



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
12 February 2010

Original: English

**Committee on the Elimination of Discrimination
against Women**

Pre-session working group

Forty-sixth session

12-30 July 2010

**Responses to the list of issues and questions with regard to
the consideration of the sixth periodic report**

Turkey*

* The present report is being issued without formal editing.



**QUESTIONS AND ANSWERS WITH REGARD TO THE CONSIDERATION OF
THE PERIODIC REPORTS**

TURKEY

January 2010

General

QUESTION 1. *Please provide more information on the process of preparation of the report. This information should indicate which Government departments and institutions were involved and the nature and extent of their participation and whether the report was adopted by the Government and submitted to Parliament. Please also provide information on the extent of the involvement of non governmental organizations in general, and women's organizations in particular in the preparation of the report.*

ANSWER 1. The preparatory works for the 6th CEDAW Country Report were launched by the General Directorate on the Status of Women (GDSW) in 2007, and two preparation meetings were conducted in order to collect comments and feedbacks of all relevant public institutions and agencies, and the representatives of universities and non-governmental organizations. The said meetings have taken place back in April (for two days) and November 2007, and there were a total of 415 participants. The participants have provided comments and recommendations on the draft report prepared by GDSW. GDSW invited 39 public institutions, 64 non-governmental organizations and 36 academicians to the Preparatory Meetings for CEDAW 6th Country Report. Following the collection of comments by relevant stakeholders; the 6th Periodic Country Report finalized by GDSW has been presented to the Committee after the approval by the State Minister in charge of Women and Family Affairs.

QUESTION 2. *The report contains limited updated statistical data disaggregated by sex on the situation of women in many areas covered by the Convention. Please indicate how the Government intends to improve the collection of data disaggregated by sex pertaining to all the areas of the Convention, and how such data is used in policy and programme development and in monitoring progress towards de facto equality of women and men.*

ANSWER 2. “The Population and Demographics Group” under Turkish Statistical Institute’s (TURKSTAT) Department of Social Statistics encompasses “the Gender Statistics Team” which is in charge of collection and dissemination of gender-disaggregated data. The Gender Statistics Team, which has been functioning since 1993, produces gender statistics that contain advanced analysis work highlighting social, economic and cultural gender differences; and gender indicators. Notwithstanding the existence of problematic areas in terms of gender-disaggregation of statistics collected by agencies and institutions in our country; the census and survey works concerning individuals are being executed in a manner enabling gender-disaggregated data production. The gender indicators are calculated by using the data compiled from surveys and administrative records.

Constitutional, legislative and institutional framework

QUESTION 3. *In its previous concluding observations (CEDAW/C/TUR/CC/4-5, paras. 23-24), the Committee recommended the State party to include in the Constitution a definition of discrimination against women in line with article 1 of the Convention or in appropriate laws. It also recommended the State party to raise awareness about the Convention and the meaning and scope of discrimination against women aimed at the general public and especially at parliamentarians, the judiciary and the legal profession. Please specify whether a definition of discrimination against women, encompassing both direct and indirect discrimination, and covering acts committed by both public and private actions, in line with art. 1 of the Convention is included among these efforts. Please provide information on whether the provisions of the Convention have been invoked in national courts, and provide examples of any pertinent case law.*

ANSWER 3. The Turkish legal system does not include any article on the definition of “discrimination against women” as set forth by CEDAW Convention, but there are provisions within different Acts that regulate matters regarding discrimination:

The 10th Article of the Constitution establishes “the principle of equality before law” according to which all individuals are equal without any discrimination before the law regardless of their sex, and the State shall have the obligation to ensure the existence of such equality in practice;

The second clause under the 3rd Article, side headed as “equality before law and justice”, of Turkish Penal Code No: 5237 stipulates that for the purposes of the Act no one could be granted privileges nor be subject to discrimination depending upon their sex; and the 122nd article, side headed as “discrimination”, stipulates that a person who, by practicing discrimination on grounds of sex, a) prevents the sale or transfer of personal property or real estate or the performance or enjoyment of a service or who makes the employment of a person contingent on sex, b) withholds foodstuffs or refuses to provide a public service, c) prevents a person from carrying out an ordinary economic activity shall be sentenced to imprisonment for a term of six months to one year or judicial fine;

The first clause of the 2nd article, side headed as “basic principle of execution”, of Law No: 5275 on Execution of Penal and Security Measures stipulates that the provisions regarding the execution of penalties and security measures shall be applied without any discrimination or granting any privilege on the basis of sex;

The 5th article, side headed as “Principle of Equal Treatment”, of Labor Code No: 4857 stipulates that no discrimination based on sex shall be made in business relations; the employer shall not treat a worker differently in concluding the labor contract, establishing the conditions thereof, implementation and termination thereof due to sex or pregnancy, unless biological reasons or those pertaining to the work qualifications oblige; a lower wage shall not be decided for an equal or equivalent job on the grounds of sex; and enforcement of special safeguard provisions due to sex shall not be used to justify the application of lower wage.

Furthermore; the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) provisions may be used as reference to

justified decisions by Turkish Courts in accordance with each individual case and requirements of circumstance. In this context; particularly with regard to the enforcement of Law No: 4320 on the Protection of The Family bearing effective protection measures for the prevention of domestic violence; it has been observed that the Convention articles were cited in the rescripts. For instance; the proceedings, which were before the 8th Family Court of Ankara in 2008, on “Protection Order as per the Law No: 4320” and “Prior Consent in Child Adoption”; and the proceedings brought before the same Court in 2009, on “Protection Order as per the Law No: 4320” and “Adoption Annulment” all comprised various attributions to not only the CEDAW Convention, but also the Convention on the Rights of the Child and other international conventions and agreements ratified by Turkey.

QUESTION 4. *In its previous concluding observations (CEDAW/C/TUR/CC/4-5, paras. 25-26), the Committee recommended the State party to give priority to amending remaining discriminatory legal provisions without delay so as to bring its legislation into line with article 2 of the Convention. The State party’s report refers to laws and measures (CEDAW/C/TUR/6, pag. 6-12) that have been adopted to reduce and eliminate discrimination against women. Please provide detailed information on the effective implementation of these laws and measures in the whole country during the period under review. Also please include detailed and updated information on the status of the draft law on the amendment of the Turkish Civil Code (CEDAW/C/TUR/6, pag.6). The State party report also refers to remaining provisions of the Turkish Penal Code that could be unfavourable for women and that are currently being debated by public opinion and to which the Committee referred to in its previous Concluding observations (CEDAW/C/TUR/CC/4-5, Para.25). Please provide detailed information on the efforts carried out to repeal those provisions.*

ANSWER 4. The Laws mentioned both in the 6th Periodic Country Report and the answer to the previous question, and the measures regulated therein are enforced by Turkish judicial bodies and other authorized bodies beginning from their entering into force.

The amendments to the 10th, 41st and 90th articles of the Constitution in 2002 and 2004 created provisions on equality between women and men; and introduced the following regulations: enjoyment of equal rights by women and men, the family is the foundation of Turkish society and is based on the equality of spouses, and the duly promulgated international conventions on fundamental rights and freedoms shall supersede the national laws in case of potential disputes in consequence of different provisions on the same topic. (See the 6th Periodic Country Report).

Nevertheless, the Article 187 of Turkish Civil Code; according to which women shall bear their husband’s surname on marriage and are free to retain and use their maiden name in front of their husband’s surname by way of making a written declaration to the registrar, upon signing the matrimonial pact or at the registration office after the marriage, but can only bear up to two surnames at once; has been found to be in contradiction with the general approach of Turkish Civil Code, Turkish Constitution and CEDAW – ratified by Turkey. In its judgements, The European Court of Human Rights recognizes that it is the fundamental and legal right of women to retain her maiden name upon marriage and stresses that contradictory legal regulation and practices shall be undue to the European Convention on Human Rights.

Bearing in mind the provisions of European Convention on Human Rights and CEDAW and Articles 10, 41 and 90 of the Turkish Constitution it has been decided to amend Article 187 of Turkish Civil Code in order to ensure harmonization with supreme norms. Article 321 of Turkish Civil Code titled “surname”, is read as follows: “Child holds the surname of the family if parents are married; if it is not the case child holds the surname of the mother”. For this reason; even if the affinity is set through recognition or judicial decision, children born out of wedlock continue to carry the surname of their mother. This leads to complaints and demands of fathers who would like to register their children with their surname. The relevant article of the Population Services Law has hence been amended in 2006 enabling the registry of legitimized children under their fathers’ civil registry with reference to the identity and registry information of their mothers. The Draft Law on the harmonization of the above-mentioned regulation with the relevant article of Turkish Civil Code is currently under evaluation.

Clarifications with regard to matters criticized within the previous concluding comments of the Committee:

- The genital examinations and virginity testing, amongst the matters previously criticized by the Committee, are said to be still practiced without women’s consent under certain circumstances. The article 287 of Turkish Penal Code No: 5237, side headed as “genital examination”, stipulates that a person who without the permission of the authorized judge or prosecutor refers a person for genital examination or performs such an examination shall be sentenced to imprisonment from three months to one year; the article 76 of Criminal Procedure Law No: 5271, side headed as “physical examination of third parties and extraction of biological materials”, stipulates that (i) in order to obtain evidence in relation to an offense, at the request of the public prosecutor or with the initiative of the judge or the trial court, or the public prosecutor for non-delayable cases, the victim may be physically examined or samples may be taken from his/her body such as blood; hair; saliva; or nail without endangering the health of the person or any surgical intervention; (ii) in such case, the decision of the public prosecutor shall be submitted – within twenty-four hours – to the judge or the court for approval and in case an approval is not granted such decision shall remain null and void, and the evidence obtained as such shall not be used; and (iii) in case of victim’s consent no such decisions shall be sought for carrying out the above-mentioned procedures; the article 77 of Criminal Procedure Law, on “physical examination of women”, stipulates that where possible and requested by the woman, the physical examination shall be conducted by a female doctor.
- The list of critical issues on Turkey contains comments on the Turkish Penal Code; the Code makes reference to custom killings without defining honor killings, and this might lead to light adjudication of and reduced sentences for perpetrators of such crimes against women. With sub-clause (k) of the first paragraph of the article 82 (k) of the Turkish Penal Code No: 5237, on “intentional homicide”, the act of custom killing is incorporated into the Turkish penal legislation and considered as a form of qualified homicide subjected to aggravated life imprisonment. However; the said provision requires that there be no conditions leading to unjust provocation. Despite the fact that the (k) sub clause of the first clause of article 82 of the Turkish Penal Code, which regulates acts of intentional homicide in the name of customs, was criticized for not being regulated as “in the name of customs and honor” based on the argument that

the current form would open the possibility for a sentence reduction in the case of unjust provocation for killings committed in the name of “honor”; the term “in the name of customs” within the said article is considered to be inclusive of the term “honor”.

In order to forestall the misapplication of sentence reductions for unjust provocation in cases of domestic killings named as “custom and honor killings”; the article 29 pertaining to “unjust provocation” has been amended and the grounds for reduction of criminal responsibility is now based on perpetration of a crime in a state of anger of severe distress provoked by a tort. Tort refers to unlawful acts. That’s why, for example, the act of killing committed against a woman, victimized by sexual assault, by her father or brother shall not be subject to sentence reduction on the grounds of unjust provocation since the victim has not been in the wrong. Indeed; as stated explicitly in the justification for article 29, “the violent act committed in a state of anger must be a result of a tort”. This phrase has particularly been added in order to prevent the misapplication of sentence reductions for unjust provocation in cases of domestic killings named as “custom and honor killings”.

- The article 10 of Law No: 4722 Governing the Enforcement and Implementation of Civil Code stipulates from which date on the new legal property regime shall apply to existing marriages. Accordingly; the new legal property regime will also be applicable by default for couples married before January 1st, 2002 – the effectiveness date of the Law - unless they opt for another property regime within 1 year as of the above-mentioned date or they contractually decide to make the new legal property regime operative from the inception of their marriages. In other words; the property regime in force previously, until January 1st 2002, shall remain so.

Regime of ownership of acquired property has legally first been used in the new Turkish Civil Code. Turkish Grand National Assembly has thus adopted this measure in consideration of the fact that the application of the said regulation to existing marriages with inception dates proceeding January 1st, 2002 would have a retroactive effect, and such retroactivity would bring along many problems with regard to previously completed relations and antecedent rights. Based on these grounds; there is no study in place to abrogate or amend the aforementioned legal arrangement which has also been mentioned in the concluding comments of the Committee.

QUESTION 5. *In its previous concluding observations, the Committee recommended the State party to disseminate and publicize these in order to make the public at large, including governmental officials, politicians, parliamentarians and women’s and human rights organizations aware of the steps that have been taken to ensure de jure and de facto equality of women, as well as the further steps that were required in this regard. Please provide information on any campaign or any other initiative carried out by the Government in order to disseminate widely the principles of the Convention, as well as the concluding observations. Please outline steps taken by the Government to provide adequate information and training for legal professionals, including lawyers, judges and prosecutors, and other actors responsible for the implementation of the Convention, on the State party’s legal obligations under the Convention.*

ANSWER 5. The concluding comments by CEDAW Committee on the Combined 4th and 5th Periodic Country Report of Turkey were circulated to all relevant public institutions and agencies, members of the Turkish Grand National Assembly (female MPs in particular), and also to the representatives of public institutions, non-governmental organizations, universities and professional associations that had taken part in the 6th Country Report preparatory meetings.

