

**Shadow NGO Report on Turkey's Seventh Periodic
Report to The Committee on The Elimination of
Discrimination Against Women**

For Submission to

The 64th Session of CEDAW

July, 2016

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CONTENTS

Introduction.....	2
Legal Amendments.....	3
Stereotypes and Harmful Practices.....	4
Participation in Political and Public Life and Temporary Special Measures.....	6
Employment.....	8
Education.....	11
Violence.....	13
Women in Rural Areas.....	17
Refugee, Asylum-Seeking and Internally Displaced Women.....	19

SHADOW NGO REPORT ON TURKEY'S SEVENTH REPORT TO THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

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INTRODUCTION

This Shadow Report¹ aims to draw attention to the forms of discrimination faced by women in Turkey. The forms of discrimination that women experience are analysed under eight headings: legal amendments, stereotypes and harmful practices, participation in political and public life and temporary special measures, employment, education, violence, women in rural areas, and refugee, asylum-seeking and internally displaced women.

State commitment to the CEDAW process and its engagement with independent women's NGOs in this review has again been limited. Although the national machinery (The General Directorate on the Status of Women, GDSW) organized a consultation meeting with NGO representatives on the 16th December, 2013, the opinions of the NGOs were only minimally reflected in the final document. Dialogue between the Ministry of Family and Social Policies (MoFSP), the GDSW and women's NGOs remains limited and constrained. Although the women's NGOs filed several requests for a meeting from the governmental bodies throughout the preparation process, they have yet to receive any response.

Furthermore, the national machinery, GDSW is no longer acting as the national machinery for the empowerment and rights of women, but as one of the general directorates of the MoFSP. The revised National Action Plan on Gender Equality has been pending approval since 2013 and all of the activities of the GDSW related to the empowerment of women are currently focusing on women, only as part of the family, not as individuals. Moreover, the awareness raising training programs offered by the GDSW to public servants in particular, no longer include gender equality modules.

Consequently, Turkey's responses to the 7th Periodic Review on Turkey are both contradictory and aim at blurring the CEDAW Committee's questions. In other words, Turkey avoids responding to many questions, in particular to those on sexual orientation and gender identity based discrimination and questions relating to sexuality education. Finally, Turkey's report shows that lack of data on the LGBTI and women with disabilities as well as gender disaggregated data as a whole, is still a chronic problem.

A major impediment in achieving gender equality is the lack of political will to consider women as individuals in their own right. Until recently, while the lack of policies on women, as a whole, was a major problem, now a conservative/fundamentalist vision of women is seriously in the making and colours policies and responses of the Turkish state. The issues are being handled with family focused short term projects, instead of developing effective strategies and policies.

¹ The Executive Committee is a coalition made up of 12 independent and gender equality-focused women's NGOs and LGBT organizations working regionally and nationally for the promotion and protection of women's and LGBT rights. However, the Executive Committee has prepared this report in cooperation with many other women's rights organizations.

LGBTI and women's rights organizations play a crucial role in the efforts of democratization in Turkey by monitoring, documenting, and reporting human rights issues. They work hard to create solidarity among activists at local, national and international levels. However, civil society space has been shrinking rapidly for women's rights defenders in Turkey. Thus, we observe a significant backlash in the area of women's rights due to the mushrooming of government organized/oriented non-governmental organizations (GONGOs).

The issues raised in this report should be considered in light of the state-led violence, which impacts all of the headings included in this report. Women are gravely affected by all of the "martial law type actions," which lead to oppression, adopted under the mask of combating terrorism, violence and the killing of civilians. The Domestic Security Law gives the state a safe base for violence by preventing the people of Turkey – women in particular – from using their basic democratic rights, including the right to freedom of organization, advocacy, speech and assembly. However, the independent women's rights movement will continue to insist on a violence-free environment and peace.

LEGAL AMENDMENTS

In 2010, the Committee expressed its apprehension that the Convention was not totally met regarding the fact that the discriminative items in both the Penal Code and the Civil Law had neither been changed nor removed.

The Committee also pointed out its requests and apprehensions regarding the legal amendments in the 7th Periodic Review.

At this point, we must specifically stress that there has been no development or legal amendment related to the Anti-discrimination Law.

The basic amendments (eg: regarding "incest" and "honour" killings) to the Penal Code requested by the women's organizations have not as yet been taken into consideration. Through an amendment, which includes several contradictions, made in 2014, the penalties for some sexual crimes have been increased and the following negative alterations have been made:

- Reduction of the penalty for the physical violence inflicted during rape.
- Increase in the penalties for sexual intercourse between young people of the ages of 15-18, thus trying to impede flirting.
- Reduction of the penalty for the sexual abuse of children by using the word "harassment" instead of abuse.
- The consideration of only physical evidence, disregarding psychological harm, in sexual abuse cases.

Call for Action

The Domestic Laws and legislation must be revised in accordance with the international conventions, Turkey has signed, like CEDAW and The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (The Istanbul Convention).

The Constitution:

- A new Constitution should be developed based on gender equality.
- The terms "sexual orientation" and "gender identity" should be included in the constitutional clauses on equality as well as in hate crimes legislation.

The Civil Law:

- The legal age of marriage, which is currently 17 (can be lowered to 16 through a judicial order with the consent of the parents), must be raised to 18.
- An Amendment should be made to the Civil Code so that marital property rights include the property acquired as of the date of marriage, not as of 2002.
- Women must have the right to use their own surnames alone without having to use it with their husband's surname.

The Penal Code:

The articles of the penal code depicted by the women's NGOs should be amended and the expressions mentioned above, which could lead to incorrect implementations, must be removed from the related articles of the Law.

As a result, the implementations of these laws have a negative effect on women and especially girls who are the victims of early and/or forced marriages, who are subjected to systematic and multi-dimensional discrimination as well as violence.

STEREOTYPES AND HARMFUL PRACTICES

Relevant Articles: 2,3,4,5, 10, 11, 12/1, 13(c), 14 and 16

"Family planning and contraception were not for Muslim families... A woman who says 'because I am working I will not be a mother' is actually denying her femininity... "A woman who rejects motherhood, who refrains from being around the house, however successful her working life is, is deficient, is incomplete," Recep Tayyip Erdoğan, the President of Turkey, 2016²

Turkey ranked 130 out of 145 countries in the World Economic Forum's 2015 Global Gender Gap Report³. Turkey's rankings have consistently been in the 120-129 range over the last decade. On the one hand, this indicates how powerful the patriarchal attitudes and deep-rooted stereotypes are. On the other hand, it shows the state's failure to tackle discrimination against women.

With reference to the 7th Periodic Report on Turkey, first, the Committee asked Turkey to "provide information on measures taken to combat stereotypical attitudes and stereotypes concerning the roles and responsibilities of women and men in the family and in society. Expressed in public speeches by high-level representatives of State authorities, the media, sports federations, who question the principle of equality between women and men by using derogatory language on women and/or relegating them to the exclusive roles of motherhood and caregivers, refusing them agency to make decisions as to whether or not to have children and, if so, how many."⁴ Although conservative policies and modes of behaviour on the part of political authorities and in social discourse increasingly threaten women's enjoyment of their rights and freedoms,⁵ Turkey ignores the question, altogether, in its replies to the list of issues.

² The Guardian, "Turkish president says childless women are 'deficient, incomplete', 06.06.2016. Available at: <https://www.theguardian.com/world/2016/jun/06/turkish-president-erdogan-childless-women-deficient-incomplete>

³ Available at: <http://www.weforum.org/docs/GGGR2015/cover.pdf>

⁴ CEDAW/C/TUR/Q/7, para 5.

