



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

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

**Eighty-second session**

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Item 4 of the provisional agenda

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

**Replies of Turkey to the list of issues and questions in  
relation to its eighth periodic report<sup>\*,\*\*</sup>**

[Date received: 9 November 2021]

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\* The present document is being issued without formal editing.

\*\* The annex to the present document may be accessed from the web page of the Committee.



## I. Legislative framework and definition of discrimination against women

### Reply to paragraph 1 of the list of issues (CEDAW/C/TUR/Q/8)

1. Turkey has comprehensive legal framework for equality between women and men, and discrimination against women as stated in the Eighth Periodic Country Report of CEDAW<sup>1</sup> (para. 6–7) (see Table 1).
2. All women and girls, including those from minorities,<sup>2</sup> immigrants, refugees, or asylum-seekers, women with disabilities, elderly women, women living in rural areas, are equal and have the same rights before the law without any discrimination in Turkey.
3. The most effective legal remedy available at the national level is the individual application route before the Constitutional Court.
4. Criminal Code draws a framework for offences committed on grounds of hatred arising from differences of language, race, nationality, colour, gender, disability, political view, philosophical belief, religion, or sect. A victim of discrimination may start legal action before civil courts or administrative courts.
5. A victim may approach higher courts for a remedy. Once domestic remedies have been exhausted, a victim may lodge an individual application before the European Court of Human Rights (ECtHR).
6. Committee on Equality of Opportunity for Women and Men (KEFEK)<sup>3</sup> examines the applications with respect to alleged violations of the equality between women and men and forward any such claims to relevant authorities.
7. Any natural or legal person may approach the Human Rights and Equality Institution of Turkey (HREIT) with their claims of personal damages arising from a violation of the prohibition of discrimination.
8. The Ombudsman’s Institution offers another remedial route. The Institution is also open to applications lodged in any language other than Turkish.
9. A victim may secure the protection available to them under the Law No. 6284 on Protection of the Family and Prevention of Violence against Women.
10. Regarding the genital examination, it is not possible without an underlying letter from the relevant prosecutor and an informed consent from the victim (CEDAW/C/TUR/8 para. 16–18).
11. According to Turkish Penal Code (TPC) “[w]here a person conducts a genital examination or dispatches a person for such, without a decision of an authorized judge or prosecutor, shall be sentenced to a penalty of imprisonment for a term of three months to one year”.

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<sup>1</sup> Hereinafter referred to as the Report.

<sup>2</sup> Under Turkish constitutional system, the term “minorities” encompasses only groups of persons defined and recognized as such under the multilateral or bilateral agreements to which Turkey is party.

<sup>3</sup> See appendix for list of abbreviations.

## **II. Istanbul Protocol**

### **Reply to paragraph 2 of the list of issues**

12. The denunciation of the Convention has not had any negative implications for the legal and administrative structures established in Turkey to protect, support, and empower victims of violence. Turkey has both the necessary legal infrastructure and sufficient experience based on policy papers in the field of combating violence against women (VAW).

13. The protection and prevention mechanism intended to be established for victims through the Convention is, in fact, already available under the Law No. 6284, which has been in effect since 2012. This legal instrument ensures that victims of violence are protected from violence, find safety, and guarded against the future violent acts of the perpetrator; the support services for victims are duly coordinated; and the relevant measures are monitored electronically.

14. The Human Rights Action Plan, shared with the public on 2 March 2021, puts in place certain actions to improve effectiveness in combatting VAW.

15. The 4th National Action Plan on Combating VAW (2021–2025) defines 227 actions under 5 main goals, namely legislation and access to justice, policy and coordination, protective and preventive services, public awareness, and data and statistics.

16. The Coordination Plan on Combating Violence against Women was prepared for the 2020–2021 period by the Ministries of Interior, Justice, National Education, Health, and the Presidency of Religious Affairs under the coordination of the Ministry of Family and Social Services (MoFSS).

17. The Parliamentary Investigation Committee on the Motives of VAW and Due Measures was formed on March 2021.

18. Turkey is an active contributor and participant in actions undertaken by international organisations, referring here notably to the United Nations Commission on the Status of Women and CEDAW, BDPFA, as well as OIC and the CoE.

## **III. Women's rights and gender equality in relation to the pandemic and recovery efforts**

### **Reply to paragraph 3 of the list of issues**

19. Diagnosis and treatment services provided to COVID-19 patients are free of charge.

20. Pregnant women have access to the vaccine.

21. The Pandemic Social Support Programme, put in place under the Economic Stability Shield Package are launched gradually in phases.