The training and awareness raising activities in Turkey aimed at members of the judiciary on the provisions of CEDAW Convention and women's human rights are as follows:

- As part of the collaboration with universities, two round table meetings (with the participation of representatives from the relevant Ministries, institutions and non-governmental organizations) and 3 seminar programs (a total of 75 participants; the judges of family and penal courts and Public Prosecutors) were organized in the framework of the Project on "Strengthening Respect for Human Rights of Women in Turkey" (2005-2008). The meetings and seminars focused on the following topics: international legal standards on women's human rights; the prohibition of gender based discrimination in the human rights law; CEDAW Convention and safeguarded rights; the legal impact of the Convention for states parties; the role of judiciary in combating honor killings; the equality of spouses in Turkish law and in practice; the international legal framework on violence against women; recognition of psychological harm caused by violence against women, medical report as evidence; prevention of violence against women and legal remedies in case of victimization by violence within Turkish law.
- In the framework of the joint efforts with the Embassy of United Kingdom; 100 Judges and Public Prosecutors from the civil judiciary and 25 military judges have been trained on "Domestic Violence and Honor Killings" in 2008. The training covered the following topics: violence against women and honor killings in Turkish Criminal Justice System; causes and consequences of problems on women's human rights in Turkey; the Law No: 4320 on the Protection of Family and the By-law on the Enforcement of the Law on the Protection of Family; international conventions and their implementation; challenges faced and solution offers; and the role of judges and prosecutors in combating violence against women.
- In 2009; a working meeting has been organized with the participation of 18 family court judges from the family courts in Marmara Region. "The Causes and Consequences of the Problems on Women's Human Rights in Turkey; the Equality of Spouses in Turkish Law and in Practice and Family Law" working meeting has been held with a view to ensure the principle of unity in the framework of the new arrangements devised as part of the family law section of Turkish Civil Code and International Private and Civil Procedural Law, and assist in the effectuation of necessary legal arrangements by way of identifying the faulting dimensions of the system.

Additionally; please refer to Answer 11 for the seminars organized with a view to improve the awareness of judiciary on violence against women, custom and honor killings and the Law No: 4320 on the Protection of Family.

Programs and Action Plans

QUESTION 6. *The report refers to the Sexual and Reproductive Health for the Health Sector – National Strategic Action Plan (CEDAW/C/TUR/6, pag. 63), which specifies the relevant goals, priorities and tasks of the State party for the period 2005-2015. Please provide more information on the National Plan, including detailed information on material and human resources that are allocated to the Plan and whether indicators as well as time bound targets have been established to assess the implementation of this Plan in all regions of the country.*

ANSWER 6. In the 6th Periodic Country Report; there is reference to “Sexual and Reproductive Health National Strategic Action Plan for Health Sector 2005-2015”. The Strategic Plan divides Turkey into 5 geographic regions; namely West, South, Central, North and East. The Strategic Plan identifies priority problems with regard to sexual and reproductive health (SRH), and assesses such problems by geographical regions and allocation units. The said priorities and their assessment by regions and allocation units are given in the Tables below.

Table. Distribution of priority problems in SRH according to geographic regions						
		WEST	SOUTH	CENTRAL	NORTH	EAST
High Maternal Mortality Rate		11	18	16	20	34
High Frequency of Unwanted Pregnancies		11	19	15	20	35
Increasing Prevalence of STI/HIV-AIDS		20,2	19,9	18,7	21,4	19,7
Low SRH status of the young	Adolescent Pregnancy	18	22	20	16	24
	Safe Sex	31	16	23	7	24
High Priority regions						
Moderate Priority regions						
Low Priority regions						

Table. Distribution of priority problems in SRH according to allocation units				
		URBAN	RURAL	SLUM
High Maternal Mortality Rate		15	41	44
High Frequency of Unwanted Pregnancies		14	41	45
Increasing Prevalence of STI/HIV-AIDS		46	24	30
Low SRH status of the young	Adolescent Pregnancy	23	38	39
	Safe Sex	31	16	23
		High Priority regions		
		Moderate Priority regions		
		Low Priority regions		

Timely targets for each one of the priority problems and the agencies to cooperate with in solving those problems have all been set forth in the Strategic Plan. The timely targets are as follows:

1. Reduction of maternal mortality: Maternal mortality shall be reduced by 50 percent; based on the 2005 levels in whole Turkey, and the regions and allocation units; by the year 2015. In this context; the 2015 targets for each region and allocation unit shall be determined separately as 50 percent reduction over 2005 levels. Moreover; disparities amongst regions and allocation units shall be reduced by 50 percent by the year 2015. Within this framework; in terms of maternal mortality rates, the difference between regions with the lowest and the highest rate and the difference between allocation units with the lowest and the highest rate shall be reduced by 50% by the year 2015.

2. Prevention of Unwanted Pregnancies: The unfulfilled need in family planning shall fully be met (100 percent) by 2013 in all Turkey, and on the basis of geographical regions and allocation units. The unfulfilled need, identified as 6 percent in whole Turkey in 2003, shall thus be eradicated totally in 2013. In this context; the 2008 targets for each region and allocation unit shall be determined separately as 50 percent reduction over 2003 levels.

3. Prevention and Reduction of Increasing Prevalence of Sexually Transmitted Infections and HIV/AIDS: The annual syphilis incidence shall be hold stable, at the level determined in 2006, in whole Turkey and on the basis of geographic regions and allocation units by the year 2011, and shall be reduced by 30%, over the 2011 level, by the year 2015. The 2011 and 2015 targets as numerically shall be determined separately

for each region and allocation unit within the framework of these rates. Moreover; disparities amongst regions and allocation units shall be reduced by 50 percent by the year 2015. Within this framework; in terms of the syphilis incidence, the difference between regions with the lowest and the highest annuals and the difference between allocation units with the lowest and the highest annuals shall be reduced by 50% by the year 2015.

4. Enhancement of the Sexual and Reproductive Health Status of Young People: Adolescent pregnancies shall be reduced by 50 percent in whole Turkey and on the basis of regions and allocation units by the year 2013. Within this context; the percentage of adolescents starting to give birth, which is determined as 7,5 percent in 2003 in whole Turkey, shall be reduced to 3,8 percent by the year 2013. The 2013 targets for each region and allocation unit shall be determined separately as 50 percent reduction over 2003 levels. Access to youth friendly SRH services shall be increased to ensure 1 SRH service providing unit for every 150.000 young people in whole Turkey and on the basis of regions and allocation units by the year 2015. Moreover; disparities amongst regions and allocation units shall be reduced by 50 percent by the year 2015. In this context; the difference between the regions and the allocation units with the highest and lowest rates of adolescents who have started to give birth, and young people accessing SRH services shall be reduced by 50 percent by the year 2015.

The Strategic Plan also covers performance-oriented human resources development. All healthcare personnel in the entire country are responsible for the implementation of the plan. The budget for the plan has been integrated to the Ministry of Health budget. All required healthcare professionals have been trained in accordance with their job descriptions and duty stations; and the efforts to update such programs in line with the needs are well underway. The in-service training programs are structured to include topics such as gender concept, reproductive rights and sexual rights.

QUESTION 7. *The report refers to the National Action Plan for Combating Domestic Violence against Women (2007-2010) (CEDAW/C/TUR/6, page 12), which has been prepared with the participation of all parties related to the issue of violence, in order to constitute a base for public policies. Please provide additional detailed information on the National Plan, including detailed information on material and human resources that are allocated to the Plan and whether indicators as well as time bound targets have been established to assess the implementation of this Plan in all regions of the country.*

ANSWER 7. As per the measure defined in “Institutions of Public Utility” heading of Section B – “Identification of Necessary Measures for Tackling Custom and Honor Killings and Violence against Women and Children” – of the Prime Ministry Circular – also presented in the 6th Periodic Country Report, and which assigns the role of coordination to the GDSW - on “Identification of Necessary Measures for Tackling Custom and Honor Killings and Violence against Children and Women”; according to which “a 2006-2010 Action Plan on Prevention of Violence against Women must be prepared under the coordination of State Ministry in Charge of Women Affairs, encompassing all public agencies, universities, non-governmental organizations, private sector and local administrations, and with effective follow-up of all implementation efforts”; the “Combating Domestic Violence against Women National Action Plan” has been developed under the coordination of the GDSW with the participation and

contributions of the representatives of public institutions and agencies, local administrations, universities and non-governmental organizations in the field of women's issues.

As part of the preparatory efforts for the National Action Plan; the "Stakeholders Meeting for the Preparatory Works on Combating Domestic Violence against Women National Action Plan" was organized on 13-15 July 2007. The representatives of relevant public institutions and agencies, bar associations, NGOs, women's studies units of the universities and local administrations attended the meeting.

Based on the results of the said stakeholders meeting, the "Combating Domestic Violence against Women Draft National Action Plan" was prepared and this draft was submitted to the institutions and agencies, on September 2007, with implementation responsibilities for comments and recommendations. Action Plan developed following the evaluation of the report by these institutions and agencies, in accordance with their strategies and targets, in line with the incoming recommendations became effective on November 2007 after the approval by the State Minister in Charge of Women and Family Affairs.

The National Action Plan foresees improvements in 6 major fields; legal arrangements, social awareness-raising and mental transformation, strengthening the socio-economic status of women, provision of protective services, provision of curative and rehabilitation services and inter-sectoral cooperation. The objective of the Plan is to determine and implement all necessary measures, in cooperation with all relevant stakeholders, required for the eradication of all forms of domestic violence against women in our country. The National Action Plan does not set any timely targets, but encompasses three implementation phases: short-term (2007-2008), medium-term (2007-2009) and long-term (2007-2010 and beyond).

In this context; the targets for improvement, the activities to be carried out for achieving those targets, the agencies and institutions in charge of such activities, the agencies and institutions to cooperate with and the timeframes for implementing the activities have all been regulated in detail in this Action Plan.

The "Combating Domestic Violence against Women National Action Plan" has been evaluated and approved by all responsible public institutions and agencies in line with their strategies and targets.

The approval process of the National Action Plan does also encompass a commitment by those agencies and institutions with regard to allocation of budgetary resources for the measures therein, and effectuation of mandated activities. Within this context each agency/institution uses its own budget to carry out the activities assigned by the National Action Plan. The budget of the GDSW thus contains items with regard to activities aimed at combating domestic violence against women. The budget is disaggregated into activities and is not shown as an aggregated National Action Plan implementation budget.

The monitoring of the implementation of all measures identified within the National Action Plan; which assigns various tasks and responsibilities to all public agencies, local administrations, universities, non-governmental organization and the private

sector; is of utmost importance for measuring the effectiveness and efficiency of the Plan. Within this context GDSW has established a mechanism to monitor the National Action Plan. The mechanism is based on monitoring of all relevant activities by public institutions and agencies through periodic meetings and reports. Within this context two monitoring & evaluation meetings were realized on April and December 2009.

QUESTION 8. *In its previous concluding observations the Committee requested the State party to provide information on the integration of a gender perspective in the State party's economic planning (CEDAW/C/TUR/CC/4-5, para. 19). Please provide detailed information on any actions taken by the Government in this regard.*

ANSWER 8. The budgets are the most essential tools used by governments in policy development and implementation processes. Gender mainstreaming in budget formulation and implementation is hence one of the much needed priorities for ensuring gender equality.

In order to inform national stakeholders on gender sensitive budgeting and evaluate potentiality for such exercises, the “Gender Sensitive Budgeting Training” was organized by the National Mechanism in 2008. The training was attended by approximately 60 representatives from relevant public institutions and agencies, municipalities, governorates, Women’s Issues Research and Application Centers of universities, experts and non-governmental organizations; and also national and international field experts.

The Ministry of Finance has been designated as the responsible agency within the framework of the “initiation of preparatory works for gender sensitive budgeting in our country” strategy – set forth in the Gender Equality National Action Plan (2008-2013).

A meeting has been organized with the representatives of Ministry of Finance (July 2009) in order to evaluate the outputs of “Gender Sensitive Budgeting Training” held in 2008, and create awareness on working towards gender sensitive budgeting in line with the responsibility assigned by the National Action Plan.

Furthermore; the June 2009 meeting of the “Women’s Status Advisory Board”, which was established as per the articles 15 and 16 of the Law No: 5251 on the Organizational Structure of the GDSW with a view to review, observe and make recommendations on problems related with women’s status and includes representatives of the public sector, universities and non-governmental organizations, had one of its agenda items focused on gender sensitive budgeting. The Board members have agreed to conduct a pilot study within the central administration budget.

Temporary special measures

QUESTION 9. *Please provide information on any steps taken by the Government to adopt temporary special measures in line with article 4, paragraph 1 of the Convention and with the Committee’s General Recommendation No. 25, to accelerate de facto equality between men and women.*

ANSWER 9. The 10th article of the Constitution on “Equality before the Law” constitutes the legal basis for the temporary special measures, mentioned in the 4th article of CEDAW, in our country.

As stated in the 6th Periodic Country Report; the addition of “Men and women have equal rights. The State shall have the obligation to ensure that this equality exists in practice” clause to the 10th article as a result of the 2004 amendment in the Constitution provided the legal basis for implementing “temporary special measures” for the first time in the history of Republic of Turkey.

Moreover; as per the 90th article, “In the case of a conflict between international agreements in the area of fundamental rights and freedoms duly put into effect and the domestic laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail.” CEDAW has thus been granted superiority over national regulations. In this sense, the implementation of temporary special measures is prevailed in accordance with the 90th article.

On the basis of the constitutional framework; the on-going efforts with regard to girls’ schooling and the easy terms created by the State in the field of employment can be given as examples of temporary special measure policies in our country.

In our country; there are many on-going campaigns and projects on girls’ schooling run by the public institutions and agencies, non-governmental organizations and private sector corporations. The Conditional Cash Transfer program under the Social Risk Mitigation Project (SRMP) is one such example. The program is used to provide Non-refundable educational allowances are provided to families, sending children to primary and secondary schools regularly, in order to increase the girls’ enrollment and transition from primary to secondary education. The educational support is some 15 Dollars and 20 Dollars for boys and girls at primary school, respectively. It is some 25 Dollars and 30 Dollars for boys and girls at secondary school, respectively. The allowances are paid directly to the mothers with a view to “strengthening women’s status in the family and society”.

Women’s employment is yet another significant area in terms of women’s status in Turkey. The micro-credit schemes are, in this context, one of the important studies aimed at economic empowerment of women. The low-income individuals, women in particular, are provided with the opportunities to engage in income generating activities by means of micro-credit schemes. These schemes are carried out by NGOs and Governorates in our country. The micro-credits, granted by the Special Provincial Administrations, primarily target women, and this practice is being rolled-out to the entire country. The micro-credit schemes may be, in this context, considered as an example of temporary special measure policies.