⁵ Please see the following examples that reinforce the traditional role segregation and patriarchal norms and values at societal, policy-making and discursive levels; Trabzonspor football club chairperson İbrahim Hacıosmanoğlu said, "if we're going to die, we'll die like men; we won't live like women. No one has the power to make us live like women," Milliyet, "Referees taken hostage by football club", 29.10.2015.

Available at: <http://www.milliyet.com.tr/referees-taken-to-hostage-by-football-club--en-2139868/en.htm>;

In 2012, The Mayor of Ankara and member of the ruling Justice and Development Party (AKP) Melih Gökçek spoke of homosexuality as contrary to Turkish culture; he remarked, "Each society has its own moral values. Especially for our

Second, as the Committee mentions in its list of issues,⁶ Turkey focuses increasingly on family instead of on women's rights in the 10th development plan. In other words, Turkey articulates that women's rights can be discussed so long as women are defined, not as individuals in their own right, but through conservative and heterosexist family values. Hence, interference by the state in women's bodies and women's decisions on their bodies at both discursive and political levels has to do with identifying women primarily as agents of reproduction within the family unit.

The Committee expressed its concerns regarding access to abortion, sexual and reproductive health and rights in the 7th Periodic Report on Turkey.⁷ When Erdoğan attempted to ban abortion in 2012, he called the practice "murder". Then, the Minister of Health supported the Prime Minister's argument by saying that "even pregnancies resulting from rape should not be terminated and the state will take care of babies born as a result of incidents of rape."⁸ Although the government postponed the amendment process because of the feminist demonstrations and protests, there are significant practices and implementations to limit women's access to abortion. Women's rights organizations contacted 184 state-hospitals throughout Turkey to find out if the law is being implemented.⁹ Only 9 hospitals out of the 184 agreed to provide abortion services regardless of the marital status of the woman; 65 said that they could provide the service only if there was a ground such as a medical emergency, court order etc., 28 refused to provide information on the matter and remaining 76 refused to carry out the termination irrespective of the reason.¹⁰ Thus, the survey conducted by feminist organizations shows that the Population Planning Law, regulating abortion, is violated by a majority of state-hospitals.

In its replies to the list of issues Turkey expressed that the "voluntary abortion rate of 18% as per the 1993 survey, receded to 5% as per that of 2013. The majority of women who have had voluntary abortions in the last five years (62%) have had the abortions at private clinics in private doctor supervision, whereas, those who employed public sector services were 34%."¹¹ First, if the very low rate of abortion in Turkey is considered together with Turkey's former Prime Minister and current President's opposition to abortion as well as the highest gap between access to abortion in state and private hospitals, we have concerns about the fact that access to abortion is more difficult at state hospitals than at private hospitals. As a result, abortion policies in Turkey can be identified with regulatory, authoritarian as well as religious conservative motifs. Hence, reading morality through women's bodies and reproduction capacities should be analyzed with reference to the government's conservative identity, discussed in the beginning of this report.

Religious conservatism is based on the regulation and disciplining of women and their bodies by locating them in the familial sphere. Women are deemed to their primary responsibilities of caring for their husbands and children, as well as for population growth. In a speech in July 2013, the former Prime Minister and current President accused "some external forces," without elaborating on who/what they are, of playing a prank on Turkey, to reduce the size of the population by imposing birth control practices and medical intervention. In so doing, he addressed women as "Turkish mothers

Turkish society, it is not possible for us to be together with the gay culture in Europe. It is also not possible to approve of this. How we have been brought up, our brand of morality, our views are a little different. I hope to God that in Turkey there will not be a gay and there should not be" (Dailymotion, "Okan'dan Melih Gökçek'e Gay Sorusu", 03.04.2012.

Available at: http://www.dailymotion.com/video/xpvcem7_okan-dan-melih-gokcek-e-gay-sorusu_tv.

In June 2016, the President stated, "A woman who refuses maternity and gives up housekeeping faces the threats of losing her freedom. She is lacking and is half [a person] no matter how successful she is in the business world."

Available at: <https://www.rt.com/news/345548-erdogan-women-career-children/>

⁶ CEDAW/C/TUR/Q/7, para 5.

⁷ CEDAW/C/TUR/Q/7, para 12 and 13.

⁸ Hürriyet Daily News, "State to take care of babies born out of rape", 31.05.2012. Available at:

<http://www.hurriyetdailynews.com/state-to-take-care-of-babies-born-out-of-rape.aspx?pageID=238&nID=22017&NewsCatID=339>

⁹ Abortion has been legal since 1983 up to a restrictive ten weeks of pregnancy.

¹⁰ Bianet. "Only 9 Hospitals in 12 Cities Perform Abortion Lawfully", 03.06.2016.

Available at: <http://bianet.org/english/women/175502-only-9-hospitals-in-12-cities-perform-abortion-lawfully>

¹¹ CEDAW/C/TUR/Q/7/Add.1, para 75.

and Turkish women” who are deemed to have essential responsibility to put an end to this “game” by having at least three children to keep population growth stable.¹²

Call for Action

1. Turkey should fulfil its international obligations of revising the domestic laws in accordance with international conventions to ensure the protection of women’s rights – including lesbian, trans and bisexual women’s rights – in particular by developing and adopting comprehensive anti-discrimination legislation in line with Article 1 and 2 of the CEDAW Convention.
2. Turkey should implement the Concluding Observations of CEDAW on stereotypes by considering further measures to combat the reinforcement of traditional role segregation, homophobia and transphobia as well as patriarchal norms and values at societal, policy-making and discursive levels.
3. Article 287 of the Penal Code should be rephrased to include the expression “conducting virginity tests is forbidden; in the event that a judge or prosecutor authorizes an examination, the consent of the woman should be a mandatory prerequisite.”¹³
4. Turkey should abolish the need for authorization from 3rd persons (informing spouse, partner or father) for abortions performed on married women.

PARTICIPATION IN POLITICAL AND PUBLIC LIFE AND TEMPORARY SPECIAL MEASURES

Relevant Articles: 4, 7

The Committee noted in its 2010 Concluding Observations that “the Constitutional amendment package adopted by Parliament contains a provision affirming that measures be taken to achieve substantive equality, shall not be deemed contradictory to the principle of equality, thus potentially providing for the greater use of temporary special measures if approved by referendum in September, 2010.”¹⁴ However, although the Constitutional amendment package was approved by referendum in September, 2010, temporary measures and policies are not recognized in the Constitution and no provisions are set forth in the Law on Political Parties and the Law on Parliamentary Elections. Thus all measures are left to the discretion of individual parties and governments, which have taken few or no steps to increase women’s participation. As a result, the Committee asked Turkey, in the 7th Periodic Review, “to explain why no efficient measures have been taken, such as statutory quotas or other numerical targets, to ensure, in practice, the equal representation of women in the above mentioned entities, in particular Parliament, the Government, the judiciary and civil service.”¹⁵

- After the 2015 general elections, the rate of women representation in the Parliament is 14.9%. This is not only far from the desired equal representation, but also much below the global average (22.7%) calculated by the Inter Parliamentary Union.¹⁶ Only 1 out of 26 members of the cabinet are women.

¹² TrtTurk. “They Almost Sterilized Our People, But We Will Turn This Game Upside Down.”

Available at: <http://www.trtturk.com.tr/haber/erdogan-aile-ve-sosyal-politikalar-bakanliginda.html>.

¹³ In Turkey, virginity testing is still being applied to women (even an 8-year old child as the link below pictures).

