education and their continuation to school in a positive way.

Considering the last seven years in Turkey, an increase is observed in the educational levels of girls, as can be seen in Tables 11 and 12. Girls' attendance in pre-school education, which is not compulsory in Turkey, tripled from 2001 to 2007 and increased from 7.8% to 23.4%. Among the students receiving pre-school education in the 2006-2007 school year, percentage of girls is 47.8%, and the percentage of boys is 52.2% (See Tables 11 and 12). A number of projects such as "My Family", "7 is Too Late" Campaign, "Mother-Father-Child Education Project" and "Mobile Kindergarden" are being implemented with the cooperation of public agencies and NGO's with the aim of increasing attendance rates in preschool education and awareness raising for women on this matter.

Table 11: 2000-2001 School Year Age Population, Number of Students and Percentage of Schooling

Educational level	Age Population			Number of students			Percentage of schooling %		
	Total number of students	No./Percent age of male students	No./Percent age of female students	Total number of students	No./Percent age of male students	No./Percent age of female students	Total Gross/Net	Male Gross/Net	Female Gross/Net
Pre-school (48-72 months)	2.810.000	1.430.000 (50.88%)	1.380.000 (49.11%)	227.464	119.821 (52.68%)	107.643 (47.32%)	8.09 / 7.83	8.37 / 8.11	7.80 / 7.54
Primary Education	10.384.000	5.300.000 (51.04%)	5.084.000 (48.95%)	10.480.721	5.635.131 (53.76%)	4.845.590 (46.23%)	100.93 / 95.28	106.32 / 99.58	95.31 / 90.79
Secondary Education	3.875.000	1.985.000 (51.22%)	1.890.000 (48.77%)	2.362.653	1.382.912 (58.53%)	979.741 (41.46%)	60.97 / 43.95	69.67 / 8.49	51.84 / 39.18
General Secondary Education	3.875.000	1.985.000 (51.22%)	1.890.000 (48.77%)	1.487.415	835.471 (56.16%)	651.944 (43.83%)	60.97 / 43.95	69.67 / 8.49	51.84 / 39.18
Voc. Tech. Secondary Ed.	3.875.000	1.985.000 (51.22%)	1.890.000 (48.77%)	875.238	547.441 (62.54%)	327.797 (37.45%)	60.97 / 43.95	69.67 / 48.49	51.84 / 9.18

Source: Turkish Statistical Institute- National Education Statistics

Table 12: 2006-2007 School Year Age Population, Number of Students and Percentage of Schooling

Educational level	Age Population			Number of students			Percentage of schooling %		
	Total number of students	No./Percent age of male students	No./Percent age of female students	Total number of students	No./Percent age of male students	No./Percent age of female students	Total Gross/Net	Male Gross/Net	Female Gross/Net
Pre-school (48-72 months)	2.674.000	1.364.000 (51%)	1.310.000 (49%)	640.849	334.252 (52.15%)	306.597 (47.84%)	24 / 22.4	24.5 / 22.9	23.4 / 21.9
Primary Education	11.259.000	5.730.000 (50.89%)	5.529.000 (49.10%)	10.846.930	5.684.609 (52.40%)	5.162.321 (47.59%)	96.34 / 90.13	99.21 / 92.25	93.37 / 87.93
Secondary Education	3.909.000	1.992.000 (50.95%)	1.917.000 (49.04%)	3.386.717	1.917.189 (56.60%)	1.469.528 (43.40%)	86.64 / 56.51	96.24 / 60.71	76.66 / 52.16
General Secondary Education	3.909.000	1.992.000 (50.95%)	1.917.000 (49.04%)	2.142.218	1.156.418 (53.98%)	985.800 (46.01%)	86.64 / 56.51	96.24 / 60.71	76.66 / 52.16
Voc. Tech. Secondary Ed.	3.909.000	1.992.000 (50.95%)	1.917.000 (49.04%)	1.244.499	760.771 (61.13%)	483.728 (38.87%)	86.64 / 56.51	96.24 / 60.71	76.66 / 52.16

Source: Turkish Statistical Institute National Education Statistics

Compared to the Tables 11 and 12, where school-attendance percentages are presented for primary education, the schooling percentage is observed to change from 95,31% in the 2000-2001 school year to 93.37% in the 2006-2007 school year. Although there is a slight

decrease of 1.94%, the difference is seen to have dramatically decreased when the gender percentages are compared for girls and boys (See table 13).

Table 13: Percentage of Sex in School Years and Educational Level¹

School Year	Percentages of Sex	
	Primary Education	Secondary Education
2000/2001	89.64	74.41
2006/2007	94.11	79.65

Educational statistics show that 10% of the children of compulsory school age do not attend schools and that nearly three fourths of these children are girls. Therefore, certain projects are being implemented which will have a direct or indirect effect on the ratio of schooling, in addition to campaigns conducted to increase the schooling ratios of girls (See Article 10-f). One of these projects is the “Support to Basic Education Project (TEDP)” implemented with the aim of increasing educational levels and improving living conditions in the most disadvantaged rural, urban and slum areas. Reducing poverty, supporting the incorporation of children currently lack of basic education into the educational system and increasing the average level of formal and informal education especially for women and girls are he targets of this project.

This project aims to improve the quality of, access to and attendance at basic education via also through to increase in the ratio of schooling and educational participation of girls.

Efforts to increase enrollment continue in primary education as well as in vocational education. Within this framework, both with Article 10, paragraph “a” of CEDAW and Convention on the Rights of the Child, the State parties are put under the obligation to ensure equal conditions without any discrimination and to raise the awareness level of children on vocational preference. The field of education and training is in direct need of radical changes and more emphasis on vocational education and training rather than general high school education. Within this framework, regulation of vocational and technical high schools in such a way as to satisfy the needs of the labour market and encouragement to parents to prefer these schools are of paramount importance. In this respect, projects for employment are implemented with the collaboration of public institutions, the private sector and vocational institutions and activities are in progress to deliver vocational income-generating training to women and subsequently to provide them with employment.

Considering the participation of female students in vocational education and training, the schooling ratio of female students in vocational and technical secondary education was 37.45% in the 2000-2001 school year, whereas this ratio reached 38.86% in the 2006-2007 school year, as seen on Table 14.

With the Educational Cooperation Protocols signed between public agencies and institutions and the Ministry of National Education (MEB), training of a qualified intermediate labour force is aimed. For this purpose, courses and certificate programmes for adults that wish to be involved in the sector are organized, life-long training to sector

¹ Note: This expresses the relative magnitude of the gross schooling ratio of girls for the relevant type of education in a given school year in comparison with the gross schooling ratio of boys for the relevant type of education in the same school year. It is expressed as the calculation of two different indicators (gross schooling ratios) by proportion and the product of the result with 100.

employees in charge of management and sales is provided, people trained via formal and informal education are employed and offered counselling services on education and human resources.

Table 14: Number of Students (Female/Male) According to School Groups and School Years

School Years	School Group	Perc. of Female Students %	Number of Female Students	Perc. of Male Students	Number of Male Students	TOTAL (female +male)
2000-2001	Pre-School Education	47.32%	107.643	52,68%	119.821	227.464
	Primary Education	46.23%	4.845.590	53,77%	5.635.131	10.480.721
	Secondary Education	41.46%	979.741	58,54%	1.382.952	2.362.653
	General High School	43.83%	651.944	56,17%	835.471	1.487.415
	Vocational and Technical High School	37.45%	327.797	62,55%	547.441	875.238
2006-2007	Pre-School Education	47.84%	306.597	52,16%	334.252	640.849
	Primary Education	47.59%	5.162.321	52,41%	5.684.609	10.846.930
	Secondary Education	43.39%	1.469.528	56,61%	1.917.189	3.386.717
	General High School	46.01%	985.800	53,99%	1.156.418	2.142.218
	Vocational and Technical High School	38.86%	483.728	61,14%	760.771	1.244.499

Source: Turkish Statistical Institute- National Education Statistics

b) Access to the same curricula, the same examinations teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

Although the same curriculum and the rules and procedures regulated by MEB are applied in all schools at the pre-school, primary and secondary levels, there are significant rural and urban differences between schools in terms of the quality of education. Various activities and projects are being implemented in order to eliminate these differences, create awareness on gender equality, which is an important factor on the continuation of girls to school and to provide appropriate physical conditions.

With the collaborative efforts of the state, private sector and non-governmental organizations in the 100% Support to Education Project, efforts are made to satisfy physical needs at schools, such as buildings and educational materials at each stage of education (from pre-school education to higher education) in order to solve the existing qualitative and quantitative problems of the educational system and to reach European Union standards in the quality of school buildings, class sizes and inner and outer fittings. In order to support such efforts, tax reduction rate executed to the contributors has been increased from 5% to 100%.

Another implemented project, Child Friendly Schools Project aims at increasing the overall quality of schools, reflecting this increase in quality on students, staff and environment and creating a new education environment. Implemented in 360 pilot schools, this project also aims at delivering gender-sensitive form of education.

The Mother-Father-Child Training Project, planned with the aim of increasing educational efficiency, aims at improving the level of social awareness and advancing society in general via identifying the educational needs of mother, fathers and children and delivering specifically designed training programs. Within the scope of this project, families are contacted via conferences, seminars, panels, courses and home and village visits delivered on the issues of reproductive health, adolescent relationships, family relationships, the place and importance of women in society, academic success etc. In 2006, 227.320 women and 98.332 men; 325.652 individuals received training and the number of participants in the training programs under this project reached 2.355.369 in total. Family members who have become acquainted with the programmes implemented in the schools also enjoyed a raised awareness on improving their vocational qualifications.

c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

Between 2004 and 2006, the Ministry of National Education endeavoured to remove sexist elements from educational materials, which were reflecting prejudgements of women and men, with the aim of creating an educational and social environment where unconventional images of women and men are promoted by educational materials. Besides, in line with the relevant articles and provisions of the “Instructions on Examining and Assessing Textbooks and Educational Materials”; textbooks and educational materials are examined to establish if they contain elements of discrimination on the basis of “sex, race, language, religion, colour, political opinion, philosophical belief, sect or other grounds”.

With the efforts in this respect, instead of women conventionally represented as members of professions appropriate for women or in insignificant roles, emphasis has been placed on successful women with an active role in life and on the equal distribution of work between men and women, between mothers and fathers in the family. The title of “man of science” (bilim adamı in Turkish) used in primary education textbooks is replaced by “person of science” (bilim insanı in Turkish); images of female athletes, engineers, researchers of varied ages are presented and care is taken to include both girls and boys as actors in texts. Again in primary education textbooks, images and photos of voting women, female mayors or district governors are pictured.

In addition to these approaches, the Ministry of National Education endeavours to establish qualitative and quantitative equality between information, photographs and pictures depicting women and men and girls and boys with the aim of establishing gender equality and preventing discrimination against women in textbooks and educational materials. Moreover, for purposes of awareness-raising among students, the textbooks provide information on such issues as the struggle of women for their own rights, the factors and people that helped change the status of women in society, the reasons behind the signing of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the reasons of amendments in primary laws for women’s human rights.

d) The same opportunities to benefit from scholarships and other study grants;

As education is a human right and a means to reach the objectives of education, development and peace, a national educational mobilization effort has been undertaken with the aim of establishing equal participation of girls and boys in education. Regional Boarding Primary Education Schools (YIBO), were opened to enable school age children residing in villages and smaller settlements without schools and children from poor families to avail themselves of primary education services. With Regional Boarding Primary Education Schools, established for the first time in 1939, based on the cultural structure of the area, female students are given opportunity of regular school attendance in the South-Eastern and Eastern Anatolia Regions where many girls cannot continue their course of education.

