



BRIDGING DIVIDES

THE LANDSCAPE OF WOMEN'S RIGHTS IN TURKEY

SOLIDARITY WITH OTHERS

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Bridging Divides: The Landscape of Women's Rights in Turkey

Abstract

This report examines women's rights in Turkey, focusing on the imprisonment of pregnant women, violence against women, and challenges faced by refugee women. It highlights systemic injustices within Turkey's legal framework, pervasive violence perpetuated by cultural norms, and the vulnerabilities of refugee women. Recommendations include upholding international commitments, reforming the criminal justice system, and empowering women. Addressing these issues is crucial for advancing gender equality and upholding women's rights in Turkey.

1. Introduction

Turkey stands as a significant focal point within the ongoing global discourse on gender equality, its trajectory in women's rights marked by a blend of historical progress and contemporary challenges. As we delve into this multifaceted landscape, the complexities of Turkey's journey towards gender equality come to the forefront, reflecting both strides made and obstacles yet to be overcome.

Over the years, Turkey has undergone notable transformations in its legal framework and societal attitudes toward gender equality. From pioneering legal reforms to heightened public discourse, the nation has traversed a dynamic path toward women's empowerment. Yet, entrenched within this narrative of progress are enduring disparities and structural impediments that continue to obstruct the full realization of women's rights.

This report embarks on a scholarly inquiry into the multifaceted landscape of women's rights in Turkey, delineating key dimensions that encapsulate the experiences of women across diverse socio-cultural contexts. Through a rigorous examination of empirical data, legislative frameworks, and socio-political dynamics, it endeavors to unravel the intricate tapestry of challenges faced by women in Turkey.

Central to our analysis are three focal points: the incarceration of pregnant women and those post-childbirth, the pervasive phenomenon of violence against women, and the precarious situation confronting refugee women within Turkey's borders. Each of these themes encapsulates not only the systemic barriers but also the lived realities that shape the everyday experiences of women in Turkey.

By grounding our inquiry within historical antecedents and theoretical frameworks, this report seeks to provide a scholarly foundation for understanding the complexities of women's rights in

Turkey. Moreover, it underscores the imperative for interdisciplinary dialogue and collaborative action in advancing the agenda of gender equality within the Turkish context.

As we commemorate Women's Rights Day, this report serves as both a scholarly elucidation and a clarion call for concerted efforts toward transformative change. We hope that through rigorous analysis and informed advocacy, we may collectively endeavor to dismantle barriers and foster an inclusive society where the rights and dignity of all women are unequivocally upheld.

2. Imprisonment of Pregnant Women and Women Post-Childbirth

- *Overview of the issue*

In recent years, Turkey has undergone political and social transformations, significantly impacting prison conditions and prisoner rights. Particularly after the attempted coup on July 15, 2016, individuals alleged to be affiliated with the Gülen Movement have faced intense oppression and legal injustices. This situation has exacerbated the living conditions for individuals in prisons, including pregnant women and mothers who have recently given birth. The experience of detention negatively affects one's ability to sustain life, health, development, and psychological and emotional well-being¹. However, the anxiety and hardship experienced by an individual deprived of liberty can be much more complex for imprisoned mothers who are pregnant or have their children with them².

- *Highlighting the Issue with Cases and Statistics*

Since 2016, thousands of women, particularly those associated with the Gülen Movement, have been arrested and detained, often without concrete evidence. As of the end of December 2016, there were 201,139 convicts and detainees in penal institutions in Turkey. Of these, 8,315 were female convicts and detainees, constituting 4.1% of the total number of convicts and detainees. The number of children aged 0-6 years staying with their mothers in penal institutions was 529.³ Pursuant to the regulations set forth in Articles 65 and 72 of the Law on the Execution of Sentences and Security Measures, children in the 0-6 age group, whose mothers are convicts and who have no one else to take care of them outside, may stay with their mothers in penal institutions upon the

¹ Çengeköylü, C., Bademci, H. Ö., Çelik, D., & Karadayı, E. F. (2022). Anneleri ile Ceza İnfaz Kurumlarında Kalan 0-6 Yaş Çocukların Yaşam Koşullarının ve Deneyimlerinin Annelerinin Bakış Açısıyla Araştırılması. *Toplum Ve Sosyal Hizmet*, 33(4), 1161–1182. <https://doi.org/10.33417/tsh.1081422>

² Çengeköylü, C., Bademci, H. Ö., Çelik, D., & Karadayı, E. F. (2022). Anneleri ile Ceza İnfaz Kurumlarında Kalan 0-6 Yaş Çocukların Yaşam Koşullarının ve Deneyimlerinin Annelerinin Bakış Açısıyla Araştırılması. *Toplum Ve Sosyal Hizmet*, 33(4), 1161–1182. <https://doi.org/10.33417/tsh.1081422>

³ CEZAEVİNDE ANNE OLMAK To be a Mother Behind Bars. (n.d.-b). *Kafkas Üniversitesi Sosyal Bilimler Enstitüsü Dergisi Kafkas University Journal of the Institute of Social Sciences, Bahar Spring 2021, Sayı Number 27*, 179–213. <https://doi.org/10.9775/kausbed.2021.011>

mothers' request. The General Directorate of Prisons and Detention Houses of the Ministry of Justice stated in an announcement dated March 9, 2021, that "As of March 8, 2021, there are a total of 345 children in the 0-6 age group staying with their mothers."⁴ As of March 2024, at least 320 pregnant women and new mothers, along with their children, are in prisons⁵. The difficulties faced by these women and children extend beyond physical health problems to psychological and social dimensions.

- *Legal Framework and Policies International Law and Turkey's Obligations Under the framework of international law*

Turkey has committed to certain rights and protections for women and children by signing the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child. These conventions require the protection of women from all forms of violence and discrimination⁶ and the best interests of children to be always considered. However, the treatment of individuals purportedly associated with the Gülen Movement in recent years contradicts these international commitments.