Available at: http://www.cumhuriyet.com.tr/haber/turkiye/230643/8_yasindaki_cocuk_icin_bekaret_testi.html;

¹⁴ CEDAW/C/TUR/CO/6, para 18.

¹⁵ CEDAW/C/TUR/Q/7, para 9.

¹⁶ Turkey ranked 124 out of 191 countries. Available at: <http://www.ipu.org/wmn-e/classif.htm>

- Women’s participation in decision-making mechanisms from bureaucracy to judiciary, business life and academia, is very limited. As of May 2016, the percentage of women currently serving as governor is 2.4%. The rate of women’s representation in Turkey’s Higher Judicial Bodies is 26.8%. Furthermore, only 9.7% of the universities have women rectors. Finally, women are under-represented in decision-making structures of trade unions and professional associations.¹⁷
- Political participation of LGBTIs is still a “red line” and has never been discussed in Turkey’s political agenda. No openly LGBTI politician has ever been elected as a member of the Turkish Parliament¹⁸
- The political participation rate of women with disabilities at the parliamentary level is 0.36%. No special temporary measures are set forth to ensure the meaningful participation of women with disabilities in politics.
- The rate of participation by women at the local government level is 2.8%. Amendments to local government legislation in 2012 and 2013 placed 78% of the national population within metropolitan municipality boundaries, 16% of the national population within other municipalities and 8% of the national population within villages. The decrease in the number of district and village municipalities results in delocalization and people being deprived of political representation at the local level. The new regulation makes women’s political representation and participation as well as their access to local services difficult.¹⁹
- The People’s Democracy Party (HDP) has adopted a co-chair system. The system increased the number of women politicians at both local and national levels. However, the system does not have legal recognition and is still waiting a judicial decision.

Call for Action

Because of the negligent attitude of the current political structure towards women’s participation in politics, we repeat the same demands listed for the 2010 Periodic Review:

1. The Constitution should adopt a 50/50 equality principle (parity law).
2. The equal and democratic participation of women in politics (both decision-making mechanisms and political representation), including equal gender representation among electoral candidates should be ensured. In other words, CEDAW’s recommendations regarding the need to apply temporary special measures should be complied immediately.
3. State aid to political parties should be allocated in direct proportion to the number of women members of the political parties and the rate of women in decision making mechanisms of political parties. A certain proportion of state aid should be used for research, support and policy making for women until full equality is attained.
4. Equal and democratic political participation and representation of LGBTIs and women with disabilities should be ensured.

¹⁷ The General Directorate on the Status of Women, GDSW, May 2016.

Available at: <http://kadininstatusu.aile.gov.tr/uygulamalar/turkiyede-kadin>

¹⁸ Sedef Çakmak is the first and only openly LGBTI politician in Turkey to have been elected at the local level.

¹⁹ With the amendments in Law no: 6360 and Law no: 6447, the number of metropolitan municipalities increased from 16 to 30. This amendment is against the Article 127 on “decentralization” of the Constitution of the Republic of Turkey; EU’s principle of “subsidiary”; and Article 5 of the European Charter of Local Self-Government. Legal entities of 1032 district municipalities and 16.082 villages are abandoned.

EMPLOYMENT

Relevant Article: 11

According to TurkStat data, women's participation in the labour force is 30.3% and the employment rate is 26.7% in 2015. These are some of the lowest rates in the world. In 2015 the unemployment rate is 9.2% for men, 12.6% for women and 22.2% for young women. The female unemployment rate rose to 23.9% for the 20-24 age bracket in 2016, while it was 13.1% in 2000. The women's unemployment rate in the 25-29 age bracket was 7.5% in 2000, while it climbed to 17.1% in 2016. During this period, the unemployment rate for men is subject to a decrease.²⁰

Furthermore, women are also in a disadvantaged position in finding jobs.²¹ Those who do find work are forced to work in the informal sector, uninsured, in precarious and low paid positions. Women make up 28.4% of the unpaid family work force. It can be inferred that an important part of women in employment in Turkey are deprived of working with insurance and retirement rights considering unpaid family workers and those fulfilling home care services altogether.

In its response, the State indicates that according to the 2010 Wage Structure Survey results conducted by TurkStat; the gender-based wage gap is in favour of women at 1.1% and points out that this results from the high level of educated women in employment. Whereas: Turkey ranks at the 131st place in terms of labour force participation and at the 82nd place in terms of wage equality according to Global Gender Gap Report²². This unequal status has an extremely negative influence over the participation of women in the labour market and access to rights and resources associated with it. The political authorities do not see women's employment as a priority issue in terms of development and employment policies, thus they do not produce holistic policies for the integrity and participation of women in the workforce. For example, in order for a married woman to work outside the house as a bread winner, her husband must usually be incapable of fulfilling this duty. According to TurkStat 2012 data, the employment participation rate of married women in cities is as low as 20%. This ratio is 29% for unmarried women and 42% for divorced women.

In The National Employment Strategy (2014-2023) and Action Plan (2014-2015)²³ published by the Ministry of Labour and Social Security (MoLSS), women were given a limited place under the title, "groups requiring special policies". However, the "National Women's Employment Strategy" has not yet been formulated. The target participation rate of women in the workforce for the year 2023 was aimed to be 41% in the above mentioned document. The present situation shows that this is far from the truth. Moreover, this rate, when compared with European Union countries, is less than half of the European average of 62.3 %.

In the document, the path towards meeting the goal of increasing women's employment was limited to flexible work and recording informal women workers, the overall legal and political measures needed for the employment of women in decent waged jobs have been neglected. Another drawback is the lack of adequate and effective special employment policies that should be developed for various women's groups (working poor, unregistered migrant women, sex workers, women whose husbands are in prison, women with disabilities, a-typical workers, the elderly, the LGBTI etc.).

²⁰ TurkStat."Women's Statistics, 2015" News Bulletin. 07.03.2016

Available at <http://www.tuik.gov.tr/PreHaberBultenleri.do?id=21519>

²¹ İŞKUR 2015-December term data. For example, 20.5% of unemployed women within the total number of unemployed are long-term unemployed for 1 year and more.

²² World Economic Forum. 2015. The Global Gender Gap Report: 2015,

Available at: <http://reports.weforum.org/global-gender-gap-report-2015/>

²³ The Official Gazette dd. 30.05.2014 No: 29015

“The Program on Protection of the Family and the Dynamic Population Structure” was announced in January, 2015 under the coordination of the MoFSP; however no measures have been taken towards supporting the entry of women into employment or conciliating home and work life through this program. Instead, an approach has been adopted, aimed at confining women to a flexible work structure, which allows for the increase of maternity and reinforces the load of women in employment caused by gender-based division of work in the home.

The program includes flexible forms of work, which were fictionalized as encouraging women's participation in employment; however, realistic measures were not included so as to ensure that they would create a positive impact on women. In a nutshell, the program includes arrangements that will deepen the inequalities in the labour market for women, causing them to leave the labour market entirely, while depriving them of promotion opportunities and subordinate their working areas.

Although specific actions were determined towards increasing the number of private and public day-care centres in this program, the day-care centres in all public institutions have been closed. Meanwhile, private sector liability for opening day-care centres was introduced for only those enterprises employing more than 150 women workers, thus making it more difficult for women to find employment.²⁴

On the other hand, some amendments were made to Labour Code and Law on the Turkish Employment Agency, through which the establishment of temporary employment relationship through private employment agencies was enacted. This arrangement pushes women into low-cost, precarious employment, marginal jobs with no sustainability by moving women away from employment and reinforcing the traditional gender roles by confining women within boundaries of the family.

