**Women's Rights Violations in Turkey**

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**INDEX**

TOC \t "Başlık, 1"

**The Impact of State of Emergency on Women PAGEREF \_Toc \h 3**

**Women’s Right Violations During Curfews PAGEREF \_Toc1 \h 7**

**The Democratic Regions Party Municipalities and Gender Perspective PAGEREF \_Toc2 \h 8**

**Arrests of Elected Mayors and Appointment of Trustees PAGEREF \_Toc3 \h 9**

**Imprisonment of Female Deputies PAGEREF \_Toc4 \h 10**

**Report of the Commission on Preventing Divorces and Government’s Policies Towards Women PAGEREF \_Toc5 \h 10**

**Violence Against Women PAGEREF \_Toc6 \h 13**

**Child Abuse PAGEREF \_Toc7 \h 15**

**Religious Education and Sexist Education Policies PAGEREF \_Toc8 \h 16**

**Conclusion PAGEREF \_Toc9 \h 17**

The Impact of State of Emergency on Women

1. Despite the numerous commitments such as “Istanbul Convention on preventing and combating violence against women and domestic violence” made by Turkey in the last decades to promote and protect women’s rights; inequality and discrimination against women have deepen even more especially in the recent years. Today, the rights and achievements made in the field of women’s rights are under threat in Turkey. Especially after the coup attempt, the declared state of emergency and the policies that nourish violence have affected the life of the women negatively. The present report provides an overview of key women rights concerns in Turkey.

2. Council of Europe member states should step up efforts to combat discrimination against women and moreover member states should condemn and combat backward steps that would undermine the principles of equality and non-discrimination.

3. Although human rights violations in Turkey are on the agenda of the Council of Europe, the problems women face in Turkey and the attacks on women's rights in recent years have not attracted enough attention of the Council.

4. The chaotic environment in Turkey, politics of hate, extended around-the-clock curfews imposed by the government, the State of Emergency declared after the coup attempt and the Decree Laws have had a negative impact on women's lives. Sexist and conservative policies and discourses have been concentrated in this period.

5. According to the figures compiled by the Women's Coalition, women constituted at least 19.6% (19,774) of the 100,797 public employees who were dismissed by Decree-Laws of the State of Emergency.

6. KESK is one of the largest public employees trade unions confederations in Turkey known for its left-wing and social democratic identity. However, despite the fact that KESK members have nothing to do with the coup, many public employees who are member of KESK have been dismissed because of their dissident identities to government. By January 2017, it was stated that 574 out of a total of 2514 dismissed employees from 11 unions affiliated to KESK (Confederation of Public Workers' Union) were women.[[1]](#footnote-1)

7. 1/3 of the 226 students whose foreign scholarship is canceled, 1/5 of the 4811 academicians who are dismissed from the universities are female.

8. Economic freedoms of women who have struggled for years to gain their economic independence have been taken from their hands. They are forced to live dependent on their parents, their spouses, their fathers. Moreover, they are having difficulty finding another job because they are smeared. Dismissed women lose their social security. They are forced to live under the social security of their family members or their spouses or to work unregistered. They bear the burden of not being able to meet the needs of both themselves and their children economically.

9. Whatever the level of education and profession, unemployment affects women in a similar way. In case of unemployment, they usually have to return to their families because they can get help from the family. Women who struggle for their independence can lose the qualities they earn. They can not get divorced, they generally go back to live with their parents, they have to rearrange their families, and in general women can lose their freedom and independence or they have to live with the rules of their families.

10. Some of the Women's Studies Centers in public universities were rendered dysfunctional by the Rectors.

11. 11 women's associations and 1 children rights association were closed during the Emergency State period. More than 50 women's organizations have issued a written statement against stopping the activities of women's associations and declared, "the offices of the associations are sealed up, but we will continue to struggle for women’s rights.” In the statement, women said: "Associations that are stamped on their doors are the associations with whom we work together for gender equality and against violence against women. The prevention of civil initiatives and the organization of women violates democracy, law and freedoms. These practices can not be legitimized by the State of Emergency.”