The percentage of female students attending YIBO's is observed to have increased from 25.63% in 2000 to 35.46% in 2006 (See Table 15).

Table 15: Capacity of Regional Boarding Primary Education Schools and Number of Students in Years

Years	Type Of School	No. of Schools	Capacity	No. of Boarding Students			Perc. of Girls
				Male	Female	Total	
2000-2001	Regional Boarding Primary Education Schools +Rooming Primary Education Schools ²	452	170.320	104 843	36 140	140 983	25.63%
2006-2007	Regional Boarding Primary Education Schools	603	191.201	107 637	59 157	166 794	35.46%

Source: Turkish Statistical Institute National Education Statistics

In addition to boarding education services offered to children from poor families, scholarship services are also provided for 6th, 7th and 8th grades and general and vocational and technical secondary education institutions. In order to benefit from the scholarships, students must be financially disadvantaged and pass the Public Boarding and Scholarship examination held via a central system. Whereas 38.5% of scholarship holders were female in the 2001-2002 school period, this figure reached 46.05% in the 2006-2007 school period.

Additionally, via the Conditional Cash Transfer under the Social Risk Mitigation Project (SRAP), unreturned financial assistance is delivered to each section of Turkey with the aim of establishing a social relief network to provide the children of families from most disadvantaged fractions of the population with full access to basic education services.

As of September 2007, 1.705.391 students benefitted from educational assistance payments delivered within the scope of Conditional Cash Transfer. Directly communicated to mothers and delivered in higher amounts to girls as an affirmative action, educational assistance payments have been delivered to a target group 46.6% of which was constituted by female students and 53.4% by male students.

The South-Eastern Anatolia Project Regional Development Administration, a public institution, provides scholarship support to underprivileged and successful female students residing in the South-Eastern Anatolia Region. Within the scope of this Project which is implemented in 9 provinces in the South-Eastern Anatolia Region, scholarships are provided for the mothers of the girls in primary, higher and university education. The amount given to the mothers are 55 YTL (50 \$), 75 YTL (65 \$) and 110 YTL (100 \$), accordingly for the

² Rooming Primary School: The mentioned schools were united with Regional Boarding Primary Education Schools in 2006.

months between September and June. The number of students receiving scholarship is 790 as of November, 2007. The number of girls that have received scholarship since 2001 has reached 923.

“Day-Time Student Transfer Primary Schools Programme” is being implemented to provide schooling opportunities to children who live in scarcely populated and scattered settlements with no schools. Information regarding students who started school with the Day-Time Student Transfer Primary Schools Programme is as outlined in Table 16.

Table 16: Number of Schools and Students Subjected to Day-Time Student Transfer Primary Education

Years	Number of central schools	Transferred allocation unit	Female students	Male students	Total
2000-2001	5.249	25.967	279.827	328.091	607918
2006-2007	5.845	31.080	329.022	365.606	694.628

Source: National Education Statistics

e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

The Ministry of National Education and other public agencies and institutions organize literacy courses with the help of local authorities, private sector companies and NGOs for women who have not participated in the formal educational system in Turkey. While young women are more likely to take advantage of these courses, illiteracy remains as a problem particularly in some regions of Turkey and for older women.

Table 17: Literacy Rates (1995-2006)

Adult Literacy Rates	2000	2001	2002	2003	2004	2005	2006
Total	86.4	86.3	87.5	88.3	87.4	88.1	88.1
Male	94.5	94.5	95.3	95.7	95.3	96	96
Female	78.3	78.2	79.9	81.1	79.6	80.3	80.3

Source: Turkish Statistical Institute- Population and Development Indicators

Considering the status of illiterate women on the basis of age groups, women of 40 and older constitute 64% of illiterate women, whereas women over 65 or older constitute 24 % of illiterate women.

Literacy courses for adult women are delivered at the regional level and in suburbs not only at public education centres under the Ministry of National Education, but also at the Community Centres in service under the General Directorate of Social Services and Child Protection Agency (SHCEK) and at Multi-Purpose Community Centers (ÇATOMs) in service under the SouthEastern Anatolia Project Regional Development Administration (GAP).

In the 2005-2006 1.674.358 individuals benefited from the 121.639 “vocational, technical, socio-cultural and literacy courses” made available school year in Public Education Centres; 953.047 of these participants were women and girls (57%). Of the 1.404.557 individuals that availed themselves of 72541 literacy trainings organized within the scope of the Support to National Education Campaign, 898007 were women and girls (63.9%).

Various projects are being implemented including the literacy courses organized by public agencies and institutions, as well as by NGOs.

Open Education Institutions (Open Primary School, Open High School, Vocational and Technical Open School, Vocational Open High School and Open University) provide education services via "distance learning" method with the aim of providing everyone in need with educational advancement opportunities regardless of time and place in Turkey. This is another way by which women and girls who have had to leave school for any reason to benefit from educational opportunities.

Such campaigns conducted by the Ministry of National Education as "7 is Too Late", "Pre-School Education Campaign", "Mobile Kindergarden" and "My Family" aim to remove linguistic obstacles young children can face in schools by teaching Turkish to children and parents whose mother tongue is other than Turkish, hence all children newly enrolled to schools have equal opportunities to benefit from formal education.

According to Article 3 of Turkish Constitution the language of Republic of Turkey is Turkish. Article 42 of the Turkish Constitution rules that no other language than Turkish can be taught as a mother tongue to Turkish citizens in education and training institutions; it also adjudges that the principles applicable to schools that deliver educational and training activities in a foreign language shall be regulated by law and that the provisions of international agreements are reserved.

On the basis of an amendment in the "Law on Foreign Language Education and Teaching and the Learning of Different Languages and Dialects of Turkish Citizens" which came into effect in 2003 special courses to teach different languages and dialects conventionally used in the course of daily life by Turkish citizens are allowed to be opened. In order to implement this amendment, "The Regulations on Turkish Citizens Learning Different Languages and Dialects That They Conventionally Use in Daily Life" has also been drafted and it became effective in 2003. Courses for different languages and dialects were opened in Şanlıurfa, Batman, Van, Adana, Diyarbakır, İstanbul and Mardin.

Also, with the amendment made to the Law on Establishment of Radio and Television Enterprises and their Broadcasts in 2003, it is adjudged that the public and private radio and television enterprises can broadcast in the languages and dialects that Turkish citizens use traditionally in their daily lives. Following this regulation, in 05 June 2004, it was regulated that daily programs for 30 minutes shall be broadcasted in one of the languages of Bosnian, Arabian, Circassian and in one of the dialects of Zaza and Kirmanc. As the amendment made in 2003 was considered insufficient, Turkish Radio and Television Corporation (TRT) was enabled to broadcast in different languages and dialects except from Turkish, with the amendment made to the Turkish Radio and Television Law and the Law on Establishment of Radio and Television Enterprises and their Broadcasts in 11 June 2008.

f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

Staying in school is increasingly more difficult for children from families of small means due to course charges, educational fees and other education expenses. In addition, as families give priority to their male children in terms of education due to conventional and economic reasons, it is increasingly more difficult for women to benefit from educational processes.

Such Girls' Education Projects as national campaigns entitled, "Let's Go to School, Girls" and "Father, Send me to School" and projects like "Support to Basic Education Programme" implemented with the collaboration of international institutions, private sector

and non-governmental institutions aim to reduce girls' dropout rates and to offer educational and training programs for girls and women who have left school prematurely.

Aimed at 100% schooling among all children, and especially girls in the age group of 6-14 who are of school age, yet stayed out of the education system, left school or are irregular in their school attendance, "Let's Go to School, Girls – Girls' Education Campaign" was initiated in 10 pilot provinces in 2003 and was made widespread across Turkey in 2006.

During the campaign activities, 273.447 girls were identified as not enrolled in schools and the campaign activities in provinces enabled 81% of these girls to enroll. Efforts are in progress to bring the girls in the remaining 19% into the education system.

"Women's Human Rights Training Program" is another project implemented collaboratively by public institutions and NGOs. 28% of the women participating in this project decided to continue their formal education.

Within the scope of the Project titled "Snowdrops – Contemporary Girls of Contemporary Turkey" which was initiated in 2000, jointly by the private sector and civil society aims to offer equal opportunity in education to girls who have the determination to go to school but lack of financial resources to do so. The aim of the project is to help girls to become professional "individuals" with broad horizons. Under this program 12.300 students received scholarships, 7.380 graduated high school, 950 enrolled at university, and 67 graduated from university. The Project was extended until 2015 thanks to its achievements.

Also, "Father, Send Me to School" Campaign, which has been initiated by a private media company, aims to support girls' schooling.

With the reorganization of MEB and with the sponsorship of a public bank, a campaign called as "Mother-daughter in schools" was launched on 6 June 2008. With this campaign, it is targeted that 3 million illiterate women will learn how to read and write in 4 years.

Moreover, The Presidency of Religious Affairs initiated a campaign titled as "Girls Should not be Left Out of Schools" under coordination provided by provincial mufti offices. The Campaign, which aims at increasing the schooling ratio of girls via convincing families and granting scholarships, awarded scholarships to 2049 female students in the 2006-2007 school year.

Besides these nationwide activities, local activities and campaigns are conducted across the country in collaboration with public institutions, local administrations and non-governmental organizations with the aim of increasing enrolment ratio of girls and enhance literacy of women. A decrease in the proportion of students dropping out of primary education is observed. The campaigns and projects supported by the Ministry of National Education, private sector and non-governmental organizations as well as the fact that compulsory primary education was extended to 8 years in 1997 have impacted this positive development (See Table 18). Through the campaigns, the level of awareness was raised in the society regarding education. Accordingly, drop out ratio of girls especially during secondary education decreased from 6.2% in 2001-2002 school year to 5.7% in 2005-2006 school year.

Table 18: Ratio of Students Leaving School during Primary and Secondary Education According to Years³

School Year	Percentage of Students Leaving Primary School, %			Percentage of Students Leaving Secondary School, %		
	Total	Male	Female	Total	Male	Female
2001-2002	1.2	1.0	1.5	8.3	9.8	6.2
2002-2003	0.8	0.7	1.0	8.5	10.1	6.4
2003-2004	0.7	0.6	0.9	7.9	9.6	5.7
2004-2005	0.5	0.4	0.6	6.8	8.2	5.0
2005-2006	0.5	0.4	0.5	8.0	9.8	5.7
2006-2007	-	-	-	-	-	-

Source: Ministry of National Education

g) Providing same opportunities with men to participate actively in sports and physical education;

According to the “Regulation on Social Activities”, all female and male students are required to attend physical education classes in primary and secondary schools and girls benefit from these facilities on equal terms. Moreover, girls are provided with opportunities to participate in interscholastic sports activities including basketball, folk dances, gymnastics and athletics (In addition, see Article 13-c). Within this scope, girls constitute 34.46% of students participating in sports activities in the 2006-2007 school year (See Table 19).