In Turkey's domestic law, in particular Law No. 5275 on the Execution of Penalties and Security Measures, the detention of pregnant women and women with infants under six months is prohibited. Article 16/4 of the law envisages the postponement of the execution of sentences for pregnant women and new mothers. However, in practice, the application of these provisions on individuals associated with the Gülen Movement has shown inconsistencies leading to injustice and arbitrariness. This situation conflicts with both the principles of the Constitution and the European Convention on Human Rights (ECHR).

Additionally, The European Court of Human Rights has noted that, with respect to physical detention conditions, particularly the insufficiency of outdoor exercise combined with the mother's poor nutrition, and inadequate health and hygiene arrangements for the mother and her newborn son, the cumulative effect amounts to a severity causing the mother physical suffering and mental harm, which constitutes inhuman and degrading treatment.⁷

⁴ T.C. ADALET BAKANLIĞI Ceza ve Tevkifevleri Genel Müdürlüğü. (2021, March 9). *Bazı Basın Yayın Organlarında "3 Bin Çocuk Anneleriyle Cezaevinde" Şeklinde Yayınlanan ve Gerçekleri Yansıtmayan Haberlerle İlgili Basın Açıklaması* [Press release]. <https://cte.adalet.gov.tr/Home/SayfaDetay/basin-aciklamasi09032021045708>

⁵ *Arbitrary detention and arrest | OTHERS.* (n.d.). OTHERS. <https://www.solidaritywithothers.com/arbitrary-detention-and-arrest>

⁶ UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>. & United Nations. (1989). Convention on the Rights of the Child. *Treaty Series*, 1577, 3.

⁷ GÜVEÇ v. TURKEY, *Application no. 70337/01*, 20 January 2009, FINAL 20/04/2009, <http://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-90700%22%5D%7D>

Women associated with the Gülen Movement frequently face arbitrary arrests and unfair trials, creating additional risks for pregnant women and new mothers. During the arrest and detention processes, the special needs of pregnant women and mothers with children are not sufficiently considered⁸, violating the rights outlined in Article 19 of the Constitution and Article 5 of the ECHR.

- *Effects on Maternal and Child Health*

According to the resolution of the United Nations (the UN) General Assembly dated December 19, 2006, efforts to eliminate all forms of violence against women, including those needing special attention like prisoners, have been expanded. This requires healthcare personnel, especially nurses, to play significant roles in reducing challenges associated with stigmatization faced by imprisoned women and addressing their identified needs.

Detailed investigations by the Grand National Assembly of Turkey's Human Rights Examination Subcommittee on Bakırköy Women's Closed Prison have highlighted numerous critical issues⁹ in a report published in 2019. The report reveals inadequacies in prison healthcare services, late or sometimes non-existent treatment of illnesses, and restrictions on access to social activities and common areas. It also mentions personal belongings being confiscated during searches, families waiting for hours outside the prison on visitation days, ongoing detention of heavily pregnant women, and inadequate access to nursery facilities for babies and children in the prison. Additionally, the report highlights that some publications are not delivered to convicts and detainees, and requests for trial without detention are ignored.

Pregnant women and new mothers in prison conditions face problems such as inadequate nutrition, lack of hygiene, and lack of proper medical care, endangering both the mother's and the child's health. The case of Halime Gülsu¹⁰ exemplifies the tragic consequences of inadequate healthcare services in prison.

Prison conditions create an environment unsuitable for the physical, mental, and emotional development of young children as well. Children exposed to the prison environment at an early age face risks of social isolation, emotional neglect, and developmental delay, which can significantly impact their long-term educational and health outcomes.¹¹ In this regard, national and international human rights organizations are calling for improvements in prison conditions in

⁸ Cezaevi Müdürleri ve Politika Yapıcıları için Kadınlar ve Hapsedilme Üzerine El Kitabı'' Birleşmiş Milletler New York, 2008, s.19

⁹ <https://www.raporlar.org/bakirkoy-kadin-kapali-ceza-infaz-kurumu-inceleme-raporu-tbmm-insan-haklari-inceleme-komisyonu/>

¹⁰ <https://stockholmcf.org/book-tells-story-of-teacher-who-died-in-turkish-prison-due-to-lack-of-medication/>

¹¹ Murray, J. (2007). The cycle of punishment: Social exclusion of prisoners and their children. *Criminology & Criminal Justice: An International Journal*, 7(1), 55–81. <https://doi.org/10.1177/1748895807072476>

Turkey and, in particular, for the provision of more humane conditions for pregnant women, new mothers, and children.

3. Violence Against Women

- *Forms of violence prevalent in Turkey (domestic violence, honor killings, etc.)*

Violence against women is defined by the UN Declaration on the Elimination of Violence against Women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”,¹² with contemporary interpretations including “the withholding of economic necessities from the victim” as a form of violence against women.¹³ Cyber violence against women as a result of the widespread internet usage has also been recognized by UN bodies.¹⁴

Women in Turkey confront violence in diverse variations, as a result of which they endure significant challenges. Some of the most prevalent instances of violence against women in Turkey extend from deprivation of financial means (which women might depend on within their family dynamics) to damaging physical violence and honor killings.¹⁵ Honor killings are defined as a form of “punishment” against women, who allegedly “fail” to protect the honor of their family by not complying with norms of their society.¹⁶ Within this context, they might be killed or forced into suicide owing to the pressure they are facing.¹⁷ Honor killings are believed to “recover” the family honor regardless of the form of their relationship, which might include their marital partner, the family council (most commonly the father of the house) or their partner.¹⁸ This pattern of violence is perceived as reflecting physical and emotional pain the most.¹⁹

- *Statistics and prevalence rate*

Certain statistics further elucidate adverse situations women encounter in Turkey. According to quantitative data aggregated in 2020, reported physical violence is observed in 36% of women,

¹²G.A. res. 48/104, 48 U.N. GAOR Supp. (No. 49) at 217, U.N. Doc. A/48/49 (1993).