12. The State of Emergency and dismissal of hundreds of thousands of people caused public employees to disrupt their duty to prevent violence against women. For example, two different women who consulted to the Mor Çatı (Turkey’s first and only independent feminist woman's shelter, and I am among the founders of it) also expressed the same problem. Women said that they went to the police station for the reasons of violence and they were awaited in the police station for hours for the reason that "there was not enough staff.” However, according to the Law No. 6284 on the Protection of the Family and Prevention of Violence Against Women and the Istanbul Convention, law enforcement is responsible for carrying out the process and accompany them to ensure that women who are exposed to violence and their children are placed in a women's shelter.

13. Government started replacing elected DBP (The Democratic Regions Party which is a component of the Peoples’ Democratic Party and organized in the places where the Kurdish citizens live) mayors with politically appointed “trustees” in municipalities of Southeast Turkey in September 2016. Trustees are appointed to the 3 AKP, 1 MHP and 81 DBP municipalities. 35 female mayors were arrested. The acquisitions gained by women's participation in the local administrations were destroyed by the actions of the trustees.

14. 864 female judges and prosecutors were dismissed. With the dismissals, the women's existence within the judiciary became weaker.

15. Many of the events organized for the "November the 25th, International day for the elimination of violence against women" and "March the 8th, International Women’s Day” were prohibited or prevented in various ways. For example, KESK Women Secretary Gulistan Atasoy has been discharged from her job. The Adiyaman Governorate initiated an investigation about the Women's Secretariat of Trade Union of Public Administration Employees (KESK affiliated trade union) for reading the press release text prepared by KESK on International Women’s Day, then she exiled and then laid off from her job.

16. At least 30 female journalists were detained. 16 female journalists are in prison right now. Turkey's first and only female news agency, Jin News Agency (JINHA), is among the agencies closed by the Decree-Laws. SUJIN, established in place of JINHA, was also closed by another Decree Law issued in August. TV programs such as Bread and Rose and Purple Bulletin on women's rights have been removed from broadcasting as a result of the closure of TV channels such as Hayat TV and IMC TV, which are critical TV stations.

17. Women who were taken into custody and arrested claimed that they have been tortured and ill-treated. Not only the women who are taken into custody with charges of attempting military coup; all detained women were subjected to treatment incompatible with human dignity on the grounds of the State of Emergency. For example, prisoners in Tarsus prison, where female detainees are staying, say that detainees are being dragged on floor after they were dropped from the transfer vehicle during the dispatch, they have been beaten with nightsticks, and there are traces of beatings in the bodies of all the detainees. Moreover, according to the allegations, guardians and military officers are pressing the doctors to not report the assaults. It is claimed that the prisoners were psychologically oppressed from the time they first arrived in prison, they were "strip searched", prisoners were not even given water and food from time to time, the patient visits were obstructed by the prison administration and that the conditions of the seriously ill detainees are heavy. Prisoners and their families express that many prisoners have been subjected to disciplinary punishments. They express that these practices are legitimized by the State of Emergency.

18. After the coup attempt, religious leaders and the supporters of the government used sexist rhetoric. On the one hand the images of the women who opposed the coup attempt in the streets were broadcast, on the other hand some religious communities declared that women should sit at home and pray and that men would support the government against coup plotters. Expressions such as “Coup plotters’ wives are prize for us"[[2]](#footnote-2) were used for the wives of detainees accused of involvement in the coup attempt.

Women’s Right Violations During Curfews

19. During the conflicts that began in July 2015 in the provinces where Kurdish citizens live, and following curfews imposed by government, hundreds of citizens lost their lives, were injured, subjected to torture and ill-treatment. Throughout the curfews, citizens' access to food, nutrition, health and education has been hampered and people have been left to die.[[3]](#footnote-3)

20. In the conflicting process, the most serious human rights violations are directed against women and children. The bodies of women who were killed in this period were exhibited by law enforcement forces, corpses were kept in the street for days, families were prevented from participating in the funeral ceremonies, sexist writings were made on the streets and walls of houses.[[4]](#footnote-4) Citizens returning to their homes after the curfews, declared that law enforcement forces entered their bedrooms, women's underwear were displayed consciously and that used condoms were left in the bedrooms. These practices once again reveal the patriarchal face of war.