Another example of temporary special measures is the program implemented as part of the Employment Package, referred to within the 6th Periodic Country Report. Accordingly; with a view to promote women’s employment, the employers’ share of the social security contributions pertaining to female persons, above 18, effectively recruited and employed within two years as of 26.05.2008 shall be covered by State from Unemployment Insurance Fund for a period of five years; the first year’s portion shall be fully covered and the subsequent years shall be subject to partial coverage with 20 percent reductions every year.

Stereotypes and cultural practices

QUESTION 10. *The State party report refers to numerous efforts (CEDAW/C/C/TUR/6, pages 30-34) in progress in Turkey towards the purpose of modifying negative socio-cultural behaviour patterns pertaining to the roles of women and men in life and for the advancement of women. Taking into account the previous concluding observations of the Committee (CEDAW/C/TUR/CC/4-5, paras. 29-30) please provide detailed information on any measures that have been introduced, in collaboration with, among others, civil society organizations, women's groups and community leaders to eliminate traditional and cultural practices that discriminate against women.*

ANSWER 10. There have been significant legislative improvements in Turkey, since 2000's, with regard to equality between women and men (Please see 6th Periodic Country Report). There are, however, enforcement flaws. One of the main reasons behind such flaws is the traditional casting and negative socio-cultural behaviors. There are consciousness and awareness raising efforts in place, in many areas from combating violence against women to importance of women's representation in power and decision-taking mechanisms, in order to overcome such flaws.

The Directorate General; in addition to the "Stop Violence against Women" National Campaign launched in 2004, in collaboration with the United Nations Population Fund, within the framework of "International Day for the Elimination of Violence against Women" (November 25th) – presented in detail within the 6th Periodic Country Report; has published 36 books, some part of which are in English, since the year 2005. The informative brochures on the GDSW, the national mechanism in our country, and flyers and posters on combating domestic violence against women have also been printed and distributed to relevant agencies and institutions. These publications, which are designed to raise awareness on gender equality, are also distributed to demandant individuals and institutions. Apart from the printed materials; The Turkish Radio and Television Association (TRT) is also making informative programs for awareness raising on gender equality.

It is a well known fact that instructional materials play a major role in changing negative socio-cultural stereotypes. The efforts carried out by the Ministry of National Education's (MONE) Board of Education with a view to eliminate the use of sexist language in the curriculum, text books and other instructional materials; and remove discriminatory illustrations, statements and gender stereotypes therein have been cited in the 6th Periodic Country Report. The "Gender Equality Commission" has been established under the Board of Education in order to make such efforts more permanent and systematic, and accomplish the goals and strategies set forth in the "2008-2013 Gender Equality National Action Plan". The Commission carries out its activities by organizing seminars and workshops on the subject matter. Moreover; the "The Book on Gender Equality in Text Books" has been prepared in order to inform the relevant personnel of the Board.

The "Promoting Gender Equality Project", which was prepared within the framework of European Union's Pre-Accession Financial Assistance Program 2005 for Turkey, has been implemented between 2007 and 2008. There were "Gender Equality Trainings" organized in the five pilot provinces of the project with the participation of representatives from non-governmental organizations, vocational organizations, trade

unions, universities and public institutions. The trainings were organized for the purposes of creating awareness and sensitivity. The “Gender Equality and Equality between Women and Men Training Programs” have been launched in 2009 in order to ensure sustainability of the efforts launched by this Project, and actualize the measures foreseen within the Prime Ministry Circular (2006) on “Identification of Necessary Measures for Tackling Custom and Honor Killings and Violence against Children and Women”. The trainings are used as a tool to ensure both the effectuation of gender mainstreaming strategy, and the awareness-raising amongst civil servants on negative socio-cultural stereotyped behaviors.

Besides; the 2008-2013 Gender Equality National Action Plan contains economic strategies; including “raising societal awareness with men’s participation in order to change and reduce mentality, traditional structure and other obstacles that constrain women’s participation to economic and social life”; and healthcare strategies; including “raising societal awareness on the harmful effects of early and consanguineous marriages on women’s and children’s health”. The Action Plan also defines agencies that shall work in these areas. In addition; there have been training programs organized in different provinces, in 2009, in order to actualize the “incorporation of gender equality topic to the in-service training programs for trainers” strategy – one of the strategies set forth within the education section of the National Action Plan.

The 2007-2010 Combating Domestic Violence against Women National Action Plan sets “awareness-raising and mentality transformation” as independent targets, and defines short, medium and long term activities to attain these targets.

There are consciousness and awareness raising activities organized for the students of Faculties of Communication, media professionals of the future, within the context of the potential role of the media in changing negative socio-cultural stereotyped behaviors. The Gender and Media Workshops”, aimed at creating awareness on gender equality and domestic violence against women, has been organized twice both in 2008 and 2009 with the participation of students from different faculties of communication.

Violence against Women

QUESTION 11. *In its previous concluding observations (CEDAW/C/TUR/CC/4-5, paras. 27-28), the Committee called upon the State party to intensify its efforts to prevent and combat violence against women, including domestic violence. Bearing in mind the Committee’s General Recommendation No. 19 on violence against women, please describe steps taken to develop a comprehensive strategy to combat all forms of violence against women, including prosecution of perpetrators, provision of assistance to victims and implementation of capacity-building and awareness-raising programmes for various groups (such as the police, lawyers, health and social workers and the judiciary) and the public at large. Also please provide more information on the Monitoring Committee for Violence against Women.*

ANSWER 11. The GDSW continues to work in collaboration with relevant public agencies, universities and non-governmental organizations in order to create awareness and consciousness on violence against women and prevention of domestic violence.

At this point; the Prime Ministry Circular on “Measures to be taken to prevent Custom and Honor Killings and Violence against Children and Women” has utmost importance in terms of being the basis of all relevant efforts and providing guidance. It is with this Circular that the recommendations regarding measures to be taken against violence against women and custom/honor killings, and agencies in charge of realizing such measures and those to be cooperated with have all been identified in detail.

The Circular’s Section B is on “Agencies to Coordinate with in Effectuating the Solution Offers on Violence against Women”; and the 6th article of the “Training” subtitle stipulates that “*the pre-service and in-service training programs for healthcare professionals, members of the judiciary, law enforcement officials, teachers, social services experts, psychologists, child development specialists and other occupational groups must include violence against women.*” Accordingly; a series of “Training Protocols” have been signed with the relevant Ministries in order to raise awareness and sensitivity of civil servants; working at public institutions/agencies providing services to women victimized by violence; on “violence against women, domestic violence, gender equality, methods of approach to victims of violence, the Law No: 4320 on the Protection of Family and enforcement of other relevant legislation”.

In this context;

- ***“The Protocol on the Role of Police Forces in the Prevention of Violence against Women and Training on Applicable Procedures Project”***, which had been co-prepared by the General Directorate on the Status of Women and Ministry of Interior Security General Directorate and lays the foundation for the training program, was signed on 26.12.2006.

The training of approximately 270 trainers was completed in the first phase. In the second phase; training of 40.400 personnel of the security forces working at the police stations have been completed by the trainers. The Project has thus been completed as planned. The trainers, trained under the Project, shall continue to provide trainings as the need arises.

- ***“The Protocol on the Role of Healthcare Personnel in Combating Domestic Violence against Women and Training on Applicable Procedures”***, which had been co-prepared by RoT Prime Ministry’s General Directorate on the Status of Women and General Directorate of Primary Healthcare Services of Ministry of Health , has been signed on January 3rd, 2008.

With the training programs to be actualized within the framework of the Protocol which shall be effective for 2 years, 500 trainers are aimed to be trained primarily then, 75.000 healthcare professionals working in the field are targeted.

The training of trainers, in this context, has been completed as of November 2008 and a total of 424 trainers have finished the program. The next phase, training provision at the provincial level to healthcare personnel working at hospitals and primary healthcare institutions with a view to reach all field professionals, has been launched as of January 2009. 30.000 healthcare professionals have been trained as of December 2009. A total of 75.000 healthcare professionals are targeted in the framework of the Protocol.

- ***“The Protocol on Role of Judiciary in the Prevention of Violence against Women Project”***, which was prepared in order to realize a similar training for the judiciary working under the Ministry of Justice, has been signed and come into force on April 1st, 2009. Within the framework of the project which shall be effective for 2 years;

In the first phase; within 2009, 179 judges of 164 family courts - operational at provincial and sub-provincial level - and the Public prosecutors investigating crimes of domestic violence at those provinces and sub-provinces (a total of 350 individuals including judges and prosecutors) shall be provided with training seminars of 3 days.

The said seminars have been launched in May 2009. Approximately 125 family court judges and 125 prosecutors have so far attended 7 seminar programs until December 2009.

Apart from the above-mentioned target group; there shall be other sets of training activities – pilot and training of trainers - organized for sociologists, psychologists, social services experts and forensic experts employed at family and juvenile courts; and probation officers and court house personnel.

In the second phase, within 2010, there would be at least 25 judges and public prosecutors selected from the entire country for participation to a 5 days training of trainers program. A “pool of trainers” shall then be formed by this method in order to ensure sustainability of relevant in-service training activities by the Ministry of Justice.

- A similar effort shall be undertaken for the personnel of the Presidency of Religious Affairs: ***“The Project on the Role of Religious Officials in the Prevention of Violence against Women and Applicable Procedures Training”*** which shall be implemented with the technical and financial support of the United Nations Population Fund as part of the 4th Country Program co-run by the General Directorate on the Status of Women and UNFPA. The project aims to train all religious officials in Ankara on the following topics: *“gender equality, traditional approvals hindering achievement of gender equality, violence against women and domestic violence, methods of approach to victims of violence, legislation and circulars on violence”*.

The materials to be used for training of trainers are currently being prepared. The first pilot training shall take place in Ankara following the finalization of the instructional materials. Upon completion of the training of trainers, the religious officials with trainer degree shall train other officials.

- Finally; ***“The Protocol on Institutional Capacity Building and Enhanced Cooperation for Services Provided to Victims of Domestic Violence and Victimized Children”*** has been signed by the General Directorate on the Status of Women, General Directorate on Social Services and Child Protection Agency and the General Directorate of Security on 22.10.2009. The primary objective of the Protocol, which shall also facilitate the enforcement of the measures set forth in the Circular, is to eliminate implementation-related problems in services provided to victims of domestic violence and victimized children, and improve service capacity by enhancing inter-institutional cooperation.

Certain parts of the efforts on violence against women were realized within the framework of “Combating Domestic Violence against Women Project”, which was implemented - between December 2006 and November 2008 – by the General Directorate on the Status of Women with the financial assistance of the European Commission and technical assistance of the United Nations Population Fund (UNFPA).

The Project objectives were to develop and strengthen institutional structures on elimination of domestic violence in order to advance women’s human rights. The Project focused on the following main actions: trainings, meetings and conferences aimed at capacity building for agencies and institutions providing services to women victimized by or under the risk of domestic violence; strengthening the communication and cooperation amongst relevant stakeholders; and increasing societal awareness and sensitivity by way of producing and exhibiting visual materials. The following activities were realized under the Project;

- Trainings and workshops aiming representatives of public institutions and agencies, non-governmental organizations, municipalities and universities, and media professionals have been organized. The said trainings and workshops covered the following topics: “Violence against Women”; “Techniques of Interviewing Victims and Perpetrators of Violence”; Effective Media Communications for NGOs in Combating Domestic Violence against Women”; “Management Training Workshop for Shelters/Guest Houses”; “Training of Trainers for Shelter Professionals”; “Training of Trainers for Lawyers in Combating Domestic Violence against Women”; and “Male Involvement in Combating Violence against Women”. The above-mentioned activities were carried out with a view to create awareness amongst participants on gender equality and domestic violence against women.
- “Gender and Media” workshop was carried out (please refer to Answer 10).
- A series of provincial meetings on “Combating Domestic Violence against Women” were organized in order to improve societal awareness and consciousness; posters and brochures bearing “violence against women constitutes a crime” and “do not condone violence against women, do not keep silent” messages were printed, distributed and exhibited; and the spot films on the same theme were produced and broadcasted on national and local channels.
- A Women’s Shelter Guide was prepared and printed in order to provide guidance to managers of existing shelters, and municipalities and non-governmental organizations willing to open shelters. The following documents were also prepared and printed: “The Legal State of Affairs in terms of Domestic Violence against Women and Sample Practices”; “Women’s NGOs and Media: Opportunities, Problems and Solutions”; and “Domestic Violence against Women and the News Media: An Alternative Journalism”.
- The “Combating Domestic Violence Manual”; which had been prepared for informing women victimized by or under the risk of violence on their legal rights and available protection, counseling and other types of services; was distributed to all relevant agencies. The Manual is also available for citizens upon request.

- In addition to the above-mentioned activities; a series of meetings on “Cooperation and Coordination amongst Institutions Providing Services to Women Victimized by or under the Risk of Domestic Violence” were organized with the participation of Ministry of Justice, Ministry of Health, General Directorate of Security, General Directorate on the Status of Women, General Directorate on Social Services and Child Protection Agency and Presidency of Forensic Medicine Institution.

The said meetings on improving cooperation and coordination amongst providers of services to women victimized by or under the risk of domestic violence were aimed at ensuring identification of problems within the service flow and the entire service network by the institutions, and determining ways to enhance coordination and cooperation as well as potential remedies.

Apart from these studies; the “National Research on Domestic Violence against Women in Turkey” was carried out for the first time on a nation-wide scale, in order to develop indicators to monitor and combat domestic violence against women by way of finding answers to questions with regard to causes and forms of violence against women. The Research was implemented within the framework of European Union’s Pre-Accession Financial Assistance Program 2005 for Turkey.