¹³Radhika Coomaraswamy, Special Rapporteur on violence against women, Report to the Commission on Human Rights, UN Doc. E/CN.4/2003/75, 6 January 2003, para.30.

¹⁴*UN Women Turkey Spotlights Cyber Violence and raises awareness on the issue through Innovative Campaign.* UN Women – Europe and Central Asia. <https://eca.unwomen.org/en/news/stories/2020/12/un-women-turkey-spotlights-cyber-violence-and-raises-awareness-through-innovative-campaign>.

¹⁵Kardam , F., Alpar , Z., Yuksel , I., & Ergun , E. (2005). The Dynamics of Honor Killings in Turkey . <https://www.unfpa.org/sites/default/files/pub-pdf/honourkillings.pdf>.

¹⁶Ibid.

¹⁷Ibid.

¹⁸Ibid.

¹⁹*Data on violence against women in Turkey.* ILAPROJECT. (2021, April 21). <https://ilaprojesi.org/en/2020/09/18/data-on-violence-against-women-in-turkey/#:~:text=Emotional%20violence%20F Abuse%3A%20The%20most,during%20their%20lifetime%20is%2044%25>.

while statistics demonstrate that 12% reported sexual violence.²⁰ Emotional violence constitutes a pervasive form of violence, with 44% of women in Turkey having been exposed to such abuse at any time throughout their lifetime as documented in 2020.²¹ Moreover, in 2022, the Turkish feminist organization - We Will Stop Femicide Platform (Kadın Cinayetlerini Durduracağız Platformu) - published in its annual report that 334 women were murdered by men.²² Although men are also observed to be subjected to violence, women constitute the vast majority of victims.²³ It was documented in 2023 that 8 in 10 people who were subjected to violence are women, and 73 percent of these women are married and aged between 31 and 55.²⁴

- *Cultural and societal norms contributing to violence*

There are a profuse amount of reasons that aggravate violence against women in Turkey, including social, cultural, and psychological factors.²⁵ The low social status of women, in contrast to their male counterparts, is a stimulating factor for violence against women.²⁶ Violence is regarded as a means towards “disciplining” women and reaffirming domination.²⁷ Being in a patriarchal society, women are under tight control.²⁸ Due to widely shared cultural norms, marital status is recognized to be a contributing factor and a justified ground for violence against women.²⁹ The controlling behavior towards women concerns places women can visit, their clothing and sense of fashion, and men that whom they engage in conversations.³⁰

²⁰*Data on violence against women in Turkey.* ILAPROJECT. (2021, April 21). <https://ilaprojesi.org/en/2020/09/18/data-on-violence-against-women-in-turkey/#:~:text=Physical%20and%20For%20sexual%20violence,at%2012%25%20throughout%20the%20country.>

²¹Ibid.

²²Scf. (2023, January 4). *Top Court refuses to annul Turkey's Istanbul Convention withdrawal.* Stockholm Center for Freedom. <https://stockholmcf.org/top-court-refuses-to-annul-turkeys-istanbul-convention-withdrawal/>.

²³Amnesty International (Ed.). (2021). *Turkey: Women Confronting Family Violence*, p. 8.

²⁴*UNFPA-TKDF Domestic Violence Report has been released!*. UNFPA Türkiye. (2023, June 22). <https://turkiye.unfpa.org/en/domestic-violence-report-press-release>.

²⁵Kocacik , F., Kutlar , A., & Erselcan , F. (2019). Domestic violence against women: A field study in Turkey. *The Social Science Journal* , 44(4), 698–720. <https://doi.org/https://www.tandfonline.com/doi/full/10.1016/j.soscij.2007.10.016>.

²⁶Basar , F., & Demirci , N. (2018). Domestic violence against women in Turkey. *Pak J Med Sci* , 34(3), 660–665. <https://doi.org/https://pjms.com.pk/index.php/pjms/article/view/15139>.

²⁷Amnesty International (Ed.). (2021). *Turkey: Women Confronting Family Violence*.

²⁸Kocacik , F., Kutlar , A., & Erselcan , F. (2019). Domestic violence against women: A field study in Turkey. *The Social Science Journal* , 44(4), 698–720.

²⁹*Data on violence against women in Turkey.* ILAPROJECT. (2021, April 21). <https://ilaprojesi.org/en/2020/09/18/data-on-violence-against-women-in-turkey/#:~:text=Physical%20and%20For%20sexual%20violence,at%2012%25%20throughout%20the%20country.>

³⁰Kardam , F., Alpar , Z., Yuksel , I., & Ergun , E. The Dynamics of Honor Killings in Turkey . <https://www.unfpa.org/sites/default/files/pub-pdf/honourkillings.pdf>.