The Democratic Regions Party Municipalities and Gender Perspective

21. DBP has a long history of women friendly municipalism. Gender responsive local government experience started with the triumph of 3 female mayors member of HADEP (the ancestor of the DBP and it is closed by the Constitutional Court like the other pro-Kurdish parties) in the local elections in 1999, 9 female mayors in 2004 and 14 women in the 2009 elections. However, shortly after the 2009 elections, arrests for Kurdish politicians also extended to the mayors and many mayors were arrested under the KCK operations (AKP claims that these operations were the directed by Gülen Movement). In 2014, DBP decided to create a new model for municipalism with 15 years of experience in gender responsive municipality. It has been decided to focus more on policies to strengthen women's work, raise awareness of gender equality in the region, and strengthen women's participation in decision-making and implementation processes locally. Since the gender equality quota applied until the 2014 elections is considered as insufficient, discussions started on how equal representation can be achieved. In the light of these discussions, women have decided to nominate two co-chairs, 1 female and 1 male, with equal representation in all local government levels in 30 March 2014 local elections.

22. While local elections were a great success, 96 of the 106 municipalities were replaced by the co-presidency system. The co-presidential system in 3 metropolitan cities, 8 provinces and 85 towns / villages has begun to be implemented.

23. ”Municipal women's councils" composed of elected mayors and city councilors but also employees were established in the municipalities and "women's boards" and "women's coordinations" were elected within this councils. "Women and men equality commissions" consisting of women and men who were founded. Until the trustees were appointed these women’s groups used to meet prior to City Councils meetings and evaluate the agenda from women perspective and take decisions.

24. Within the DBP municipalities, which have gained significant experience in women policy, women's political departments and “directorates of women policies” have been established. In Van, Diyarbakir and Mardin Metropolitan Municipalities “directorates of women policies” were established and district municipalities created similar units to support gender equality, women’s education and fight with women's economic problems and violence against women

25. Within the scope of the fight against violence against women, Women's Shelter Houses were opened in Diyarbakir Metropolitan City, Van Metropolitan City, Baglar Municipality and Akdeniz Municipality, "First Step Station" and “Emergency Line for Domestic Violence" were established in Diyarbakir Metropolitan Municipality. The Women's Centers were opened again in 43 municipalities.

Arrests of Elected Mayors and Appointment of Trustees

26. However from September 11, 2016 to March 25, 2017, 85 trustees were appointed to DBP municipalities by Council of Ministers. The DBP municipal co-chairpersons and municipal assembly members, whom were elected, have either been arrested or removed from office. Centers for women’s rights protection were closed down particularly in the municipalities that were most affected by so called security operations and destruction in early 2016. Such centers had been providing much needed protection for women and children victims of domestic violence, and promoted their engagement in social and political life as it is stated in UN High Commissioner for Human Rights’ report[[5]](#footnote-5)

Imprisonment of Female Deputies

27. In Turkey, only approximately 14,29% of members of The Grand National Assembly are women. This average figure hides a huge gap between Peoples’ Democratic Party (HDP) in which women’s representation in parliament is 36.36% and in the Grand National Assembly of Turkey. However today, 5 out of 9 deputies of the People's Democratic Party who are in jail are women. These deputies who defend gender equality in parliament and who are fighting for women's rights are kept in prison with the charges such as “inciting people to hatred and enmity” and “making terrorist propaganda” due to speeches they had delivered. The accusations are based on their political activities, such as giving speeches or attending public and political events. Moreover, on 21 February 2017, HDP’s co-chair Ms Figen Yüksekdağ's parliament membership was revoked. Following this decision, on 9 May 2017, another female deputy, Nursel Aydoğan’s parliament membership was also revoked. Many national and international feminist organization have made statements supporting Figen Yüksekdağ, Nursel Aydoğan and other female Deputies and mayors who are in prison; because, female HDP Deputies have became the voice of the women's rights struggle in the Assembly. We have also tried to develop relations with female Deputies member of other parties, and even established a Women's Parliamentary Group to discuss common issues and demands of all women in the Assembly, although not officially recognized by the Grand National Assembly of Turkey.