Table 19: Number of Athletes (2006-2007)

	Young	Stars	Juniors	Total	Percentage
Female	41541	83000	124500	249041	34.46%
Male	99623	149430	224445	473498	65.53%

Source: General Directorate of Secondary Education

In sports high schools, which were established for the purpose of improving the athletic skills and abilities of talented and ambitious students, 227 of 915 enrolled students are girls in 2006-2007 school year (See Table 20).

Table 20: Number of Students in Sports High Schools According to Sex (2004-2006)

	Female Students	Male Students	Total	Percentage of Female Students
2004	29	141	170	17%
2006	227	688	915	24%

Source: General Directorate of Secondary Education

³ The number of students does not include students of open primary schools and open high schools.

h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

Within the scope of “Supporting Health Promotion for Adolescents Project”, informative activities are performed for female-male students in 6th and 7th grades and their parents. 47% of the students participating in these activities in 2006-2007 school year were girls.

In order to increase public requests for the services provided by the Ministry of Health within the framework of public education under the Reproductive Health Programme of Turkey, 85 NGO projects were furnished with grants amounting to 20 million Euros. Monitoring and assessment processes are carried on these NGO projects.

Following the collaboration between The Ministry of Health in Turkey and the European Commission, 18 Youth Counselling Centres, Health Service Centres and 2 Youth Centres were established and their staff received in-service trainings through the Reproductive Health Programme of Turkey with the aim of dramatically increasing the employability, availability and quality of basic sexual health and reproductive health (CS/ÜS) services, improving the sexual health and reproductive health levels of young population and advancing the level of request for and utilization of advanced CS/ÜS services.

12.000 guidebooks on nutrition during pregnancy were prepared by the Ministry of Health and disseminated for public information.

“Project for Developing a Strategy to Meet Reproductive Health Information and Service Needs of Adolescents” with the cooperation between the Ministry of Health and UNFPA and “Adolescent Health and Development Project” in collaboration with UNICEF was implemented between 2001 and 2005.

ARTICLE 11:

11.1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

In Turkey, labour force participation rates vary significantly between women and men. Women’s Labour force participation rate was only 24.9% in 2006, while this rate was 71.5% for men (See Table 21).

Table 21: Labour Force Participation Rate in Urban-Rural Areas According to Sex (%)

	2000	2001	2002	2003	2004	2005	2006
	(age 15+)						
Turkey	49.9	49.8	49.6	48.3	48.7	48.3	48.0
- Male	73.7	72.9	71.6	70.4	72.3	72.2	71.5
- Female	26.6	27.1	27.9	26.6	25.4	24.8	24.9
Urban	44.1	44.0	44.4	43.8	44.5	45.5	45.5
- Male	70.9	70.6	69.8	68.9	70.8	71.5	70.8
- Female	17.2	17.4	19.1	18.5	18.3	19.3	19.9
Rural	58.7	58.7	57.6	55.5	55.4	53.1	52.2
- Male	77.9	76.4	74.5	72.9	74.7	73.5	72.7

- Female 40.2 41.7 41.4 39.0 36.7 33.7 33.0

Source: Turkish Statistical Institute, Results of Household Labour Force Survey, 2007

The low figures for labour force participation rate are induced in essence by the extremely low Labour force participation of women, especially urban women. The most significant reason behind such phenomenon is migration from rural to urban areas. The rural population of Turkey is gradually decreasing, while the population and economy of cities gain more strength. In Turkey, which is currently transforming into an urban society, women originally working in the rural areas, mostly as unpaid family workers, cannot secure themselves a place in the labour market in cities as well as men migrating from rural to urban areas and participating in the labour force, even if they possess the same levels of skill and education as men. Women's failing to satisfy the qualification needs of the urban labour market, undertaking the duty of care for the family, being subject to limitations arising from family and social pressure and the nature of the urban labour market are among the reasons of it.

Upon a closer look at the differences between rural and urban areas, women's labour force participation rate is observed to be much higher in rural areas when compared to that in urban areas (33% in rural, 19.9% in urban). This situation is the result of the fact that rural women are mostly employed as unpaid family workers.

Considering the labour force participation rate of rural women by years, attention is drawn to decreases due to migration from rural to urban areas. The labour force participation rate of urban women is however observed to be on the increase in years. This increase on the other hand is rather insignificant when compared to the serious decrease observed in the rural areas. Despite its rapidly increasing population and labour force potential (between 1988 and 2006, noninstitutional civil population aged 15 or older increased by a ratio of 53.1%, whereas labour force increased by a ratio of 27.8%), Turkey could not attain a similar increase in employment, because Turkey could not create sufficient vocational opportunities and especially provide for women's participation in the labour force.

Labour force participation rate has demonstrated a decrease in the last years both at the general level and among women. Labour force participation rate decreased from 48.7% in 2004 to 48% in 2006.

Table 22: Labour Force Participation Rate According to Level of Education (%)

	(age 15+)						
	2000	2001	2002	2003	2004	2005	2006
TOTAL							
Illiterate	31.5	30.3	28.8	28.2	24.4	21.9	20.3
Below High School	50.1	49.9	49.2	47.5	48.2	47.4	46.9
High School and Equivalent Vocational School	55.3	56.0	55.1	53.3	56.6	57.1	57.0
College and University	78.2	79.2	79.5	77.7	80.0	79.1	78.5
MALE							
Illiterate	56.7	52.5	48.1	48.7	46.8	43.5	40.4
Below High School	74.9	73.7	72.3	70.7	72.3	71.8	70.8
High School and Equivalent Vocational School	70.8	71.6	69.7	69.0	73.3	73.8	73.6
College and University	83.2	84.3	84.5	82.7	85.3	84.7	84.1
FEMALE							
Illiterate	25.2	24.8	24.4	23.6	19.3	17.5	16.2
Below High School	23.0	24.2	24.9	23.4	22.8	21.8	21.8
High School and Equivalent Vocational School	31.8	31.1	31.9	28.9	30.6	30.9	31.4
College and University	70.1	70.8	71.5	69.5	71.3	70.0	69.8

Source: Turkish Statistical Institute, Results of Household Labour Force Survey

Education is a very important factor that has an affect on both women's and men's participation in the labour force. As can be gathered from Table 22, women's labour force participation (paid work) rate increases in proportion according to the level of education.

Higher education plays a significant role in the attraction of women into the labour market. While female university graduates residing in cities constitute a small portion of the urban female population, they demonstrate a much higher level of participation in the labour force than that of female primary school graduates, who represent almost half of urban female population (labour force participation rate of female primary school graduates is around 13% compared to a rate of 70% for female university graduates). University graduate women and men are observed to have an equal opportunity for working under similar conditions, to be exposed less to horizontal discrimination and to possess a lower potential to be subject to sexual harassment in offices where they work together.

Marriage is observed to have a negative effect on women's participation in labour force. Especially the labour force participation rate of women of lower education levels is seen to decrease upon marriage. Single urban women have a higher participation profile than that of married urban women. For instance, labour force participation rate of single urban women was 35% in 2006, whereas that of married women (15%) was even less than half of this figure.

One of the other factors that can account for the low labour force participation rate of women is the fact that such a large portion of women in Turkey are unpaid family workers. Unpaid workers still constitute a large group in Turkey and unregistered labour tends to occupy a large space among the employed. In rural areas, women are able to become a part of the labour market thanks to the dispersed structure of arable lands (and the existence of undersized parcels which are unfit for mechanized agriculture) and the nature of certain agricultural products, which enables them to be integrated into house work.

The ratio of unregistered employment is around 50% across Turkey and, according to the data delivered by the Turkish Statistical Institution, this ratio was 73.8% in rural areas (women 91.4%; men 64%) and 28.8% in cities (women 30%; men 28.5%) in 2000, whereas it was 67.5% (women 89.3%; men 56.5%) and 35.1% (women 39.3%; men 34.5%) in 2006, respectively. The figures pertaining to this ratio was 90% in agricultural activities in comparison to 34% in non-agricultural activities in 2006. These figures indicate that unregistered employment is more prevalent among those involved in agricultural activities in rural areas and especially among unpaid family workers. In 2006, among those involved in agricultural activities as unpaid family workers, the ratio of men was 23.2%, while the ratio of women was 76.8%.

In addition to the decrease in labour force participation rates, the general employment rate in Turkey has been continually decreasing in the last decade and has been ruling below 50% during the recent years (overall employment rate, in 2006, was 43.2%). This situation reveals that good job opportunities have not been created and the participation rate has been rather low. While the employment rate of female population was 31% in the middle of '90s, it gradually decreased and reached 22.3% in 2006. While the employment rate of male population has demonstrated constant recession for a few years, it started to increase in 2004 and reached 64.5% in 2006 (See Table 23). Similar pick-up rate has not been observed in the employment figures of women.

Table 23: Employment Ratio in Urban and Rural Areas According to Sex (%)

	(age 15+)						
	2000	2001	2002	2003	2004	2005	2006
Turkey	46.7	45.6	44.4	43.2	43.7	43.4	43.2
- Male	68.9	66.5	63.9	62.9	64.7	64.8	64.5
- Female	24.9	25.1	25.3	23.9	22.9	22.3	22.3
Urban	40.2	38.9	38.1	37.7	38.4	39.7	40.0
- Male	65.4	63.3	60.7	60.3	62.0	63.2	63.0
- Female	15.0	14.5	15.5	15.1	15.0	16.0	16.7
Rural	56.4	56.0	54.3	51.9	52.1	49.5	48.8
- Male	74.1	71.4	69.0	67.1	69.3	67.6	67.2
- Female	39.4	41.0	40.2	37.4	35.5	32.3	31.6

Source: Turkish Statistical Institute, Results of Household Labour Force Survey

One of the indicators of gender-based segregation in labour market is the concentration of female labour force in certain sectors and occupations. According to 2006 data, women are most frequently employed in the field of agriculture, whereas male labour force is concentrated more in the service sector. 48.5% of employed women in Turkey are working in the agricultural sector, 37.1% in service sector and 14.4% in industrial sector.

Table 24: Sectoral Distribution of Employment (%)

	(age 15+)						
	2000	2001	2002	2003	2004	2005	2006
AGRICULTURE	36.0	37.6	34.9	33.9	34.0	29.5	27.3
- Male	27.0	27.7	24.8	24.4	25.6	21.7	19.8
- Female	60.5	63.3	60.0	58.5	57.2	51.6	48.5
INDUSTRY	17.7	17.5	18.5	18.2	18.3	19.4	19.7
- Male	19.5	19.7	20.6	20.2	20.0	21.1	21.6
- Female	12.6	11.8	13.3	12.9	13.6	14.6	14.4
SERVICE	46.3	44.9	46.6	47.9	47.7	51.1	53.0
- Male	53.5	52.6	54.6	55.4	54.4	57.2	58.6
- Female	26.9	24.9	26.6	28.6	29.2	33.8	37.1

Source: Turkish Statistical Institute, Results of Household Labour Force Survey

Unpaid work, in its essence, is applied in businesses managed by small families in rural areas. It is also prevalent in industrial and service sectors in cities. Unpaid employment has almost taken the form of a rule for women in rural areas and the ratio of women working on an unpaid basis is 65.3%. In other words, two thirds of rural women are employed as unpaid family workers.

Women are far behind men in terms of participation in labour force, income and education. Furthermore, since women of lower education levels are mostly employed in the agricultural sectors, in offices from which they cannot receive their wages or in unofficial

occupations, there exists a major sex discrimination which partly coincides with the urban/rural differentiation.