The State prefers to support women entrepreneurship implemented with limited projects rather than promoting women's employment as a whole. This incentive model does not have an incentive perspective that encourages women's employment. Women are forced into making do with small experimental entrepreneurship projects which turn out to be failures due to lack of required control and monitoring after acquiring the loan and lack of empowerment and training support on marketing, designing and budgeting, etc.

Through amendments to the Laws, the state has also caused women workers to spend too much time away from work life by extending prenatal and postnatal leave and by not introducing post-birth parental leave. Employers' organizations envisage that these regulations will reduce women's employment rates in the medium term.²⁵

Call for action

1. “The National Employment Strategy and “The Program for Protection of the Family and the Dynamic Demographic Structure“ should be revised on the basis of a gender equality perspective and inspection and monitoring methods should be determined for their implementation. The legislative and institutional mechanisms which are needed for the conciliation of family and work life should be introduced as the basic component of all national policies which promote women's employment. The law on post-birth parental leave should be adopted so as to ensure that fathers fulfil their responsibilities related to childcare.

²⁴ The IV. World Women's Conference held in Beijing in 1995, legislative changes regarding the obligations referred to "women workers" instead of "workers" undertaken by Turkey have not been fulfilled so far.

²⁵ TISK Labour Force Bulletin – January 2016 (No: 35)

2. The National Women's Employment Strategy should be established. Independent women's organizations, trade and labour unions and professional organizations should be recognized as essential components of this process.
3. It should be accepted that preschool education is under the responsibility of the Government. Educational institutions should be established to cater for the education and care of children between 0-5 years of age and sufficient financial resources should be allocated for this aim. In the "Regulation on the Working Conditions of Pregnant or Breastfeeding Women and Breastfeeding Rooms and Child Nursing Homes" the total number of employees should be taken into consideration while determining the employers' obligation to set up dormitories and day-care centres. The ILO Conventions No: 177 and 187, which have been opened for signature to member states, should be signed and the required domestic amendments should be made accordingly.
4. TurkStat should develop new modules in order to collect disaggregated data on in-home services as well as home-based working. Social assistance benefits should be excluded from the employment rates so that real women's employment rates should be determined.
5. In order to avoid gender discrimination, business relationships should be defined so as to include the whole process starting with the declaration of the employer's, business announcements, business interviews, the conditions specified with agreements, the hiring process, till the termination of contract, in both the Labour Law and the Civil Servants Law. The scope of the Labour Law should be broadened to prevent discrimination based on sexual orientation, gender identity and disability.
6. Horizontal and vertical discrimination against women should be eliminated in both employment and appointment to decision making positions in the public and private sectors. Moreover, in order to eliminate the inequality in the wages of men and women caused by vertical discrimination must be eliminated by introducing positive discrimination for women into the Public Servants Law together with a merit-based equal assignment system as well as a job classification system which will prevent the horizontal discrimination through which the wages will be determined.
7. Empowerment trainings on gender equality, violence against women, laws and human rights should be mandatorily included in the in-service training seminars carried out in public institutions together with vocational and entrepreneurship trainings provided for women.
8. The Government should insert gender responsive budgeting into the annual national budget and take the necessary steps towards using this budget in order to spread the projects and trainings nationwide in order to establish gender equality.
9. Home-based workers and in-home workers, who are mostly women, should be taken into the scope of Labour Law No.4857 and they should benefit from the regulations and rights provided by the Law.
10. Legislation should be developed to ensure that employers rehire any worker who had been fired as a result of discrimination after the Court's decision requiring they do so. In this regard, amendments should be made to Articles No. 5 and No.18 of the Labour Law, the CEDAW Convention should be put into effect and stereotype prejudices and values should not be allowed to influence the decision-making processes.²⁶

²⁶ According to the Labour Law, the employer firing the worker due to discrimination does not have an obligation of re-recruitment following the decision of the court for reinstatement to work.

EDUCATION

Relevant Articles: 4, 10

In Turkey, in 2014, illiteracy ratios for the age bracket 25 and above were 1.9% for men and 9.4% for women.

The high school graduation ratios for the age group 25 and above were 22.2% for men and 14.4% for women. On the other hand, the tertiary education ratios were 15.1% for men and 10.7% for women.

According to a research conducted by a national labour union on education, the adoption of model of 4+4+4 years of education, instead of 12 years continuous education, has led to a decrease in the schooling rates of especially girls while passing from the first 4 years to the second 4. There is a difference of approximately 600,000 girls as compared to boys at the elementary (4+4) school age, not attending school.²⁷ Moreover, according to the official statistics of the Ministry of National Education (MoNE), while the gender ratio for primary school + middle school is 101.81 in favour of girls, this ratio is 95.40 in high school. Thus, there is a loss of more than 6% of the girls when passing from elementary to high school.²⁸ It is interesting to see that the State has not answered the questions related to the 4+4+4 compulsory education model, the dropout rates of girls and their reasons and the related monitoring mechanisms or those related to risks involving the probable increase in child labour and early marriages²⁹ as a result of the reform.

Furthermore, Turkey is one of the three lowest ranking OECD countries with respect to secondary schooling rates. It is the lowest in the assessment of girls' secondary schooling rates.³⁰

Meanwhile, according to the results of a research conducted by a university,³¹ there are significant differences in equality based on gender and geographic regions. In the Eastern Anatolia and South-eastern Anatolia Regions, the inequality ratios of women are high and average time spent in education is low. In 2012, in South-eastern Anatolia, the educational attainment equality indicator was worse than that of the Turkish average for 1975. The total equality indicators for Turkey do not reveal the significant differences between men and women and the educational attainment rates of women are significantly lower than those of men in each of the regions.³² This data shows that access to education is a factor which affects women and girls even more negatively based on region and socio-economic status. In the answers to the 7th Periodic Review, the State expresses that in order to overcome this situation, Girl *İmam Hatip* High Schools³³ with boarding facilities, which provide segregated education, are being established in the regions. In other words, a slow but certain move from co-education to segregated education, which will increase the already existing inequality among boys and girls, has started. There has been talk of abolishing co-education since 2013. Even worse is the fact the boarding facilities of the above mentioned schools are established and run by foundations, illegally,

²⁷ Eđitim Sen Women's Secretariate, Report on Gender in Education, 2015.

²⁸ MoNE: https://sgb.meb.gov.tr/istatistik/meb_istatistikleri_orgun_egitim_2014_2015.pdf

²⁹ Ministry of Family and Social Policies, Hacettepe University Institute of Population Studies. (2014). Research on Domestic Violence Against Women in Turkey. The report states that 26.3% of women were married before the age of 18 and 62.7% had the religious ceremony before the official ceremony, 21.3% were given bride price, 23.7% married men, who were 10 or more years older and 45.4% married men, who were 5-9 years older.

Available at: http://tkaa2014.kadinstatusu.gov.tr/upload/Node/17982/files/TKAA_2014_Main_Report.pdf

³⁰ OECD Country Report on Turkey, 2015.

³¹ Işıl Oral ve Eileen McGivney, "Equality and Academic Achievement in the Education System of Turkey" May 2014 Research Report, ERG,.

³² Tomul, E. (2011). Educational Inequality in Turkey: An Evaluation by Gini Index. *Education and Science*, 36(160), 133-143.

³³ "İmam Hatip High Schools" are vocational schools which train imams and preachers through a curriculum based on the theology of Islam.

and provide a base for unmonitored extra-curricular activities and child abuse.³⁴ The penalty for child abuse in the MoNE is, unfortunately, more of a reward, because the abusers are merely moved to other schools, where they may find new victims.