Report of the Commission on Preventing Divorces and Government’s Policies Towards Women

28. But the attacks on women's rights were not limited to these practices. Many of the rights women have earned in recent years are threatened by bills prepared by the government. In the parliament a commission was founded to prevent divorces and this commission prepared a report threatening women's rights. The HDP has opposed the establishment of this commission from the beginning, expressing that it has been necessary to establish a commission to protect women against violence, not to prevent divorce.

29. According to the Law No. 6284 on the Protection of the Family and the Prevention of Violence Against Women, no evidence or document is required for the decision of protective measures in case of violence against women. The commission required to change this rule and seek evidence or documentation of violence for protection orders longer than 15 days. However, it is very difficult for women who are subjected to violence or threatened to document it.

30. It is recommended that legislation be enacted to enforce similar shelters for men who are perpetrator of violence, as well as for women who face violence. However, shelters are very insufficient even for women who are subjected to violence in Turkey. Therefore, it is the evidence that violence against women in Turkey is not even understood at parliament level.

32. In the report, it is proposed to make regulations in the legislation so that people who are perpetrator of violence and who have been ordered by the court to be removed from their homes can continue their personal relations with their children.

32. According to the Istanbul Convention and the Mediation Law, despite the prohibition of mediation in cases of violence, it is stated in the report that it is beneficial to use the mediation process in the child abduction cases and the divorce cases before the divorce and during the case process.

33. If the child who is sexually abused is married to the person who committed the crime of abuse and the marriage continues for 5 years “successfully without any problem” it is proposed that the person who committed the offense of abuse be released with supervision in accordance with the reports prepared by the authorized experts of the relevant institutions. It is requested that the Turkish Criminal Code be amended accordingly in the report. Following Commission’s report, a bill which means “amnesty for child abuse” was prepared in line with this proposal; but the government has had to withdraw the bill as a result of the public reaction to it and women organizations’ demonstrations.

34. It is also suggested that castration should be applied to those who commit sexual assault, sexual abuse and sexual crimes against minors. According to Article 108 of the Law on the Execution of Punishment and Security Measures, it is now possible for the execution judge to decide whether the prisoner should be subject to 'medical treatment' and to participate in 'therapeutic' programs. But this law did not include castration practices. HDP has stated that using the castration as a punishment is a populist policy and that much more serious measures should be taken against child abuse. It has been revealed that dozens of children have been sexually abused in a dormitory affiliated to the ENSAR Foundation, which is in close contact with the government. As a member of the Commission on the Prevention of Child Abuse, which was established in the Parliament as a result of the public reaction after this event, I have stated in detail the precautions to be taken in Turkey to prevent child abuse. However, none of these measures have been implemented during the past year.

35. Recently, the government has drafted a number of bills to rescind the laws which protect women’s rights that have been obtained within decades of feminist struggle. The government tried to prohibit the abortion in the past years, created a bill that would allow abusers to be released in case abused person is still married more than 5 years when she turns 18, “successfully without any problem” with the abuser. Government also amended a regulation that increased women's night shift hours. Now they are trying to legislate a bill that gives muftis authorization to solemnize marriages. This amendment violates the principle of secularism and threatens to create a parallel legal system through the empowerment of religious institutions. New regulations that may be issued pursuant to this law and rules that weaken the control over marriages may lead to an increase in forced marriages.

36. The Constitutional Court had considered the application for repealing the penalty of 2 months to 6 months imprisonment for the couples who have Islamic marriage without an official marriage and decided o repeal the prison sentence with a majority vote.

37. The marriage of children under the age of 17 is prohibited by the Civil Code. For this reason, the cancellation of punishment for Islamic marriages without formal marriage poses a danger of increasing child marriage and child abuse. We have also expressed that this cancellation decision may cause religious marriage to be an alternative to the official marriage, and that it will create legal and economic problems for women.

