TURKEY

1. Discriminatory family code

Under the Turkish Civil Code of 2001, the legal age of marriage is 18 for both men and women. Article 124 stipulates that 17 year-olds may marry with parental consent, and according to Articles 126 and 128, 16 year-olds may marry with the permission of a judge and legal guardian in “extreme situations.”

Early or forced marriage is defined as a criminal offense in Turkey. Marriages must be registered with civil authorities before religious marriages can take place. Carrying out an unregistered religious marriage is in breach of Article 237 of the Criminal Code. The Civil Code grants women subjected to forced marriage the right to apply for an annulment within the first five years of the marriage.

Data reported by the Turkish Statistics Institute (TUIK) in 2006 indicates that early marriage primarily affects females: 31.7% of women compared to 6.9% of men marry for the first time before the age of 18. The TUIK indicates that there were over 180,000 child brides in Turkey in 2012.

A 2011 report by the Parliamentary Commission on Equality of Opportunity for Women and Men noted that official statistics may be flawed, because it is difficult to measure early marriages carried out in unofficial religious ceremonies. These unofficial marriages particularly affect poor, rural regions (e.g. Anatolia), where 40-50% of girls may be married before the age of 18, some when they are as young as 12 years-old. The Commission concluded that early marriages are “widely accepted” by Turkish society and seen as a means to relieve families of the economic burden of caring for their daughters, while ensuring that girls do not engage in premarital sexual activities. Moreover, the report stated that bride prices continue to be paid in many regions, providing an additional incentive for families to marry their daughters early. The issue may also be rooted in other cultural practices, such as the exchange of brides.

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3 CEDAW (2003) p. 47; Civil Code (2001), Articles 142 and 143
4 CEDAW (2003) p. 50
5 Ilkcaracan (2010)
6 CEDAW (2008) p. 78
7 U.S. Department of State (2013) p. 37
8 Güsten (2011); U.S. Department of State (2013) p. 37
between two families and the giving of girls as brides to settle blood feuds. In addition, girls continue to be married off to their rapists or molesters to preserve family honour, the report noted.\(^9\)

A 2010 NGO shadow report to the CEDAW by the Federation of Women Associations of Turkey asserted that early and forced marriages continue to be a “serious problem” in Turkey, and that early marriages prevent mostly girls from continuing their education.\(^10\)

In 2011, the European Parliament expressed their concern around the weak implementation of the laws protecting children from early marriage.\(^11\) As a candidate country for accession to the EU, Turkey was urged to guarantee in law and practice fundamental rights according to the European Convention on Human Rights and the case law of the European Court of Human Rights.\(^12\)

Prior to the Civil Code of 2001, the father was deemed the head of household in Turkish law, baring responsibility for maintenance of the family. This provision has since been eliminated.\(^13\) Article 41 of the Constitution was revised to note that the family in Turkish society is “based on equality between spouses.”\(^14\) Under Article 335 of the Civil Code, both parents share parental authority unless this right is nullified due to legal reasons.\(^15\) The mother has sole authority of a child born out of wedlock;\(^16\) however, the father is required to provide assistance to a woman he has impregnated if he was living with her at the time, whether or not they were married.\(^17\) In the case of divorce, the judge may place the child under guardianship of either parent. In practice, judges tend to award guardianship of younger children to the mother. The parent who does not gain guardianship continues to bare a share of the monetary responsibility for bringing up the child.\(^18\)

Turkish law grants equal inheritance shares to female and male children. Under Article 649 of the Civil Code, the right to an equal inheritance share for a woman compared to her brother cannot be revoked even if it is willed by the deceased. The land inheritance law (Article 661) has also been revised to eliminate previous gender inequality. Before the Civil Code reform, priority over agricultural holdings was given to male heirs, purportedly to prevent land fragmentation.\(^19\)

No discrimination by sex was found with regards to the inheritance rights of spouses. Under the Civil Code, the surviving spouse is entitled to his/her share of the common assets. The remaining portion of the assets is divided among the inheritors (Article 499).\(^20\)