Furthermore, the norms of the neighborhood where a woman lives and its residents are influential in the violence against women.³¹ Violence against women is intertwined with discrimination against women, and violence against women is a form of discrimination. In most cases, the influencing factor that exponentially increases the level of vitality of the suffered violence stems from the fact that women are unaware of viable options to report such violence or that they are left unsolicited in dire circumstances despite their call for help. Furthermore, many women are conditioned to believe it is due to their own fault that they are experiencing violence. Women rarely fight back against or leave their husbands or intimate partners owing to the ongoing physical violence that they confront.³² Furthermore, some women do not report violence as they do not consider it a major issue.³³

- *Legal protections and support services available and challenges in implementation and access to justice*

Abused women can apply to the police and the courts for preventive cautionary orders, including restraining orders. Women can also apply for protective cautionary orders, which provide access to shelter in addition to viable financial assistance. Perpetrators can be punished with detention if they breach the terms of restraining orders. However, there is an enforcement issue stemming from cautionary orders being issued for a very short period of time, and there is avoidance of detention as a form of punishment. Additionally, courts demonstrate a tendency to issue fines with a low deterring effect. Furthermore, there is a lack of properly conducted risk assessment by authorities, which escalates such risk.³⁴

The Convention on Preventing and Combating Violence against Women and Domestic Violence (“the Istanbul Convention”)³⁵ is a convention that sets the standards for ensuring that women are secure against violence. It was adopted on 7 April 2011 and entered into force on 1 August 2014.³⁶ The significance of the Istanbul Convention lies in its identification of gender inequality as the root cause of violence against women, developed within a historical context, and in imposing positive obligations on the state to end this gender inequality. The Convention not only rejects

³¹Kocacik , F., Kutlar , A., & Erselcan , F. (2019). Domestic violence against women: A field study in Turkey. *The Social Science Journal* , 44(4), 698–720. <https://doi.org/https://www.tandfonline.com/doi/full/10.1016/j.soscij.2007.10.016>

³²Hacettepe University. (2019). *Domestic Violence against Women in Turkey*. <https://cssplatform.org/wp-content/uploads/2019/04/Summary-report-of-Research-on-DV-in-Turkey.pdf>.

³³Ibid.

³⁴*Interview: How Turkey's failure to protect women can cost them their lives*. Human Rights Watch. (2023, June 20). <https://www.hrw.org/news/2022/05/26/interview-how-turkeys-failure-protect-women-can-cost-them-their-lives>.

³⁵Council of Europe, *Council of Europe Convention on preventing and combating violence against women and domestic violence*, 11 May 2011, <https://www.refworld.org/legal/agreements/coe/2011/en/79074>.

³⁶*Key facts about the Istanbul Convention - Istanbul Convention Action Against Violence Against Women and Domestic Violence - www.coe.int*. Istanbul Convention Action against violence against women and domestic violence. <https://www.coe.int/en/web/istanbul-convention/key-facts>.

gender discrimination but also opposes all forms of discrimination based on sexual orientation.³⁷ Additionally, the Istanbul Convention is considered the most progressive convention regarding the rights of women and the elimination of violence against women through a roadmap known as four pillars: prevention, protection, prosecution, and integrated policies.³⁸

Turkey was the first country to ratify the Istanbul Convention in 2012, with unanimous approval from all parties in the Turkish Parliament.³⁹ The level of protection attributed to women by the Istanbul Convention was transposed into the Law to Protect Family and Prevent Violence Against Women No. 6284.⁴⁰ However, on 20 March 2021, the Turkish Presidential Decree publicly announced withdrawal from the Istanbul Convention with the presidential decision No. 3718,⁴¹ which entered into force on 1 July 2021.⁴² The decision has received condemnation and sparked protests both within and outside Turkey, and it has been viewed as a regression regarding protection for women.⁴³ The AKP government claimed that the Istanbul Convention is against the family structure and promotes homosexuality, which is contrary to cultural norms.⁴⁴

The main reason demonstrated by the AKP government is that the Convention encourages women to file for divorce, which jeopardizes the Turkish family structure.⁴⁵ Since 2002, when the political party and current ruling party AKP came to power, it has been adopting pronatalist policies enhancing family-oriented programs and restricting the provision of sexual and reproductive rights of women, such as their access to information on contraception and the right to abortion.⁴⁶ Following the decision, there have been 200 appeals filed to the top administrative court to invalidate the withdrawal decision,⁴⁷ qualifying as the most crowded in the history of the administrative court with attendance by over 500 people, while others were prevented from

³⁷ <https://kadinininsanhaklari.org/savunuculuk/uluslararasi-sozlesmeler-ve-mekanizmalar/istanbul-sozlesmesi/>

³⁸ Seker, B., & Sonmezocak, E. B. (2021). *Withdrawal from the Istanbul Convention: War on Gender Equality in Turkey*. https://freedomhouse.org/sites/default/files/2021-06/06292021_Freedom_House_Turkey_Policy_Brief-2-Withdrawal-from-the-Istanbul-Convention.pdf.

³⁹ Kula, A. (2021, March 22). *An unconstitutional setback: Turkey's withdrawal from the Istanbul Convention*. Verfassungsblog. <https://verfassungsblog.de/erdogan-istanbul-convention/>.

⁴⁰ Law to Protect Family and Prevent Violence Against Women No. 6284.

⁴¹ Presidential Decision No. 3718.

⁴² Council of Europe. (2021, April 7). *Turkey's announced withdrawal from the Istanbul Convention Endangers Women's Rights - Commissioner for human rights - www.coe.int*. Commissioner for Human Rights. <https://www.coe.int/nb/web/commissioner/-/turkey-s-announced-withdrawal-from-the-istanbul-convention-endangers-women-s-rights>.

⁴³ *Turkey's withdrawal from the Istanbul Convention rallies the fight for women's rights across the world*. Amnesty International. (2022, August 8). <https://www.amnesty.org/en/latest/news/2021/07/turkeys-withdrawal-from-the-istanbul-convention-rallies-the-fight-for-womens-rights-across-the-world-2/>.