Violence Against Women

38. According to Bianet Independent Communication Network, in the first seven months of 2017, men killed 170 women and girls, raped 50 women, harassed 126 women, sexually abused 215 women and 237 women were subjected to violence.[[6]](#footnote-6)

39. In July, at least three women faced with harassment or violence by attackers on the because of their “clothes”.

40. Unfortunately, such datas are not collected and shared with the public by Ministries and affiliated institutions. However, the Istanbul Convention obliges Turkey to collect data:

“For the purpose of the implementation of this Convention, Parties shall undertake to collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention.”

41. Shelters are the support service for which there is a recommended standard for levels of provision in European instruments: set at one place or family place per 7,500 of 1he population to 10,000 of the population.[[7]](#footnote-7) However, according to Ministry of Family and Social Security’s figures, the total capacity of 132 shelters in Turkey is 3402. In other words, there is a place for a person in a shelter for each 23 thousand people. In a country like Turkey, where violence against women is intensively experienced, the number of accessible shelters needs to be raised above the minimum standard. However, in Turkey, the article in Municipal Law that oblige municipalities with 50 thousand population to open shelters has been increased to 100 thousand people. However, the municipalities do not comply even with this rule. In Turkey, the number of shelters in general is very insufficient.

42. In addition, women living in shelters affiliated with the Ministry of Family and Social Security state that they are restricted due to their safety, that they can not do anything to make a new life after the shelter. Besides they claim that shelter workers arbitrarily meet their needs and insult them. Mor Cati reflected all these expressions in its Monitoring Report. Besides all these, the Centers for women to for post-violence applications are also insufficient, and rape crisis centers and the emergence line for violence against women have not yet been established.

43. The judiciary still does not have enough knowledge and sensitivity about violence against women. According to a report prepared by the Joint Human Rights Platform, there are a total of 547 cases of male violence in national and local media and news websites between January 1, 2015 and December 31, 2016. Two of the arguments are prescribed. 24 percent of the cases were murder (132 cases), 38 percent were rape (209 cases), 26 percent were harassment (141 cases) and 12 percent were violence cases (63 cases). In addition, in murder cases reflected in the media in 2015 and 2016, 44 percent of the 176 defendants (78 males) were sentenced to aggravated life sentences, 30 percent (53 men) sentenced to life imprisonment, 16 percent (29 men) sentenced to prison, 0.5 percent (one man) sentenced to penal servitude. Nine percent (15 men) of the defendants were also acquitted. According to the report, 28 percent of the defendants’ sentence were reduced.[[8]](#footnote-8) One of the most serious problems in this area is that women's organizations can not participate as an intervening party in the cases of women's murders.

44. In addition, women in Turkey have been subjected to discriminatory and sexist expressions of politicians and public officials. Such expressions of politicians increase discrimination in society and violence against women. Recep Tayyip Erdogan said, "It is against nature to equalize woman and woman” President Recep Tayyip Erdogan reiterated his view that there is no equality between men and women at the "International Women and Justice Summit" organized by the Women and Democracy Association (KADEM) and the Ministry of Family and Social Policies. Mayor of Ankara Metropolitan Municipality Melih Gokcek, during the debate about the ban on abortion, "Why the child suffer because of the mistake of his mother? Mother should kill herself" he said about pregnancies occurred after the rape. Unfortunately, there are dozens of examples like these. These discourses has led to an increase in male violence and harassment against women in everyday life, on the streets and in in all kinds of public areas. Lately, in different times two young women wearing shorts in public transportations were attacked and a pregnant woman was beaten because she was doing sport in an public park.

Child Abuse

45. Child abuse is a serious problem in Turkey. Especially with rapidly opening of many schools and dormitories affiliated with religious communities, there have been many cases of child abuse as a result of no measures taken against child abuse in these institutions. The government’s protective attitude towards these religious foundations and communities that caused child abuse got a serious public reaction. Despite the fact that dozens of children have been exploited in a dormitory affiliated to the ENSAR Foundation, both the Ministry of Education and the Ministry of Family and Social Policies currently have signed many protocols with this foundation which has close relations with the government.