The research findings and statistics, which shall be considered as official data within the framework of Turkish Statistical Institute’s “Official Statistics Program”, have been shared with the public opinion on February 2009. The research results have utmost significance in terms of taking more effective and efficient measures and formulating relevant policies in combating violence against women. The research results can be summarized as follows:

- The percentage of women who reported physical violence by current or ex-partner in any period of their lives, at least once, is 39 percent in Turkey as a whole.
- The percentage of women victimized solely by sexual violence is 15,3 percent.
- Breakdown of physical violence is 38 percent in urban and 43 percent in rural.
- Breakdown of women without education victimized by physical or sexual violence, at least once is 55.7 percent, and 27 percent in secondary or tertiary education graduates.
- The percentage of the women who could not disclose their experience of violence is 48.5.

The Directorate General also has the following activities and studies aimed at raising awareness and sensitivity rising:

- The General Directorate on the Status of Women and TRT signed a protocol in order to communicate the value added to the region by the activities to empower girls and women in the South Eastern Anatolia, and ensure community participation to the project. In the framework of the said Protocol; the filming of a documentary (6 episodes), aimed towards women living in the Eastern and South Eastern Anatolia regions, entitled as “It’s not My Fault” was completed. The documentary has then been broadcasted on TRT between October and December 2008.

- There were various activities carried out in the framework of the “Stop Violence against Women” campaign, implemented by the General Directorate on the Status of Women between 2004 and 2008, in order to improve public awareness and sensitivity (Please refer to 6th Periodic Country Report).

As per the “*a Monitoring Committee on Violence against Women shall be established under the coordination of the General Directorate on the Status of Women*” measure set forth under the Institutions of Public Utility subtitle of Section B of the relevant Circular; the “Monitoring Committee on Violence against Women” was established in 2007 under the coordination of the GDSW, and with the participation of representatives from public agencies and institutions, universities and non-governmental organizations. The Committee is chaired by the State Minister in Charge of Women and Family Affairs, and sets a platform to share and discuss new and on-going efforts by responsible and relevant institutions on prevention of violence against women; and the problems experienced in the implementation of the Circular as well as recommended solutions. The Committee convenes once a year, and has so far convened 3 times under the presidency of the State Minister in Charge of Women and Family Affairs.

QUESTION 12. *Please provide information on how many cases of violence against women and girls have been reported during the period under review. Please also include detailed information on how many perpetrators of acts of violence against women have been prosecuted and punished during the same period.*

ANSWER 12. The relevant data of General Directorate of Security of Ministry of Interior and General Directorate of Criminal Records and Statistics of Ministry of Justice are on the Tables below:

**INCIDENTS OF VIOLENCE AGAINST WOMEN OCCURRING WITHIN THE AREAS OF POLICE RESPONSIBILITY IN 2005-2008 AND
BETWEEN JANUARY AND OCTOBER 2009, AND THE BREAKDOWN OF WOMEN VICTIMIZED BY THESE INCIDENTS
SOURCE: SECURITY GENERAL DIRECTORATE**

TYPE OF INCIDENT		2005			2006			2007			2008			2009 (JAN - OCT) *		
		NUMBER	NUMBER OF FEMALE VICTIMS		NUMBER	NUMBER OF FEMALE VICTIMS		NUMBER	NUMBER OF FEMALE VICTIMS		NUMBER	NUMBER OF FEMALE VICTIMS		NUMBER	NUMBER OF FEMALE VICTIMS	
			Below 18	18 and above		Below 18	18 and above		Below 18	18 and above		Below 18	18 and above		Below 18	18 and above
Attempted murder		489	4	50	563	7	50	450	5	42	***					
Domestic injury (TPC 86/3-a)		-	-	-	-	-	-	-	-	-	11532	522	8473	12535	621	9897
Domestic Torment (TPC 96/2-b)		-	-	-	-	-	-	-	-	-	421	17	118	721	27	244
Sexual Assault (TPC 102)	Rape	1206	77	69	1300	69	62	920	66	93	887	62	148	912	40	130
	Attempted rape	805	35	26	1026	39	36	540	29	37	384	23	65	517	27	59
Domestic sexual assault (TPC 102/2)		-	-	-	-	-	-	-	-	-	114	12	25	104	6	11
Sexual abuse of children (TPC 103/1-2-3-4)		-	-	-	-	-	-	1803	147	31	3085	548	61	3478	318	33
Sexual harassment (TPC 105) (Molestation)		-	-	-	-	-	-	4170	86	141	5170	177	403	4730	84	145
Domestic sexual harassment (TPC 105/2)		-	-	-	-	-	-	-	-	-	65	6	7	84	3	2
Domestic (Deprivation of Liberty) (TPC 109/3-e)		-	-	-	-	-	-	-	-	-	231	15	15	222	2	9
Forced prostitution (TPC 227/4)		-	-	-	-	-	-	74	1	11	69	1	19	61	0	13

22	Forced prostitution by relatives and guardians(227/5)	-	-	-	-	-	-	9	0	0	17	0	4	10	0	2
(4320) Bad Treatment (TPC 232) ****	Domestic VAW	9901	320	5005	17064	450	7751	22330	572	11036	17043	309	10239	17694	304	9160
	Domestic violence against other family members										3366	373	947	3667	338	931
<p>* 2009 November data not available yet.</p> <p>** The crime statistics are compiled cumulatively on a monthly basis, the incidents committed exclusively against women can not thus be differentiated from the general totals. The said data covers all incidents against women and men. (excluding domestic bad treatment against women).</p> <p>*** Relevant data are in the other table.</p> <p>**** As of 2008 incidents of bad treatment are classified as domestic against women and domestic against other family members.</p>																

**INCIDENTS OF VIOLENCE AGAINST WOMEN OCCURRING WITHIN THE AREAS OF POLICE RESPONSIBILITY IN 2005-2008 AND
BETWEEN JANUARY AND OCTOBER 2009, AND THE BREAKDOWN OF WOMEN VICTIMIZED BY THESE INCIDENTS**

SOURCE: SECURITY GENERAL DIRECTORATE

TYPE OF INCIDENT			2008					2009 (JAN-OCT) **				
			NUMBER *	NUMBER OF FEMALE VICTIMS				NUMBER *	NUMBER OF FEMALE VICTIMS			
				DEAD		INJURED			DEAD		INJURED	
				BELOW 18	18 AND ABOVE	BELOW 18	18 AND ABOVE		BELOW 18	18 AND ABOVE	BELOW 18	18 AND ABOVE
INTENTIONAL HOMICIDE ***	Actual	Custom (TPC 82)	1	1	0	0	0	2	0	1	0	0
		Blood feud (TCK 82)	14	0	0	0	0	11	0	2	0	0
		Honor	50	2	17	0	3	50	1	24	0	6
		Domestic Violence related (TPC 82/d)	96	8	48	0	15	83	7	43	2	3
	Attempted	Custom (TCK 82)	2	0	0	0	0	1	0	0	1	0
		Blood feud (TCK 82)	1	0	0	0	0	0	0	0	0	0
		Honor	9	0	0	2	3	3	0	0	0	0
* The crime statistics are compiled cumulatively on a monthly basis, the incidents committed exclusively against women can not thus be differentiated from the general totals. The said data covers all incidents against women and men.												
** 2009 November data not available yet.												
*** Killings in the name of custom, blood feud, and honor; and killings associated with domestic violence are, as of 2008, classified independently. The data preceding this date covers all killings. These incidents are selected upon request.												

CEDAW/C/TUR/Q/6/Add.1

Court Cases at Penal Code in accordance with Articles 102-103-104-105 of Penal Code No: 5237 and the Number of Suspects										
YEAR	FILED CASES NUMBER	NUMBER OF SUSPECTS								
		AGE 12-15		AGE 15-18		18 + AGE		TOTAL		
		MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	TOTAL
2006	14311	499	12	2097	67	16029	925	18625	1004	19629
2007	14347	531	19	1095	45	15755	907	18191	971	19162
2008	17151	1052	48	2129	71	19062	999	22243	1118	23361
Reference: General Directorate of Criminal Records and Statistics 2008 data are temporary According to the Official Statistics Program.										
*TPC 102: Sexual Assault TPC 103: Sexual Harassment of Children TPC 104: Statutory Rape TPC 105: Sexual Harassment										

Types of Ruling By Penal Court with regard to Cases Filed in accordance with the article 102-103-104-105 of Penal Code No:5237						
YEAR	CONCLUDED CASES	CONVICTION	ACQUITTANCE	No Ground for Prosecution	OTHERS**	TOTAL
2006	18033	11108	6543	364	8225	26240
2007	13798	9092	4626	207	6247	20172
2008	15366	8800	4499	149	8253	21701
Reference: General Directorate of Criminal Records and Statistics 2008 data are temporary According to the Official Statistics Program.						
*TPC 102: Sexual Assault TPC 103: Sexual Harassment of Children TPC 104: Statutory Rape TPC 105: Sexual Harassment						
** OTHERS: This part includes rulings with regard to non-competence, lack of jurisdiction, consolidation, abrogation as per TPC 75 , deferred judgment, rulings as per TCP 32/1, abatement, dismissal, and adjournment of the trial as per special laws.						

QUESTION 13. *The report refers to the amendments made to the Turkish Penal Code to combat violence against women (CEDAW/C/TUR/6, pages 9-11). It also refers to a Parliamentary Commission of Inquiry for purposes of “Investigating the Reasons Behind Custom and Honour Killings and Violence Against Women and Children, and Identifying the Measures to Be Taken”(CEDAW/C/TUR/6, page 12). Please provide detailed information on the number of honour killings that have occurred during the period under review, how many perpetrators of these crimes have been brought to justice and how many have been prosecuted.*

ANSWER 13. The efforts to combat custom killings, one of the most extreme forms of violence against women, have gained a new legal basis with the enactment of the Turkish Penal Code in 2005. As stated in the 6th Periodic Country Report; the article stipulating the qualified forms of intentional homicide requiring aggravated life imprisonment has been amended to include “in the name of customs” statement; and the perpetrators of custom killings are now sentenced to the severest punishment. The tables below present the current state with regard to court cases filed and concluded on custom killings:

Table. Cases Filed and Concluded at Heavy Penal Courts with regard to Turkish Penal Code article 82/k (Custom Killings) (2007-2008-2009*)

YEAR	CONCLUDED CASES	TYPES OF RULINGS ON SUSPECTS WITHIN CONCLUDED CASES												BREAKDOWN OF CONVICTIONS BY TYPE AND NUMBER								NUMBER OF SUSPECTS AGAINST WHOM SECURITY MEASURES WERE RULED
		CONVICTION			ACQUITTANCE			NUMBER OF SUSPECTS IN OTHER RULINGS			TOTAL NUMBER OF SUSPECTS			IMPRISONMENT	JUDICIAL FINE	IMPRISONMENT AND JUDICIAL FINE	IMPRISONMENT CONVERTED INTO FINE	IMPRISONMENT CONVERTED INTO INJUNCTION	DEFERRED IMPRISONMENT	TOTAL		
		MALE	WOMEN	TOTAL	MALE	WOMEN	TOTAL	MALE	WOMEN	TOTAL	MALE	WOMEN	TOTAL									
2007	18	26	0	26	14	0	14	7	0	7	47	0	47	14	1	11	0	0	0	26	12	
2008	9	24	1	25	15	1	16	4	0	4	43	2	45	17	0	8	0	0	0	25	0	
2009*	9	19	1	20	12	0	12	0	0	0	31	1	32	20	0	0	0	0	0	20	5	

*2009 data includes 1st and 2nd term.

SOURCE: General Directorate of Criminal Records and Statistics of Ministry of Justice

Table. Cases Filed and Concluded at Heavy Penal Courts with regard to Turkish Penal Code article 82/k (Custom Killings) (2007-2008-2009*) (2007-2008-2009*)

YEAR	TPC 82/k CUSTOM KILLINGS	NUMBER OF CASES	NUMBER OF SUSPECTS			NUMBER OF VICTIMS
			MALE	FEMALE	TOTAL	
2007	PENDING	35	105	4	109	67
	CONCLUDED	18	47	0	47	42
	TRANSFERRED TO NEXT YEAR	17	58	4	62	25
2008	PENDING	31	99	4	103	53
	CONCLUDED	9	43	2	45	12
	TRANSFERRED TO NEXT YEAR	22	56	2	58	41
2009*	PENDING	52	131	3	134	94
	CONCLUDED	9	31	1	32	12
	TRANSFERRED TO NEXT YEAR	43	100	2	102	82
*2009 data includes 1 st and 2 nd term.						
SOURCE: General Directorate of Criminal Records and Statistics of Ministry of Justice						

Trafficking and sexual exploitation of women

QUESTION 14. *The present report refers to the efforts carried out by the State party to combating human trafficking (CEDAW/C/TUR/6, pages 21-24). The report also refers to different provisions that punish criminal practices associated with trafficking in persons and the exploitation of prostitution. Please provide statistical information on how many persons have been prosecuted and sentenced, during the period under review, for committing these crimes and how many women have alleged being victims of trafficking and sexual exploitation. Please also specify the efforts that are being made to make women and girls aware of the importance of reporting.*

ANSWER 14.