⁴⁴ Seker, B., & Sonmezocak, E. B. (2021). *Withdrawal from the Istanbul Convention: War on Gender Equality in Turkey*. https://freedomhouse.org/sites/default/files/2021-06/06292021_Freedom_House_Turkey_Policy_Brief-2-Withdrawal-from-the-Istanbul-Convention.pdf.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ *Türkiye's withdrawal from the Istanbul Convention*. Centre for Human Rights & Legal Pluralism. (2023, March 15). <https://www.mcgill.ca/humanrights/article/turkiyes-withdrawal-istanbul-convention>.

attending.⁴⁸ The decree was particularly concerning due to the COVID-19 pandemic, which led to a global lockdown, escalating circumstances that put women and members of the LGBTQ community at more risk.⁴⁹ The withdrawal decision is considered to demonstrate the rule of law crisis, erosion of separation of powers, and arbitrary and unilateral presidential decision in the absence of parliamentary or constitutional review.⁵⁰ Furthermore, combating violence against women is perceived in paternalistic and conservative terms.⁵¹ The authorities in Turkey deem women breakable and take up the role of protecting the institution of the family.⁵²

4. Refugee Women in Turkey

- *Overview of the refugee crisis in Turkey*

Currently, Turkey hosts the largest number of refugees worldwide, with 4 million registered refugees coming from different nationalities.⁵³ Refugees with Syrian nationality constitute the vast majority of the refugee population in Turkey,⁵⁴ while protection is also granted to nationals of Iran, Afghanistan, and Iraq.⁵⁵ Although many of the refugees have been residing in Turkey for over a decade, such as the majority of Syrian refugees, the refugee minority is considered a major reason for social and economic issues by Turkish citizens,⁵⁶ with many expecting these refugees to return to their home country.⁵⁷ The increasing influx and the unprecedented drop in employment rates consistently reignite the debate around the refugee crisis in Turkey.⁵⁸ Furthermore, the hatred

⁴⁸Ibid.

⁴⁹United Nations. *UN joint statement in response to Turkey's withdrawal from Istanbul Convention in Türkiye*. United Nations. <https://turkiye.un.org/en/122727-un-joint-statement-response-turkey%E2%80%99s-withdrawal-istanbul-convention>.

⁵⁰Seker , B., & Sonmezocak , E. B. (2021). *Withdrawal from the Istanbul Convention: War on Gender Equality in Turkey*.

⁵¹*Interview: How Turkey's failure to protect women can cost them their lives*. Human Rights Watch. (2023, June 20). <https://www.hrw.org/news/2022/05/26/interview-how-turkeys-failure-protect-women-can-cost-them-their-lives>.

⁵²Ibid.

⁵³*Türkiye*. European Civil Protection and Humanitarian Aid Operations. https://civil-protection-humanitarian-aid.ec.europa.eu/where/europe/turkiye_en#:~:text=The%20country%20currently%20hosts%20the,Most%20refugees%20live%20outside%20camps.

⁵⁴*Refugees and asylum seekers in Turkey*. UNHCR Türkiye. <https://www.unhcr.org/tr/en/refugees-and-asylum-seekers-in-turkey>.

⁵⁵Tahiroglu, M., & By. (2022, August 17). *Immigration politics: Refugees in Turkey and the 2023 elections: Heinrich Böll stiftung: Washington, DC office - USA, Canada, global dialogue*. Heinrich Böll Stiftung | Washington, DC Office - USA, Canada, Global Dialogue. <https://us.boell.org/en/2022/08/17/immigration-politics-refugees-turkey-and-2023-elections>.

⁵⁶*Syrian refugees in Turkey: Between heaven and hell?*. IEMed. <https://www.iemed.org/publication/syrian-refugees-in-turkey-between-heaven-and-hell/>.

⁵⁷Makovsky, A. (2024, February 28). *Turkey's refugee dilemma*. Center for American Progress. <https://www.americanprogress.org/article/turkeys-refugee-dilemma/>.

⁵⁸Tahiroglu, M., & By. (2022, August 17). *Immigration politics: Refugees in Turkey and the 2023 elections: Heinrich Böll stiftung: Washington, DC office - USA, Canada, global dialogue*. Heinrich Böll Stiftung | Washington, DC Office - USA, Canada, Global Dialogue.

towards refugees is enhanced by the criticism that there is a lack of integration by these refugees into Turkish culture and norms.⁵⁹

- *Intersectionality of gender and refugee status, and significant challenges faced by refugee women: access to healthcare, education, and employment*

Morbidity is more prevalent among refugee women and children in Turkey,⁶⁰ and access to reproductive health services is quite limited due to the lack of awareness regarding how and where refugee women can find support.⁶¹ Refugee women are highly vulnerable to sexual violence and face higher risks throughout pregnancy, resulting in maternal deaths due to the reduced use of healthcare services.⁶² Compared to Turkish women, refugee women residing in Turkey suffer significantly more from forced marriage, polygamy, and unwanted pregnancies.⁶³

Refugee women commonly fear participating in educational environments due to a combination of factors. These include their cultural norms, which restrict women from completing daily chores without support or encouragement to pursue higher education.⁶⁴ Additionally, they fear that becoming educated will lead to a disconnection from their culture, a concern shared by their families.⁶⁵ The job opportunities available to refugee women in Turkey are quite limited and present various challenges.⁶⁶ Typically, women are restricted to blue-collar positions within industries such as textiles and food.⁶⁷ Despite their education, these women often struggle to find jobs commensurate with their qualifications.⁶⁸ Consequently, refugee women frequently experience a loss of confidence, particularly if they are isolated or lonely.⁶⁹

⁵⁹Ozduzen, O., Korkut, U., & Ozduzen, C. (2020). 'refugees are not welcome': Digital racism, online place-making and the evolving categorization of Syrians in Turkey. *New Media & Society*, 23(11), 3349–3369. <https://doi.org/10.1177/1461444820956341>.

⁶⁰UNFPA. (2014). *Regional Situation Report for Syria Crisis*. [https://www.unfpa.org/sites/default/files/resource-pdf/UNFPA%20Regional%20SitRep%201%20-%2030%20September%202014%20%20%20%2025%20.pdf](https://www.unfpa.org/sites/default/files/resource-pdf/UNFPA%20Regional%20SitRep%201%20-%2030%20September%202014%20%20%2025%20.pdf).