46. Refugee children, unfortunately, constitute one of the most vulnerable groups. Many refugee children have been exploited both in state-owned refugee camps and in the public arena. But unfortunately the government has not yet developed a policy to protect refugee children from abuse.

Religious Education and Sexist Education Policies

47. Education is also becoming religious, and girls and boys are beginning to receive separate education in many schools. This is contrary to the secular nature of education. On the other hand, the curriculum for education is changing, the new curriculum includes expressions that violates international conventions on the rights of children and Turkish Civil Code.

48. The new curriculum includes many expressions that protect and promote patriarchal family structure and male dominance. The new curriculum includes the following examples: "Since men are more advanced in terms of power and strength, the responsibility of the family has been given to them." "Islam, in response to the responsibilities of man, wants woman to obey her husband, and Islam regards this obedience as a worship. Upbringing of children in the family is mostly carried out by the mother. If a man does his duty in the family and behaves well to his family; and if the woman demonstrates the love, respect and obedience necessary for her husband, order and harmony within the family will be achieved. "In short, the new curriculum counts women's obedience to their husbands as 'worship' and many other similar examples are available in the new curriculum.

49. The Ministry of Family and Social Policy has focused on strengthening the conservative family structure and making protocols with religious foundations rather than struggling for the freedom and equality of women, and takes no steps to prevent the violations I have mentioned in this report. Minister of Family and Social Policy Turkey does not fulfill her responsibilities while thousands of women are being killed and children are being abused. Grand National Assembly of Turkey’s Commission on Equal Opportunities for Women and Men’s, which is the equivalent of the Committee on Equality and Non-Discrimination has also held four meetings in the last two years and have done nothing to prevent these problems.

Conclusion

50. The struggle for women's rights in Turkey started with women's groups organized in the Ottoman era, publishing dozens of journals, establishing associations even before the establishment of the Republic of Turkey, so women have a very long tradition and experience for the struggle in Turkey. The idea of ​​feminism and gender equality has reached millions of women in Turkey today. For this reason, hundreds of thousands of women have marched on the streets on March the 8 and supported international women's strike, even under the pressure of State of Emergency. Today, feminist organizations and women's rights organizations organize campaigns. The last example is the HDP Women's Assembly’s campaign which we will start with the slogan “It Will Not Continue Like That, Women Do Not Allow” and continue until November the 25th, International Day for the Elimination of Violence against Women. However, international organizations also have responsibilities. In the field of women's rights, the Council of Europe has put forward many important Conventions and documents in recent years, now it is important to ensure the implementation of these documents. It is more important today than ever to combat women's rights violations in Turkey in solidarity with women. We have to raise women's rights to the top of national and global agendas. In particular, we must take responsibility for our governments and make women accountable. We have to push women’s rights up to the top of national and global agendas. We must make our governments accountable, also to women.

1. KESK <http://www.kesk.org.tr/> [↑](#footnote-ref-1)
2. Referring to a religious principle [↑](#footnote-ref-2)
3. In this regard, the European Court of Human Rights has impose interim injunctions. In addition, many international human rights organizations, such as the United Nations and Amnesty International, have prepared reports on human rights abuses during the curfews in Turkey. [↑](#footnote-ref-3)
4. Human Rights Association Report on Violence Against Women [↑](#footnote-ref-4)
5. Office of the United Nations High Commissioner for Human Rights, Report on the human rights situation in South-East Turkey [↑](#footnote-ref-5)
6. Bianet’s report: Erkekler Temmuz'da 20 Kadın Öldürdü

   <https://m.bianet.org/bianet/kadin/188815-erkekler-temmuz-da-20-kadin-oldurdu> [↑](#footnote-ref-6)
7. Council of Europe, Combating violence against women: minimum standards for support services [↑](#footnote-ref-7)
8. IHOP, <http://www.ihop.org.tr> [↑](#footnote-ref-8)