Table. Cases Concluded at Penal Courts with regard to TPC Article 80 (Human Trafficking) (2007-2008)															
YEAR	NUMBER OF CASES	TYPES OF RULINGS BY SUSPECTS OF CONCLUDED CASES										wh om sec	NUMBER OF VICTIMS		
		Breakdown of convictions by type and number						Total conviction	Acquittance	Other rulings (lack of jurisdiction, non-competence etc.)	TOTAL NUMBER OF SUSPECTS		TOTAL	MALE	FEMALE
		Imprisonment	Judicial Fine	Imprisonment and Judicial Fine	Imprisonment converted to fine	Imprisonment converted to injunction	Deferred imprisonment								
2007	72	0	0	4	0	0	0	4	167	184	355	0	352	10	342
2008	50	0	0	10	0	0	0	10	71	95	176	5	200	56	144

Table. Cases Concluded at Penal Courts with regard to TPC Article 80 (Human Trafficking) (2009 first and second term)												
YEAR	NUMBER OF CASES CONCLUDED WITH A RULING	NUMBER OF CASES WITH FINALIZED RULINGS	TOTAL NUMBER OF SUSPECTS IN CONCLUDED CASES	TYPES OF RULINGS REGARDING SUSPECTS OF CONCLUDED CASES							NUMBER OF VICTIMS	
				Total number of convicted suspects	Suspects convicted by courts that have jurisdiction under article 250 of Criminal Procedures Law	Imprisonment and judicial fine	Acquitted suspects	Other rulings (lack of jurisdiction, non-competence etc.)	Number of suspects tried under article 80 of TCP, but sentenced under other articles	Cases filed under TCP 80, but adjudicated under other articles leading to deferred ruling	TOTAL	FEMALE
2009	42	0	145	11		11	44	90		5	107	99

It is of utmost importance to ensure victims' access to judicial authorities. For this reason; the Project on "Supporting Turkey's Efforts to Combat Human Trafficking and Promote Access to Justice for All Trafficked Persons" has been implemented between 2007 and 2009 with a view to provide assistance to national institutions of Turkey in combating human trafficking, identify victims of human trafficking in Turkey for providing advanced protection, ensure efficient criminal and judicial prosecution of crimes and criminals of human trafficking in investigations carried out by law enforcement officials and minimize human trafficking. The Project budget is 3.000.000 euros, and it contains the following activities: strengthening the capacities of relevant public agencies, judicial bodies and non-governmental organizations; strengthening international cooperation with a view to prevent victimization at countries of origin; rapid and efficient cooperation with countries of origin; and identification of factors leading to human trafficking both in Turkey and countries of origin in order to create awareness.

QUESTION 15. *The report refers to training activities (CEDAW/C/TUR/6, page 23) in progress for the police force, judges and prosecutors with the aim of improving legal awareness on human trafficking. It also refers to numerous campaigns that are being conducted towards the aim of raising awareness and delivery of information both for potential victims and for the general public opinion. Please provide more detailed information on these activities and campaigns. Also please provide information on what preventive and long term measures, if any, are being taken to combat potential forms of discrimination faced by women and girls victims of trafficking. Are any efforts being taken to guarantee access to labour market for ex trafficked women?*

ANSWER 15. The 6th Periodic Country Report includes detailed information on campaigns and studies carried out in the field of combating human trafficking. In addition to those details; information on projects, relevant campaigns and trainings carried out to the personnel of Security General Directorate are as follows:

The Project on "Supporting Turkey's Efforts to Combat Human Trafficking and Promote Access to Justice for All Trafficked Persons", cited in article 14, consists of six main components. Please find below the implemented and planned activities on the basis of components:

1st Component: Strengthening the administrative capacity of the Task Force in order to render interaction among the members more efficient

2nd Component: Prevention and awareness raising activities conducted in Turkey and the countries of origin to reduce stigma associated with trafficking and provide a tool for self-rescue for potential and actual victims through the 157 Helpline,

3rd Component: Increased identification, and strengthening the investigation and prosecution of traffickers,

4th Component: Improved protection of trafficked persons in Turkey through the strengthening of existing infrastructure and the development of new ones,

5th Component: Improving understanding of the demand for different forms of human trafficking, including forced prostitution, and the development of measures to counteract it,

6th Component: Establishing a data gathering network in place to promote a coordinated response to human trafficking between Turkey and the main countries of origin.

Besides the above-mentioned Project; the Project on “Combating Trafficking in Human Beings through Legal Assistance to Trafficked Persons and Enhanced Judicial Cooperation” has been implemented by the International Organization for Migration (IOM) for a period of 24 months. The main objective of the Project was to increase the prosecution of traffickers in Turkey and in the BSEC region, ensure that the human rights of trafficked persons are respected and that they have full access to justice.

Another project implemented by IOM is the Project on “Expanding and consolidating identification through enhanced integration of law enforcement and NGO efforts” which aims to strengthen the identification and assistance to trafficked persons in Turkey and prepare the conditions for their reintegration in their countries of origin by way of sustaining the assistance provided by the funder agency.

In addition to campaigns and projects; Turkey has been conducting counter trafficking efforts by National Action Plans that contain plans for long term activities. In this context; on account of completion of the First National Action Plan (2003-2007) prepared by the National Task Force to Combat Trafficking, the Second National Action Plan has been approved and put into implementation in 2009. The Second National Action Plan covers a period of 8 years.

There are many activities undertaken in order to improve the awareness of the personnel of the Turkish National Police. Within the framework of the Project on "Supporting Turkey's Efforts to Combat Human Trafficking and Promote Access to Justice for All Trafficked Persons"; a series of “Cascaded Trainings on Combating Human Trafficking” have been provided to 280 law enforcement officers by the National Training Team in order to build their capacity of combating human trafficking. 4300 personnel of the Turkish National Police have also been trained, as of November 2009, in the framework of the in-service training programs, including topics such as combating human trafficking and methods of approach to trafficked persons, aimed towards the Departments of Foreigners under Provincial Directorates of Security and personnel working at border crossings.

The brochures on “Understanding the Trafficked Persons’ State of Mind” were prepared for the use of professionals working in the field of combating human trafficking in order to ensure the best service delivery during interviews with traumatized victims of trafficking. The brochures were distributed to the personnel of Provincial Directorates of Security.

Within the framework of the project on “Strengthening Institutional Capacity on Combating Human Trafficking”, implemented under the coordination of the Ministry of Interior, a single day training study was realized in Ankara, on May 8-9 2007, for two separate groups comprising 20 judges and 20 public prosecutors with the participation of experts from Germany.

Within the framework of the cooperation between the Ministry of Justice and the Embassy of the United Kingdom in Ankara, with the Project on “Inter-institutional Cooperation for Combating Transboundary Crimes” four seminars were realized on “Human Trafficking and Migrant Smuggling”.

In the framework of the cooperation between the Ministry of Justice and the Embassy of the United Kingdom in Ankara, the seminar on “Human Trafficking and Migrant Smuggling” was organized in Antalya, on 18 April 2008, within the scope of the Project on “New Criminal Justice System Approaches in Combating Crime” with the participation of 100 judges and public prosecutors.

The 6th Periodic Country Report included information regarding efforts by Turkey in the field of human trafficking: Provision of up to six months of sojourn in Turkey (optional) to foreign nationals identified as victims of human trafficking for the purposes of attestation, cooperation with the police, post-trauma rehabilitation, and delivery of medical and psychological assistance. The individuals with foreign nationality, who have been given at least 6 months of residence permit in Turkey, are entitled to work in Turkey by means of obtaining a work permit from the Ministry of Labor and Social Security.

QUESTION 16. *The report refers to different services that are provided to victims of trafficking, such as a cost free emergency assistance and complaint telephone hotline for victims of trafficking and shelters where victims are accommodated (CEDAW/C/TUR/6, page. 21). How many women and girls victims of trafficking have benefited of these services during the period under review.*

ANSWER 16.

Table. Data on Trafficked Persons and Traffickers in Turkey		
YEAR	Number of Victims Referred to Protection and Support Programs	Number of Traffickers against whom Legal Actions exist
2005	256	379
2006	246	422
2007	148	308
2008	120	253
2009(as of November)	89	279
Total	859	1641
Source: General Directorate of Security		

Table. Calls to 157 Helpline, Rescued and Identified Victims			
YEAR	Rescued and Identified Victims	Number of referred victims with calls of help	Other non-referred calls (non-emergency, calls aimed at getting information on human trafficking)
2005	52	255	91
2006	56	579	125
2007	28	314	57
2008	16	148	74
2009 (as of November)	7	79	69
Total	159	1375	416
Source: International Organization for Migration Turkey			

40 women were provided with residential permits within the framework of the temporary residential permit of up to 6 months for victims of human trafficking that comply with the conditions set forth in article 15.

In Turkey, there are two shelters (in Ankara and İstanbul) and one interim station-type shelter (opened in 2009, in Antalya) providing services to victims of human trafficking. These services are provided by the non-governmental organizations with the support of municipalities, international organizations or other funding agencies. The number of the victims benefiting from these shelters is as follows:

Table. Number of Victims Benefiting from Shelters			
Year	Women's Solidarity Foundation's Shelter	Human Resource Development Foundation's Shelter	Antalya Family Counselors' Association's Shelter
2004		17 (The shelter was opened in November of 2004)	
2005	5 (The shelter was opened in November of 2005))	137	
2006	83	107	
2007	40	71	
2008	28	57	
2009	36 (as of December 2009)	44 (as of December 2009)	1 (the Shelter was opened in November 2009)
Total	192	433	1
Source: Compiled from the data of relevant foundations/associations.			

Participation in decision making and representation at the international level

QUESTION 17. *The State party report reflects the low representation of women in political and public life (CEDAW/C/TUR/6, pag. 26-30). In its previous concluding comments the Committee encouraged the State party to take sustained measures to increase the representation of women in elected and appointed bodies in all areas of public life and recommended the State party to introduce temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's General Recommendation No. 25 to increase the number of women in Parliament, in municipal bodies and at higher levels in the Foreign Service. Please provide detailed information on what efforts and actions have been carried out by the Government in this regard.*

ANSWER 17. Women's participation to political and public life could not reach the desired levels in Turkey. There is no temporary special measure in place to increase women's representation in political mechanisms. There are still positive relevant developments observed at the national level. The women's representation level in the parliament was 4.4 percent in the report submitted to CEDAW Committee back in 2005. It has increased to 9.1 percent as a result of the general elections held in 2007 (50 female members of the parliament). The representation level of women in national politics has increased by 100 percent, but it is still not at the desired level. The "2008-2013 Gender Equality National Action Plan" has a separate section on "women in power and decision-taking mechanisms", and there are different strategies identified therein in order to raise awareness on the subject matter and ensure that the public policies safeguard equality of women and men.

The pre-election campaigns conducted by women's NGOs, and the political academies they have established in several provinces for women are amongst efforts aimed at increasing women's participation to local politics.

A real increase in women's involvement in decision-taking mechanisms and senior management cadres can only be achieved through full gender mainstreaming. This process entails a mentality transformation and there is thus a need to equip the professionals at public institutions, universities, professional organizations and the private sector with gender perspective; in a manner that has repercussions on their respective professional practices. To this end; within the framework of the Gender Equality Trainings aimed towards public officials by GDSW in 2009, these subject matters are tackled.

There has been awareness among public institutions on the issue of women's participation in political and public decision making mechanisms. For instance, with an amendment to the By-law on the appointment and occupational mobility of administrators of Ministry of Education, the provision of adding 15% of additional scores to the scores of women candidates applying to the deputy manager cadre of vocational and technical educational institutions and boarding schools with girls has been introduced in 2009.

Education

QUESTION 18. *The Committee, in its previous concluding observations, recommended the State party to implement further targeted policies and programmes to overcome educational disadvantages faced by girls and women belonging to diverse ethnic groups and those whose mother tongue is not Turkish, particularly in rural areas, as well as to address regional*

disparities (CEDAW/C/TUR/CC/4-5, para. 34). Please provide detailed information on all the efforts carried out by the Government in this regard. Please also include statistical information on how many women and girls whose mother tongue is not Turkish are benefitting from educational programs.

ANSWER 18. As per the article 10 of the Constitution of the Republic of Turkey, on “equality before law”; which has been amended as “all individuals are equal without any discrimination before the law, irrespective of language, race, color, sex, political opinion, philosophical belief, religion and sect, or any such considerations”; there is no data collection in Turkey on members of different ethnic groups or individuals who are not native Turkish speakers. There are, however, different policies formulated and various programs conducted in order to prevent educational problems experienced by women and girls because of the fact that the right to education is a social right secured by both national and international law, and is amongst fundamental human rights.

The 9th Development Plan; which covers the period of 2007-2013 and contains fundamental policies to steer Turkey in economic, social and cultural fields; does include the following policy statements with a view to remove inequalities between sexes and regions:

- There shall be an integrated approach to the education system, by taking lifelong education into consideration, in order to support the development of human resources. The efficiency and accessibility of the system and its structure based on equal opportunities shall be strengthened.
- The necessary measures; primarily targeting rural areas and girls; shall be taken in order to reduce the school drop-out rates; and the rates of transition to secondary education shall be increased.

The Mid-Term Program (2010-2012) includes targets with regard to increased schooling at every level of education; improved equipments and physical infrastructure in education; and reduced disparities by regions and gender in access to education.

The 2009 Program, which monitors the implementation of policies set forth in the Mid-Term Program, includes the following main goals and targets: taking the necessary measures to change the current nationwide state of education, which is disadvantageous to rural students and girls, in order to reduce school drop-out rates in primary and secondary education; increasing rates of transition to secondary education; and transforming the secondary education system into a flexible and program based system, allowing for horizontal and vertical moves, with efficient guidance and counseling services and a broad-based and modular approach in place.

The Strategic Plan of the Ministry of National Education, which sheds light on its practices for 2010-2014, attaches special importance to girls’ enrolment; and highlights that the disadvantaged individuals would be provided with increased boarding and scholarship services in order to improve their access to education. The Strategic Plan also includes the following target: “the current difference of 10 percent between the enrolment rates of boys and girls shall be reduced to below 2 percent by the year 2014 in order to further increase girls’ access to education”.

The primary problem faced by girls, in terms of participation to educational processes, is the low schooling rates. In this context; the Ministry of National Education has been conducting several projects for ensuring the schooling of girls. There is an observed general increase in schooling rates within the last five years, and the fact that the increase in schooling of girls surpasses that of boys is an important development in terms of overcoming gender inequality. The gender ratio for the period 2003-2004 (the relative strength of the ratio of girls' gross enrolment to boys' gross enrolment) was 91.9 in primary education; and it has increased to 97.9 in the period 2008-2009. The increase in the said ration was even more marked for the secondary and tertiary education (from 78.7 to 89 and from 74 to 88 respectively).