As the Committee pointed out in the Concluding Comments of 2010 and reiterated in the 7th Periodic Review, the State was asked to provide information and data on the special policies and programs aimed at accounting for the disadvantages faced by women and girls from various ethnic groups, including Kurdish women and girls and those whose mother language is not Turkish, in relation to their access to education. As the State has admitted in its answers to the List of Issues for the 7th Periodic Review, no progress has been achieved on this topic.

The education system does not have any qualitative or quantitative measures which account for the needs of disabled women and girls. Although the Law for the Disabled, dated 2005, required all public offices and institutions to be converted so as to cater for the needs of disabled persons by the year 2015 at the latest, the requirements of the Law have not as yet been fulfilled.

According to the results of the Research on the Disabled in Turkey,³⁵ the ratio of disabled persons is 12.29%; however, educational statistics show that only 1.48% of students are disabled. The ratios of disabled students merged into schools show that there are 38.47% girls as opposed to 61.53% boys, revealing that disabled girls attend school at a rate of 23% lower than disabled boys. Considering these results, it is obvious that disabled women and girls are even more disadvantaged than disabled men and boys in terms of access to education.

As a reflection of discriminative educational policies, students are also subjected to discrimination related to sexual orientation and gender identity. The attempts to talk about the problems faced by LGBTI students are barred. On the other hand, because there is no sexuality education in Turkey and limited access to resources related to sexual orientation and gender identity, many LGBTI persons are faced with impairing problems related to the establishment of their sexual orientation and gender identity. The science lessons, in which the State alleges to be providing sexual health education, in its answers to the 7th Periodic Review, include a very superficial module on the biology of reproduction in general, not sexual health education and absolutely nothing related to sexual orientation and gender identity.

Contrary to the answer given by the State to the 7th Periodic Review, the textbooks and other classroom materials prepared or approved by the MoNE do contain elements which deepen gender-based discrimination. According to a research conducted in the years 2013-2014, in the text books "...women are portrayed as only mothers, men are illustrated in outside roles while women are illustrated in household roles, moreover, the notion that any changes in gender roles will bring on both individual unhappiness and social disorder is dominantly prevailing."³⁶

In spite of the concerns expressed in the Shadow Report for the 6th Periodic Review, the Multi Purpose Community Centres, which provided women with legal literacy and women's human rights education,

³⁴ ENSAR Vakfi: <http://www.hurriyetdailynews.com/turkish-teacher-arrested-for-sexual-abuse-of-students.aspx?PageID=238&NID=96418&NewsCatID=509>

³⁵ Akbulut, S, Özgül, H., Ak, İ.S, Uslu, E. The Report on Monitoring Disabled Rights from Legislation to Practice 2014. (2015) The Social Rights and Research Association: Ankara

³⁶ The Research was conducted by the History Foundation in cooperation with the Istanbul Bilgi University Center for Sociology and Educational Studies as part of the "Promoting Human Rights in the School Text Books-III" Project funded by the EU, 2014. Available at: http://tarihvakfi.org.tr/media/documents/16_6_2015_17_20_35698e.pdf

in cooperation with NGOs, have been closed down. In their stead, new Social Service Centres have been opened, which provide a more conservative Family Education Program, reinforcing traditional gender roles, gender inequality.

Call for Action

- 1- The State should live up to its commitments for Beijing and Beijing+5. An education policy, which takes into constitution the social structure and dynamics of the country while establishing gender equality and 100% literacy, should be developed.
- 2- Compulsory education should be undivided for 12 years.
- 3- Gender equality education and comprehensive sexual health education should be provided at every level of education, including life-long learning and in-service training.
- 4- Free and compulsory early childhood education, which has the potential to decrease the inequality between children, should be provided to all children. Thus, relieving women and older sisters of the burden of childcare.
- 5- School textbooks and approved classroom materials should be cleansed of gender discriminative elements in cooperation with independent women's NGOs.
- 6- As the Committee pointed out in the 34th paragraph of the Concluding Comments of 2005 and the 30th and 31st paragraphs of the Concluding Comments of 2010 and reiterated in the List of Issues for the 7th Periodic Review, the State should provide data related to the multi-dimensional discrimination experienced by women and girls, whose mother language is not Turkish, in relation to access to education and educational attainment, as well as developing policies towards eliminating the obstacles. Education should be provided in local languages.
- 7- The Multi Purpose Community Centres, which provide women with legal literacy and women's human rights education, should be reopened.
- 8- All of the teachers working in educational institutions should be provided with gender equality awareness training and girls should not be lead to choose occupations which are extensions of traditional gender roles. The MoNE needs to develop action plans encompassing all of the disadvantaged groups such as the disabled and LGBTI, publish the education indicators revealing the students who need special education regularly and cooperate with the other ministries in order to ensure that all levels and types of schools are accessible.

VIOLENCE

Relevant Articles: 2, 3, 4(a), 5, 6, 10 (c, h), 11(1-c, 2-c), 12/1, 13(c), 14/2 (b, h) and Gen.Rec.No.19

It is crucial to emphasize that most of the issues regarding violence against women (VAW) stated by the NGO Forum in 2005 and 2010 Shadow Reports as well as the 2012 Shadow Interim Report continue to be pressing issues.

Femicides have been the burning issue of the last decade. The number of murdered women reported to be 842 for the period from 2009 to 2013 in the 7th Country Report does not reflect the actual figure. According to the statistics collected by Bianet (an independent communication network that compiles information from the news on media) at least 1046 women were murdered during the same period.

Most importantly, only in 2015, 27 women were murdered although a complaint was filed and/or a restraining order was issued against the perpetrators.³⁷ Moreover, as also reflected in the media, as well as reports of women's rights and LGBTI organizations, abuse/rape of women with disabilities, in particular women with mental disabilities, as well as physical/sexual violence against and/or murder of trans women appears to be rather high. Particularly, between 2010 and June 2014, 41 individuals have been killed due to their real or perceived sexual orientation or gender identity. Due to the fact that sexual orientation and gender identity are not recognized as categories of hate crimes, there is a lack of official data on probable hate crimes. As a result, the number of deaths is estimated to be far higher.³⁸

With reference to the 7th Periodic Review, the Committee asked Turkey to "provide information on the Penal Code about so-called honour killings."³⁹ Turkey stated that the "custom reasons" listed in the relevant article were a comprehensive definition including the acts of violence known as "honour killing," however, on the contrary, the term "custom killings" do not encompass "honour killings" and should be replaced with "honour killings" which is a broader term. Despite insistent demands of NGOs for amendment of the Penal Code over the years, no steps have been taken, as yet. Moreover, the perspective to see women as property of the family results in courts entitling male murderers/perpetrators to benefit from reduced sentences irrespective of the already existing high penalties.⁴⁰

According to the Research on Domestic Violence against Women in Turkey (2014)⁴¹ 38% of women have experienced physical and/or sexual violence and remarkable 89% of them have not applied to any institutions/organizations. This has many reasons ranging from traditional beliefs to the quality of prevention-protection and support services, nevertheless, no particular effort has been made for the purpose of encouraging applications. Another striking data of the report is that while an overwhelming percentage of women who are subjected to physical and/or sexual violence have gone to the police, the statements of 81% of them were not taken and 27% of them were reconciled with their husbands. Considering this data, the trainings with the police force mentioned in the 7th Country Report seem to have been ineffective.

The greatest obstacle regarding the prevention of violence against women (VAW) is the lack of political will on part of the State to end VAW. The issue has been handled with short term projects, rather than an effective strategy. For example, the new Combating Violence against Women National Action Plan (2016-2019) which was prepared with limited NGO participation has not yet been issued and the reports regarding the outcomes and efficiency of the previous NAP has not been shared.