\(^9\) Güsten (2011)
\(^10\) Federation of Women Associations of Turkey (2010) p. 2
\(^11\) European Parliament (2011)
\(^12\) European Parliament (2011)
\(^13\) CEDAW (2003) p. 47
\(^14\) Meline (2011); Turkey Constitution, available: [http://www.servat.unibe.ch/icl/tu00000_.html](http://www.servat.unibe.ch/icl/tu00000_.html)
\(^15\) CEDAW (2008) p. 77
\(^16\) CEDAW (2003) p. 47; Civil Code (2001), Article 337
\(^17\) CEDAW (2008) p. 10-11
\(^18\) CEDAW (2008) p. 77
\(^19\) CEDAW (2003) p. 49
\(^20\) CEDAW (2003) p. 49
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No discrimination between men and women was found regarding the right to initiate divorce in Turkey. One of the spouses may file for divorce in the case of “irretrievable breakdown of marriage” caused by a variety of circumstances, including adultery, desertion, insanity, detrimental treatment, or commitment of a humiliating act. The law also does not discriminate between men and women with regards to alimony and compensation for damages resulting from the divorce. The Civil Code of 2001 held that property acquired during marriage must be shared equally between the spouses in the case of divorce, easing the financial burden of divorce for many women. However, a divorced woman, though not a man, is forbidden from remarrying without special court permission for up to 300 days after the dissolution of her prior marriage. As of a 2012 report by the European Parliament, a Government Commission is currently investigating the possibility of a legal amendment to eliminate this provision.

2. Restricted physical integrity

Domestic violence may be criminalized in the Penal Code (2004) under general laws against assault and threats. In addition, Article 96 stipulates that anyone causing torment to their spouse or family members will be sentenced to between three and eight years’ imprisonment, and Article 232 punishes maltreatment of anyone living under the same roof by up to one year’s imprisonment.

Protection orders are available to victims of domestic violence under the Protection of the Family Law (1998). The law requires the abuser to vacate the home and refrain from contacting or approaching the victim. A judge may order the perpetrator to make maintenance payments to the victim. In March 2008, a regulation on the law further stipulated that law enforcement agents must monitor compliance with the order, including via weekly visits to the house. In 2012, the protection order law was amended to allow police to issue emergency protection orders without going through normal court procedures and to allow courts to order abusers to be tracked with electronic monitoring devices. Also, it extended protection to all women, married or not.

Turkey’s Parliament (the General Assembly) passed a law on March 8, 2012, notably on International Women’s Day, designed to prevent domestic violence against women. Despite the implementation of harsh measures for those who inflict violence against women in the new law, women’s rights groups have come out against what they call drastic changes to the bill, including its name, which was changed to the “Draft law to protect family and prevent violence against women,” from the “Draft law to protect

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21 CEDAW (2003) p. 47; Civil Code (2001), Article 166
22 Civil Code, Articles 174-178
23 Civil Code, Articles 218-241; Ilkaracan (n.d.)
24 Civil Code (2001), Article 132; Turkish Legal Centre (n.d.); Embassy of the United States in Ankara (2011)
26 U.S. Department of State (2013) p. 35
27 Penal Code (2004); Human Rights Watch (2011) p. 20
28 Law 4320 on the Protection of the Family; Human Rights Watch (2011) p. 15
29 Human Rights Watch (2011) p. 15
31 http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205403030_text
women and individual family members from violence” as previously agreed by women’s rights groups and the Family and Social Policy Ministry. Concerned groups have also said there are crucial shortcomings in the legislation with regards to how the law is implemented.\textsuperscript{32}

Previously, a 2011 report on domestic violence in Turkey by Human Rights Watch (HRW) noted that a major gap in the protection order system was that it only covered “spouses” or family members, thus potentially excluding women who were divorced, in unofficial religious marriages, or had been in dating relationships. Whether a judge decided to interpret the law flexibly to provide protection against a non-official spouse was essentially a “lottery” for many women.\textsuperscript{33} The 2012 amendment closes this gap and extends the definition of victim to anyone who can be considered a family member whether or not they live with the perpetrator.\textsuperscript{34}