⁶¹Samari, G. (2017). Syrian refugee women's health in Lebanon, Turkey, and Jordan and recommendations for improved practice. *World Medical & Health Policy*, 9(2), 255–274. <https://doi.org/10.1002/wmh3.231>.

⁶²Samari, G. (2017). Syrian refugee women's health in Lebanon, Turkey, and Jordan and recommendations for improved practice. *World Medical & Health Policy*, 9(2), 255–274. <https://doi.org/10.1002/wmh3.231>.

⁶³Saleh, A., Aydin, S., & KOÇAK, O. (2018). A comparative Study of Syrian Refugees in Turkey, Lebanon, and Jordan: Healthcare Access and Delivery. *OPUS International Journal of Society Researches*, 8(14), 448-464. <https://doi.org/10.26466/opus.376351>.

⁶⁴*Syrian sisters lead the way to higher education for young refugees in Turkey*. UN Women – Europe and Central Asia. <https://eca.unwomen.org/en/stories/news/2022/03/syrian-sisters-lead-the-way-to-higher-education-for-young-refugees-in-turkey>.

⁶⁵Ibid.

⁶⁶*Exploring the livelihoods of women refugees in Turkey: A qualitative study on the Emergency Social Safety Net (ESSN) applicants (a remote focus group discussion report) - türkiye*. ReliefWeb. (2021, September 1). <https://reliefweb.int/report/turkey/exploring-livelihoods-women-refugees-turkey-qualitative-study-emergency-social-safety>.

⁶⁷Ibid.

⁶⁸Ibid.

⁶⁹Ozturk, L., Serin, Z. V., & Altinoz, H. (2019). Challenges and obstacles for Syrian refugee women in the Turkish Labor Market. *Societies*, 9(3), 49. <https://doi.org/10.3390/soc9030049>.

- *Efforts by NGOs and international organizations to support refugee women*

UN agencies have taken proactive measures in Turkey to mitigate violence against women, with UN Women Turkey actively collaborating with the Turkish Government and civil society organizations to foster advancements.⁷⁰ Particularly, through the UN Women Refugee Response Program, women-only centers are supported primarily in cities such as Izmir and Gaziantep.⁷¹ These centers offer counseling, support, and institutional referrals to refugee and host community women and girls who are vulnerable to violence.⁷²

Since 2017, over 20,000 women from refugee and host communities have benefited from protection services and livelihood support provided through projects funded by the European Union, as well as the governments of Japan, Norway, and Iceland.⁷³ Furthermore, the United Nations Population Fund (UNFPA) Turkey remains steadfast in its mission to enhance the accessibility of health and protection services for migrant and refugee women and youth.⁷⁴ This commitment is exemplified by the establishment of two new centers in Istanbul and Sanliurfa in 2021, signaling a dedicated effort towards advancing their well-being and empowerment.⁷⁵ The Health and Support Centers in Sanliurfa provide a wide variety of health and protection services to refugee and migrant women with an expert team consisting of social workers, psychologists, nurses, translators, and health mediators.⁷⁶ The Center guides refugee women regarding how to use legal means against violence they might encounter in addition to psychological help.⁷⁷ Furthermore, women are offered vocational training alongside informational consultancy aimed at raising awareness. Women Solidarity Center with similar functions in Istanbul, provides health and protection services for gender-based violence survivors.⁷⁸

⁷⁰*Ending violence against women and girls.* UN Women – Europe and Central Asia. <https://eca.unwomen.org/en/where-we-are/turkey/ending-violence-against-women>.

⁷¹*Refugee response.* UN Women – Europe and Central Asia. <https://eca.unwomen.org/en/where-we-are/turkey/peace-and-security>.

⁷²Ibid.

⁷³Ibid.

⁷⁴*UNFPA Turkey continues to support the most vulnerable refugees and migrants with New Centers.* UNFPA Türkiye. (2021, December 12). <https://turkiye.unfpa.org/en/news/unfpa-turkey-continues-support-most-vulnerable-refugees-and-migrants-new-centers>.

⁷⁵Ibid.

⁷⁶Ibid.

⁷⁷Ibid.

⁷⁸*UNFPA Turkey continues to support the most vulnerable refugees and migrants with New Centers.* UNFPA Türkiye. (2021, December 12). <https://turkiye.unfpa.org/en/news/unfpa-turkey-continues-support-most-vulnerable-refugees-and-migrants-new-centers>; See also *Women' guest house – refugees association.* Mülteciler Derneği Türkçe. <https://multeciler.org.tr/eng/guesthouse/>.

5. Intersectionality and Marginalized Groups

Intersectionality, as a theoretical framework, acknowledges the interconnected nature of social categorizations such as race, class, gender, sexuality, and ability. Marginalized groups of women in Turkey encounter a variety of challenges rooted in intersecting forms of discrimination and oppression. Turkey's history is marked by patriarchal norms and cultural practices that have perpetuated the marginalization of women.

Also, Turkey's decision to withdraw from the Istanbul Convention in 2021 exacerbated existing gender inequalities and highlighted the country's ongoing decline in gender democracy⁷⁹. This move became a backlash from perceived steps towards gender equality during the process of Europeanization and was marked as de-democratization. The withdrawal from the Convention reflected the broader political climate in Turkey, characterized by diminishing democracy and the promotion of traditional gender roles⁸⁰.

- *Challenges faced by marginalized groups of women*

A serious challenge that women in Turkey face is gender-based violence. In Turkey, gender-based violence includes a wide range of human rights abuses. Based on a government survey in 2014, approximately one out of every four women in Turkey has experienced physical or sexual violence from their partners⁸¹. Collated data from the government, independent media, and civil society organizations indicate hundreds of femicides occurring annually. However, due to a lack of trust in available support systems, widespread impunity for perpetrators, and gender-related biases and discrimination, many cases remain unreported⁸².