There are striking increases observed in the enrolment rates of girls as a result of the implemented and on-going projects. The net primary school enrolment ratio for girls has gone up to 96 percent in 2008-2009 educational year (86.9 percent in 2003-2004 educational year); and the net enrolment ratios for girls in secondary and tertiary education have gone up to 56.3 percent (from 48.5 percent) and 19.7 percent (from 13.9 percent) respectively within the same timeframe.

The projects that are implemented in addition to the projects and programs described in the 6th Periodic Country Report are as follows:

E-School Project: The e-school project is underway since 2008, and it foresees a series of activities such as identification of children that have never been enrolled and efforts to reintegrate them into the education system; monitoring and evaluation based on reasons behind non-enrolment and absenteeism; and awareness-raising for the central and local authorities on gender inequality in education. Within the framework of the above-mentioned activities; a module has been incorporated to the e-school database with a view to monitor the non-enrolled or absentee students on the basis of schools. The monitoring enables the use of a problem census and problem solving approach with new centralized and local solutions developed.

Catch-up Training Classes Program: The “Haydi Kızlar Okula (Let’s go to School, Girls!)” Campaign; mentioned within the 6th Periodic Country Report; has been underway since 2003, and the interim evaluation results of the campaign revealed that the children between the ages of 10 and 14, who have never been enrolled in school or been a regular absentee, have both physical and age related difficulty in attending the same grades with younger children. The implementers have often personally expressed the insufficiency of existing arrangements and efforts in terms of reintegrating such children to the school system. The catch-up education program targets children between the ages of 10 and 14, who are at compulsory schooling age but were not able to complete their education at the same time as their peers. The program aims to allow these children, who are in compulsory education age and have never been enrolled or been a regular absentee for various reasons, to gain the necessary competencies for having a second chance in primary education alongside their peers.

Increasing School Enrolment Rates Especially for Girls Grant Scheme: The project was launched in 2009, and primarily targets girls at secondary education age or adult women, who can not attend school or have never been enrolled, living in 43 provinces where the GDP per capita is lower than 75 percent of the national average. The project aims to

promote awareness-raising on the importance of education and increase enrolment rates particularly for girls in secondary education in order to advance the human capital, particularly women, and the linkages with the labor market.

QUESTION 19. *Please provide detailed information on the incidence of early marriages (CEDAW/C/TUR/6, page 78) and teenage pregnancy in Turkey and its impact on girls' education achievement. Please also provide information about support programmes for pregnant adolescents or young mothers to continue their education. The report refers to the Project for Developing a Strategy to Meet Reproductive health Information and Service Needs of Adolescents, with the cooperation between the Ministry of Health and UNFPA. Please provide detailed information on the content of this project (CEDAW/C/TUR/6, page. 45).*

ANSWER 19. It is a known fact that women in Turkey experience their prime reproductive years during their twenties. Age-specific fertility rates in rural areas rise sharply from age 15-19 to the peak at age 20-24, and then gradually decline. As the Table below indicates; the results of the Turkish Demographic Health Survey and the data of the General Directorate of Population and Citizenship Affairs suggest that there has been a steady rise in the age at first birth among women in Turkey and the childbearing amongst adolescents has been gradually decreasing. Women in younger cohorts are much less likely than older women to give birth to their first child while they were in their teens (15-19).

Table. Age-specific and total fertility rates for the 3 Years Preceding the Survey, Turkey		
Age	2003	2008
15-19	46	35
20-24	136	126
25-29	134	133
30-34	78	91
35-39	38	36
40-44	12	10
45-49	2	1
Total fertility rate(15-49)	2,23	2,16
Turkish Demographic Health Survey Results		

Table. Marriages between the ages of 15 and 19		
Year	Not married	Married
1998	84,8	15,2
2003	88,1	11,9
2008	90,4	9,6
Turkish Demographic Health Survey Results		

Table. Births by Mothers' Age Group (as of 20 July 2009)					
		Age Group			
Year	Total	<15	15-19	20+	Unknown
2005	1.231.678	1.117	120.60	1.107.886	2.070
2006	1.238.725	734	117.379	1.120.612	2.773
2007	1.266.503	326	113.297	1.149.378	3.502
2008	1.262.333	270	107.663	1.150.355	4.045
Source: General Directorate of Population and Citizenship Affairs					

There is a strong correlation between education and adolescent fertility rates. Adolescent maternity is more prevalent amongst women with lower education levels when compared with educated women. Moreover; adolescent maternity results in the suspension of educational processes. 7 percent of uneducated women start childbearing during adolescence, and 4 percent of women with at least secondary education do so. As for the situation in terms of welfare levels; the rate of adolescent maternity is 2 percent amongst women living in households with the highest welfare level, and it is between 8 and 11 percent amongst women living in households with low welfare levels.

The studies suggest that adolescent pregnancies are risky with higher rates of maternal and infant mortality; and continue to be a problem for our country. The "Sexual and Reproductive Health National Strategic Action Plan for Health Sector 2005-2015" identifies "prevention of adolescent pregnancies" as one of the priority intervention areas.

In Turkey; there are adult training and Family Training Programs in place that focus on strengthening domestic communication, basic communication skills, personhood, cohabitation, citizenship and human rights, pre-marriage information provision to couples and provision of core marriage competencies.

The family training programs are used to train our women on subjects such as how to express themselves, communication and child rearing, being a woman, women's rights, family planning and women's health.

As part of the life-long learning concept; all types of institutions, agencies and non-governmental organizations are engaged in order to enhance the efficiency of parent and child training. Besides; the 6th Periodic Country Report also includes information on existing distance education opportunities for women and girls who could not benefit from formal education for various reasons.

Within the framework of the Project on "Reproductive Health Knowledge and Service Needs of Adolescents", co-implemented by the Ministry of Health and the United Nations Population Fund (UNFPA); promotional materials for adolescents were produced on hygiene, health issues and reproductive health; and service providers were trained on how to approach adolescents. There were 8 Youth Training Centers established in the framework of the Project.

QUESTION 20. *The State party report shows the low representation (CEDAW/C/TUR/6, pages 34-36) of women in technical and vocational schools. In its previous concluding observations, the Committee recommended the State party to undertake further awareness-raising on the importance of education for women's equality and economic opportunities, and to overcome stereotypical attitudes¹. Please provide detailed information on any measures taken by the Government to strengthen women and girls' access to all levels of education.*

ANSWER 20. Raising the education level of women, who constitute half of the total population, facilitating and encouraging their access to labor market all increase the importance of adult education in our country. Training the intermediate labor force, enhancing their skills and competencies and thus increasing their employability can be achieved by having disadvantaged groups like women and youth employed, particularly by economically empowering urban women through vocational education.

The migration from rural to urban areas makes the female agricultural workers look like unskilled labor. That's why the vocational training and income-generating courses provided at community training centers, which are particularly organized for improving women's and young girls' participation to labor force and employment, result in enhanced participation to business life. Our women and young girls can get jobs and opportunities to contribute to the household budget with the help of these courses.

The trainings provided at the community and vocational training centers enhance the qualities and skills of women, who are disadvantaged in terms of labor force participation and have lost employment opportunities within the agriculture sector, in line with the needs of the labor market. The said training programs are organized in accordance with the modern needs, and structured not only to enhance qualifications and skills of women, but also ability to participate in social life.

Ensuring women's equal enjoyment of societal opportunities and protecting women's human rights in our country are closely linked with promoting gender equality and gaining ground in

terms of combating domestic violence. To this respect; there are conferences, panels, seminars etc. organized for adults at Community Training Centers; on topics such as violence, negligence, abuse, sexual harassment, drug and substance abuse; in order to increase societal sensitivity on a nationwide scale.

The other efforts and studies on technical and vocational education in Turkey have been described in detail within the 6th Periodic Country Report.

QUESTION 21. *Among the causes of school drop-out, the report refers to priority given by families to male children with regard to education (CEDAW/C/TUR/CC/4-5, paras. 33-34), due to conventional and economic reasons. Please include detailed information on all the actions taken by the Government to overcome stereotypical attitudes that discriminate against girls with regard to access to education through further revision of textbooks and school curricula, for example. Please provide detailed information on any actions taken by the Government to raise awareness on the importance of girls' education. Please indicate whether any study has been carried out on the impact on girls' right to education following the Government's decision to ban the wearing of head scarves in school settings.*

ANSWER 21. The activities aimed at removing sexist components from the instructional materials have been summarized within the answer to the 10th question. The Ministry of National Education's Board of Education has been conducting studies with a view to eliminate the use of sexist language in the curriculum, text books and other instructional materials; and remove discriminatory illustrations, statements and gender stereotypes therein. The "Gender Equality Commission" has been established under the Board of Education in order to make such efforts more permanent and systematic, and accomplish the goals and strategies set forth in the "2008-2013 Gender Equality National Action Plan".

The activities and studies conducted by the "Gender Equality Commission":

- Workshop on Gender Equality in Text Books: The workshop was organized in order to provide the teachers and experts working in the Text Book Review and Evaluation Commission and Specialized Commission on Curriculum Development, under the Board of Education, with awareness and sensitivity on gender equality. The workshop featured theoretical and practical studies on how to ensure "gender perspective" during the writing and review stages of the text books. The main target group of the workshop comprised the teachers and experts working at the text book review and evaluation commissions and specialized commission on curriculum development under the Board of Education.
- The Book on Gender Equality in Text Books: The "Book on Gender Equality in Text Books" was prepared in order to provide the experts working in text books and instructional materials review and evaluation commissions, under the Board of Education, with awareness and sensitivity on gender equality.
- Seminar on Promoting Gender Equality: The Seminar on Promoting Gender Equality was organized with the participation of teachers and deputy principals from 81 provinces.

Apart from the above-mentioned activities by the Board of Education, the Primary Education General Directorate of MONE also has conducted several relevant activities. The renewal of the primary education curriculum has been going on since the year 2003. The discriminatory behaviors and concepts, or those that might be perceived as discrimination, have been removed and the new curriculum now contains overarching skills, values, gains and interdisciplinary concepts aimed at ensuring gender sensitivity and intercultural tolerance, respect and understanding. The text books, renewed as a result of the curriculum changes, comprise student centered teaching methods, practices and visuals in order to enable the effectuation of the overarching skills, values, gains and interdisciplinary concepts foreseen in the new curriculum. A set of studies have also been carried out in order to remove discriminatory stereotypes, against women, from the primary education text books:

- The number of the names of persons used in the primary education text books is evenly distributed amongst women and men.
- Vocations such as doctor, engineer, or pharmacist; which were previously shown as male professions; are now illustrated with visuals including women.
- The authors of the text and exercise books for students and guidelines for teachers (triple kit) have been trained to ensure that the teaching process eliminates all forms of discrimination.

In addition to the above-mentioned studies on text books and instructional materials; the new curriculum and text books also contain teaching processes and activities aimed at raising awareness of boys and girls on enjoyment of right to education. Moreover; the projects and programs such as the “Catch-up Training Classes Program” and “Let’s go to School, Girls!” under implementation since the year 2003, have resulted in a rapid amelioration of the enrolment rates for girls and boys. The difference amongst genders in primary education was 7.15 percent in 2003, and it has been reduced to 0.89 percent in September 2009.

Children living in poverty and students attending secondary education are provided with free of charge educational assistance in order to increase the schooling of girls and transition rates from primary to secondary education. The details on the educational assistance directly provided to the mothers, more for families with girls, in order to ensure the enrolment of children from poor and low-income families are given in the 6th Periodic Country Report and the answer to the 9th question.

On the other hand; the non-formal education institutions, particularly the community training centers, play an important role in terms of protective/preventive activities, sensitization, risk mitigation and awareness-raising for all segments of the society.

The relevant Ministry does not have any research on the impact of the headscarf ban, within school borders, on girls’ school enrolment. However; a review of the girls’ enrolment rates by years shows an increase in their enrolment rates (from 87.34 percent in 2003 to 97.83 percent in 2009). Moreover; the article 126 of the By-law on Non-Formal Education Institutions stipulates that “simplicity, cleanness and relevance with the service are essential for the appearance of the trainees”. That’s why the

decision to ban headscarf in activities carried out within the scope of non-formal education has no impact on the educational rights of girls.

Employment

QUESTION 22. *The report shows the significant differences between women and men in labour force participation (CEDAW/C/TUR/6, pag. 45). It refers to education as a very important factor to access to the labour force (CEDAW/C/TUR/6, pag. 47). Please provide detailed information on all measures and efforts carried out by the Government to eliminate occupational segregation, in particular, information with regard to education and training of women. Please specify whether the State party has put in place a policy aimed at accelerating de facto equality of women in the area of employment. If so, please indicate what steps have been taken to implement this policy.*

ANSWER 22. In our country; women's participation to labor force and employment is quite lower in comparison with men. According to 2008 data; women's employment rate is 21.6 percent, and men's employment rate is 62.6 percent. Taking into account the value added to be created by women in the labor market; it is evident that increasing women's participation to labor force and employment needs to be amongst the labor market priorities of our country. As a matter of fact, there are measures within the most fundamental policy documents of our country with regard to increasing women's involvement in economic life.

- The "Increasing Employment" axis of the 9h Development Plan (2007 – 2013) contains the following:

- Under the "Developing Active Labor Policies" heading, there is reference to the importance attached to active labor market policies as an efficient tool in increasing employment. The active labor policies, which aim to improve the qualifications and skills of the labor force for increased employability, consist of the following dimensions: labor force training, vocational training and labor force adjustment programs, orientation and professional counseling and guidance services, development of job seeking strategies, employment of the disadvantaged groups such as the unemployed, disabled, women and youth, entrepreneurship trainings and employment guaranteed programs.

- The "Targets and Estimates for the Planning Period" foresee raised educational level, increased employability by way of active labor policies, facilitating and encouraging entry into labor markets. It is anticipated that labor force participation rate would thus increase by 2.1 points within the planning period. Women are expected to be the main determinant behind this increase.