Signing the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) in 2011 is regarded as an improvement, however, the Law No: 6284 on Protection of the Family and Prevention of VAW issued in 2012, that was supposed to be based on the Convention, merely gives reference to the Convention and is more importantly

³⁷ Given that Bianet only compiles the statistics on the basis of the single violent incidents based on media, the actual number of femicides must be much higher. Please see (Bianet, "Erkek Şiddetinin 2014 Grafiği", 16.01.2015.

Available at: <http://bianet.org/bianet/erkek-siddeti/161582-erkek-siddetinin-2014-grafigi>, "Şiddet Çetelesi" 15.01.2010

Available at: <http://bianet.org/kadin/kadin/119476-erkekler-2009-da-198-kadin-oldurduler> and "Men Kill over 284 Women in 2015", 16.02.2016.

Available at: <http://bianet.org/english/women/172165-men-kill-over-284-women-in-2015>

³⁸ Kaos GL, IGLHRC and LGBTI News Turkey, "Human Rights Violations of LGBT Individuals in Turkey," 2014.

Available at: http://www.kaosgldernegi.org/resim/yayin/dl/upr_submission_on_lgbt_ppl_in_turkey.pdf

³⁹ CEDAW/C/TUR/Q/7, para 8

⁴⁰ According to a research on court verdicts of 31 femicide cases between March 2013 and January 2014, 45% the murderers were granted good behaviour and provocation reductions in their sentences. Please see, Bianet, "Erkek Şiddetinin Yargıdaki Bir Yılı", 06.03.2014.

Available at: <http://bianet.org/bianet/toplumsal-cinsiyet/153946-erkek-siddetinin-yargidaki-bir-yili>

⁴¹ Ministry of Family and Social Policies, Hacettepe University Institute of Population Studies. (2014). Research on Domestic Violence Against Women in Turkey.

Available at: http://tkaa2014.kadininstatusu.gov.tr/upload/Node/17982/files/TKAA_2014_Main_Report.pdf

incompatible with the provisions of the Convention. Although Turkey is the first country to ratify the Istanbul Convention, required holistic legislation amendments have not been enforced as yet, almost 2 years after it came into force.

Law No: 6284 has not been implemented properly, either; for example, 14 Violence Prevention and Monitoring Centres (ŞÖNİM) were first established in 2012 by the MoFSP in accordance with the Law, with the promise of expanding to every city throughout Turkey and to provide a wide range of support services on a 24/7 “single door” basis, for survivors of violence. The problems regarding ŞÖNİM are beyond the scope of this report. However, insufficient budget, remote locations, physical inaccessibility for disabled women, insufficient-unqualified staff, who lack feminist perspective and discriminate against women, particularly sex workers and trans women due to the lack of legal recognition of LGBTI identity, as well as the heterosexist structure of ŞÖNİMs, not to mention, the overwhelming work load, such as 700 cases per psychologist would be a succinct depiction of the picture. None of the ŞÖNİMs have proved to be the “one door,” providing all support services, obliged by the Law. Additionally, the efforts to increase the number of ŞÖNİMs which remained 14 over the 3 years, led to allocating rooms in Provincial Directorates of the MoFSP (rather than separate buildings) to be used as ŞÖNİMs with only a few staff and regular office hours instead of 24/7, which brings up the lack of standardization and infrastructure as another serious matter.

Turkey’s Law on Misdemeanours is regularly used to discriminate against transgender persons. Because the Law prosecutes misdemeanours and not “crimes”, it is enforced solely by the police, without any judicial oversight. The Law’s vague and extensive language, thus allows the police to act with impunity while targeting marginalized members of the population.⁴²

With reference to the 7th Periodic Report, the Committee asked Turkey to “provide information on shelters.”⁴³ Turkey stated that a total of 137 shelters with a total capacity of 3,442 operate in Turkey. The capacity seems extremely low in comparison with the overall population of women which is app. 39 million. Additionally, although the Municipality Law No: 5393 obliges municipalities with a population of over 100,000 citizens to open shelters for women and children, not even the 199⁴⁴ municipalities with the relevant populations open shelters, let alone the ones with less than 100,000 inhabitants. First, the lack of inspections and sanctions by the central authority result in preserving the status quo or even worse closing the municipal shelters such as the Mamak (a municipal district with more than 600,000 population) Shelter⁴⁵ in the capital city. Second, temporary shelters (first step stations) are mostly overcrowded and subjected to complaints because of their rules, which restrict basic freedoms. Many women are forced to return to their perpetrators without even making it to permanent shelters. Third, Turkey reports of 816 women who left women’s guesthouses (the official term for shelters in Turkey, reflecting the intention to see survivors of violence as guests rather than individuals with rights and also accordingly determines the type of services available) to go back to their spouses or partners. However, with an overall capacity of 3442 women, the fact that almost one-fourth of the women leave the shelters to unite with their perpetrators, is still in need of an explanation.

In the Concluding Observations No. 26 and 27, the Committee noted that “Turkey is both a country of destination and transit for trafficking in women” and urged the State Party to ensure “the provision of adequate comprehensive support services, including shelters, to victims.” However, there has only

⁴² Kaos GL, IGLHRC and LGBTI News Turkey, “Human Rights Violations of LGBT Individuals in Turkey,” 2014. Available at: http://www.kaosgldermegi.org/resim/yayin/dl/upr_submission_on_lgbt_ppl_in_turkey.pdf

⁴³ CEDAW/C/TUR/Q/7, para 6

⁴⁴ The number of municipalities with more than 100,000 population is 231, however, as stated in the 7th Periodic Review there are only 32 shelters operated by the municipalities. Please see the Ministry of Internal Affairs “2014 Local Governments General Activity Report” 2015 for the statistical info. Available at: http://www.migm.gov.tr/kurumlar/migm.gov.tr/YAYINLAR/FAAL%C4%B0YET%20RAPORLARI/2014_Faaliyet_Raporu.PDF

⁴⁵ Mamak Municipal Shelter was closed in April 2015. There is no other shelter in the municipal district.

been 3 NGO shelters in Turkey as a whole that provide direct support services to women trafficking survivors, one of which was closed at the end of May 2016, for security reasons and the other, unwillingly led to plan closure by the end of October 2016 due to funding issues, leaving one shelter in Istanbul with a capacity of 6.

Conclusively, the insufficient budget allocated to combating VAW, does not allow for the improvement of direct support services or the development of integrated policies. The women and girls in Turkey pay the price for the mindset and implementations mentioned above with their lives. The government and MoFSP is responsible for resolving these issues by implementing the articles of CEDAW and the Istanbul Convention.