22. Women represent 52% of all individuals that are eligible for this programme. The programme primarily prioritises women. Women already receiving benefits regularly have been directly provided with a social assistance line of 1.000 TRY without any preconditions.

23. Another programme offered support of 1.000 TRY each to households already receiving benefits from the Regular Cash Assistance Programme for Widowed Women; Assistance Programme for Orphans; Regular Cash Assistance Programme

for Families of Soldiers in Need; and Assistance Programme Soldiers' Children, the beneficiaries being predominantly women.

24. Lockdown Social Assistance extended a central assistance payment of 1.100 TRY to each eligible household.

25. Food delivery is provided to elderly, disabled, and Covid-19 patients who could not leave their homes.

26. Foreign nationals under temporary or international protection, those identified to be vulnerable were provided with a one-time assistance of 1.000 TRY per household through a partnership between UNHRC. The disbursement of such assistance was designed with due consideration for persons with disabilities, single mothers/parents, and persons with other vulnerabilities.

27. Around 800.000 elementary, secondary, and high school students of foreign nationality continued with their education on the Education Information Network (EBA).

28. For effective access to remote education among students requiring special education, a large amount of content, activities, exercises, and course books were prepared.

29. Free internet is provided to facilitate online education of students in primary and secondary schools.

30. Students on remote education and those without the possibility of accessing remote education were supported with sets, which were distributed to 75.504 Syrian students and disadvantaged Turkish students.

31. 71 additional facilities in 49 provinces were repurposed for accommodation.

32. The COVID-19 process is under close monitoring through written instructions given to 81 Provincial Directorates of MoFSS.

33. Please see the Report, paragraphs 35; 250–252, for more on the measures implemented to combat VAW during pandemic.

## **IV. Access to justice**

### **Reply to paragraph 4 of the list of issues**

34. The 4th National Action Plan on Combating WAV specifies a main goal in “Legislation and Access to Justice”, which aims to ensure the effective enforcement of the applicable legislation and to facilitate victims’ access to justice.

35. The New Judicial Reform Strategy (2019–2023) provides for specific measures to facilitate access to justice for victims of violence including the enactment of regulations for positive discrimination, development of distinct practices for women’s rights in the justice system.

36. In 2020 the Department of Judicial Support and Victim Services was established for providing victims with the information and support they need.

37. The number of Judicial Support and Victim Services Directorates was raised to 116.

38. There are 109 Judicial Interview Rooms established in 104 courthouses. An in-service training programme was organised for experts appointed to work in these rooms.

39. The Criminal Procedure Code allows victims of sexual assault and victims of crimes giving rise to a minimum prison sentence of more than five years to be represented by a lawyer free of charge. Coverage is also provided for the costs arising from the use of interpreters for victims who do not speak Turkish or have disabilities.
40. Holders or applicants of international protection that do not have the financial means to cover lawyer fees are provided with legal representation services for specific transactions and procedures.
41. The Project on the Support to the Improvement of Legal Aid Practices for Access to Justice for All was implemented (2016–2018). The project improved the capacity of lawyers offering legal aid to disadvantaged groups.
42. The Department of Judicial Support and Victim Services created the website [magdurbilgi.adalet.gov.tr](http://magdurbilgi.adalet.gov.tr) and made it available in 3 languages. The Department also distributed informative brochures on legal aid in 3 languages.
43. The website of the Ministry of Justice Department of Human Rights (<http://www.inhak.adalet.gov.tr>) allows access to instruments governing fundamental human rights and information on ECtHR decisions in various languages.
44. The Project on Reinforcement of Turkey's National Asylum System, implemented with the UNHCR, provided brochures on legal aid in different languages.
45. The Ministry of Justice prepared brochures on fundamental rights. Some of these brochures were translated into Arabic, Farsi, and English.
46. The Ministry of Justice implemented Facilitating Access to Justice for Refugees project in cooperation with the UNDP and UNHCR. Project offered training to 210 judges and public prosecutors, 70 lawyers, and 165 experts. Approximately 1.200 refugees were informed on the legal system.
47. The Women Support System (KADES) Application offers its services in Arabic, Farsi, French, English, and Russian. The Gendarmerie General Command shared videos on its website and social media accounts on KADES, along with distribution of 100.000 brochures.
48. The 183 Social Support Hotline is in service 24/7 for women and children who have experienced or are at risk of violence and are in need of support. The line is also accessible in Arabic and Kurdish, as well as through SMS and 3G for persons with impaired hearing.
49. The Constitution and relevant law safeguard freedom of expression. Human Rights Action Plan states that the relevant legislation will be reviewed in line with international human rights standards to safeguard the freedom of expression.
50. The legislation in Turkey offers detailed regulations on the definitions of the measures of detention, capture, and arrest, as well as their conditions, durations, and forms in practice and the remedies available against such measures and draws the framework and limits of the procedures of legal detention, which, in a way, constitutes an exception to the rights of freedom and security.
51. It is out of the question for anybody to be investigated, prosecuted, or convicted in any way by reason of their legally conducted activities in the civil society or their expressions that comply with the law and do not constitute a crime.
52. The Preventing and Responding to Conflict-Related Sexual Violence (CRSV) Policy, drafted before NATO with active participation and contributions from Turkey, was adopted at the NATO Summit held on June 2021. The CRSV Policy is to prevent the frequent, deliberate, and strategic use of CRSV to target civilians; to destroy the