- The section on "Improving the Labor Market" states that equal opportunities will be provided for the women, the young, the long-term unemployed, the disabled and former convicts who encounter difficulties in the labor market. With the aim of increasing women's participation in the labor force and employment; their access to childcare and other similar services will be facilitated. Programs will be developed to provide the young with experience in the labor market.

- Under the section on “Improving Income Distribution, Social Inclusion and Combating Poverty”; it is stated that the employability of women will be increased by improving vocational education opportunities targeting the women in order to eventually increase women’s involvement in the economic and social life.

• The “Increasing Employment” section of the Mid-Term Program (2010 – 2012), includes the following,

- Under the “Improving the Labor Market” heading; it is stated that minimizing the adverse effects of the crisis, increasing employment and improving the efficiency of the labor market are the main goals within the framework of employment driven sustainable growth. In this context; it is mentioned that “supportive policies shall be pursued in the labor market for the disadvantaged groups, particularly for the youth, women and disabled”.

There are many nationally and internationally supported studies and projects for increasing women’s participation to employment. The details of the said projects are as follows:

- Active Employment Measures and Support to Turkish Employment Organization (İSKUR) at Local Level: This project, which is implemented within the scope of EU 2006 pre-accession financial assistance, consists of a component on implementation of active employment measures via a grant scheme. Under the Grant Scheme, 101 projects that aim to increase the employability of unemployed women and young people in 28 provinces were awarded with grants.

- Social Support Program (SODES): The Southeastern Anatolia Project (GAP) Action Plan, which was developed with a view to complete the regional development projects between 2008 and 2012, consists of the following components: economic transformation, social transformation, improving the infrastructure and institutional capacity building. The Social Support Program was prepared with a view to enable development and implementation of flexible projects in accordance with the needs related with social transformation. The program is project based and the Governorates have direct implementation responsibility. The goal of SODES is to support the local activities aimed at overcoming social problems such as poverty and migration in order to realize social development and improve the social welfare. SODES, also, has the following objectives: improving the human capital of the region, ensuring the active involvement of individuals and groups, under the risk of social exclusion and poverty, in economic and social life, improving their living standards and ensuring societal solidarity and integration. Women are given priority in the projects implemented under SODES are hence given priority.

- The “Decent Employment for Everyone: Youth Employment Program in Antalya” Joint Program by United Nations organizations (Food and Agriculture Organization of the United Nations (FAO), International Labor Organization (ILO), International Organization for Migration (IOM), United Nations Development Program (UNDP)] and Turkish Employment Organization (İSKUR): the general objective of the program is to identify and implement policies for the benefit of persons living in poverty and women within the framework of decent employment and social integration. The program, also, aims to reduce unemployment amongst young members of migrant families and

increase young women's participation in the labor force. The program has been launched in November 2008, and will be completed in December 2011.

With the enactment of the Law on Amendment to the Labor Code and Other Laws by the government, also known as the 1st Employment Package by the public opinion, the Turkish Employment Organization (İSKUR); which is in charge of implementing the Active Labor Force Programs (ALP); has been allocated with more resources from the Unemployment Insurance Fund to be used for the ALPs. Prior to this arrangement; the resources allocated from the Unemployment Insurance Fund, which is the main funding source for the programs implemented by the Organization, could only be used for "individuals receiving dole payment". The resources can now be used for all unemployed individuals registered at the Organization and the 2009 budget of İSKUR has been increased. The number of ALP beneficiaries has also increased significantly in 2009, compared with 2008, as a result of the increase in funding. However; there is now a need to further increase funding for ALP, alongside other similar measures, as a result of the intensifying effects of the global economic crisis. In consequence of such a need; the "Stimulus and Employment Package"; which was made public on 4 June 2009 and is also known as the 2nd Employment Package; foresees measures to increase the number of beneficiaries of ALPs implemented by İSKUR.

In the framework of the ALPs; there were 1744 programs organized in 2008 (approximately 23.861.000 U.S dollars), and the number of the programs has gone up to 6852 as of 1 October 2009 (approximately 89.323.000 U.S dollars). This change is considered to be the most important indicator of the increase in services provided through ALPs. The services cover, without any discrimination, all unemployed persons registered with İSKUR, and the increase in the number of the programs indicates increased participation by women to vocational training programs. That is to say; in 2008 10.782 of the 30.676 program participants were women, and as of 1 October 2009 65.663 of the 150.207 participants have been women.

QUESTION 23. *The report states that although there is no difference between men and women in terms of salaries, the family allowance (CEDAW/C/TUR/6, page 56) allocation is given only to the husband in those cases where both the wife and the husband are public employees. Please provide detailed information on all efforts carried out by the Government to eliminate provisions that discriminate against women in the field of employment. The report also refers to the draft law regulating parental leave (CEDAW/C/TUR/6, page 12). Please provide detailed information on the content of this draft law and on its present status.*

ANSWER 23. The "Draft Law Amending the Civil Servants' Law and the Labor Law"; prepared to ensure equality between employees enrolled to different social security institutions on maternity leaves and alignment with the relevant international standards; has been adopted by the European Union Harmonization Committee of the Turkish Grand National Assembly on 29 July 2008. The Draft Law is now on the agenda of the General Plenum of the Assembly to be conferred upon with the relevant Commissions.

The amendments foreseen by the Draft Law are as follows:

- According to the Laws No: 657 and 4857; the female employees shall be allowed a total of one and a half hour daily nursing leave for children below the age of

one. According to the Draft Law; female workers and civil servants shall be allowed a total of 3 hours daily nursing leave for a period of 4 months after their leaves with pay; and one and a half hour daily nursing leave for the following 6 months and the employee shall decide herself at what times she will use the nursing leave.

- According to the existing Laws; employees adopting children are not granted with parental leaves with or without pay. According to the Draft; female employees signing provisional childcare contracts for adopting children (up to 8 years old) and male employees individually signing similar contracts shall also be entitled to enjoy, as of the contract date, the right to 8 weeks of leave with pay after confinement.
- According to the Draft; the post-natal childcare leave without pay can be shared between the mother and father, employed in accordance with both laws (657 and 4857), as parental leave (fathers can also be granted leave without pay). The same parental leave right is also applicable in case of adoption of a child (up to 8 years old), and if the employees so wish they shall be granted an unpaid leave of up to 6 months after the expiry of the leave with pay.
- According to the draft; employees using their right to birth and adoption shall restart working, after the expiry of the leave, in their previous posts or a similar post and under the same conditions as their peers. Any changes in the labor conditions of the employee can only be made in accordance with the provisions of article 22 of Labor Law No: 4857 on “Change in Working Conditions and Termination of the Contract”.
- According to the draft; female employees must not be engaged in night work for the period between the physician’s report certifying pregnancy and the birth. The breastfeeding employees must not be engaged in night work for 6 months following the birth.
- According to the draft; in the event of urgent familial issues such as sickness or an accident, the employees can be granted up to two days of unpaid leave on condition that it is in writing.

On the other hand; the “Principles on Recruitment of Contract Employees”, which regulates the general employment conditions for contract employees recruited as per Law No: 657 on Civil Servants, has also been amended to draw correspondence with the Civil Servants’ Law. Accordingly; the contract employees are granted leave with pay for a total period of 16 weeks in case of child birth, 8 weeks before confinement and 8 weeks after confinement.

Moreover; the Additional Clause No: 1 on “Re-engagement in Work” has been added to the said Principles in order to enable the re-employment of contract employees, at the same institution, whose contracts are terminated for reason of childbirth. The said Clause stipulates the following: “the position of a contract employee, whose contract has been terminated for reasons of childbirth or military service, shall be reserved and he/she shall be re-engaged in work at the same institution on demand. The personnel to be re-engaged shall yet comply with the following: a) No severance payments received

for termination of his/her contract; b) submission of a written request for re-employment at the same institution – within one year at the latest following the expiry of maternity leave for those terminating contracts on the grounds of childbirth, and within thirty days at the latest following the discharge date for those whose contracts are terminated on the grounds of military service. The institutions shall then employ the concerned parties within thirty days at the latest following the written request. The contract to be devised with the re-employed personnel shall be a follow up of the previous contract.” As a conclusion; the employees, who did not receive any severance payment upon termination of contract and apply to the relevant institution (employer) within a year at the latest following the expiry of maternity leave, shall be re-employed within thirty days at the latest and the new contract shall be a follow-up of the previous contract.

QUESTION 24. Please provide detailed statistical information on what types of child care are available for working women, how many children have access to educational programmes, such as kindergartens, in order to guarantee women an easier access to labour market due to the support of social services.

ANSWER 24. In Turkey, child care services are provided by institutions under the Ministry of National Education (MONE) and the General Directorate of Social Services and Child Protection Agency. Under MONE; there are infant schools (36-72 months) and nurseries (60-72 months) providing services to children.

Under the General Directorate of Social Services and Child Protection Agency supervision; there are Special Crèches and Day Care Centers and Children Centers providing services. The Special Crèches and Day Care Centers provide preschool education and development and care services to children at 0-6 age group; and the Children Centers provide education and care services to children at 7-14 age group with a view to make appropriate use of their spare time.

Apart from the above-mentioned services by MONE and the General Directorate of Social Services and Child Protection Agency; the workplaces with 150 or more female employees are obliged to open early childhood care centers as per the Civil Servants' Law No: 657 and the Labor Code No: 4857. There are also early childhood education and care services, though in limited number, provided by various municipalities and non-governmental organizations. In this context; the municipalities, on the basis of the article 14 of Law No: 5393 on Municipalities, may open low charge or free of charge child care centers for their personnel or communities in their catchments.

Institution	Number of Institutions	Total	Boys	Girls
Total infant schools (Public+Private)	1.698	141.392	74.606	66.786
Public infant schools	1.024	117.153	61.879	55.274
Private infant schools	674	24.239	12.727	11.512
Total nurseries (Public+Private)	20.128	618.256	322.417	296.109
Public nurseries	19.545	601.416	313.341	288.075
Private nurseries	583	17.110	9.076	8.034
Institutions opened as per article 191 of Law No: 657	322	15.206	7.969	7.237
the General Directorate of Social Services and Child Protection Agency	1.550	37.969	20.350	17.619

Source: Ministry of National Education, the General Directorate of Social Services and Child Protection Agency Statistics, 2009.

Health

QUESTION 25. *The report states that although there are no elements in the legislation preventing women from benefiting the existing health system, women in rural or squatter areas require the assistance of their spouses or relatives to refer to healthcare institutions, since women have a lower social status and an insufficient level of economic independence (CEDAW/C/TUR/6, page 63). Please provide detailed information on all measures taken by the Government to eliminate any de facto discrimination faced by women with regard to access to the health system, particularly in rural or squatter areas.*

ANSWER 25. As a reflection of women's status, women may face certain difficulties in terms of access to healthcare services. These difficulties can only be overcome by eradicating the sexist stereotyped opinions intrinsic in the society on one hand, and developing policies that focus on women with difficulties in accessing healthcare services and primary problems on the other hand.

The Ministry of Health has identified its relevant policies and strategies within the scope of "National Strategic Action Plan for Health Sector 2005-2015"; explained in detail in the answer to the 6th question. In addition; the "Gender Equality National

Action Plan 2008-2013” prepared by the GDSW, cited within the 6th Periodic Country Report, also contains targets and strategies aimed at facilitating women’s access to healthcare services. The said Action Plan is currently under implementation, and there are evaluation meetings conducted by relevant institutions and agencies in order to monitor the topic of women and healthcare.

Economic difficulties are amongst the main reasons that prevent women from having sufficient access to healthcare services. General Directorate on Social Assistance and Solidarity under the Prime Ministry has been implementing the Conditional Cash Transfer Healthcare Assistance Program on a nationwide scale with a view to establish a social security network enabling full access of the children and expectant mothers from the most needy families to primary healthcare services. The families; who can not take their preschool age children to routine health checks; and the expectant mothers are provided with regular healthcare assistance. This assistance is provided in the framework of the protocol signed with the Ministry of Health. The payments are made directly to the mothers in order to empower women within the family and the society. The table below presents data on healthcare assistance provided to women and children during the reporting period.

Table. Conditional Cash Transfer Healthcare Assistance				
YEAR	To Children		To Expectant Mothers	
	Allocated resources (million TL)	Number of children	Allocated resources (TL)	Number of women
2005	61,29	731.784	784.860	-
2006	103,57	876.978	728.647	22.476
2007	95,94	999.041	665.615	30.662
2008	118,25	1.026.725	550.000	38.478 (as of November 2008)
Source: Prime Ministry Social Solidarity General				

QUESTION 26. *The report refers to various programmes that are being implemented to deliver health services to women (CEDAW/C/TUR/6, page 65). In this regard, the report states that maternal and infant health and family planning services are given a priority position among national programs. Please provide detailed information on the programmes that are being implemented at present, particularly those taking place in*

the south-eastern region. Please include information on how many women are benefiting from these programmes.

ANSWER 26. All of the programs carried out by the Ministry of Health for facilitating women's access to healthcare services are implemented in each one of the 81 provinces. However; the "National Strategic Action Plan for Health Sector 2005-2015"; explained in detail in the answer to the 6th question; identifies priority problems in terms of sexual and reproductive health, and includes an evaluation of those problems by regions and allocation units. The Ministry of Health, consequently, takes into account matters related with the frequency of different problems and their breakdown by regions or allocation units.

The Ministry of Health has been implementing various programs in order to improve women's access to healthcare services and ensure provision of quality health services. The programs on women's health and family planning include the following: "Marriage and Pre-Maternity Counseling Program", "Family Planning Program", "Pre-Natal Care Program", "Iron Supplementation for Pregnant Women Program", "Emergency Obstetric and Newborn Care Program", "Maternal Mortality Monitoring Program", "Adolescent Health and Youth Program", "Reproductive Health In-service Trainings", "Male Involvement in Mother and Child Care and Family Planning Services", and "Elderly Reproductive Health Program".