Call for Action

1. The Government and the MoFSP should recognise, encourage and support the work of gender equality focused women's NGOs and establish effective co-operation with these organisations particularly during the law making process.
2. The term "custom killings" in the Penal Code should be replaced with "honour killings" to be comprehensive. Additionally, the penalty stated as "aggravated life sentence" for this crime should be enforced for the murders due to sexual orientation and gender identity.
3. The intervention of gender equality focused women's NGOs should be allowed for all trials relating to violence against women and children and those in which there may be an issue of violence.
4. Government officials, police, military, prison/detention staff, but particularly the judiciary should regularly and constantly be trained on non-discrimination, gender equality, VAW and women's rights etc. and gender equality focused women's NGOs should be able to contribute to the content
5. Gender sensitive budgeting should be put on the agenda for effective implementation of international conventions, particularly CEDAW and the Istanbul Convention.
6. All data collection and statistical work should be gender, sexual orientation and gender identity sensitive. Relevant statistical data should be collected in line with the Istanbul Convention, at regular intervals, on cases of all forms of violence, incidences and conviction rates, as well as the efficacy of measures.
7. Sanctions should be applied particularly to government authorities, who are against gender equality, in the event that they make discriminatory remarks about women.
8. Regular training should be conducted with government officials (especially the police force) and the trained personnel should be ensured to provide services to survivors of violence. Any personnel, who do not act in compliance with the international conventions and laws, should be penalized.
9. A Ministry for Women with a sufficient budget should be established to accomplish gender equality, improve the status of women, while taking responsibility of the facilities and services for survivors of VAW.
10. Provincial Action Committees liable to implement effective, comprehensive and co-ordinated policies should meet regularly in every province with the participation of gender equality focused women's NGOs active and experienced in the field and decision makers responsible for combating VAW. Monitoring should be ensured to achieve concrete results in prevention, protection and prosecution which would lead to improving the lives of survivors.

11. The locations and physical conditions of almost every shelter, ŞÖNİM and Provincial Directorate of the MoFSP in Turkey should be improved so as to be accessible for all women and in particular women with disabilities. Moreover, the relevant websites as well as the visual and printed materials prepared to inform the public should be accessible.
12. The municipalities, with over 100,000 population, should be obliged to open shelters in compliance with the Municipality Law No. 5393. Sanctions should be put in effect for those that do not comply. Furthermore, the number of overall shelters in Turkey should be increased in line with the Istanbul Convention.
13. The number of qualified human resources such as social workers, child development specialists, psychologists, etc., working at ŞÖNİMs, Provincial Directorates and shelters, should be increased. They should be supervised and supported regularly to prevent secondary trauma and burnout. They should also be provided with pre-service and in-service training on issues such as gender equality, women's rights, VAW, interviewing techniques with survivors of violence, feminism, working with women with disabilities, LGBTI, refugees, etc. All the services should be tailored to the needs of women and girls subjected to violence and improved to empower them.
14. ŞÖNİMs, Provincial Directorates and shelters should provide support services to every woman without discriminating on the basis of sexual orientation, gender identity, nationality, ethnicity, religion, occupation, etc. Language interpreting services should also be budgeted.
15. The term "shelter" which is in compliance with European standards should be used for the women's shelters in all of the relevant legislation instead of "guesthouse" to symbolize the character and function of these facilities and dignify the attributes of the women's movement.
16. Appropriate, easily accessible sexual violence referral centres should be set up for survivors, in sufficient numbers to provide for medical and forensic examination, trauma support and counselling in line with the Istanbul Convention.
17. A nation-wide round-the clock (24/7) free telephone helpline with a widely advertised public number should be set up to provide support and crisis counselling in all relevant languages in relation to VAW as the Istanbul Convention orders.
18. NGO shelters providing direct services to trafficked women should be appropriately funded by the State to enable continuity and to even improve them further.

RURAL WOMEN

Relevant Articles: 2, 3, 4, 5, 10, 11, 12/1, 13, 14, 16

Because the gender roles in the rural areas are so stereotyped, women do not engage in trade, do not leave the village/town and their participation in the production activities are limited.⁴⁶

The most important problem of rural women is working off the grid. Because they mostly work as unpaid family workers, they have no social security or health insurance. They have no say over the produce or other values, they cannot benefit directly from social security programs, they only benefit

⁴⁶Furat, M. "Development and Empowerment of Rural Women's Organizations in Turkey". 2013, Lambert Academic Publishing: Germany.

from their husband's or father's social security.⁴⁷ This situation results on women being dependant on their husbands and reinforces the traditional roles within the family. According to the formal data provided by the national machinery,⁴⁸ the rate of women working in rural areas or employed as unpaid family workers without any social security was 79% in 2015. On the other hand, becoming a cooperative in Turkey and the data and techniques used in agricultural production are designed with a male dominant approach. There are no inspiring, supporting and accessible mechanisms related specifically to the formation of women's cooperatives.

It is a well known fact that women living in the rural areas of Turkey are disadvantaged in terms of access to education. There are women, who have wanted to stay in formal education, but could not do so after primary school and are now trying to finish high school through distance learning. The barrier before vocational training, on the other hand, is the fact that the common facilities available to use of women for educational purposes in the villages and towns are limited and that the work load of the women makes it difficult for them to find a common timeframe for the training.⁴⁹

Women's labour also constitutes to make up a great part of the off-the-grid family groups, which spend two thirds of the year as nomadic agricultural workers, without any social security. The girls in these groups are often not sent to school. Most of these girls are not even registered as citizens, in which case, there is no way of monitoring their schooling. The legislation and implementations of the MoNE in this area are very insufficient.

Rural women also experience difficulties in accessing health care and family planning services. These difficulties are generally based on the gender stereotypes, which hinder women from expressing themselves correctly on issues related especially to sexual health and prevent families from supporting them, but more so, on the approach and implementations of the political authorities. The recent prohibitions placed on reproductive rights and use of the services involved and the market oriented reorganization of health services has already started to harm women. For example, access to free contraceptives has become more difficult. The family planning centres of the state hospitals are either being closed down or left without staff.

One of the greatest issues, which deepens the education and health problems of rural women, is early and/or forced marriages. In 2014, a total of 17,031 families have filed for "permission for marriage" cases for children under the age of 18 to get married. According to the Turkish Statistics Institution, 3,364 girls have given birth before the age of 15 between the years 2009-2014 and 151,727 have been recorded as giving birth between the ages of 15-17.⁵⁰

Although rural women are allocated a separate item in CEDAW, in answering the List of Issues for the 7th Periodic Country Report, the State has only superficially mentioned rural women under other items. This reveals the insufficiency of the State in developing unique solutions to the problems of rural women. All of the activities mentioned in the Country Report are project oriented and there is no mention of policies developed especially towards improving women's conditions or whether or not any impact analysis will be conducted for the projects mentioned, in either the Report itself or the answers given to the Committee's questions.

² Ministry of Food, Agriculture and Livestock. "The National Plan for the Empowerment of Rural Women (2012-2016)", 2012, Turkey.

³ General Directorate on the Status of Women (KSGM). "Türkiye'de Kadın". May 2016.
Available at: <http://kadininstatusu.aile.gov.tr/uygulamalar/turkiyede-kadin>

⁴⁹ Furat, M. "Development and Empowerment of Rural Women's Organizations in Turkey". 2013, Lambert Academic Publishing: Germany.

⁵⁰ Available at: <http://www.tuik.gov.tr/PreHaberBultenleri.do?id=18621>

Call for Action

1. The actions mentioned in the National Action Plan for the Empowerment of Rural Women should be implemented and impact analyses should be conducted regularly.
2. Actions should be taken to breach the gender stereotypes which stand in the way of rural women's possession of agricultural land and other valuable assets as well as the implementation of the Law no: 6537 on Preservation and use of the Land.
3. Sustainable and accessible formal, informal and vocational education should be provided for rural women.
4. Sustainable training programs should be provided for women, who live in rural areas and especially work in agricultural production, on agricultural production techniques and the preservation of the natural environment. These activities should be predominantly provided through the agricultural development cooperatives run by women and women's NGOs. These activities should be planned so that rural women can not only access knowledge about the activities and projects available to them, but also participate in the planning of the rural development activities they will take part in.
5. An accessible public office (a department for women farmers) should be established, from which rural women can attain information and receive guidance. This office should also be responsible for the collection of data, should be in constant contact with the agricultural development cooperatives, and cater for their needs, problems and implementations.
6. A gender sensitive national data base should be developed to determine the problems of women working in agriculture.
7. The registration of girls in rural areas as citizens should be ensured with priority together with their attendance to formal schools. The MoNE should develop an action plan in cooperation with the Ministry of Food Agriculture and Husbandry to cater for the girls in nomadic agricultural worker families.
8. Women, who are nomadic agricultural workers, together with their children, should be provided with transportation, accommodation, health and humane living conditions. They should also be provided with social security under the Labour Law.