Socioeconomic status intersects with gender and creates inequalities in Turkey, with women from low-income backgrounds facing disproportionate barriers to social and economic life. Economic inequality also relates to other gender norms and patriarchal structures, limiting women's access

⁷⁹ Council of Europe. (2021, April 7). *Turkey's announced withdrawal from the Istanbul Convention Endangers Women's Rights - Commissioner for human rights - www.coe.int*. Commissioner for Human Rights. <https://www.coe.int/nb/web/commissioner/-/turkey-s-announced-withdrawal-from-the-istanbul-convention-endangers-women-s-rights>

⁸⁰ Fernandes, R. S. (2023, November 29). *The burden of de-democratisation: Gender (in)equality in Turkey*. The Loop. <https://theloop.ecpr.eu/the-burden-of-de-democratisation-gender-inequality-in-turkey/#:~:text=Women%20in%20Turkey%20have%20extremely,representation%2C%20of%20any%20OECD%20country>

⁸¹ *Türkiye: Stemming tide of violence against women and girls should be priority, says UN expert*. OHCHR. (2022).

⁸² *Combatting domestic violence in Turkey: The deadly impact of failure ...* Human Rights Watch. (2022). <https://www.hrw.org/report/2022/05/26/combating-domestic-violence-turkey/deadly-impact-failure-protect>

to education, employment, and healthcare. For example, official statistics suggest that the unemployment rate for men is 8.9% in Turkey, this figure increases to 13.9% for women⁸³.

Ethnic minority women in Turkey, such as Kurds, Armenians, and others, face systemic discrimination based on their ethnicity and gender⁸⁴. They often experience limited access to education, employment, and healthcare, exacerbating their vulnerability to poverty and violence. Cultural and linguistic barriers further impede their ability to access justice and support services. Also, a lack of education is more commonly experienced by women in eastern Turkey, who are less likely to finish high school education compared to men⁸⁵.

Women with disabilities face intersecting forms of discrimination based on their gender and disability⁸⁶. They encounter barriers to accessing education, employment, and healthcare, as well as physical barriers in the built environment. Negative attitudes and misconceptions about disability further marginalize these women, limiting their opportunities for social inclusion and participation.

Migrant and refugee women in Turkey face multifaceted challenges arising from displacement, conflict, and precarious legal status. They often lack access to essential services, including healthcare and education, and are vulnerable to exploitation, trafficking, and gender-based violence⁸⁷.

Cultural and social norms that perpetuate the traditional role of women as mothers and homemakers perpetuate this barrier for some women in gaining access to education⁸⁸. Understandably, a lack of access to education perpetuates other challenges for marginalized women, such as a limited ability to seek gainful employment, as well as limited awareness and

⁸³ Tatoğlu, T. (2022, December). *Drivers of low female labor force participation in Türkiye*. (BBVA Research). https://www.bbva-research.com/wp-content/uploads/2022/12/WP_22_13_Drivers_of_Low_Female_Labor_Force_Participation_in_Turkiye.pdf

⁸⁴ Kaya, N., & Baldwin, C. (2004). *Minorities in Turkey*. Minority Rights Group International. <https://minorityrights.org/app/uploads/2024/01/mrg-turkeysub.pdf>

⁸⁵ Kilinc, R., & Neathery-Castro, J. L. (2017). *Ethnic conflict and gender inequality in education: the case of Turkey*. University of Nebraska at Omaha. <https://digitalcommons.unomaha.edu/>

⁸⁶ *Submission to the Draft General Comment on Article 6: Women with Disabilities*. (ENKAD). (n.d.). <https://www.ohchr.org/sites/default/files/documents/hrbodies/cedaw/general-discussion/2023/gr40-advocacy-women-disabilities-initiative.docx>

⁸⁷ *Gender dimension in Turkish migration policies and strategies*. Maat for Peace, Development and Human Rights. (2019, May). https://www.ohchr.org/sites/default/files/Documents/Issues/SRMigrants/submissions/MaatForPeace_Submission_GA-Report.pdf

⁸⁸ Ökten, Ş. (2017). *Domestic Violence and Patriarchy in Turkey*. *European Journal of Social Sciences Education and Research*. https://revistia.com/files/articles/eiser_v4_i4s_17/Sevket.pdf

understanding of the rights and legal protections that should be in place to shield them against gender-based violence, discrimination, and inequality.

6. Conclusion

The journey of women's rights in Turkey is marked by a complex interplay of progress and challenges. While significant strides have been made in legal reforms and societal attitudes towards gender equality, persistent disparities and structural impediments continue to obstruct the full realization of women's rights. The incarceration of pregnant women and those post-childbirth, the pervasive phenomenon of violence against women, and the plight of refugee women within Turkey's borders serve as poignant reminders of the urgent need for concerted action.

The incarceration of pregnant women and new mothers, particularly those associated with the Gülen Movement, highlights systemic injustices within Turkey's legal framework. Despite existing laws prohibiting the detention of pregnant women and women with infants under six months, inconsistent application and disregard for international human rights standards contribute to a cycle of injustice and suffering. The adverse effects on maternal and child health underscore the urgent need for reform and the implementation of humane and rights-based approaches within the criminal justice system.

Violence against women remains a pervasive and multifaceted challenge in Turkey, perpetuated by entrenched cultural norms, socioeconomic disparities, and shortcomings in legal protections and support services. The withdrawal from the Istanbul Convention further compounds these challenges, signaling a concerning regression in the protection of women's rights and a disregard for international obligations. Addressing the root causes of gender-based violence and fostering a culture of accountability and gender equality are imperative for creating a safer and more equitable society for all.