Table 25: Unemployment Ratio in Urban and Rural Areas According to Sex (%)

	(age 15+)						
	2000	2001	2002	2003	2004	2005	2006
Turkey	6.5	8.4	10.3	10.5	10.3	10.3	9.9
- Male	6.6	8.7	10.7	10.7	10.5	10.3	9.7
- Female	6.3	7.5	9.4	10.1	9.7	10.3	10.3
Urban	8.8	11.6	14.2	13.8	13.6	12.7	12.1
- Male	7.8	10.3	13.0	12.6	12.5	11.6	10.9
- Female	13.0	16.6	18.7	18.3	17.9	17.0	16.4
Rural	3.9	4.7	5.7	6.5	5.9	6.8	6.5
- Male	4.9	6.5	7.3	7.9	7.3	8.1	7.6
- Female	2.0	1.7	3.0	4.2	3.2	4.1	4.3

Source: Turkish Statistical Institute, Results of Household Labour Force Survey

The unemployment rate is higher in urban areas than in rural areas in Turkey. Rate of employment is observed to be quite low in agricultural activities in rural areas, where unpaid family labour, mostly provided by women, is widely employed (See Table 25). Therefore, in order for the unemployment rate of women to be clearly defined, non-agricultural unemployment rate should be taken into account. As can be seen in Table 26, non-agricultural unemployment rate was 17.9% for women and 11.3% for men according to data pertaining to the year 2006.

Table 26: Non-Agricultural Unemployment Ratio (%)

	(age 15+)						
	2000	2001	2002	2003	2004	2005	2006
Non-Agricultural Unemployment Ratio	9.3	12.4	14.5	13.8	14.3	13.6	12.6
- Male	8.4	11.3	13.3	12.6	13.1	12.4	11.3
- Female	13.5	17.7	19.8	18.9	19.6	18.8	17.9

Source: Turkish Statistical Institute, Results of Household Labour Force Survey

a) The right to work as an inalienable right of all human beings;

As stated in the previous report submitted by Turkey, right to work is under Constitutional guarantee. The Constitution adjudges that everyone has the freedom to work and conclude contracts in the field of his/her choice, everyone has the right and duty to work and that the state shall improve working standards and to protect workers. The responsibility

of the state to protect the unemployed was furnished with Constitutional security with the Constitutional amendment effectuated in 2001.

Turkey is a party to 56 conventions of the International Labour Organization (ILO)(2007). Among these, conventions incorporating regulations on the equality between men and women in working life are “Convention No.45 concerning the Employment of Women on Underground Work in Mines of all Kinds”, “Convention no.95 concerning the Protection of Wages”, “Convention no.100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value”, “Convention no.101 concerning Holidays with Pay in Agriculture”, “Convention no.102 concerning Minimum Standards of Social Security”, “Convention no.111 concerning Discrimination in Respect of Employment and Occupation”, “Convention no.115 concerning the Protection of Workers against Ionising Radiations”, “Convention no.122 concerning Employment Policy”, “Convention no.127 concerning the Maximum Permissible Weight to Be Carried by One Worker”, “Convention no.158 concerning Termination of Employment at the Initiative of the Employer” and “Convention no.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour”.

b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;

With the new Labour Act, effective as of 2003, it is resolved that discrimination in fundamental human rights is not permissible in the business relation for any reason whatsoever, including sex. In this context, the law includes provisions ruling the employer must not make any discrimination, either directly or indirectly, against an employee in the conclusion, conditions, execution and termination of his/ her employment contract due to the employee’s sex or maternity, differential remuneration for similar jobs or for work of equal value is not permissible and sex, marital status, family responsibilities, pregnancy and childbirth shall not constitute a valid reason for termination. Moreover, provisions related to sexual harassment and definite employment have been included in the Labour Act for the first time. In addition, the law also extends the durations of paid maternal leaves granted to female workers.

Provisions in the Civil Servants Law and Vocational Education Act on access to work, promotion, training and work conditions are also regulated on the basis of the principle of eliminating gender-based discrimination.

With the Civil Servants Law, the general and specific qualifications sought in public employees (such as entrance examinations) are regulated on a non-discriminatory basis in terms of sex.

In the Prime Ministry Circular dated 2004 and related to “Acting in Accordance with the Principle of Equality in Employee Procurement”; it is declared that no discrimination shall be made on the basis of sex, except for service requirements, during staff procurement.

In order to remove the obstacles to women’s employment, with the Communiqué issued in 2006 with the aim of eliminating gender discrimination in employee placement pursuant to the “International Labour Convention No.111 concerning Discrimination in Respect of Employment and Occupation”, actions and proceedings related to public employee placement have been simplified and sex discrimination is eliminated from public employee requests.

Furthermore, through an instruction communicated to the provincial directorates of Turkish Employment Organization (İŞ-KUR), private businesses and employers were requested to be aware of the fact that no discrimination on the basis of sex is permissible in

the business relation unless necessitated by biological reasons or reasons pertaining to the nature of the work.

c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;

Right to free choice on profession and occupation is principally secured with the Constitution ruling that public employee procurement shall not be guided by any discrimination other than the qualifications required for the post and with the New Civil Code resolving that “spouses do not have any obligation to obtain permission from each other in their choice on profession and occupation”.

Although the right to work has been taken under legal guarantee, gradual reduce in participation of women to employment has brought along the necessity to take some measures. Within this framework, with the employment package to be implemented in 2008 in Turkey, regulations have been made regarding the social security premium payments for 5 years by the government for the employers who employ women without age limitation.

In order to remove the hardships encountered by women who have difficulty in participating in employment and by other disadvantaged groups during their attempts to enter the labour market, “labour force training courses”, “vocational training and rehabilitation programs”, “training programs”, “counselling programs” and “programs on serving the common good” are organized by the collaborative efforts of public institutions, universities, non-governmental organizations and trade associations through the coordination provided by İŞ-KUR* under the Ministry of Labour and Social Security (ÇSGB).

One of the most important obstacles to women’s participation in labour market and employment is the fact that they do not possess the required vocational qualifications. In order to rectify this negative situation, 30 courses were organized for women and the trainings reached 19.780 women within the scope of the Active Labour Force Programmes Project which was implemented in October 2003 and March 2006 and aimed to develop an integrated approach to human resources development in Turkey with the participation of disadvantaged groups. 4.678 men and 4.846 women, 9.524 people in total, were employed thanks to the active employment measures implemented within the project scope. 1.982 of these people set up their own business.

Moreover, with the aim of increasing the employability of unemployed women via providing them with training on professions in need of labour force, İŞ-KUR organized 7200 employment-guaranteed labour force development and training courses on business establishment which a total number of 131.184 people participated in between 1998 and 2005. 85.642 women in total attended these programs. For courses delivered in 2006, see Table 27.

* İŞ-KUR: The Institute was given an active role in the struggle against unemployment and gained a new structure with “Turkey Labour Institute Act”, effective as of 2003, in order to assist in the protection, improvement, and generalization of employment and prevention of unemployment and to conduct the proceedings related to unemployment insurance. İŞ-KUR has in its possession a structure sufficient to actively implement active labour force programs such as functions of monitoring labour force and employment market, developing information systems on the labour force market, training the existing labour force and on-site education, profession and career counselling and passive labour force functions such as actions related to unemployment insurance and job loss compensation, as well as functions related to employment.

Table 27: Number of Men and Women Benefited from Labour Force Training and Development Courses in 2006

Type Of Course	Labour Force Training Courses Delivered In 2006			
	No. of Available Courses	No. of Participants		
		Male	Female	Total
Courses for Direct Employment	246	3361	1664	5052
Courses for Setting up One's own Business	38	170	478	648
Courses for Disabled Individuals	94	1899	1148	3047
Courses for Previously Convicted	126	1966	53	2019
Courses Offered under ÖSDP*	82	1032	913	1945
Courses Offered under Unemployment Insurance	118	1207	480	1678
Certificated Agricultural Workers Project	48	1091	60	1151
IT Apprentices	68	656	350	1006
TOTAL	824	11382	5146	16528

*Privatization Social Support Project

Furthermore, among 7284 women that participated in the Privatization Social Support Project between 2002 and 2005, 4382 were set up in business.

Within the context of the Project on Vocational Training and Employment of Girls and Women (conducted in Istanbul, Kocaeli and Sanliurfa), 3717 women were reached through a total number of 195 vocational courses.

On the other hand, within the scope of the "Pilot Project on Active Employment Measures Strengthening Societal Participation and Integration with a Special Focus on Gender Issues", professional strengthening trainings were delivered in 13 provinces to 72 women of full legal age who had formerly been accommodated in reformatories.

In addition, with the "Project of Active Employment Measures and Support for Turkish Employment Agency at Local Level", which is of a supplementary nature for the aforesaid Active Labour Force Programmes, efforts are under way to support the employment of women and young people via grants.

Apart from the projects implemented by İŞ-KUR, public institutions (see Article 10 for the Ministry of National Education activities), local administrations, non-governmental organizations, trade organizations and private agencies are also conducting activities and projects for women's employment.

Within the context of their activities, local authorities cooperate with various businesses and establish women training and activity Centres in order to provide for the employment of women with low income.

"Credits for Entrepreneurs" awarded to women under certain conditions by banks pursue the goal of contributing to the status of women. The "Promoting Women Entrepreneurship Project" initiated jointly by a private bank and a non-governmental organization awards to women entrepreneurs credits for small- and medium-scale enterprises. Women that avail themselves of this support package are given the opportunity to participate in the trainings delivered by the bank free of charge or at reduced fees.

With the "Financial Literacy Programme" implemented by a private bank and a women's non-governmental organization, 1600 women participated in the activities performed to permanently transform the relationship of women with low income with

“money”, to inform them about macroeconomic policies and economic terms and to raise their levels of financial awareness.

Meanwhile, microcredit applications are carried on for women with low income in Turkey. As of July 2008, approximately 20.000.000 YTL (approximately 16.000.000\$) microcredit was awarded to more than 10.000 women entrepreneurs with low income by two non-governmental organizations in service in this field.

Within the context of the Social Risk Mitigation Project, mentioned under the title of Education, income-generating projects are also being implemented with emphasis on women’s employment. Within community centres, handicraft training and production projects, projects for seasonal employment of women in such areas as forestation, planting and after care and plant breeding and training programmes on elderly care, patient care and childcare are delivered. Support is provided to projects that aim to increase the activity level of rural women in agricultural production. 287 women were given support under the “Rural Social Support Project” via the Agricultural Development Cooperatives which are constituted by women only.

Women constituted 75% of the participants of planting activities organized by the Small and Medium Industry Development Organization (KOSGEB) within the scope of the “Project on Job Creation and Active Labour Force Market Development for Women and Young People in Decorative and Ornamented Glass Manufacturing”. In addition, 30% of those who set up their own business with the “Small Business Establishment Counselling Support” provided by KOSGEB are women.

“Business Development Centres” (İŞGEM) were founded by KOSGEB within the scope of Privatization Social Support Project with the aim of supporting small-scale entrepreneurs and facilitating their course of business establishment and thus improving their means to enlarge their businesses. Among those setting up their own business via İŞGEMs, which enable them to overcome the stage of establishment and to grow further by providing counselling support, access to financial resources, business quarters on favourable terms, common office equipment and office services, 33.18% are women.

