



Convention on the Elimination of All Forms of Discrimination against Women

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**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

List of issues and questions in relation to the seventh periodic report of Turkey

Constitutional and legislative framework

1. In paragraph 44 of the report submitted to the Human Rights Council under the universal periodic review (A/HRC/WG.6/21/TUR/1), the State party indicated that a bill on anti-discrimination and equality had been submitted to the parliament. Please provide updated information on its current status, the time frame for its enactment and its content, in particular whether discrimination on the grounds of sexual orientation and gender identity is included therein. Please also indicate whether the monitoring bodies envisaged have been put in place and are effective. Please further provide information on measures taken to guarantee freedom of expression and association, as well as freedom for women's organizations to conduct their activities without threats or harassment. Please also provide information on measures taken to guarantee the human rights of women activists and defenders and journalists, in particular freedom of movement, expression, assembly and association, liberty and integrity of person and access to justice. Please provide information on measures taken to prevent, investigate, prosecute and punish abuses perpetrated against them.

Access to justice and legal complaint mechanisms

2. In the report of the State party (CEDAW/C/TUR/7, para. 7),¹ it is indicated that the international conventions will prevail in case of any contradiction between the conventions on human rights and national legislation (art. 90 of the

Note: The present document is being circulated in English, French and Spanish only.

¹ Unless otherwise indicated, paragraph numbers refer to the seventh periodic report of the State party.



Constitution). Please provide information on measures taken to ensure that the judiciary, lawyers and law enforcement officials are trained in women's rights and that women in the State party are aware of their rights according to the Convention and are able to invoke those rights, including through the lodging of complaints through the legal system when their rights have been violated. Please also provide information on cases brought before the courts on discrimination against women and the outcome of those cases, and indicate whether the Convention and article 10 of the Constitution were invoked before the courts, in particular using the new right to challenge the constitutionality of laws before the Constitutional Court.

3. In the report, the State party indicates that an institution of ombudsman was established in 2012, with a special section on women's and children's rights, and began to receive complaints in March 2013 (para. 20). Please provide detailed information on its structure, its mandate, in particular regarding gender equality and the human and financial resources allocated to it, and its cooperation with civil society, as well as information on complaints of cases of discrimination against women, including multiple forms of discrimination. Please also indicate measures taken to have the national human rights institution accredited according to the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

National machinery for the advancement of women

4. It is indicated that the General Directorate on the Status of Women was restructured as a service unit of the Ministry of Family and Social Policies (para. 59). Reference is also made to the Advisory Committee on the Status of Women (para. 60) and to the Committee on Equal Opportunities for Women and Men (para. 61). Please provide updated and detailed information on the changes made to the institutions responsible for promoting the advancement of women and on the coordination between those institutions at all levels, as well as on the mandate and human and financial resources allocated to the national machinery for the advancement of women. Please also clarify their links with the units and entities mentioned in paragraphs 22-24. Please indicate which institutions are responsible for gender equality at the provincial and local levels and how coordination is ensured between the various institutions and levels.

Stereotypes and harmful practices

5. Please 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 and sports federations, who question the principle of equality between women and men by using derogatory language about women and/or relegating them to the exclusive role of mothers and caregivers, refusing them the agency to take the decision as to whether to have children and, if so, how many. Please provide information on efforts made to tackle stereotypical attitudes towards women who experience multiple forms of discrimination on the grounds of ethnicity, age, disability, religion, sexual orientation, gender identity or other characteristic, in particular in the media and in school textbooks. Please also provide information on measures taken to combat child and/or forced marriage, including in rural and remote regions, among Turkish internally displaced persons and in refugee and asylum-seeking communities. Please explain the reasons for the focus on family instead of on women's rights in the tenth development plan.

Violence against women

6. In the report, it is acknowledged that in five provinces of the State party there are no shelters for women who are victims of violence (para. 32). Please provide information on measures taken to establish shelters in all provinces of the State party and in municipalities with fewer than 100,000 inhabitants. Please also report on the proportion of women having to go first to a temporary shelter owing to lack of room in a regular shelter, the average duration of stay in a temporary shelter and the proportion of women returning to their violent husband or partner owing to a lack of sufficient support and/or accommodation for them to stay in a shelter.