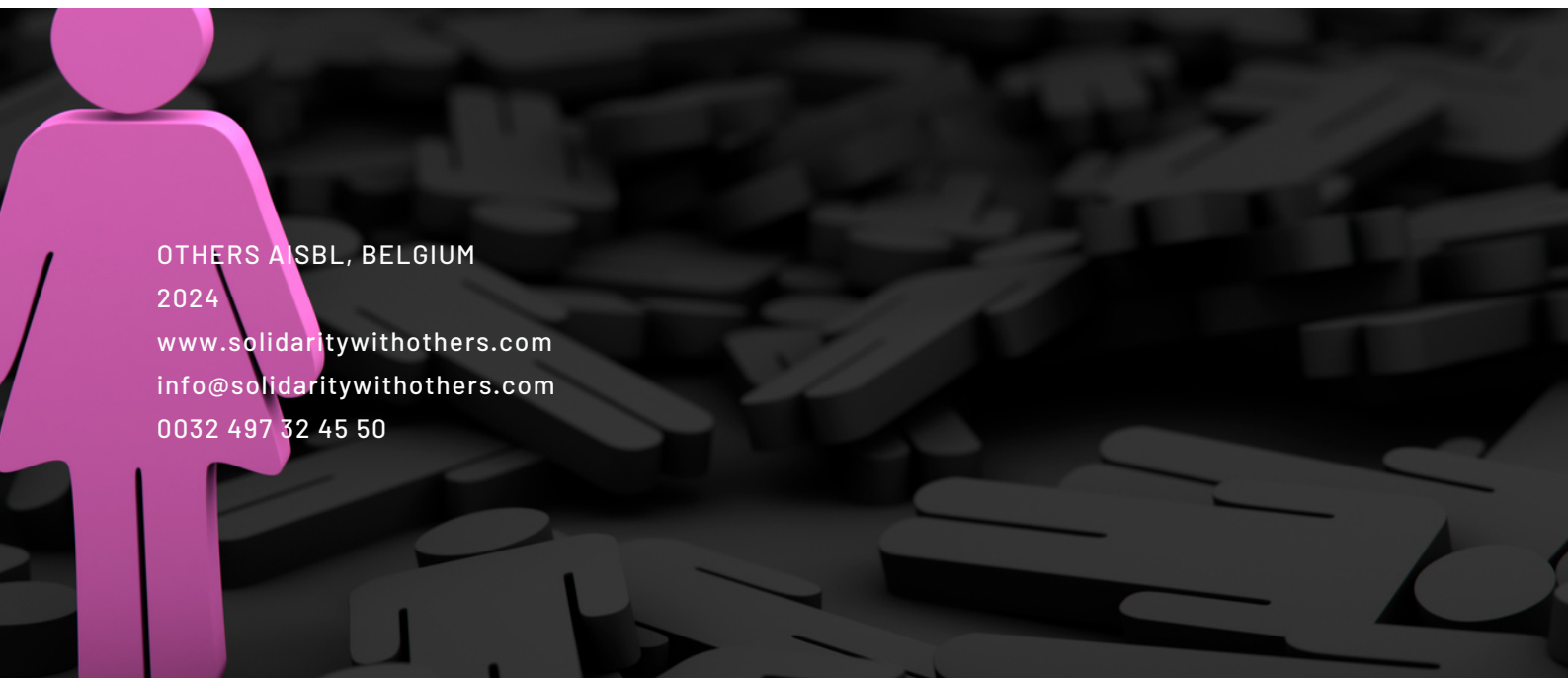
Refugee women in Turkey face intersecting forms of discrimination and vulnerability, exacerbated by displacement, conflict, and precarious legal status. Access to essential services, including healthcare, education, and employment, remains limited, necessitating robust support mechanisms and targeted interventions to address their unique needs and challenges.

- *Recommendations*

I- Uphold International Commitments: Turkey should reaffirm its commitment to international human rights treaties and conventions, including the Istanbul Convention, and ensure their effective implementation in domestic law. This includes reinstating its commitment to the Istanbul Convention and taking concrete steps to address gender-based violence in all its forms.

- II- Reform Criminal Justice System: Implement comprehensive reforms within the criminal justice system to ensure the rights of pregnant women and new mothers are upheld, including consistent application of laws prohibiting their detention and adherence to international human rights standards.
- III- Enhance Support Services: Expand access to support services for survivors of gender-based violence, including shelters, counseling, legal aid, and economic empowerment programs. Ensure these services are culturally sensitive, gender-responsive, and accessible to all women, including refugees and marginalized groups.
- IV- Combat Discrimination: Take proactive measures to combat discrimination against marginalized groups of women, including ethnic minorities, women with disabilities, and migrant and refugee women. This includes addressing structural barriers to education, employment, and healthcare, and promoting social inclusion and participation.
- V- Empower Women: Invest in initiatives aimed at empowering women economically, socially, and politically. This includes promoting women's leadership and participation in decision-making processes, enhancing access to education and vocational training, and promoting women's rights awareness and advocacy.
- VI- Strengthen International Cooperation: Collaborate with international organizations, civil society groups, and other stakeholders to strengthen support for women's rights in Turkey. This includes sharing best practices, mobilizing resources, and fostering dialogue and cooperation on gender equality and women's empowerment initiatives.
- VII- Monitor and Evaluate Progress: Establish mechanisms for monitoring and evaluating progress in advancing women's rights in Turkey, including data collection, reporting, and accountability mechanisms. Regularly assess the impact of policies and interventions on the lives of women and girls, and adjust strategies as needed to address emerging challenges and gaps.

By prioritizing these recommendations and adopting a comprehensive and rights-based approach, Turkey can make significant strides towards realizing gender equality and ensuring the rights and dignity of all women are upheld.



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