Again by KOSGEB, “The Project for Promoting Entrepreneurship” was initiated in 2007 with a total budget of 3.5 million Euros within the scope of EU Financial Assistance 2005 Programme. 4 İŞGEMs will be established within the project scope to provide counselling services (location, secretariat, machinery and equipment for joint use, training, business development counselling etc.) to a minimum number of 80 businesses with due care to treat women entrepreneurs as a priority group.

A Women Entrepreneurs’ Board was established and organized in 81 provinces as an advisory board within the body of a trade association for the purpose of setting an example for the development of entrepreneurship culture among women and for the development of policies towards improving potential women entrepreneurs in quality, quantity and facilities.

Moreover, Women’s Studies Research and Implementation Centres within universities are also implementing activities and projects to increase women’s employment. One of these projects is the “Support to Entrepreneur Women Project” implemented by Ege University.

With the aim of restructuring the vocational education and training system in Turkey as a body that is able to satisfy the economy’s demand for qualified and high-performance technical labour force for intermediate layers on the basis of socio-economic requirements and life-long learning, the “Project on Strengthening the Vocational Education and Training System in Turkey” (MEGEP) is implemented in 30 provinces and 145 pilot institutions by the Ministry of National Education with the collaboration of public institutions, various trade associations and non-governmental institutions. Through MEGEP, female students in girls’ technical schools are enabled to benefit more from vocational education opportunities by the addition of 26 different specific courses (office management and secretariat, IT, maritime

business, graphics and photography, food technology etc.) to the curricula of formal education institutions under the General Directorate of Girls' Technical Education.

“Development of Human Resources” which is a component of the Turkey-European Union Pre-Accession Financial Assistance recognizes “encouraging women’s participation in employment, including those preciously working in agriculture, and increasing women’s employment” as one of its priorities. In this context, approximately 27 million Euros were allocated for projects for the attainment of this priority goal for the period between 2007 and 2009.

On the other hand, with the aim of enabling women to participate in local budgetary processes and to influence municipality investments in parallel to the priorities of them, a women’s non-governmental organization implemented a pilot project in collaboration with KSGM and a municipality. As a result of this implementation, it was concluded that significant employment and entrepreneurship opportunities can be created for women if municipalities decide on their budgetary issues in a manner that is parallel with the needs and priorities of women.

d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

As stated in the previous country report of Turkey, the national legislation adjudges that differential remuneration for similar jobs or for work of equal value is not permissible on the basis of sex and accordingly no provision that is in contradiction with the preceding provision can be incorporated into collective labour agreements and labour contracts.

In the Labour Act, it is adjudged that differential remuneration for similar jobs or for work of equal value is not permissible on the basis of sex discrimination and that the application of special protective provisions for the worker by reason of their sex cannot justify remuneration.

Similarly, the salaries of public employees are also determined in accordance with the provisions laid out in the act, regardless of sex. Therefore, there exists no difference between men and women in terms of salaries. However, the family assistance allocation is given only to the husband in cases where both the wife and the husband are public employees.

The provision that differential remuneration for similar jobs or for work of equal value is not permissible on the basis of sex has been legally secured with the regulation in the Law on Collective Labour Agreements, Strikes and Lock-Outs to the effect that no provision in contradiction with the statutory provisions of laws or statutes can be incorporated into collective labour agreements.

In the Labour Act, employers or acting employers that act in contradiction with the principles and obligations stipulated above (principle of equal treatment, including the principle of equal remuneration) are adjudged to be fined for each worker negatively affected thereby. According to the Act, if the employer violates the above provisions in the execution or termination of the business relation, the employee may demand compensation up his/her four months’ wages plus other claims of which he/she has been deprived.

Moreover, the Labour Act adjudges that race, sex, colour, marital status, family responsibilities, pregnancy, birth, religion, political opinion and similar reasons shall not constitute a valid reason for termination and if a court or an arbitrator concludes that a termination is unjustified because no valid reason has been given or the alleged reason is invalid, the employer must re-engage the employee in work within one month. If the employer re-engages the employee, the employee shall be paid up to four months’ of his wages and other entitlements and the notice of termination issued by the employer is declared

null and void and the employment contract stays effective as if it has never been terminated. If the employer does not re-engage the employee in one month following his application, the employment contract is terminated and the employee shall be paid;

- “Employment Security Compensation” amounting according to the court’s decision to at least four months’ and up to eight months’ of the employee’s wages;
- Up to four months’ of his wages and other entitlements to compensate the time until the court’s decision during which the employee has not worked;
- “Termination Pay” in proportion to the duration of the employer’s work period in case of termination without regard to the time limits specified for notices;
- “Dismissal Pay” for employers worked more than one year;
- “Material and spiritual damages” if entailing conditions exist;
- “Equality damages” amounting to up to four months’ of the employee’s wages if requested by the employee in cases where the contract is terminated in a manner contradictory to the principle of equal treatment.

Through the provisions on flexible employment included in the Labour Act, an attempt was made at balancing working and family life.

e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

5 different social security law exist in Turkey for employees. According to these laws, all provisions on such issues as scope and availability, obligation to pay contributions and calculation of contributions and benefits are the same for men and women, except for the provision specifying a retirement age of 58 for women and 60 for men.

In the Unemployment Insurance Act, another act within the scope of social security, all provisions on such issues as scope and availability of unemployment insurance, obligation to pay contributions and calculation of contributions and benefits are the same for women and men.

For regulations regarding parental leave and breastfeeding leave as one of unpaid leaves, see Article 11/2-b.

Table 28: Number of Active Employees According to Sex and Their Distribution among Social Security Institutions (As of March 2007)

Social Security Institutions	Female	Male	Total	Percentage %	
				Female	Male
Social Security Institution	1.740.769	6.208.581	7.949.350	22	78
Social Security Organization For Artisans and Self-Employed	450.304	2.972.805	3.423.109	13	87
Government Retirement Fund	811.668	1.626.571	2.438.239	33	67
Final Total	3.002.741	10.807.957	13.810.698	21	79

f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

Article 50 of the Constitution adjudges that no one shall be required to perform work unsuited to his age, sex, and capacity, minors, women and persons with physical or mental disabilities, shall enjoy special protection with regard to working conditions, all workers have the right to rest and leisure, rights and conditions relating to paid weekends and holidays, together with paid annual leave, shall be regulated by law.

According to the provisions of the Labour Act, women irrespective of their age must not be employed on underground or underwater work like in mines, cable-laying and the construction of sewers and tunnels.

The By-Law on the Employment Terms of Female Employees in Night Shifts states that female workers must not work in night shifts from the actual medical diagnosis of the pregnancy by a practitioner until the date of childbirth and, if they are breastfeeding, for six months following the date of childbirth and that this period for breastfeeding women can be extended up to 1 year if it is deemed necessary for the mother's and child's health with a report by the office practitioner, office health unit, worker health outpatient clinics or, when the aforesaid are not available, by the closest health centres.

11.2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;

The Labour Act clearly adjudges that pregnancy and maternity shall not constitute a valid reason for termination of the employment contract (See Article 11/1-b).

b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;

Maternal leave and related issues are regulated separately by the Civil Servants Law and the Labour Act. With the new Labour Act, effective as of 2003, and the amendment to the Civil Servants Law effectuated in 2004, both female workers and female civil servants are made subject to parallel regulations. According to these regulations, in principle female employees must not be engaged in work for a total period of sixteen weeks, eight weeks before confinement and eight weeks after confinement. In case of multiple pregnancy, an extra two week period shall be added to the eight weeks before confinement during which female employees must not work. However, a female employee whose health condition is suitable as approved by a medical certificate may work at the establishment if she so wishes up until three weeks before delivery. In this case the time during which she has worked shall be added to the time period allowed to her after confinement. The time periods mentioned above may be increased before and after confinement if deemed necessary in view of the female employee's health and the nature of her work. The female employee shall be granted leave with pay for periodic examinations during her pregnancy. If deemed necessary in the physician's report, the pregnant employee may be assigned to lighter duties. In this case no reduction shall be made in her wage. Female employees shall be allowed a total of one and a

half hour nursing leave in order to enable them to feed their children below the age of one. The employee shall decide herself at what times and in how many instalments she will use this leave. If the female employee so wishes, she shall be granted an unpaid leave of up to twelve months after the expiry of the sixteen weeks, this period is six months for female workers.

According to Social Security Act, it is stipulated that female workers shall be given a maternal insurance equal in sum to the allocation for incapacity to work.

(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;

With the By-Law on the Terms of Employment for Pregnant or Breastfeeding Women, Breastfeeding Rooms and Child Nursing Facilities deems it compulsory for the employer heading an office where 100-150 women are working irrespective of their age and marital status to establish a breastfeeding room detached from the office with a maximum distance of 250 m. to be used as a breastfeeding room and as a nursery for infants.

Numerical data pertaining to the network of childcare services in Turkey are presented in Tables 29 and 30. In addition to childcare, there are 241 rest homes serving elderly people as of late 2007. The total capacity of these rest homes is 19.752. Moreover, 63 institutions are in service for disabled citizens as of 2007.

Table 29: Data on Pre-School Educational Institutions/Day Nurseries in the 2000-2001 Period

Educational Institution	Number Of Schools/Classes	Number Of Students/Children				
		Female	Percentage of Girls	Male	Percentage of Boys	Total No. Of Students/Children
Pre-School Education Institutions under the Ministry of National Education (Government + Private) (Nursery Class + Kindergarden)	9249	123.225	47.63%	135.481	52.36%	258.706
Day nurseries in service with the permission of SHÇEK	1147	10473	48.41%	11158	51.58%	21631
TOTAL	10396	133698	47.69%	146639	52.30%	280337

Source: Ministry of National Education and SHÇEK Data

Table 30: Data on Pre-School Educational Institutions/Day Nurseries in the 2007-2008 Period

Educational Institution	Number of Schools/Classes	Number Of Students/Children				
		Female	Percentage of Girls	Male	Percentage of Boys	Total no. of Students/Children
Pre-School Education Institutions under the Ministry of National Education (Government +Private) (Nursery Class + Kindergarden)	22506	335553	47.81%	366209	52.18%	701762
Day nurseries in service with the permission of SHÇEK	1532	13347	46.18%	15553	53.81%	28900
TOTAL	24038	348900	47.75%	381762	52.24%	730662

Source: Ministry of National Education and SHÇEK Data

For more information on parental leave, see Article 11-3.

d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

“Regulations on the Terms of Employment for Pregnant or Breastfeeding Women, Breastfeeding Rooms and Child Nursing Facilities” also specifies the special measures to be taken in relation to certain risks, as well as the general measures to be taken on the basis of assessments of the effects of chemical, physical and biological factors, working conditions and industrial processes which are recognized as being dangerous for the health and safety of pregnant, confined and breastfeeding workers.

The Regulations put forward a three-state system to ensure the protection of health and safety of the employees in question. At the first stage, if a health or safety risk is detected in the assessment for such workers, the employer temporarily modifies the working conditions and/or working hours of the workers in question in such a way as to prevent these workers from being exposed to such risks. In cases where this option is not available, the employer takes the necessary measures to transfer the employee to another job without leading to a reduction in wages. In the last stage, if it is not technically possible or acceptable for the employee to be transferred to another job, during the period in which the health and safety of the worker need to be protected she is offered the means for unpaid leave upon her demand.