social fabric of communities; to trigger displacement; to fuel armed actors' activities; and to foster prolonged conflict and instability.

53. MoFA follows up the actions undertaken within NATO to draft an Action Plan on the matter.

## **V. National machinery for the advancement of women**

### **Reply to paragraph 5 of the list of issues**

54. The General Directorate on the Status of Women (GDSW) was structured as one of the main service units operating under the MoFSS. The duties of GDSW as follows:

- To implement and coordinate the protective, preventive, educational, constructive, guiding, and rehabilitating social actions for women;
- To coordinate the efforts to draft national policies and strategies aiming to prevent discrimination against women, to protect and advance women's human rights and their status in the society, and to ensure that women are active in all areas of social life and to implement, and monitor and assess the implementation of, designated policies and strategies of relevance;
- To establish the principles, procedures, and standards of the social services offered by public agencies and institutions, volunteering organisations, and natural and legal persons and to ensure their compliance therewith;
- To implement actions and projects to prevent all forms of discrimination against women and to advance women's human rights and to support actions undertaken in this field.

55. Please see Table 2 for the budget of GDSW.

56. Even though gender-responsive budgeting is not mandatory for public institutions, there have been significant developments.

57. The Presidential Annual Programme 2021 prescribes an activity where "[a]wareness-raising seminars shall be organised for public administrators and policy papers underlying budgetary processes shall be revised under the Project for the Implementation of Gender Responsive Budgeting and Planning in Turkey.

58. The 2021 Law on the Central Administration Budget was drafted in line with performance-based programme and accordingly, the items of funding in the central administration budget were allocated to 68 distinct programmes. One of these programmes was designated as the Women Empowerment Programme and for the first time, the resource allocated directly to women was made visible in the budget.

59. The 2021–2023 Budgeting Guidelines stated that public services must be delivered with due consideration for the needs and priorities of women and men with a view to improving effectiveness in the provision of equality and urged public administrations to include as many indicators pertaining to the monitoring of equality as possible while identifying their performance indicators in order to be able to identify the effects of available public services on women and men and to measure the progress made.

60. The Project on Implementing Gender Responsive Budgeting and Planning in Turkey kicked off on December 2020 involving the MoFSS as the main beneficiary, the Presidency of Strategy and Budget as the co-beneficiary, and UN Women as the implementing party.

## Action Plans

61. Reporting on the actual progress of the activities prescribed by the Human Rights Action Plan is secured through data entry into the Monitoring and Tracking System at four-month intervals.

62. The said Action Plan specified a goal to “Improve Effectiveness in Combating Domestic Violence and VAW”. The goal was prescribed to be achieved via an activity where “the aggravating circumstances stipulated in the law for crimes against spouses shall be broadened to cover divorced spouses”. In this scope, the law adopted on June 2021 regulated the commission of crimes of deliberate murder, intentional injury, cruelty, and deprivation of liberty against a divorced spouse as a qualified form of the offence and thus, foresaw more severe penal sanctions for such offences.

63. The Strategy Paper and Action Plan on Women’s Empowerment was drafted through consultation with NGOs. They were added to the relevant activities specified in the Action Plan and they are involved in monitoring as well.