The U.S. State Department reported that courts in Turkey regularly issue restraining orders to protect victims, though they may not be enforced effectively.\textsuperscript{35} The HRW report enumerated several deficiencies with the protection order system, aside from the aforementioned limitation on coverage prior to 2012. It cited a large study by academics in 2009 that found a significant share of women in Turkey—a majority in the East—did not know about the protection law.\textsuperscript{36} Moreover, according to HRW, even if women are aware of the law, many, particularly in Kurdish regions, are afraid to seek protection because they distrust state institutions or face language barriers.\textsuperscript{37} It addition, “all too often, police, prosecutors, or judges to whom women might turn for help send them back to the abusive situations, push for reconciliation [within the family], ask for medical records, or delay the process significantly.”\textsuperscript{38} Economic dependency on the abuser also prevents women from seeking help. HRW said that in no case it examined could it confirm that maintenance was paid to the victim, even if ordered by the court.\textsuperscript{39} Finally, HRW asserted that police monitoring falls short. In some cases examined by the group, police refused to respond even when women reported violations of protection orders.\textsuperscript{40} It also found cases in which police or school registries revealed to an abuser the location of a victim’s shelter.\textsuperscript{41}

HRW and the U.S. State Department detailed reports of women killed or severely injured in Turkey in the past couple years after having sought a protection order against the perpetrator. In some cases the order had been denied by the court, while in others, it was in effect but not adequately enforced.\textsuperscript{42} In 2009, the European Court of Human Rights ruled that Turkey had failed to fulfill its obligation to protect Nahide Opuz and her mother from domestic violence inflicted by Opuz’s husband, despite their complaints to authorities. The Court observed that “the overall unresponsiveness of the judicial system

\textsuperscript{33} Human Rights Watch (2011) p. 15
\textsuperscript{34} Stop Violence against Women Website
\textsuperscript{35} U.S. Department of State (2013) p. 35
\textsuperscript{36} Human Rights Watch (2011) p. 25
\textsuperscript{37} Human Rights Watch (2011) p. 28
\textsuperscript{38} Human Rights Watch (2011) p. 25
\textsuperscript{39} Human Rights Watch (2011) p. 27
\textsuperscript{40} Human Rights Watch (2011) p. 39
\textsuperscript{41} Human Rights Watch (2011) p. 44
\textsuperscript{42} Human Rights Watch (2011) p. 1-2, 18, 39 (case of Fatma Babatli, killed by her husband in 2008, and injury cases of “Selvi T.” and “Zelal K.”); U.S. Department of State (2013) p. 35 (case of Gulsah Akturk, killed by her ex-boyfriend in 2012); see also Bilefsky and Arsu (2012) (case of Arzu Yildirim, killed by her boyfriend in 2011, reportedly after filing for legal protection more than ten times)
and impunity enjoyed by the aggressors...indicated that there was insufficient commitment to take appropriate action to address domestic violence.”\textsuperscript{43} The independent news outlet BIANET counted at least 24 women killed in 2012 who had demanded protection from the authorities.\textsuperscript{44}

The Turkish Government provides a 24-hour hotline for women and children with the aim of providing those victimized by violence with information services in psychological, legal, and economic areas.\textsuperscript{45} The Government also conducts outreach and awareness raising campaigns to combat domestic violence, and it funds shelters for women.\textsuperscript{46} A Government regulation stipulates that there must be at least one shelter in every city with more than 50,000 inhabitants.\textsuperscript{47}

HRW found at least 166 cities with more than 50,000 inhabitants with no shelters.\textsuperscript{48} It also noted inadequate resources and capacity in existing shelters, and that they are generally unable to accommodate women with physical or mental disabilities. Also, Government-funded shelters turn away women without official papers indicating legal status in Turkey.\textsuperscript{49} A representative of Amnesty International asserted in 2011 that the group has lobbied Turkey for years to improve its standard on shelters to “little avail.”\textsuperscript{50} The 2010 NGO Shadow Report to the CEDAW noted that while the number of shelters for victims of domestic violence has increased, Turkey is failing to meet its own regulations on the number required.\textsuperscript{51} Similarly, the CEDAW committee noted in its 2010 concluding remarks on Turkey, the limited number of shelters, and it expressed its concerns about the lack of proper facilities and resources for the existing ones.\textsuperscript{52}