Within the legislative framework, the measures for the protection of pregnant women are also regulated in the By-Law on the Employment Terms of Female Employees in Night Shifts (See Article 11/1-f).

11.3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

A draft law has been prepared which will regulate and render equitable the provisions on parental leave of related protective laws within the existing social security system. The Draft stipulates that parents employed under the Labour Law can take a 6-month leave each

and parents employed under the Civil Servants Act can take unpaid parental leave until 12 months and parents can use this leave in consecutive periods. The same right is also given to adopting parents. The Draft Law was submitted to the General Assembly of the Grand National Assembly of Turkey in the previous legislative year; however, the process is cancelled due to the renewal of the Assembly. The legitimization process of the Draft Law has been started and it is monitored in the new legislative year. Addition of the issue of parental leave to the Law is a general questioning directed at the conventional concept of parenting and the idea that childcare is the natural function of women. Moreover, the Law will have a positive effect in such a way as to diminish discriminative practices in working life towards women, who are regarded as unreliable employees due to their reproductive facilities, left devoid of promotional rights and are mostly pushed outside the labour force. In addition, children who grow up in a home where care responsibility are shared by parents on an equal basis will socialize around more equitable gender roles.

ARTICLE 12:

12.1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

In Turkey, the requirement of this article is satisfied with the basic health services system which was first ratified in 1961 and has been structured in compliance with the currently applicable law and the “Law on Population Planning” which was put into force in 1965 and later rendered more comprehensive.

The “Socialization of Health Services Act” ratified in 1961 enabled health services to be disseminated within the society as a whole. With this Act, health services are offered via first-step health institutions, founded in areas easily accessibly by the society, with due emphasis and priority placed on serious health conditions and disadvantaged groups (such as mothers and children). In such services there are no discriminatory practices based on gender; since reproductive health problems are of a higher prevalence among others, services focus more on women. Primary Healthcare Services (TSH) are provided to citizens of all ages and of both sexes via the first-step health institutions across Turkey (in both urban and rural areas); there are 7417 health clinics, 5486 health centres and 234 Mother-Child Health and Family Planning Centres (AÇS/AP). Whereas health clinics and healthcare Centres are located mostly in rural and urban areas, AÇS/APs are mostly located in urban areas. These services are generally offered free of charge and sometimes at quite affordable fees. TSH Institutions are supported with more than 1.000 hospitals in the second and third steps. Although the distribution of healthcare professionals across Turkey is rather problematic, more than 50.000 specialists, more than 48.000 practitioners, 82.000 nurses, 40.000 midwives and over 41.000 health personnel are currently employed in institutions under the Ministry of Health. In terms of women’s health, the fact that the educational level required for midwifery and nursing has been raised to university graduation with an amendment effectuated in 2007 is a very important development within the context of the improvement of the Labour force figures and their quality of undergraduate education among those working in squatter and rural areas at the first step of the healthcare system.

There are no elements in the legislation that prevents men or women from benefitting the existing health system; however, in practice there are two important issues. The first issue is the fact that, as the services are free of charge or offered at quite low fee, children and women in poorer fractions of society who do not possess social security apply more to TSH Units. The other issue is the fact that women in rural or squatter areas are not decision-makers in terms of applying for health services and they require the assistance of their spouses or

relatives to refer to healthcare institutions, since women have a lower social status and an insufficient level of economic independence. Attempts to overcome this situation are in progress via home visits (domiciliary midwifery) especially for obstetric and paediatric services.

In this context, the “Law on Population Planning” is another legislative instrument and denotes a method of servicing. Ratified in 1983 and of a nature more liberal and comprehensive than its counterparts in the world, the Law on Population Planning regards men and women as equal and stipulates full enjoyment of women’s right to reproduction with no precondition whatsoever in unwanted pregnancies.

In the years following the ratification of this law, use of effective/modern contraceptive prevalence surpassed the prevalence of ineffective method use for the first time and the needs unsatisfied in terms of family planning started to decrease in number. On the other hand, even though the Law in question legalizes wilful miscarriage up to 10 weeks into the pregnancy, the rates of wilful miscarriages continually decreased after the ‘90s thanks to the utilization of the correct servicing model.

Moreover, other legislative amendments effectuated on women (such as the “Civil Code”, “the Law on the Protection of Family”, “TCK”, the law increasing the duration of compulsory basic education to 8 Years) and pursuant enforcements in Turkey have empowered women, prevented sexual discrimination relatively and the positive results in medium and long term have been reflected positively on women’s health (See Article 2-f, Article 10-a).

12.2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation:

“Reproductive Health Services” (ÜS), which are of great importance for women’s health, are offered at the first-step health institutions across Turkey within the “primary healthcare services – THS” scope, mentioned in Article 12-1. Even though ÜS services target all age groups and both sexes, the most emphasized issue in Turkey in relation with this context is “Safe Motherhood” which was also underscored in the International Conference on Population and Development (ICPD) held in Cairo in 1994. Essentially, Turkey signed all recommendations of ICPD with no reservation whatsoever and started developing programmes that regulate the types and quantities of services according to needs, address the conventional “Mother-Child Health” approach in a more comprehensive fashion and recognize women and men within the context of the cycle of life. The “Women’s Health and Family Planning – National Strategic Action Plan”, first prepared in parallel with ICPD in 1996, was revised in 2005 as the “Sexual and Reproductive Health for the Health Sector - National Strategic Action Plan”, which specifies the relevant goals, priorities and tasks of Turkey for the period between 2005 and 2015. With this strategic plan, reducing maternal mortality rate, preventing unwanted pregnancies, improving the health of young individuals, preventing sexually transmitted infections and decreasing inter-regional inequalities in health services are set as the priorities of Turkey and concrete goals and actions are defined for these priorities.

One of these goals is to decrease the difference between the regions and settlements where the highest and lowest maternal mortality rates in Turkey are observed by 50% by 2015.

In the Action Plan, principles, goals and approaches have been similarly defined for the other titles mentioned above and health programmes across Turkey are structured accordingly.

A very effective intervention in the attainment of numerous goals defined for women's health, the "Safe Motherhood Programme" is implemented in all first-step healthcare institutions. Within this scope, Prenatal Care (DOB), healthy childbirth and postnatal care services are offered.

The "Turkey Population and Health Research Studies" (TNSA) has been conducted every five years since 1963 on a sample representative of the country as a whole and the last one was conducted in 2003. These studies make it possible to correctly assess the situation in pregnancy, childbirth, postnatal services, family planning (AP) and infant and child care services in an evidence-based manner and to see the progress made and obstacles encountered.

Progresses Made in Terms of Mother-Child Health and Family Planning:

Maternal deaths induced by pregnancy and childbirth have dramatically decreased in years in Turkey. "Pregnancy-Related Mortality Rate", which was 208 in 100.000 live births in 1974, was observed in the "National Maternal Mortality Study" of 2005 to have decreased to 28.5 in 100.000 live births. Although 28.5 is still a very high figure, when all results are considered, it is obvious that maternal mortality has been on a dramatically decreasing trend over the years. With the reproductive health programmes, which have increased in number in the recent years, are expected to give impetus to this trend of decrease.

There has been a significant increase in the ratio of prenatal care takers in years. According to TNSA of 1993, the ratio of prenatal care takers was 63%, whereas this ratio increased to 81% in 2003. Again, there is an increase in child deliveries undertaken in healthy conditions. The ratio of deliveries under healthy conditions was 76% in 1993, while this ration increased to 83% in 2003.

Marked decreases are observed in rates related to fertility in Turkey; whereas the Total Fertility Rate (TDH) was 4,3 in 1978, it decreased to 3.0 in 1988, to 2.6 in 1998 and to 2.2 in 2003. This decrease is an indicator of the success attained by family planning services.

Fertility level varies considerably according to education, location and geographical region. The highest TDH, 4, is observed in Eastern Anatolia, whereas the total fertility rate in Northern, Central and Southern Anatolia is about 2 and the lowest rate is recorded in Western Anatolia which is under 2.

Family planning methods are known by almost all married women and men. There are positive developments in Turkey with the increase in the contraceptive options available and the incorporation of implanted and injected contraception methods into national programmes. Moreover, counselling services are given a special weight in the provision of AP services.

Before 1983, miscarriages constituted a serious ratio of maternal mortalities, as wilful miscarriage was only permissible via medical indication in Turkey. Therefore, wilful termination of pregnancies of up to ten weeks was legally allowed in 1983. Following this date, wilful miscarriage has scarcely appeared as a cause of maternal mortality, if any, and after 1990, wilful miscarriage rate entered a rapidly decreasing trend. In order both to satisfy the service needs for wilful miscarriages and to eliminate the existing risks in surgical intervention, efforts are in progress to make the "Medical Miscarriage" method utilizable in Turkey.

Moreover, infant mortality rate (BÖH) demonstrated a rapid decrease from 53 in a thousand live births in 1993 TNSA to 29 according to 2003 TNSA. Mortality rate for children

under the age of five, on the other hand, decreased from 61 in a thousand to 37. These findings point out to clear improvements in infant and child health in Turkey.

Various programmes are implemented to deliver health services to women. Maternal and infant health and family planning services are given a priority position among national programs due to the fact that women and girls at the fertility age constitute a large part of the society, infant, maternal and child mortality rates are still high, family planning services have to answer a high level of requests and prenatal and postnatal services have not yet reached the desired level. In this context, certain programmes were initiated in which provinces of priority for development, squatter areas in large cities, rural settlements and special risk groups are addressed as areas of priority and programmes and projects on such issues as vaccination, control of diarrheic diseases, acute respiratory tract diseases, promoting breastfeeding, monitoring the growth stage, nutrition, prenatal and postnatal care, safe motherhood and mother and child health and information, education and communication in family planning; some of these activities are still in progress, among which are Premarital Counselling Programme, Safe Motherhood Programme, Mother-Child Nutrition Programme, Baby-Child Monitoring Programme, Adult Health and Youth Programme, Sexual Health Programme, Information-Education-Communication (BEI) Project, Improving Public Education Project, International Reproductive Health Training Centre Project, Reproductive Health Project, Turkish Government – United Nations Population Fund Third Country Programme, Project on the Prevention of Maternal and Infant Mortality. Projects on reproductive health training have also been conducted Turkish Armed Forces and Police Forces, most of which have been institutionalized into programmes.

In addition to the aforesaid programmes, the “European Union – Turkey Reproductive Health Cooperation Programme” has been implemented since 2003 with the aim of reducing maternal and infant mortality rates and improving women’s health. In this framework, developmental activities have been conducted on the issues of safe motherhood, emergency obstetric care, sexually transmitted infections, family planning, youth’s health, in-service training and under- and post-graduate curricula on reproductive health.

With this Programme, during the activities performed on the areas of priority established via the previously developed plans and programmes by the Ministry of Health, non-governmental organizations are directly reaching beneficiaries, i.e. individuals and supporting the efforts of the Ministry by collecting data on the demands and expectations of the society from reproductive health services. In this respect, the Programme is an original example of the cooperation between non-governmental organizations and the public. “Efforts to develop a reproductive and sexual health service model for university students” is also one of the projects implemented in this context.

In recent years, cash money transfers are made to women applying to healthcare institutions for follow-up in order to encourage and increase pregnancy and infant follow-ups.