64. The notable outputs of the 3rd National Action Plan on Combating VAW are as follows:

- The MoFSS, Ministry of Interior, and Ministry of Justice issued Circulars that clarified specific duties in combatting VAW;
- A total number of 2.031.639 individuals, including 1.353.943 military recruits and non-commissioned officers, 75.000 public officials, 106.389 religious officials, 158.693 healthcare professionals, and 337.614 law enforcement officers, were provided with training and seminars between 2016 and 2020;
- Public awareness for the prevention of early and forced marriages were raised. The relevant rate dropped to 0.2% for boys and to 3.1% for girls in 2019. Provincial Action Plans on Combating Early and Forced Marriages were drafted;
- Violence Prevention and Monitoring Centres (WPMCs) increased from 14 in 2013 to 81 in 2019;
- 183 Social Support Hotline was strengthened in its capacity for service deliver;
- Law enforcement units specialised in VAW were established;
- In 2020, injunction courts were established in all courthouses.

65. A series of informative meetings were held with stakeholders for the implementation of the 4th National Action Plan on Combating VAW in September 2021. Sets of indicators were developed for the effective monitoring and evaluation of the implementation of the Plan.

66. The effective implementation of the policies and measures prescribed in the 11th Development Plan is secured through the Presidential Programme, medium-term programmes, Presidential annual programmes, regional development strategies for development and individual sectors, and institutional strategic plans all drafted on the basis of the current Development Plan.

## VI. National human rights institution

### Reply to paragraph 6 of the list of issues

67. HREIT was established on 20.04.2016 in conformity with Paris Principles.

68. The Human Rights Action Plan foresees a specific activity for the accreditation of HREIT by GANHRI in 1 year. Therefore, the Board Decision dated July 2021 launched the preparations and activities necessary for accreditation by GANHRI.

69. A statement of intent was submitted to the SCA Secretariat on 28th July 2021. NHRIs intending to apply to the Committee for accreditation must produce various documents as the next step of the process and actions are in place to meet this requirement.

## **VII. Temporary special measures**

### **Reply to paragraph 7 of the list of issues**

70. Further to the information provided in paragraphs 69–74 of the Report, temporary special measures listed below.

71. Law No. 6111 states that employers' liabilities in the insurance premiums payable for their women employees of at least 18 years of age shall be covered from the Unemployment Insurance Fund for a period of 24 to 54 months.

72. Law No. 5510 on Social Security and General Health Insurance prescribes that women who are established to craft their own products in a perpetual income-generating activity may register themselves for voluntary insurance to gain 25 days of insurance coverage for the year 2018 and 30 days in the years thereafter, with each year adding one point to their position, on the condition that they pay off their liabilities therein for disability, old-age, and survivors insurance and general health insurance premiums.

73. KOSGEB (Small and Medium Enterprises Development Organization) is implementing an Entrepreneurship Development Support Programme, where women entrepreneurs are offered a 20% boost on the New Entrepreneur Support line.

74. The Income Tax Law was amended in 2018 to secure an income tax exemption for the sum payable by an employer to a woman employee for childcare services for each of her children on the condition that such sum does not exceed 50 percent of monthly gross minimum wage (i.e. 1.279,20 TRY) and that the sum is paid directly to nurseries and day care centres offering the relevant services.

75. The Conditional Cash Transfer for Education (CCTE) programme offered a higher sum of payments to schooled girls than schooled boys. Moreover, an impact analysis undertaken on the CCTE programme indicated an approximately 50% decrease in the number of days of absence for the beneficiaries of the programme when compared to non-beneficiaries; an even higher decrease in the number of days of absence in rural areas; and a 2-fold higher drop in the number of days of absence in schooled girls when compared to schooled boys.

76. The aid programme initiated in 2012 for women whose spouses have passed away offers a monthly rolling cash support of 325 TRY to women deemed to be in need of such support as long as they need it.

## **VIII. Discriminatory stereotypes and harmful practices**

### **Reply to paragraph 8 of the list of issues**

77. The Strategy Paper and Action Plan on Women's Empowerment specifies certain goals to ensure that "mechanisms producing, regulating, and supervising



content for the media be sensitive to the improvement of women's representation and women be provided with tools to make an efficient-critical use of new communication channels and media through awareness-raising".

78. Regarding child marriage, Article 124 of the Civil Code rules that no person, be it a man or a woman, may marry unless they have turned 17, but a judge may allow a man or a woman who has turned 16 under exceptional circumstances and for reasons of critical importance and that the court should hear the parents or the guardian before awarding such a decision whenever possible. Article 126 prescribes that a minor may not marry without permission from their legal representative and Article 127 enacts the same restriction for those under legal disability.