In 2008, 42\% of Turkish women have been subjected to physical or sexual domestic violence in their lifetime, and about 14\% have faced it in the 12 months prior to the study.\textsuperscript{53} 42\% have been subjected to physical or sexual domestic violence. The lifetime prevalence rate for physical domestic violence in Northern Anatolia is more than half, with the majority of cases reported to be “severe.”\textsuperscript{54} While about half of low income women in Turkey reported having faced physical or sexual domestic violence, the rate for high-income women is also high compared to OECD averages, at nearly three in ten.\textsuperscript{55} The study also found that 92\% of women who report suffering from domestic violence do not report it to any

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\item Interights (n.d.); European Court of Human Rights (ECHR) 33401/02
\item U.S. Department of State (2013) p. 35
\item CEDAW (2008) p. 14
\item CEDAW (2008) p. 12-17
\item Law on Municipalities, Article 14; Federation of Women Associations of Turkey (2010) p. 2
\item Human Rights Watch (2011) p. 43
\item Human Rights Watch (2011) p. 45-46
\item Eissenstat (2011)
\item Federation of Women Associations of Turkey (2010) p. 2
\item CEDAW (2010) p. 5
\item OECD (2014), \textit{Gender, Institutions and Development Database}, \url{http://stats.oecd.org}
\item ICON-Institut Public Sector Gmbh, Hacettepe University Institute of Population Studies, and BNB Consulting Ltd Co. (2009) p. 7-8; see also Hurriyet Daily News (2011)
\item ICON-Institut Public Sector Gmbh, Hacettepe University Institute of Population Studies, and BNB Consulting Ltd Co. (2009) p. 11; Arsu and Bilefsky (2012)
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official authority or NGO. Moreover, about one in two women in the study agreed with the statement that a wife should obey her husband, and 14% agreed that a man may beat his wife.

Sexual assault and rape are criminalized under the Penal Code (2004) with penalties ranging from two to seven years’ imprisonment for assault, and seven to twelve years if the violation included penetration. The penalty is increased by a half in the case of aggravating circumstances, such as use of arms or participation of more than one person in the offense. The reform of the Penal Code in 2004 led to the criminalization of marital rape for the first time in Turkey, under Article 102.

The new Penal Code eliminated mention of chastity, morality, shame, and public customs from definitions of crimes against women. It removed previously existing discrimination against non-virgin victims and the notion of “consent of the child” to sexual abuse. Also, provisions legitimizing rape and abduction in cases in which the perpetrator marries the victim were abolished.

The age of consent to sexual activities in Turkey is 15 years-old. Statutory rape is punishable by six months’ to two years’ imprisonment. The sentence is increased if the perpetrator is more than five years older than the victim or is the victim’s ascendant or guardian.

The Government provides services to victims and runs awareness raising campaigns to combat violence against women. However, rape may be underreported to authorities. According to the U.S. Department of State’s 2012 Human Rights Report on Turkey, victims often waited days or weeks to report sexual assault to authorities due to embarrassment or fear of reprisals.

The National Study on Violence against Women (2008) found that approximately 3% of Turkish women have faced sexual violence by someone other than a husband or partner since the age of 15, and 7% were sexually abused as a child below the age of 15. 15% of survey respondents reported facing sexual violence by a husband or partner in her lifetime, and 7% in the 12 months prior to the survey.

The Penal Code of 2004 criminalizes sexual harassment under Article 105. The penalty ranges from a fine plus three months to two years imprisonment, which may be increased by one half if it occurred in the workplace or by a public official. The Labour Code of 2003 also criminalizes sexual harassment at