REFUGEE, ASYLUM-SEEKING AND INTERNALLY DISPLACED WOMEN

Relevant Articles: 2, 3, 4, 5, 10, 11, 12/1, 13, 14, 16

The situation of hundreds of thousands of refugee women continues to be the most burning issue and is multiplied by variables including women trafficking, poverty, forced and/or early marriages, forced migration, sexual and labour exploitation, etc. all around Turkey.

With reference to the 7th Periodic Review, the Committee asked Turkey "to provide recent statistical data, disaggregated by sex and geographical location, on refugee and asylum-seeking persons and on

the number of facilities available to them and information on the quality of those facilities.”⁵¹ Turkey failed to provide sufficient information.

According to UNHCR Turkey’s data⁵², there are 229,161 asylum seekers and 40,290 refugees in Turkey, totalling 269,451 people (who migrated from Iraq, Afghanistan, Iran, Somali and others) as of the end of May 2016. The number includes 51,375 women and 34,968 girls under 18.

These figures do not include Syrian refugees. Noted by UNHCR that since Syrian refugees reside in Turkey under temporary protection⁵³ their demographics are not reflected in general statistics. As of May 19, 2016 there are 2,744,915 registered Syrian refugees⁵⁴ in Turkey and 49.2% of them are women. Only 259,896 refugees reside in the 26 camps; while a significant majority reside outside the camps⁵⁵ and do not receive humanitarian support.

Collecting reliable detailed scientific data regarding Syrian refugee women is one of the challenges. There are only a few studies containing data. A quantitative study⁵⁶ with Syrian refugees inside and outside the camps was conducted by the Prime Ministry Disaster and Emergency Management Authority (AFAD) in 2013. Information was collected from 1,420 households living inside the camps and 1,160 households living outside the camps. The report reads “the conditions of our female Syrian guests⁵⁷ living outside the camps are not very good. Despite this, only 9 percent of our female guests living outside the camps stated that they wish to live inside the camps.” This quote raises questions about the living conditions in the camps. Recent news disclosed that 35 children exposed to sexual exploitation in AFAD’s Nizip and Islahiye camps (30 by a cleaner in the first and 5 by an elderly relative in the latter).⁵⁸

According to the aforementioned report, women guests living outside the camps expressed that “all needs other than worship items were at insufficient levels.” The following are the percentages of women who stated what they lacked: 84% clothing items, 77% food items, 73% insufficient heating, 25% difficult access to drinking water, 42% difficulty of obtaining soap, 55% obtaining diapers, 50% obtaining feminine hygiene products and 55% access to medicine. Around 97% of the females living outside the camps have not been able to earn any income in the past month.

Another report⁵⁹ prepared by an NGO, based on in-depth interviews with 72 Syrian women refugees living outside the camps in different cities as well as meetings with relevant people from NGOs and public officials. The report states a ratio of 8-9% for sexual abuse among the women, but stresses the

⁵¹ CEDAW/C/TUR/Q/7, para 18

⁵² UNHCR Turkey. “Facts and Figures” 31.05.2016.

Available at: [http://www.unhcr.org/turkey/uploads/root/tr\(47\).pdf](http://www.unhcr.org/turkey/uploads/root/tr(47).pdf)

⁵³ UNHCR Turkey. “Syrian Refugees in Turkey”. UNHCR Turkey’s definition of temporary protection regime: “a protection status granted to foreigners, who were forced to leave their country, cannot return to the country they left, arrived at or crossed our borders in masses or individually during a period of mass influx, to seek emergency and temporary protection and whose international protection request cannot be taken under individual assessment.... Syrian nationals, refugees and stateless persons from Syria seeking international protection are admitted to Turkey and will not be sent back to Syria against his or her will.”

Available at: http://www.unhcr.org/turkey/uploads/root/frequently_asked_questions.pdf

⁵⁴ UNHCR Turkey. “Syria Regional Refugee Response” 19.05.2016.

Available at: <http://data.unhcr.org/syrianrefugees/country.php?id=224>

⁵⁵ Prime Ministry The Disaster and Emergency Management Authority (AFAD). “Current Status in AFAD Temporary Protection Centres”. 06.06.2016.

Available at: <https://www.afad.gov.tr/EN/IcerikDetay1.aspx?ID=16&IcerikID=848>

⁵⁶ AFAD. “Syrian Women in Turkey.” 2014.

Available at: https://www.afad.gov.tr/Dokuman/TR/147-2015020217734-14-afad-suriye-kdn_eng.pdf

⁵⁷ Guest is the official term used to refer to Syrian refugees in Turkey.

⁵⁸ Sendika.Org. “AFAD’ın mülteci kamplarında çocuk istismarı: Nizip’ten sonra Islahiye’de” 23.05.2016.

Available at: <http://sendika10.org/2016/05/afadin-multeci-kamplarinda-cocuk-istismari-nizipten-sonra-islahiyyede/>

⁵⁹ MAZLUMDER. “Kamp Dışında Yaşayan Suriyeli Kadın Sığınmacılar Raporu”. May 2014.

Available at: <http://www.mazlumder.org/tr/main/aktuel/suriye/3>

factors hindering women's disclosure of their abuse stories. According to the narratives, especially girls under 18 have been forced to marry as second or third wives. The report mentions commissioners arranging these marriages mostly in border cities. As for smuggling, trafficking and sexual slavery of women, it is pointed out that war conditions in Syria contributed to an increase in all of these crimes. Particularly, girls between the ages of 15-18 and/or their families in Syria have been deceived by women trafficking gangs with dowries, promises of a marriage and better life in Turkey and then been forced into sexual exploitation. Additionally, Syrian women refugees, who manage to find jobs, have to work in precarious conditions in agriculture and service (mostly as cleaners and caregivers) sectors unregistered with no social security and with extremely low fees (about 1/10 of the market wage).

In its response to question 18 the State provides a description of the projects and extensive measures taken (until 2015) as a response to the internal displacement in the 1990s (*Economic Social Integration Projects- EKOSEP*). However, there have been serious consequences for women and children in particular as a result of war like conditions that have occurred in the southeast since 2015. There has been an on-going internal displacement of people.

Call for Action

1. TurkStat should improve statistics on refugees, asylum seekers and internally displaced people and migration to provide an overall comprehensive picture of the situation,
2. Actions/projects should focus not only on the basic needs of these people, but also on protection measures (from sexual and labour exploitation, early and/or forced marriages etc.).
3. Awareness raising programs (targeting both the public and Syrian refugee women) should be prioritized in terms of migration, refugee rights, basic legal rights, legal mechanisms, gender equality, gender based violence etc.
4. Empowerment of Syrian refugee women should be one of the fundamental principles in order to ensure a smooth integration processes, better life quality as well as voluntary returns to Syria. Work focusing on education, employment and psycho-social support would be very helpful.
5. All refugee needs should be addressed with sustainable long term solutions that take the language barrier into consideration.
6. Fast/efficient investigation and prosecution of crimes (women trafficking, underage marriages, children's sexual exploitation etc.) against Syrian women refugees is urgently needed.