79. Article 103 of the TPC regulates the offence of "Sexual Abuses of Children" and prescribes that any person who has sexually abused a child be sentenced to eight to fifteen years of imprisonment.

80. A person who has had sexual intercourse with a child that has turned 15 by no force, threat, or deception, if reported, shall be sentenced to two to five years of imprisonment.

81. The actions specified in the Report with respect to early marriages are complemented by the annual monitoring of Provincial Action Plans on Combating Early and Forced Marriages and a continuously updated inventory of good practices (para 236–243).

82. A public service announcement was prepared specifically to address early and forced marriages with the aim of raising public awareness within the framework of the actions scheduled for the 25th November International Day for the Elimination of VAW.

83. GDSW has been implementing an "Awareness-raising training programme on women's representation in the media" for public institutions mandated for the regulation or supervision of the media since 2019.

84. A specific training programme was delivered to 48 Supreme Council employees at the Radio and Television Supreme Council (RTÜK) on August 2021.

85. Please see Table 3 for other training activities.

86. The Ministry of National Education (MoNE) offers a course programme on the Prevention of VAW through lifelong learning centres.

87. Guidance Bureaus/Centres under Directorate of Religious Affairs implemented 7 projects on Women's Rights in total, including one addressing VAW.

## **IX. Gender-based violence against women**

### **Reply to paragraph 9(a) of the list of issues**

88. TPC criminalises acts of violence committed against women in the form of deliberate murder, intentional injury, cruelty, ill treatment, sexual harassment, sexual abuse of children, sexual intercourse with a minor, deprivation of liberty, coercion, illegal abortion, and forced sterilisation, etc., as defined in the Code.

89. The Law No. 6284 aims to regulate the procedures and principles as pertains to the measures to be implemented to protect women, children, and family members who have experienced violence or are at risk of violence and victims of stalking and to prevent acts of violence against such persons.

**Reply to paragraph 9(b) of the list of issues**

90. The TPC does not prescribe that any relationship and affinity between a perpetrator and a victim may create an impact that directly leads to impunity. Any specific affinity between a perpetrator and a victim is considered in the TPC as a criterion for the *ex officio* investigation of certain offences or their handling as qualified offences requiring heavier sentences. As an example, an investigation of the petty form of the offence of intentional injury requiring simple medical treatment (Article 86) requires a prior criminal report.

91. If, however, the same offence has been committed against a spouse, a descendant, an antecedent, or a sibling, the relevant investigation and prosecution starts *ex officio*, i.e. without requiring a prior criminal report. Similar regulations are also in place with respect to such offences as torture, cruelty, intentional injury, sexual harassment, and deprivation of liberty.

92. Article 151 of the Turkish Civil Code includes a provision for the annulment of any marriage materialised through intimidation.

**Reply to paragraph 9(c) of the list of issues**

93. Data from the General Directorate for Criminal Records and Statistics under the Ministry of Justice show that any injunction order to be awarded under the Law No. 6284 is issued with great care and immediately on the day of its recognition. The injunction orders awarded pursuant to the Law No. 6284 are enforceable immediately after their issue.

94. Any case where such an order could not be communicated to the relevant parties or the time specified for appeals has not run out does not constitute an obstacle to the enforcement of the injunction order.

95. The measures prescribed in the Law No. 6284 are also complemented with a technical monitoring measure (implemented with electronic bracelet) to allow for an effective follow-up.

96. The Electronic Monitoring Centre was established by the Department of Public Order under the Directorate General of Security with the aim of monitoring individuals that have been subject to “technical surveillance” orders under the Law No. 6284. This Centre rolled out an Electronic Bracelet application equipped with the capacity necessary for 1.000 cases in 81 provinces. With the Circulars issued by the Ministry of Justice and the Ministry of Interior, injunction orders issued under the Law No. 6284 to be communicated by law enforcement units with consideration. This provision has made it possible for recurrent acts of violence or violations of injunction orders to be addressed with duress imprisonment and added an additional deterring element to the communication of orders.

97. Additional “Bureaus of Combating Domestic Violence and VAW” were established at the district level under 81 Provincial Directorates of Turkish National Police on January 2020 and currently, 1.005 such bureaus are operating with approximately 6.000 employees.