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56 ICON-Institut Public Sector GmbH, Hacettepe University Institute of Population Studies, and BNB Consulting Ltd Co. (2009) p. 23
57 ICON-Institut Public Sector GmbH, Hacettepe University Institute of Population Studies, and BNB Consulting Ltd Co. (2009) p. 16
58 Penal Code (2004), Article 102
59 Penal Code (2004), Article 102(2); Ilkkaracan (n.d.) p. 8
60 Ilkkaracan (n.d.) p. 7-8
61 Penal Code (2004), Article 104
63 CEDAW (2008) p. 17
64 U.S. Department of State (2013) p. 34
66 ICON-Institut Public Sector GmbH, Hacettepe University Institute of Population Studies, and BNB Consulting Ltd Co. (2009) p. 23
67 Penal Code (2004), Article 105; see also CEDAW (2008) p. 9-10
the workplace.\textsuperscript{68} Women’s rights activists and news reports indicate inadequate enforcement of the law.\textsuperscript{69} A 2013 report in \textit{Al-Monitor} details sexual harassment faced by female college students in police custody, following their participation in an environment protest.\textsuperscript{70} There were 161 cases of sexual harassment in 2013, where the victim was female.\textsuperscript{71} In August, 2013, the Ministry of Family and Social Policies announced the establishment of its 2012–15 Action Plan to Combat Violence Against Women.\textsuperscript{72}

No statistics are available on the prevalence of \textbf{female genital mutilation} (FGM) in Turkey, though it does not appear to be a common practice. While FGM is found in some Kurdish communities in other countries, it is reportedly not practiced among the Kurds of Turkey, with the possible exception of some communities along the border with Iran.\textsuperscript{73} In 2012, Turkey became the first country to ratify the Council of Europe’s Istanbul Convention on Preventing and Combating Violence and Domestic Violence against Women, which criminalizes FGM, among other forms of violence against women.\textsuperscript{74}

\textit{More}

So-called “\textit{honour killings}” have been reported in Turkey. They particularly affect families in the rural Southeast and urban migrants from that area.\textsuperscript{75} The Penal Code of 2004, under Article 82, removed previous sentence reductions for murder in the name of custom, and now honour killing is criminalized with life imprisonment. According to an expert paper published by the UN, there have been a few examples of Turkey enforcing the law by issuing life prison sentences for those convicted of an honour killing.\textsuperscript{76}

However, there are reports that strategies to avoid criminal prosecution for the crime include designating a young male relative to perform the killing (juvenile offenders may receive reduced sentences) or pressure girls into committing suicide.\textsuperscript{77}

The Penal Code maintains the clause (Article 29) that sentences may be reduced if the murder was committed under the influence of anger, severe pain, or incitement following a wrongful instigation. However, according to the CEDAW report, this provision is not intended to apply to honour killings: “It was explained in the article’s justification that family members, relatives and others who have murdered a woman victimized by sexual assault cannot avail themselves of reduction of sentence on the grounds of wrongful instigation and that all wrongful acts do not necessarily constitute wrongful instigation.”\textsuperscript{78}

Despite this Government’s efforts, honour killings continue to occur in Turkey. In 2006 the UN Special Rapporteur on Violence against Women reported on the prevalence of the practice in eastern and southeastern Turkey, noting, “There are reasonable grounds to assume that some of the recorded

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suicide cases are indeed disguised murders. In other cases, family members appear to have instigated the suicide.” In 2006, a Parliamentary Committee dedicated to investigating the issue of honour killings found an average of more than four such murders per week over the prior five years. In 2012, 19 honour killings were officially reported in the first three-quarters of 2012.

Human trafficking is criminalized and punishable with eight to 12 years’ imprisonment. In 2006, in line with international standards, Turkey added the expression, “forcing to prostitution” to its definition of human trafficking.

According to the U.S. State Department, sex trafficking, forced prostitution, and forced labour of women continue to occur in Turkey, and while the Government has made efforts to prosecute trafficking offenders, the convicts were sometimes given lenient sentences for lesser crimes. Some shelters for victims closed due to lack of funding.

According to the Turkey’s 2008 report to CEDAW, family planning methods are known by almost all married women and men. Prime Minister Recep Tayyip Erdogan has called for women to have at least three children and asserted that birth control is advocated by those who want to weaken Turkey.

Under the Population Planning Law (1983), an abortion may be performed on demand of the pregnant woman within her first ten weeks of pregnancy. Thereafter, the performance of an abortion is permitted to save the life or preserve the health of the woman and in cases of foetal impairment. The law requires a married woman to obtain her husband’s consent to the abortion, but the requirement may be waived if the woman’s life is in immediate danger.