7. In the report, the State party indicates that in 2012 it adopted a national action plan on combating domestic violence against women for the period 2012-2015 (para. 49). In paragraph 53, it is indicated that, in 2013, the State party was planning to begin updating its national research on domestic violence against women (2008). It is also indicated (para. 55) that an impact analysis of the implementation of Law No. 6284 on the protection of family and prevention of violence against women was planned for 2014. Please provide updated information on the outcome of those studies and, in particular, indicate the number of protection and prevention orders and the degree of respect for protection orders by perpetrators or potential perpetrators. Please also provide information on measures taken to evaluate the efficiency and deterrent power of those orders (para. 30). Please provide information on the assessment of the national action plan and its outcomes and whether it was extended beyond 2015.

8. In the light of the Committee's previous concluding observations (CEDAW/C/TUR/CO/6, para. 25), please provide information on whether killings in the name of so-called honour have been explicitly included within the scope of article 82 of the Penal Code and classified as aggravated homicide, and whether such crimes are treated as seriously as other violent crimes with regard to investigation and prosecution, in particular because they have been labelled "custom" killings. Please also provide detailed information on the incidence of such crimes, in particular in rural and remote areas, including the number of investigations, prosecutions and perpetrators punished and the sentences imposed.

Participation in political and public life

9. In the report, it is acknowledged that women are underrepresented in political and public life, in particular in local and national decision-making bodies (para. 95), in the judiciary (paras. 97 and 98), in the civil service (para. 96), in academic institutions (para. 99), in trade unions (para. 101) and in the diplomatic service (para. 103). It is also indicated that some political parties have begun to apply quotas (para. 68) and that gender-based information on decision-making and power mechanisms is compiled and published to raise awareness and increase women's participation (para. 100). In view of article 10 (2) of the Constitution, please 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 the parliament, the Government, the judiciary and the civil service. Please indicate what other measures, including temporary special measures, have been taken or are envisaged to increase the low level of women in decision-making positions in different sectors. Please indicate any obstacles to the implementation in the State party of temporary special

measures, such as legislative and administrative processes, outreach and support programmes, the allocation of resources and the creation of incentives, targeted recruitment and the setting of time-bound goals and quotas in areas in which women are underrepresented or disadvantaged, in both the public and private sectors. Please also indicate the results achieved by the temporary special measures that have been implemented.

Education

10. Please provide information on measures taken to address gender inequalities in the education system, in particular the concentration of women in the traditionally feminized fields of education. Please also provide information on the impact of the new 4+4+4 compulsory education system, the rates and causes of dropout among girls at all levels of education, the monitoring mechanisms in place and the potential risk that child labour will increase as a result of the reform. Please also indicate whether there are plans to introduce education in minority languages in pre-compulsory school and primary school. Please further provide information on the revision of school textbooks to eliminate gender stereotypes and indicate whether age-appropriate sexual and reproductive health and rights education, with a gender perspective, is included in school curricula and delivered by trained teachers.

Employment

11. It is acknowledged that women are concentrated in jobs that require lower qualification levels, that a large proportion of women work in the services sector (paras. 150 and 151) and that there is a persistent gender pay gap (para. 164). It is also indicated that women's unemployment rate is rising (para. 147). Please provide information on measures, including temporary special measures, taken to eliminate vertical and horizontal occupational segregation and the gender pay gap and reduce women's unemployment rate. Please also provide information on progress made towards the adoption and/or implementation of a national action plan aimed at increasing the number of women in the labour market and reversing their traditional gender-linked patterns of participation.

Health

12. It is indicated in the report that the most recent demographic and health survey was conducted in 2014, but the results have not been published (para. 182). Please provide information on the outcome of the survey regarding women's health care, in particular sexual and reproductive health, the problems identified and measures taken to resolve them. Please also provide information on the evaluation and assessment made after the implementation of the national strategic action plan on HIV/AIDS (2011-2015) and whether the plan was extended beyond 2015 (para. 181).