**Reply to paragraph 9(d) of the list of issues**

98. According to the Law No. 6284, anyone can report an act or danger of violence to public agencies or authorities. Public officials receiving such a report are obliged

to fulfil their duties without delay and notify relevant competent authorities of the other measures required in response to the case.

99. If a perpetrator of violence, once served an injunction order as such, has acted in contradiction with the requirements of the order, they shall be sentenced to duress imprisonment of three to ten days, the actual duration of sentence depending on the nature and severity of the measure violated thereby.

100. As an addition to the information provided on Report (para 37), a “Family Information System Module for Women” was established to monitor, update, evaluate, and share information on the actions undertaken by Provincial Directorate of FSS, social service centres, WPMCs, and women’s shelters.

101. A “6284 Injunction Order Monitoring System” was rolled out for 81 Provincial Directorates operating under MoFSS and for WPMCs to contribute to the effective follow-up and monitoring of the injunction orders.

102. The first phase in the data integration action was completed.

103. There are on-going efforts in place to secure the integration of “confidentiality” orders awarded with respect to victims of violence under the Law No. 6284 with a view to allowing for the electronic sharing thereof with relevant institutions including the Ministry of Health, MoNE, Ministry of Interior General Directorate of Civil Registration and Citizenship Affairs, and Social Security Institution.

104. The Regulation Implementing the Law No. 6713, effective as of 2019, prescribes that preliminary investigations and/or disciplinary investigations concerning “offences of murder, intentional injury, torture, use of unauthorised force, and forming an organisation with criminal intent and offences committed within the framework of the activities of an organisation” allegedly committed by law enforcement officers shall be conducted principally by Civil Inspectors.

105. The Regulation established the Law Enforcement Monitoring Commission mandated to “operate a central system to record and monitor the acts and actions actually or prospectively undertaken by administrative authorities to respond to offences allegedly committed by law enforcement officials and to their actions, attitudes, or behaviours of law enforcement officials that give rise to disciplinary action”.

### **Reply to paragraph 9(e) of the list of issues**

106. The TPC assumes that any offence is primarily committed against the State. Once a public prosecutor has received a criminal report or has otherwise become privy to any situation indicating that an offence has been committed, he/she immediately starts an investigation into the truth of the matter to render a subsequent decision concerning the possible initiation of public action in response. On the other hand, the Turkish Penal Law defines an obligation for civil servants to report offences and to prompt investigating authorities to react thereto. In this framework, a penalty is to be imposed on any civil servant who has failed to report any sign of an act of violence committed against a woman to the competent authorities.

107. The Law No. 6284 makes it possible for anyone to report an act or danger of violence to public agencies and authorities. In turn, a civil servant receiving such a report must, by legal obligation, fulfil their duties under the Law without delay and notify relevant competent authorities of the other measures required in response to the case.

**Reply to paragraph 9(f) of the list of issues**

108. Women staying at women's shelters, along with the accompanying children, are provided with specific services such as, psychosocial support, legal aid, medical support, allowance support, vocational support, and training support for women and referrals to free-of-charge to nurseries/kids' clubs and guidance and counselling for children, the specific services being delivered either directly or through referrals to relevant authorities.

109. There are on-going efforts in place at WPMCs to monitor and follow-up not only victims and perpetrators subject to protective or preventive injunction orders, but also women and children who have benefitted from and then abandoned shelter services, such follow-up and monitoring being conducted at periodical intervals to be defined in line with the sensitivities surrounding their individual cases within an average period of one year.

110. The Law No. 6284 provides for the possibility of changing the identity and other information and documentation concerning a victim who has come under a threat against their life, which, as identified, cannot be prevented through other means, such measure being enforceable only with the informed consent of the victim in question.

**Reply to paragraph 9(g) of the list of issues**

111. Good conduct abatement is regulated in Article 62 under the general provisions of the TPC No. 5237 and is a discretionary motion that can be awarded subject to legally specified preconditions without any distinction between the offences concerned.

112. The 4th National Action Plan on Combating VAW defines a distinct activity "to analyse the application of the concepts of 'unjust provocation' and 'extenuating circumstances' in disputes arising from acts of violence against women" and such analysis is considered to hold potential benefits for the assessment of the application of extenuating circumstances.