Another condition for an abortion is that it be carried out under the supervision of a gynecologist. According to a UN report, this factor makes it difficult for rural women to obtain abortions, because medical specialists of that kind may be scarce or non-existent in their region.

Until 1999, contraceptive means were delivered free of charge to healthcare institutions. The 2008 CEDAW report acknowledged that there may be problems of access to contraceptives for women of little means.

3. SON BIAS

The male-to-female sex ratio at birth in 2013 is 1.05 and for the working age population (15-64 years old) is 1.02. Analyses of data across age groups show high juvenile sex ratios and low adult sex ratios.
though these data provide insufficient evidence to evaluate whether Turkey is a country of concern in relation to missing women.

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In terms of school enrolment, there seems to be no gender gap when it comes to pre-primary and primary education based on 2008-2012 UNICEF data. Girls are in a slightly disadvantaged position with respect to boys when it comes to secondary school participation, with a net attendance ratio of 43%, compared to 51.6% for boys. The Government also acknowledged in its 2008 report to the CEDAW committee that families give educational priority to male children due to “conventional and economic” reasons, citing education statistics showing that of the 10% of children of compulsory school age who do not attend school, nearly three-quarters are girls. The report stated that the Government is carrying out awareness-raising campaigns to increase the schooling rations of girls.91 Youth (15-24) literacy rates are very similar for boys and girls (around 98%).92

Boys are more vulnerable than girls when it comes to child labour, based on data from 2002 to 2012. The percentage of male children aged 5 to 14 years involved in child labour activities is 3.3, compared to 1.8 for females.93 The labour force participation rate for ages 15 to 24 in 2012 indicates a much more significant participation of males (52.5%) than females (26.2%).94

Infant mortality rates are higher for boys (22.48 deaths over 1,000 live births) than for girls (20.32 deaths over 1,000 live births).95

4. Restricted resources and assets

No legal barriers were found to women’s access to land. The Civil Code of 2001 removed the previous priority given to male children over agricultural holdings, reportedly intended to prevent land fragmentation. The current law on land inheritance does not discriminate by gender.96

Under the Civil Code (2001), men and women have equal ownership rights to property.97 The Code, under provisions on the “Regime Regarding the Ownership of Acquired Property,” introduced the provision that property acquired during marriage must be shared equally between the spouses.98 No data was found regarding women’s access to and ownership of property.

With regards to access to financial services, data from 2012 shows that 82.1% of males compared to 32.7% of females above the age of 15 hold a bank account at a formal financial institution. Compared to other upper-middle income countries, the rate for men is above, while the rate for women is below the average.99 The Global Entrepreneurship Monitor’s 2012 Women’s Report lists Turkey among the

90 CIA (n.d.)
91 CEDAW (2008) p. 25, 42
92 UNICEF (n.d.)
93 UNICEF (n.d.)
94 World Bank Development Indicators Database
95 CIA (2013)
96 CEDAW (2003) p. 49
97 Civil Code, Articles 223, 683
98 Civil Code, Articles 218-241
99 World Bank (2012)
countries with low-levels of female-run businesses, with less than two businesses run by women for every ten run by men.\textsuperscript{100} However, the total entrepreneurial activity rate for women is one percentage point above the average for its region (“Developing Europe”).\textsuperscript{101}

5. Restricted civil liberties

No restrictions on women’s access to public space were found. In 2010, the Turkish Government overrode a Constitutional Court’s ban on women wearing headscarves in public institutions. The Education Minister directed all universities to permit veiled women on campuses, enabling access to higher education for millions of traditionally observant female students who had previously been denied the opportunity.\textsuperscript{102}

Freedom House reports that members of human rights groups have received death threats and continue to face prosecution on various charges; however, freedom of assembly is assured in Turkey, which has an active civil society.\textsuperscript{103} No specific restrictions were found with regards to collective action for women’s rights.