13. It is indicated that family planning and reproductive health services are offered free of charge by mother and child care and family planning centres (para. 176). Please provide information on the use of modern contraceptive methods and family planning and on the obstacles, such as traditional stereotypes, that prevent women and girls from obtaining information on and access to reproductive health and other services. Please indicate whether there are plans to remove the need for spousal authorization for married women to obtain an abortion and measures to prevent the

practice of hospitals requiring authorization from the partners of unmarried pregnant women or the fathers of young unmarried pregnant women. Please explain whether women can make an individual application to the Constitutional Court (para. 19) if the authorization is not granted by their husband or father. If that is the case, please provide data on decisions of and cases heard by the Court.

Rural women

14. In the report, the State party makes reference to a number of initiatives and actions, such as training and awareness-raising programmes, undertaken to address the situation of women in rural areas, including a national action plan on the empowerment of rural women (paras. 196-210). Please provide information on the evaluation and outcome of those initiatives for rural women. Please also provide information on measures taken to increase the participation of women in rural areas in political and public life and to enhance their access to justice, protection, support and assistance when they are subjected to gender-based violence. Please provide information on their access to health-care services, employment, decision-making processes and economic opportunities, including in the poorest regions.

15. In the report, the State party acknowledges the challenges encountered in providing decent conditions of work for seasonal agricultural workers (para. 210). Please provide updated detailed information on the specific measures taken to protect women seasonal agricultural workers, on the efficiency of the seasonal migrant agricultural workers monitoring boards and on the assessment of the project on improving the work and social living conditions of seasonal migrant agricultural workers.

Disadvantaged groups of women

16. Please provide information on measures taken or envisaged to overcome the disadvantages faced by women and girls belonging to diverse ethnic groups, in particular Kurdish women and girls, and whose mother tongue is not Turkish, as well as by women with disabilities and lesbian, bisexual, transgender and intersex women, with regard to their access to health, social services, education, employment and protection against violence and discrimination. Please provide information on the situation of older women in the State party, including on their access to health and social services and to protection against violence, and indicate any programmes and strategies formulated to meet their specific needs, especially for those living in the poorest regions.

Women in detention

17. The report is silent on the situation of women in detention. Please provide information on women in detention, in particular on overcrowding and access to health care and on how the conditions of women in prisons are monitored and whether they have been found compatible with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). Please also provide information as to whether treatment for drug dependency is provided to women drug users in detention.

Refugee, asylum-seeking and Turkish Kurd internally displaced women

18. The report provides no information on the situation and the registration system of refugee and asylum-seeking women in the State party and on asylum claims based on gender-related persecution. Please 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. Please also indicate whether training and guidelines are provided to law enforcement officials and border guards on how to deal with gender-related persecution and provide protection to refugee and asylum-seeking women. Please also describe measures taken to protect refugee and asylum-seeking women and girls from violence, child and/or forced marriage and sexual harassment in the workplace and to ensure their access to health-care services, in particular as regards reproductive health. Please also provide information on the situation of Turkish Kurd women and girls who are internally displaced and their access to health care, education, social protection and resettlement possibilities.

Women and peace and security

19. Please provide information on measures taken to support the participation of women in formal and informal conflict prevention and resolution efforts, and indicate steps taken to adopt a national action plan for the implementation of Security Council resolution 1325 (2000). Please explain whether women affected by conflict, in particular Kurdish women and girls, and women and girls affected by the conflict in the Syrian Arab Republic have been and are provided with adequate access to justice, redress and assistance, including psychological assistance, in line with the Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations.

Marriage and family relations

20. Information before the Committee indicates that, in a decision in June 2015, the Constitutional Court granted imams the power to conduct a religious wedding ceremony without the previous official civil marriage, which could cause an increase in child and/or forced marriage and polygamy and deny women and children legal and economic protection if those unions are dissolved. Please provide detailed and updated information on the legislation in force on marriage and family relations, as well as information on measures taken to decrease the practice of child and/or forced marriage and polygamy in the State party (para. 223). Please indicate whether a review of the remaining discriminatory provisions and an increase in the legal age for marriage are envisaged.