The Family Health Training Programme has been implemented with the aim of raising the awareness levels of teachers working at public education centres and the society on maternal and infant health, family planning methods and sexually transmitted diseases.

Apart from these, various measures are taken in Turkey to prevent suicide cases, which are prevalent among women and induced by mental disorders. In this respect, 16.056 healthcare professionals were trained by provincially formed Training Boards, pilot hospitals in 32 provinces were equipped with the required physical infrastructure and personnel organization and “Crisis Intervention Units” started services in March 2006 within their emergency services. As of July 2008, the mentioned organization was completed in 97 hospitals in 49 provinces (For cooperative activities for the training of the healthcare personnel on violence against women, see Article 2-f).

Significant initiatives on health such as “defensiveness in reproductive health” and “combating violence against women” are expected to have a positive effect on women’s health in the middle and long term.

Despite all these positive developments, there are certain deficiencies. For instance, even though a significant increase was observed in maternal mortality rate, 3 of 5 maternal deaths were determined to be of a preventable nature in 2005 National Maternal Mortality Study. This finding underscores inadequate procurement of healthcare staff; yet it also indicates that correct interventions (prevention of risky pregnancies via AP applications, safe motherhood approach and functional forwarding system in emergency obstetrics) the number of these deaths could be further reduced.

In the utilization of all services related to women’s health, there are numerous discrepancies among regions and settlements in Turkey. However, the fundamental factor behind these discrepancies is the education level of women. Current studies show that, there is a two-fold difference between the regions, among illiterate women, between the desired number of children and the existing number of children, whereas a parallelism is revealed in the desired and existing number of children among literate women. A similar picture is also observed in the utilization of effective methods in family planning. Another striking example is the finding that 99% of women with a secondary school degree or higher deliver their babies under healthy conditions according to 1993, 1998 and 2003 TNSAs. However, one in two illiterate women gives birth under unhealthy conditions, i.e. they cannot reach and utilize the services.

In Turkey, while contraceptive means were delivered free of charge to healthcare institutions until 1999, contraceptives have since been procured via the public budget. There are, however, occasional difficulties encountered in the procurement of means. Therefore, this situation creates a problem for women of small means.

The service deficit in family planning, which cannot be currently compensated, is calculated as 34% upon the addition of the ratio of couples who do not want any more children and not employing any contraceptive means (6%) with the ratio of those not using an effective method (28%). In order to decrease this ratio, innovative approaches are required such as society-based service programmes.

There are groups neglected in reproductive health services, including unmarried women, adolescents/young people, menopausal women and older people, which constitute a very important service deficit problem. Lower ratio of participation of men in reproductive services is also a problem, which, among others, is expected to be given more emphasis in national programmes.

ARTICLE 13:

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

a) The right to family benefits;

Civil Servants Law, grants the family allocation to the men even if both spouses are working within the government. This situation is in contradiction with the new Civil Law which gives spouses the right to equal representation and eliminates the concept of family head (See Article 2-f).

b) The right to bank loans, mortgages and other forms of financial credit;

In the Prime Ministry Circular of 2006 titled the “Measures to Be Taken to Prevent Custom and Honour Killings and Acts of Violence against Children and Women”, it is stated that “Necessary regulations should be enforced to enable women to receive the amount of credit they require for creating employment opportunities and for business establishment” and the designated institution to be responsible of this issue is Ministry of Labour and Social Security (For information on related activities, see Article 11/1-c).

Banks in Turkey offer “Credits for Entrepreneurs” under different terms to women, which aim at contributing to the attainment of a higher status by women. These credits for entrepreneurship granted to women by banks aim to support women entrepreneurs who do not have any activity or own a place, who desire to open a business for goods or services production or professional services or commercial activities, who do or don’t have a certificate pertaining to the desired business field, who have enough knowledge or experience but lack the sufficient amount of capital. With these credits, women who want to set up their own business, yet encounter security-related problems are provided with certain conveniences in terms of both credit interests and reimbursement. While the upper limit for the credits varies between banks, women can avail themselves of consumer, investment, cash and business credits, as well as project credits for small- and medium-sized businesses, of products such as foreign trade services, letters of credit, individual retirement and business insurance and of trainings delivered within banks. In this respect, as of 2007 activities are carried on by a public bank and a private bank.

Besides, by Small and Medium Industry Development Organization (KOSGEB) “Cansuyu (water of life) Project”, started in August 2008 producer craftswomen and tradeswomen entrepreneurs are provided credit up to 30.000 YTL (approximately 25.000\$), while this number is 25.000 YTL (approximately 20.000\$) for craftsmen and tradesmen entrepreneurs.

See Article 14 for the activities of ÇATOMs (Multi-Purpose Community Centres), which are implemented by the South-Eastern Anatolia Project Regional Development Administration which constitute one of the most important projects and activities aiming at providing sustainable development with a multi-sectoral structure that respects disadvantaged groups and the gender perspective.

c) The right to participate in recreational activities, sports and all aspects of cultural life.

As of July 2007, there are 1.213.236 licensed athletes in Turkey. 337.749 of these athletes are female and 875.496 are male. Among 132.617 athletes actively involved in sports, 38.397 are female and 94.220 are male.

ARTICLE 14:

14.1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

Rural development is the advancement of the quality of life of rural people and the improvement of their economic, social/environmental and ecological status.

The issue of women and development is perceived and recognized not only as women's productive nature and more effective utilization of labour, but also as empowerment of women, women's role in production process and participation in labour force, means of access to modern institutions, women's ability to increase their control power over their own labour and daily lives and participation of women in development and decision-making processes.

The labour force employed in rural areas from the preparation of soil to harvesting comprises mostly women. Moreover, activities after harvesting such as storage, maintenance, sale and processing are almost entirely under women's responsibility. Added to these are their unconditional efforts for motherhood, childcare, nutrition and food safety, which reveals that rural women are constantly working "from the dawn of one day to the dawn of the next".

According to the results of the The Household Labour Force Survey (HİA) conducted by the Turkish Statistics Institution (TUIK) and constitutes the basic data resource for the labour force market, total population demonstrated an increase of 34.4% and population between the ages of 15-64 increased by 48% between 1988 and 2005; and reached 46.6 million in 2005. 29.7 million of this population live in urban areas compared to the 16.9 million living in rural areas and 23.3 million are men, while 23.3 million are women.

Agriculture provides the largest ratio of employment when figures pertaining to the general employment and rural areas are considered. In rural areas, agricultural employment constitutes 63% of total employment and 48.5% of the employed female population are working in the agricultural sector according to 2006 data. For more information, see Article 11-1.

14.2 .States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and in particular, shall ensure to such women the right:

a) To participate in the elaboration and implementation of development planning at all levels;

The development strategy of Turkey is based on planned interventions in economically problematic regions in order to decrease regional inequalities and ensure regional improvement. The Ninth Development Report of Turkey underscores that the imbalances in socio-economic structure and income level both across rural and urban settlements and across regions in Turkey continue to maintain its importance and this structure requires an integrated regional development policy that includes differentiated measures tailored according to the problems and potentials of the regions. Regional development policies contribute to national development, competitive power and employment on one hand by increasing the efficiency of regions, on the other by serving the basic purpose of reducing development differences between urban and rural.

In the Ninth Development Plan, development plans are emphasized to be prepared on a participative basis with the inclusion of the statement that "On the spot principle will be taken as the basis in regional and local development practices. Participation will be increased and increasing the synergy, support and awareness towards implementation will be ensured through the creation of a partnership culture among the key stakeholders of development."

Moreover, the preparation of a "Rural Development Plan" is stipulated in the Ninth Development Plan. The principles and criteria of rural planning will be defined in accordance

with the properties of the rural area and needs of the rural society. In the “Rural Development Strategy,” which was prepared as a principal document for the Rural Development Plan, a framework is being drawn for the problems encountered by rural women.

Rural development projects are based on a participative basis. In this context, the projects aim at incorporating women into development and implementation processes. Although there are still deficiencies in this respect, significant steps have been taken and lessons have been learned for the development of future strategies.

In addition to five-year development plans and rural development projects in Turkey, there are regional plans which are made effective when required by the underdevelopment level of regions. In this context, the projects in progress are GAP for the South-Eastern Anatolia Region, DAP for the Eastern Anatolia Region and DOKAP for the Eastern Black Sea Region.

The most comprehensive project among these is GAP, which was initiated as an engineering project for the improvement of soil and water resources, yet became a multi-sectoral and integrated regional investment programme. Today, the project continues as a human-centred sustainable development project. Therefore, GAP is not only an electric generation and irrigation project, but also a socio-economic transformation project which implements social projects, health, infrastructure, tourism, education, environment, culture, industry, transportation and modernization of agriculture via coordinated projects. In this context, the GAP Administration adopts a multi-sectoral and integrated approach that binds together the economic, social and environmental aspects of sustainable development and carries out activities promoting participative approaches, capacity-building activities and projects in order to ensure the observation of the gender perspective and the interests of disadvantaged parties in all activities. One of the most important activities performed in this respect is the Multi-Purpose Community Centres (ÇATOMs) Project, which are 29* in number in service for girls and women in 9 provinces in the GAP region.

The main objective in ÇATOMs is to create an opportunity for women to become aware of their problems, define their problems and use their initiative to solve their problems; enable women to participate more in the public arena and benefit more from public services; improving women’s employment and entrepreneurship; contributing to the ensuring of equal opportunities by empowering women; initiating gender-balanced development process and thus developing repeatable development models appropriate for local conditions and based on the principle of participative community. Among their activities are literacy courses for women and girls, skills training, social training, income-generating activities and activities aiming at helping women to attain a status within the family and the society and enabling them to participate in economic and social activities etc. ÇATOMs are administered by the ÇATOM boards the members of which are elected directly by participants and thus the participation of women is ensured at the highest level. As a very significant step taken by ÇATOMs, women in Adiyaman founded a farmer’s cooperative.

b) To have access to adequate health care facilities, including information, counselling and services and family planning;

Family planning services and related information and awareness-raising services are provided in Turkey via about 10.000 healthcare Centres and clinics (For detailed information, See Article 12).

* Adiyaman (1), Batman (2), Diyarbakir (2), Gaziantep (1), Kilis (2), Mardin (9), Siirt (4), Sanliurfa (3), Sirnak (5).

c) To benefit directly from social security programmes;

Access by the population employed in agriculture to social security services is provided in Turkey via the “Act on Social Security for Own Account Workers” and the “Act on Social Security for Agricultural Workers”. Although, there are no differences between men and women except for the retirement age (58 for women, 60 for men) in the enforcement of these two acts, it is observed that more men than women benefit from Social Security within the scope of agricultural employment.

Table 31: Work Status of Those Employed in Agriculture according to Years and Sex

(Thousand Persons, age 15+)

Years	Total	Regular Worker	Casual Worker	Employer	Own Account Worker	Unpaid Family Worker
Total						
2004	7.399	101	397	99	3.040	3.762
2005	6.493	118	404	108	2.857	3.007
2006	6.088	114	416	110	2.694	2.754
Male						
2004	4.100	91	245	92	2.613	1.059
2005	3.550	109	231	99	2.312	799
2006	3.272	104	243	99	2.617	659
Female						
2004	3.299	9	152	7	427	2.703
2005	2.943	8	173	9	545	2.207
2006	2.816	10	173	11	527	2.094

Source: Turkish Statistical Institute

d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

Various training programmes are being organized for rural women by the Ministry of Agriculture and Rural Affairs.