There is a broad array of NGO’s in Turkey campaigning on this issue. According to a UN expert report, the rise of a new and strong feminist movement in the 1980s resulted in significant gains for women and paved the way for legal reforms. With regards to the recent reforms of the Civil and Penal Codes in 2001 and 2004 respectively, a coalition of 120 women’s NGOs came together to push for reform of the Civil Code, and they succeeded in the endeavour despite the objections of several conservative lawmakers. The coalition similarly achieved success with regards to the Penal Code, which resulted in 35 amendments considered favourable to the movement and the recognition of women’s autonomy over their bodies. Some might argue that these legal reforms were in fact spurred by pressure from the European Union during Turkey’s accession process to the organization; however, others have pointed out that the EU was pushing Turkey harder on issues other than women’s rights, and these reforms would still not have been possible without the efforts of women’s rights NGOs.\textsuperscript{104}

There are no quotas in place for women in Turkish parliament under either the Constitutional or Political Party laws. However, some political party’s apply a women’s quota on their intra-party boards and bodies or reduce the application fee for female candidates applying for a place on their party lists.\textsuperscript{105} For example, The Republican People’s Party (CHP) has adopted a 33\% women’s quota in its candidate lists, and The Peace and Democracy Party (BDP) has adopted a 40\% women’s quota for both local and national elections.\textsuperscript{106}

There are 79 women in the 550-seat parliament.\textsuperscript{107} The ratio of women in parliament has been increasing over the past decade, from 4.4\% in 2002 to 9.1\% in 2007 to 14.4\% since 2013.\textsuperscript{108} The only
woman minister of 26 serves as the Minister of Family and Social Policies. Thus, the share of women ministers (4%) is well below the OECD average in 2012, at about a quarter.\textsuperscript{109}

According to statistics from 2007, women occupied about a third of the posts in the higher judicial bodies of Turkey, but accounted for 5.6% of prosecutors.\textsuperscript{110}

Women’s political representation at the local level is less than at the national level. In the municipal elections of 2009, only 27 women mayors were elected out of a total of 2,921 mayors, amounting to less than 1%, and Turkish women hold less than half of one percent of seats in the municipal councils.\textsuperscript{111}

In 2011, despite opposition by women’s rights NGOs, the State Ministry for Women and Families was restructured and renamed the Ministry of Family and Social Policies. The NGOs asserted that such a change would shift the Ministry’s focus from a distinct mandate to ensure gender equality towards the concept of strengthening “the institution of the family.”\textsuperscript{112} In 2010, the budget for of the General Directorate on the Status of Women was reportedly the lowest of any Government agency in Turkey.\textsuperscript{113}

According to Turkey’s 2008 report to the CEDAW Committee, various regulations have been issued to designate principles and procedures to be taken into consideration in radio and television broadcasts with the aim of preventing gender discrimination and stereotyping. The \textit{media} is urged not to present individuals as sex objects and to produce no broadcasts that approve of inequality between men and women or instigate violence against women. Moreover, the Radio and Television Supreme Council and the Association of Television Broadcasters have signed the “Principles of Broadcasting Ethics,” which requires broadcasters to abstain from encouraging or justifying discrimination and violence against women, as well as the commodification of women.\textsuperscript{114}

According to a \textit{New York Times} report in 2011, women’s issues, including rape and domestic violence, have become increasingly popular subjects in Turkish soap operas. The reports claims that some series initially adopted chauvinistic points of view, but pressure from women’s rights groups has caused a shift in perspective, sometimes even within an ongoing series.\textsuperscript{115}

Data from the Turkish Statistical Institute indicates that in 2007, 32.96% of those working in the publication departments of newspapers and journals were women.\textsuperscript{116}

Under the Labour Act of 2003, \textit{employment discrimination}, including on the basis of sex, pregnancy, or maternity, is prohibited in hiring, wages, and termination.\textsuperscript{117} A court may order an employer found to be in violation to pay damages or back wages to the employee who was discriminated against.\textsuperscript{118} However,

\textsuperscript{109} OECD (2013)
\textsuperscript{110} CEDAW (2008) p. 27
\textsuperscript{111} European Parliament (2012) p. 12; Federation of Women Associations of Turkey (2010) p. 2; For more data on women’s political representation at the local level, see Government of Turkey, Ministry of Interior, General Directorate of Local Authorities
\textsuperscript{112} European Parliament (2012) p. 6; Goksel (2011)
\textsuperscript{113} Goksel (2011)
\textsuperscript{114} CEDAW (2008) p. 19
\textsuperscript{115} Güsten (2011)
\textsuperscript{116} CEDAW (2008) p. 29
\textsuperscript{117} CEDAW (2008) p. 51, 56, 59
\textsuperscript{118} CEDAW (2008) p. 57
the family assistance allocation is given only to the husband in cases where both the wife and the husband are public employees. A 2008 Labour Law promises state contributions towards Social Security costs for female employees for five years, and a 2010 amendment to the Constitution allows for affirmative action in favour of women.