**Reply to paragraph 9(h) of the list of issues**

113. "Domestic Violence Crimes Investigation Offices" are active in all provinces. In addition, there are domestic violence investigation bureaus operating under 134 district courthouses. At courthouses without such bureaus, investigations concerning domestic violence crimes are undertaken by public prosecutors dedicated to handle such cases specifically.

**Reply to paragraph 9(i) of the list of issues**

114. Article 10 of the Constitution states that "[e]veryone is equal before the law without distinction as to language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such grounds", emphasising that everyone is equal without discrimination.

115. Article 29 of the TPC addresses the concept of "unjust provocation", which is regulated under general provisions, and this concept can be invoked for anyone, be it a perpetrator or a victim, subject to the legally defined preconditions.

**Reply to paragraph 9(j) of the list of issues**

116. WPMCs offer services to victims of violence in such areas as shelter, provisional financial aid, guidance and counselling, follow-up and monitoring of provisional protection orders awarded in case of life-threatening circumstances, assistance with nursery services, legal aid, medical support, employment support, scholarships for children, and education and training.

117. In 2020 WPMCs served 220 thousand individuals including 190 thousand women, 14 thousand children, and 116 thousand men and in 2021 (as of 30.09.2021), the centres have offered services to a total number of 212.986 individuals including 183.534 women, 16.502 men, and 12.950 children.

118. Women's shelters in service in all provinces with 112 women's shelters operating under MoFSS equipped to serve 2.779 individuals; 33 shelters operating under local government authorities equipped to serve 735 individuals; 3 shelters operating under the General Directorate of Migration Management equipped to serve 90 individuals; and 1 shelter operated by a civil society organisation equipped to serve 20 individuals.

119. 365 Social Service Centres appointed one contact point each for the elimination of violence against women with the aim of facilitating access to victims and fostering effective efforts to combat violence against women in provinces and districts and the relevant personnel were provided with capacity building through a remote training programme.

120. The KADES application was downloaded by 2.623.463 individuals and 216.270 individuals reported relevant incidents on the application as of September 2021.

**Reply to paragraph 9(k) of the list of issues**

121. For every child admitted by Child Support Centres, the relevant data are entered into the Family Information System and provision is made to keep data collection efforts on-going. The centres have specialised in line with the circumstances of victimisation, being pushed to crime, and living on the streets surrounding children, as well as their age groups, sex, and distinct needs.

122. ANKA Child Support Programme, launched in 2014, aims to ensure good personality development for children, to relieve them of their traumas, and to allow them to develop positive attitudes and behaviours by way of behavioural change, all with due consideration for their individual differences and needs.

**Reply to paragraph 9(m) of the list of issues**

123. The TPC regulates certain offences including defamation, threat, sexual harassment, and violation of privacy, imposing criminal sanctions on their perpetrators. The commission of any offence regulated in the Law and other specific penal laws in the digital environment also give rise to an additional criminal sanction.

124. The 4th National Action Plan on Combating VAW defined a distinct goal to revise the TPC, current types of offences, and aggravating circumstances and to assess and report on the same specifically from the perspective of stalking, cyberviolence, and forced marriage, etc.

125. Any account on social media or in open-source web environments that legitimises VAW, glorifies a crime or a perpetrator, promotes hatred and hostility in the society, or villainizes women in a such a way as to expose them to negative

comments is handled with the necessary actions and referred to the judiciary by the Prevention Branch under the Department of Cybercrime.

126. The campaign entitled “Grow with Peers, Not with Screens” was launched to protect children from harmful use of digital and social media environments. Provincial Directorates of FSS have established playgrounds for children and organise social, cultural, and sports activities, and training for children and their families.

127. A Programme to Promote Child-Friendly Practices is currently in place to protect children against the harms of printed, visual, and digital publications and other risks. The MoFSS established a “Social Media Working Group” to identify the risks which children do and can encounter in digital environments and to undertake preventive action.

## **X. Killings and forced suicide in the name of so-called “honour”**

### **Reply to paragraph 10 of the list of issues**

128. Article 82 of the TPC lists the “commission of the offence on customary grounds” as a qualified form of the offence and in response, sets forth the “aggravated life imprisonment”, the heaviest form of criminal sanction in criminal justice system. The phrase “on customary grounds” provides a broad definition that also covers the acts considered under the definition of “honour killings”.

129. The Assembly of Criminal Chamber under the Court of Cassation issued a decision on 2011 ruling that the concept of custom also covers the concept of honour and the qualified form will apply and provisions concerning unjust provocation will not apply in cases where the perpetrator has acted almost in a sense of mission.