Among these programmes, the agricultural production, education and extension activities aim at providing women, who have always undertaken an active role in all periods of agricultural history, with training on agricultural issues via improved extension methods, increasing agricultural production and ensuring that natural resources like water are kept in a sustainably usable condition at all times during agricultural practices. The training programmes are delivered in 27 provinces the number of which is planned to be increased to 81 within 2008.

Table 32: Agricultural Production, Training and Extension Activities Performed in the First Period of 1998-2007

YEARS	DEMONSTRATIONS		TRIALS IN FARMING CONDITIONS		FARMERS' MEETINGS		LONG-OR SHORT-TERM FARMING COURSES		EXHIBITION AND INCENTIVE COMPETITIONS		FIELD DAYS		IN-SERVICE TRAINING SEMINARS	
	NO. OF DEMON	NO. OF FEMALE FARMERS	NO. OF TYPES	NO. OF FEMALE FARMERS	NO. OF MEETINGS	NO. OF FEMALE FARMERS	NO. OF COUR.	NO. OF FEMALE FARMERS	NO. OF COMPETITIONS	NO. OF FEMALE FARMERS	NO. OF FIELD DAYS	NO. OF FEMALE FARMERS	NO. OF SEMI.	NO. OF PERS.
1998	614	4194	7	1	1280	16939	773	7903	3	91	105	1597	91	991
1999	604	3451	2	37	909	10204	354	3936	8	570	65	1574	15	134
2000	432	2512	0	0	1108	11999	469	4296	5	309	36	1915	52	443
2001	392	1883	2	1	960	12001	347	4591	6	2392	77	1623	35	380
2002	269	633	0	0	807	9432	349	2531	6	302	39	517	37	423
2003	176	1823	0	0	576	12176	369	3048	12	362	53	1501	29	232
2004	455	1843	0	0	919	12979	207	3049	29	475	46	1411	28	302
2005	381	2099	5	65	1413	18186	321	5013	41	2297	34	1001	432	422
2006	306	1647	2	60	1261	20123	319	4874	55	1578	18	846	40	302
2007*	41	757	0	0	218	3036	90	1155	8	164	2	24	12	154
Total	3629	20085	18	164	9233	124039	3508	39241	165	8376	473	11985	370	3629

As another item in the agricultural programmes for women, the household economics training and extension activities aim at improving the social lives of farming families in rural areas to the level of modern life and providing rural girls and women with training on household economics during their spare time from agricultural practices for the advancement of the rural fractions in general in terms of socio-economic aspect of life. Household economics training and extension activities incorporate such issues as “management of family resources”, “child development and training”, “nutrition” and “village handicrafts”. Within this framework, 62.491 women participated in 5434 trainings delivered in 2005 and 52.621 women participated in 4353 trainings delivered in 2006.

Apart from these activities, training and extension activities are also in progress for food preservation via various methods, applied nutrition and health research and use of iodized salt.

Moreover, the Women Farmers Agricultural Extension Project is under way with the aim of training women involved in management and agriculture activities on agricultural issues via improved extension methods, increasing agricultural production and enabling women to undertake a more active role in sustainable agriculture activities and rural development. Having started in 2000 and currently implemented in 19 provinces, this State Planing Organization (DPT)-based project was extended by an additional 3 years in late 2005

in contemplation of the fact that the contributions of the project will be of great significance for the economic development of women farmers.

Table 33: Activities Performed within the Scope of the Agricultural Extension Project for Women farmers in 2006

*Data are of the 1 Period, 2007.

YEARS	DEMONSTRATIONS		TRIALS IN FARMING CONDITIONS		FARMERS' MEETINGS		LONG- OR SHORT-TERM FARMING COURSES		EXHIBITION AND INCENTIVE COMPETITIONS		FIELD DAYS		IN-SERVICE TRAINING SEMINARS	
	NO. OF DEMON	NO. OF FEMALE FARMERS	NO. OF TYPES	NO. OF FEMALE FARMERS	NO. OF MEETINGS	NO. OF FEMALE FARMERS	NO. OF COUR.	NO. OF FEMALE FARMERS	NO. OF COMPETITIONS	NO. OF FEMALE FARMERS	NO. OF FIELD DAYS	NO. OF FEMALE FARMERS	NO. OF SEMI.	NO. OF PERS.
2000	687	4245	0	0	1425	20518	432	6297	26	3876	141	3300	80	552
2001	699	3269	0	0	1333	16110	410	6560	21	5659	101	2626	28	327
2002	604	642	0	0	909	7366	323	3395	16	195	71	383	21	248
2003	467	1073	5	81	797	10580	258	4153	8	718	50	879	14	178
2004	184	1545	0	0	665	12685	269	4655	56	1115	74	1870	77	77
2005	312	770	0	0	728	11948	189	3397	12	710	58	1520	21	571
2006	296	898	0	0	696	10769	226	3570	39	1211	51	1151	2	25
2007*	65	197	0	0	188	2554	57	1255	1	150	2	40	3	60
Total	3249	12442	5	81	6553	89976	2107	32027	178	13484	546	11729	243	1978

Each year, “Women Farmers Knowledge Contest” has been organized since 2004 towards the aim of monitoring the results of training extension activities delivered to women farmers in rural areas, assessing their performance levels on agricultural issues and improving their senses of self-confidence and entrepreneurship. Moreover, 15 October in each year has been celebrated as the World Rural Women’s Day since 1998.

e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;

Women farmers within the proximity of agricultural development cooperatives are informed on issues pertaining to the fields of activity of these cooperatives in 81 provinces (There are 23 Agricultural Development Cooperatives, all members of which are women). 7 of these cooperatives received credit assistance amounting to 4.2 million YTL (approximately 3.5 million \$) for greenhouse farming, sheep breeding and milk breeding in 2005 and 2006. Moreover, 5 of these cooperatives were included once more in the programme in 2007 and

received credit assistance amounting to approximately 5 Million YTL (approximately 4.2 million \$).

f) To participate in all community activities;

For activities performed to encourage rural women to participate in social affairs, see Article 14/2-a.

g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

See the Combined Fourth and Fifth Country Report.

h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

ARTICLE 15:

15.1. States Parties shall accord to women equality with men before the law.

The Constitutional amendment stated to be in draft form in the Combined Fourth and Fifth Country Report of Turkey was effectuated in 2004 and an important legal foundation was established in terms of equality between men and women (See Article 2-a). With this amendment, the resolution that men and women have equal rights and the state is responsible to bring this equality into practice was incorporated into the Constitution.

With the Prime Ministry Circular issued in 2006 titled “Measures to be taken to Prevent Custom and Honour Killings and Violence Against Children and Women” (For details see Article 2), the state has taken another important step in the effort to effectuate gender equality and imposed the required responsibilities on relevant public institutions.

Moreover, with the amendments made in the Nationality Law, equal regulations have been made applicable for women and men in terms of acquisition of Turkish citizenship (For detailed information see Article 9).

15.2. States Parties shall accord to women in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat equally in all stages of procedure in courts and tribunals.

15.3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

15.4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

Legal provisions on these articles were amended with the enactment of the new Civil Code effective as of 1 January 2002. Information on the related amendment was provided in the Combined Fourth and Fifth Country Report.

ARTICLE 16:

16.1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

a) The same right to enter into marriage;

For detailed information on the related provisions of the Civil Code, see the Combined Fourth and Fifth Country Report.

b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;

See the Combined Fourth and Fifth Country Report.

c) The same rights and responsibilities during marriage and at its dissolution;

See the Combined Fourth and Fifth Country Report.

d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interest of the children shall be paramount;

See the Combined Fourth and Fifth Country Report.

e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;

Women have the right to terminate their unwanted pregnancy under certain conditions. For detailed information on the issue, see Article 12.

f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;

According to Article 335 of the Civil Code, the guardianship of underage children is shared by parents unless this right is nullified due to legal reasons. The custody is equally shared by parents during the course of marriage. However, in case of divorce, the judge can place the children under the guardianship of either parent. In this context, men do not possess any privilege over women.

On practice, judges tend to award guardianship of younger children to mother, unless there are exceptional circumstances. The parent that fails to gain the child's guardianship has to share the monetary equities incurred by the upbringing of the child. Right to visit the children is regulated for the parent failing to gain their guardianship by the judge.

Women and men over the age of 30 have the right to adoption on the condition that they must be married for five years before the actual application. Unmarried couples cannot adopt a child together.

With a new article added to the Civil Code, spouses are resolved to have an obligation to care for and show affection to their step child (Article 338).

g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;

The right to choose a profession and occupation as well as other personal rights are the same for women and men under Turkish Laws. On the matter of the ongoing procedures of amendments to legal provisions on the right of married women to continue to use their own surname, see Article 2-d of this report.

h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and this position of property whether free of charge or for a valuable consideration.

For detailed information on the related provisions of the Civil Code, see the Combined Fourth and Fifth Country Report.

16.2. The betrothal and marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

With the Turkish Civil Code, the legal age for marriage has been raised, to over 17 for both men and women. However under extreme situations and sufficient cause both men and women who are over the age of 16 can be married with the permission of the judge.

Legal registration of marriage is compulsory and one partner is legally permissible. However, illegal plural marriages are confronted at times. Criminal action is taken against people who marry by religious ceremony without legal registration of marriage.

Early and forced marriages are defined as crime in the laws. According to the data of Turkish Statistics Institution (TUIK) "Family Structure Research, 2006", 58,7% of women and 58,2% of men got married between the ages of 18-24, in which Turkish people marry most-widely, However, the ratio of women who marry for the first time before 18 is 31,7%, while this ratio is 6,9% for men. It is observed that early marriages affect women mostly. Various Projects are conducted by non-governmental organizations in order to draw attention on early and forced marriages and raise awareness of the society on the issue.

ABBREVIATIONS

1. TCK: Turkish Penal Code
2. KSGM: General Directorate on the Status of Women
3. ÇATOM: Multi-Purpose Community Centre
4. ILO: International Labour Organization
5. OECD: Organization for Economic Co-Operation and Development
6. AGİK: Conference on European Security and Cooperation
7. SHÇEK: Prime Ministry General Directorate of Social Services and Child Protection
8. SRAP: Social Risk Mitigation Project
9. TEDP: Support to Basic Education Project
10. MEB: Ministry of National Education
11. YİBO: Regional Boarding Primary Education Schools
12. PİO: Rooming Primary Schools
13. KOSGEB: Small and Medium Industry development Organization Administration Council
14. TOBB: Union of Chambers and Commodity Exchanges of Turkey
15. MEGEP: Strengthening the Vocational Education and Training System in Turkey Project
16. AÇS/AP: Mother-Child Health and Family Planning Centres/Services
17. TSH: Basic Health Services
18. ICDP: International Conference on Population and Development
19. ÜS: Reproductive Health
20. PÖH: Prenatal Mortality Rate
21. YÖH: Newborn Mortality Rate
22. TNSA: Population and Health Research in Turkey
23. DÖB: Prenatal Care
24. TDH: Total Fertility Ratio
25. BÖH: Infant Mortality Ratio
26. ÇSGB: Ministry of Labour and Social Security
27. GAP: South-Eastern Anatolia Project
28. İŞ-KUR: Turkish Employment Organization
29. DPT: State Planning Organization
30. TUIK: Turkish Statistic Institution