A previous Turkish law that required a woman to obtain her spouse’s permission to work was repealed in 1990. Article 192 of the present Civil Code (2001) resolves that “spouses do not have any obligation to obtain permission from each other in their choice of profession and occupation.” However, a clause in the same Article states that “the harmony and welfare of the marriage union should be borne in mind when choosing and performing a job or profession.”

Under the Civil Servants Law of 2004 and the Labour Act of 2003 (as amended in 2011), women are granted 16 weeks of maternity leave, half before and half after giving birth. The leave may be extended given special circumstances. The leave is paid by the Government at two-thirds the women’s salary. In addition, women are allotted one and a half hours of nursing leave per day until the child reaches the age of one. Offices where more than 150 women are working are required to establish a breastfeeding room and infant nursery. Women are also allowed up to one year of unpaid leave from work to care for a new-born.

The percentage of women in general government employment in Turkey (23.6%) is less than half the OECD average. The overall labour force participation rate of women in Turkey is the lowest in the OECD. Women are also underrepresented in managerial-level positions and more likely than men to be in informal employment with no social protection, especially in rural areas. Women are mostly employed as unpaid family workers, especially in agriculture, while men predominate in the service sector. The Government has developed programs to encourage the hiring of women.

On the other hand, among university graduates, there is less of a gap in women’s labour force participation. Women are better represented in certain higher-skilled professions than might be suggested by the overall labour participation rate, for example comprising over half of bankers, 39% of architects, and 41.5% of university staff (though, still only 27.4% of full professors).

In 2013, the Government lifted a ban on headscarves for female workers in state offices. But, according to a New York Times blog post from 2013, it continues to be rare to see a woman who is veiled

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119 CEDAW (2008) p. 56
120 Sussman (2011)
121 Bailey-Hoover (2011)
125 OECD (2013)
126 OECD (2012); Federation of Women Associations of Turkey (2010) p. 2
130 Arsu and Bilefsky (2013)
in a service job, such as operating a cash register or behind a bank counter, due to dress codes, hiring procedures, and corporate culture.  

Social and cultural factors may be more decisive in preventing women from working. A 2004 study by a sociologist and MP, cited in the Turkish daily Hurriyet, found that 0.5% of women named the headscarf as the reason they did not work, while 23% cited caring for children, 18% said that men in their family did not want them to work, and 17% said they could not find a job. 8% believed women should remain at home, 3% said the circles they live in did not approve of working women, and 1% did not want to work among men. Similarly, a qualitative research study by Gfk Consulting, carried out in 2008, found that “traditional views of gender roles and relations” are primarily responsible for the differentiated levels of participation in the labour force by men and women. Lack of approval from family members and the need to provide child care stand out as obstacles to women’s labour force participation, according to the study. In addition, a 2008 poll by the Women Entrepreneurs Association of Turkey showed that almost half of urban women believed that economic independence for women is unnecessary.

Moreover, reportedly, women continue to face discrimination in employment, despite the law. According to the 2010 NGO Shadow report to the CEDAW, women are commonly asked in job interviews about their intentions in terms of being married, because they prefer to hire women who do not intend to marry in the short-run. In addition, in a poll conducted by Yılmaz Esmer of Bahçeşehir University and cited in The Washington Post, 60% of respondents said that employers should give priority to men over women when hiring.

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131 Finkel (2013)
132 Toprak (2010)
133 GfK Türkiye (2009)
134 Goksel (2011)
135 U.S. Department of State (2013) p. 36
136 Federation of Women Associations of Turkey (2010) p. 6
137 Neel (2013)
Sources