The programs aimed at improving infant and child health are as follows: "Encouraging, Sustaining and Supporting Breastfeeding and Infant Friendly Healthcare Institutions Program", "Infant Mortality Monitoring Program", "Newborn Intensive Care Program", "Infant and Child Tracking Programs", "Iodine Deficiency and Salt Iodization Program", "Newborn Resuscitation Program", "Newborn Screening Program", "Hearing Screening Program for the Newborn", "Encouraging and Supporting Breastfeeding to Prevent and Control Iron Deficiency Anemia" and "Prevention of Vitamin D Deficiency in Infants and Pediatric Bone Health Program". Some of these programs are explained in detail in the answer to the 28th question.

QUESTION 27. *The report does not provide any information on current rates of infected women and girls with HIV/AIDS. Please provide statistical and updated information of women and girls infected with HIV/AIDS, as well as detailed information on the activities and initiatives carried out by the Government to combat this problem. In this regard, please provide additional information on any provisions or measures that exist to eliminate discrimination against women and girls infected with HIV/AIDS.*

ANSWER 27.

One of the most important policies implemented by the Ministry of Health is safeguarding the safety and individual rights of persons with HIV infection or suspicion that apply to the healthcare institutions. The information on the identity of the patients is hence coded.

These persons are provided with medication in case of application to healthcare institutions; and the persons with AIDS, who are not covered, are given green cards.

The Ministry of Health requires mandatory notification of certain diseases and HIV/AIDS was taken into this list in 1985. Women diagnosed with HIV (+) during the screening must also be subjected to a verification test. Each year; the blood donors, sex workers and individuals arrested for prostitution take a mandatory HIV test. The individuals to be operated must also take the test prior to the surgical intervention.

HIV/AIDS infection is observed in Turkey since 1985. In 1985; there were a total of 2 cases, 1 with AIDS and 1 carrier. The number of cases has reached a total of 3370 as of 31 December 2008; 696 with AIDS and 2674 carriers. The age and gender breakdown of cases and carriers notified as of that date is as follows:

The Age and Gender Breakdown of AIDS Cases and Carriers Notified in Turkey			
Age groups	Men	Women	Total
0	14	6	20
1-4	9	13	22
5-9	5	10	15
10-12	3	2	5
13-14	2	1	3
15-19	25	39	64
20-24	184	202	386
25-29	327	205	532
30-34	396	154	550
35-39	378	82	460
40-49	453	91	544
50-59	225	86	311
60+	122	34	156
Unknown	205	97	302
Total	2348	1022	3370

The National AIDS Commission was established in Turkey, in 1996, under the chairmanship of the Ministry of Health and with the participation of 32 stakeholders comprising relevant public institutions, academicians and non-governmental organizations. The 2007-2011 National Strategic AIDS Action Plan, adopted by the Commission in 2007, contains, *inter alia*, the following targets and strategies: mother to child transmission of HIV; life skills-based training for the youth; and increasing the access of groups with or under the risk of substance addiction to protective HIV/AIDS healthcare services. The relevant targets and activities of the Ministry of Health can be summarized as follows: protection, prevention, increasing accessibility of diagnosis and treatment services, increased counseling services, legislation, monitoring and evaluation, social support and advocacy.

The on-going projects are as follows: EURO HIV Project on Routine Collection and Compilation European HIV Data; The European STI Surveillance Network Project; Intravenous Drugs and Drug Addiction HIV Prevention Project; and the Project on the Assessment of Vulnerable Groups from the Human Rights Perspective in terms of HIV/AIDS.

Moreover; as part of the grant agreement signed between the Republic of Turkey and the Global Fund in 2005, the “HIV/AIDS Prevention and Support Program” is being implemented with a view to increase the access of the society and the vulnerable communities to good and quality primary healthcare services, and prevent the spreading of HIV/AIDS prevalence.

QUESTION 28. *The report refers to groups neglected in reproductive health services, including unmarried women, adolescents/young people and menopausal women (CEDAW/C/TUR/6, pag. 67). Please provide detailed information on any efforts carried out by the Government in order to guarantee these groups reproductive health services.*

ANSWER 28. In our country; even though the rate of adolescents in the general population tends to go down, their numerical increase continues. There is hence a need to change risky behaviors, prevent unwanted pregnancies and sexually transmitted infections, and increase youth friendly programs targeting healthy life styles. In accordance with the “Reproductive Health and Family Planning Sub-Commission Report” of the 8th Five Year Development Plan; there are on-going activities to deliver nationwide reproductive health services to adolescents and young people, and specialized planning and advocacy efforts to ensure that adolescents and young people can sufficiently use healthcare services to meet their special needs.

The importance attached to young people and adolescents is highlighted in the Sexual and Reproductive Health National Strategic Action Plan for Health Sector 2005-2015 of the Ministry of Health; and the topic is identified as one of the 5 priority areas. In this context; The Youth Counseling and Healthcare Service Centers have been opened by the Ministry of Health and the universities, in 2000’s, in collaboration with various international organizations. There are 41 such centers in the entire country which provide services to young people and adolescents.

Besides; one of the programs conducted by the Ministry of Health –“Marriage and Pre-Maternity Counseling Program” that is mentioned in the answer to the 26th question – primarily targets development of educational materials and training of trainers and

initiation of the program content in order to reduce preventable cases of maternal mortality.

The “Adolescent Health and Youth Program” aims to prevent adolescent pregnancies and risky behaviors through the improvement of youth health.

The “Elderly Reproductive Health Program” is also implemented with a view to prevent menopausal and andropausal complications in order to ensure that women and men can experience this period in good physical and mental health.

QUESTION 29. *The report refers to measures taking place in the State party to prevent suicide cases (CEDAW/C/TUR/6, page 66). Please provide statistical information on the percentage of suicides² of women and girls during the period under review and on their main causes. Also, please provide detailed information on what are the major causes of female mortality at present.*

ANSWER 29. The table below presents information on the causes of suicides recorded in Turkey for the years 2008, 2007, 2006 and 2005 with gender-disaggregated data and data on main causes of death for women and men.

Table. Causes of suicides in Turkey recorded between 2005-2008 and relevant gender disaggregated data								
Years	Total	Sickness	Domestic	Financial	Business	Emotional	Educational	Others
			Discord	Difficulty	Failure	Relationship and failure to get married	failure	Unknown
2008 Total	2.816 648		382	289	119	173	34	139
Men	1.924 436		213	269	117	112	17	91
Women	892 212		169	20	2	61	17	48
2007 Total	2.793 581		408	263	60	161	27	59
Men	1.808 357		199	240	58	113	16	29
Women	985 224		209	23	2	48	11	30
2006 Total	2.829 512		373	215	56	154	33	107
Men	1.782 322		171	193	54	98	19	70
Women	1.047 190		202	22	2	56	14	37
2005 Total	2.703 474		363	225	63	176	31	196
Men	1.740 288		181	190	61	101	17	137
Women	963 186		182	35	2	75	14	59

TURKSTAT, Suicide Statistics (Suicide by Reason)

Vulnerable groups of women, including refugee women and minority women

QUESTION 30. Please provide information and sex-disaggregated data on the situation of refugee, displaced and asylum seeker women and girls in Turkey. Please provide data on the economic, employment, health and educational situation of minority women and girls, including trafficked women and girls as well as Kurdish women and other groups of women subject to multiple forms of discrimination, such as women with disabilities, and on their participation in decision-making at all levels. Please include information on the effectiveness of measures taken to improve the situation of these vulnerable groups of women.

ANSWER 30. The gender disaggregated data on refugees, asylum-seekers and deported persons in Turkey are presented below:

Table. Statistics on Foreigners Requesting Asylum from Turkey						
code_individual	Application date/year	Men	Women	Boys	Girls	Number of persons
Men with their Children	2005	20	0	21	10	51
Boys Alone		0	0	32	0	32
Girls Alone		0	0	0	9	9
Women with their Children		0	148	116	123	387
Women Alone		0	219	0	0	219
Family		439	458	334	310	1541
Men Alone		692	0	0	0	692
	total	1151	825	503	452	2931
Girls Alone	2006	0	0	0	11	11
Family		484	498	370	356	1708
Men with their Children		14	0	9	6	29

Boys Alone		0	0	57	0	57
Women Alone		0	341	0	0	341
Women with their Children		0	148	140	143	431
Men Alone		977	0	0	0	977
	total	1475	987	576	516	3554
Family	2007	762	759	670	627	2818
Men Alone		1414	0			1414
Women Alone		0	596	0		596
Women with their Children		0	301	313	306	920
Girls Alone		0	0	0	37	37
Boys Alone		0	0	82	0	82
	total	2176	1656	1065	970	5867
Women with their Children	2008	0	379	414	371	1164
Men Alone		2079	0	0	0	2079
Men with their Children		44	0	42	22	108
Boys Alone			0	101	0	101
Women Alone		0	908	0	0	908
Girls Alone		0	0	0	19	19
Family		1960	1968	1910	1588	7426
	total	4083	3255	2467	2000	11805
Girls Alone	2009	0	0	0	12	12
Men with their Children		24	0	24	13	61
Men Alone		1329	0	0	0	1329

Family		920	930	846	683	3379
Girls Alone		0	0	128	0	128
Women with their Children		0	249	252	225	726
Women Alone		0	477	0	0	477
total		2273	1656	1250	933	6112

In our country, discrimination against the disabled, another disadvantaged group, is prohibited and the policies aimed towards the handicapped are based on combating discrimination.

Turkey is one of the first signatories (30 March 2007) of the United Nations Convention on the Rights of Persons with Disabilities that promotes the right of persons with disabilities to equal enjoyment of all human rights and fundamental freedoms. The main principles of the convention safeguard the rights and freedoms of persons with disabilities in terms of making independent decisions for their lives based on their free consent and in line with the innate human rights and dignity of persons.

Moreover; Turkey has changed her policy on persons with disabilities, and thus considers these persons as subjects with rights rather than objects of charity. The main target of the new policy is to ensure that persons with disabilities can effectively exercise their rights to education, healthcare, care, accessibility, employment and social security without any discrimination and on the basis of equal opportunities.

The data on the general status of persons with disabilities in our country is based on the results of the Turkey Disability Survey, co-run by Turkish Statistical Institute and the Administration for Disabled People. According to the survey, carried out in 2004, the persons with disabilities constitute 12.29 percent of the total population in our country. The proportion of men with disabilities to the total population is 11.10 percent and the proportion of women with disabilities to the total population is 13.45 percent.

The health findings of the said survey indicate that the ratio of men receiving treatment is higher than women receiving treatment in all forms of disability. In this context; while 43.78 percent of men with disabilities have access to treatment services in our country, it is only 33.61 percent for women with disabilities.

The educational findings of the said survey show that the rate of educated girls with disabilities is lower than both the rate of educated boys with disabilities and educated girls without any disabilities. The proportion of illiterate men with, orthopedic, hearing, language and articulation, visual and mental, disabilities to the general population is 28.14 percent and the proportion of illiterate women with similar disabilities to the general population is 48.01 percent. The illiteracy rate amongst persons with disabilities that have a chronic sickness is 9.78 percent for men and 35.04 percent for women.

As for the status of women with disabilities in the labor market; it is observed that they are generally, if they are recruited, employed under low wage, low status and bad working conditions. The factors effecting the status of women with disabilities in the labor market are as follows: unemployment in our country; the social resistance that prevents women from participating in the work life; the low educational level of women with disabilities; their lack of qualifications demanded by the labor market; lack of vocational rehabilitation; limitedness of job opportunities for women with disabilities; and high labor costs.

Solving the employment problem of persons with disabilities is the only way to ensure their and their families' involvement in the production life and improve their ability to live independently with enhanced quality of life. The essence of the concept of social law state, set forth in our Constitution, is securing a dignified life for all individuals, with or without disabilities, and providing the necessary conditions for free personal development. The following table gives information on the status of persons with disabilities in terms of job placement.

Table. Job Placement Status of Persons with Disabilities (2005- 2008)

YEARS	PERSONS WITH DISABILITIES								
	JOB PLACEMENT								
	TOTAL			PUBLIC			PRIVATE		
	Men	Women	Total	Men	Women	Total	Men	Women	Total
2005	20.274	3043	23.317	1.547	181	1.728	18.727	2.862	21.589
2006	20.651	3.130	23.781	1.037	165	1.202	19.614	2.965	22.579
2007	14.074	2.042	16.116	365	53	418	13.699	2.049	15.748
2008	17.332	2.799	20.131	325	39	364	17.007	2.760	19.767

Source: TURKSTAT Monthly Statistics Bulletins.

Note: 2008 data is as of November.

The persons with disabilities; who could not find employment opportunities, experience economic poverty and are in need of care; are provided with home and institutional care. The General Directorate of Social Services and Child Protection Agency covers a certain portion of the service charges (up to two minimum wages). If deemed appropriate; for the person with disability whose care is provided by a family member or a relative, the caregiver is paid a monthly amount valued at the minimum wage. As of September 2009; there are 199 thousand citizens with disabilities who receive home care payments.

As per the Law on Persons with Disabilities; citizens with disability rates of 40 to 69 percent receive an allowance of approximately 120 U.S dollars, and those with

disability rates of 70 percent and above receive an allowance of approximately 182 U.S dollars. At present; there are approximately 407 thousand citizens with disabilities that benefit from these allowances.

The citizens with disabilities using specialized vehicles are exempt from Special Consumption Tax and Motor Vehicles Tax. One of the residences owned by the citizens with disabilities is also exempt from the real estate tax.

Moreover; the Municipalities are assigned with obligations on the vocational rehabilitation of persons with disabilities and a series of new arrangements have been put in place in order to open special centers. The necessary legal arrangements with regard to vocational training and rehabilitation needs of persons with disabilities have been realized. MONE covers up to approximately 281 U.S Dollars in terms of the educational costs for the disabled in need of special education. There are currently 206 thousand children with disabilities that benefit from this education.

The Law on Social Insurance and General Health Insurance standardized the voluntary early retirement scheme for all the covered citizens. The self-employed persons with disabilities and working women with children in need of care are also granted the right of early retirement.

The Law on Persons with Disabilities stipulates that there shall be no discrimination against persons with disabilities in any area, including job applications.