130. Motives arising from such notions as culture, customs, traditions, and honour are not considered in the TPC as mitigating circumstances for any type of offences.

131. If, during the judicial proceedings, a victim of an act of severe violence, e.g. of honour-based violence, is identified by way of an individual assessment by relevant experts to be in a vulnerable group, a justice assistance plan is prepared and implemented for their case management.

132. Pursuant to Article 236/5 of the Criminal Procedure Code No. 5271, child victims of the qualified form of sexual abuse (TPC Article 103/2) offer their statements, as required for the ensuing investigation, in the presence of the relevant public prosecutor at Child Monitoring Centres regardless of the judicial locality or local borders.

## **XI. Women, peace and security**

### **Reply to paragraph 11 of the list of issues**

133. PKK is proscribed as a terrorist organisation by various countries and international organisations including the European Union and the U.S.

134. All acts of PKK/KCK terrorist organisation and its members are clear violations of human rights.

135. The question mentions PKK/KCK terrorist organisation with the phrase “PKK and any other armed groups”, referring to it as if it were a legal organisation, with the

aim of attributing an institutional structure to the organisation and it is unacceptable that the said terrorist organisation and the security and defence forces of our country are depicted as counterparts.

136. Turkey persists in her effective and undeterred fight against terrorist organisations threatening national security and public order and targeting the life and property of security forces and our citizens, including PKK/KCK/PYD/YPG, DAESH, FETO, and DHKP/C, with great care for fundamental rights and freedoms.

137. The risk assessments and actions required for the responsibilities of Member States under the Resolutions No. 2178 and 2396 of the UN Security Council concerning the return of women and children from conflict zones are carried out in compliance with the national legislation and international instruments.

138. The Ministry of National Defence (MoND) carries out all activities, be it in the country or abroad, in compliance with the Constitution, international law, legal instruments, and applicable legislation.

139. Any report or complaint concerning a human rights violation alleged to have been committed during an anti-terrorism action is handled through an investigation launched by the relevant public prosecutor, which results in criminal action against those responsible for such violation. Moreover, MoND starts an administrative investigation and all types of examination and research necessary are conducted through the administrative investigation committee and the Inspection Board of the Ministry.

## **XII. Trafficking and exploitation of prostitution**

### **Reply to paragraphs 12 and 13 of the list of issues**

140. In 2020, a total number of 4.919 individuals were interviewed as potential victims of human trafficking and 282 of these individuals were identified as victims of human trafficking (see Table 4).

141. In 2020 and 2021, 43 instances involving victims of human trafficking have been detected by Gendarmerie, with the interventions resulting in the rescue of 100 women and 4 girls.

142. The Project on Support for Provincial Directorates of Migration Management provided for the establishment of protection desks within the provincial directorates to protect human rights and fundamental freedoms notably through identifying those with special needs and securing their right to life with due consideration for their individual circumstances.

143. Foreign nationals that are reported to or approach Provincial Directorates of Migration Management as actual or potential victims of human trafficking are referred to these protection desks.

144. Under the Law No. 6458, foreign nationals strongly suspected to be actual or potential victims of human trafficking are granted a provisional residence permit for thirty days to allow them to relieve themselves of the lingering effects of their experience and to make a decision on whether or not to cooperate with the authorities.

145. Article 49 of the Law rules that the provisional residence permit granted for the purposes of recovery and contemplation may be extended for six months at a time, with the total duration not exceeding three years, on grounds of the victims' safety, good health, or particular circumstances.

146. Anti-Vice Units under Provincial Directorates of Turkish National Police carry out reactive and proactive investigations on the offences of solicitation, mediation, and arranging a place for prostitution.

147. The personnel provided with an annually repeated in-service training entitled “Training on Investigation Techniques for Offences against Sexual Inviolability and Investigation Techniques for Criminal Prostitution”.

148. The number of child victims of prostitution were 89 in 2020, it is 42 as of August 2021.

149. The acts and actions concerning brothels, including their establishment, working conditions and obligations, identification, registration, examination and treatment of women in prostitution, and financial circumstances, are undertaken by Anti-Prostitution Commissions established at the provincial and district levels in line with the provisions of the “Statute on the Provisions Governing Women in Prostitution and Brothels and Combatting Prostitution-Related Sexually Transmitted Diseases”.

150. Individuals who approach the competent body to be checked undergo HIV diagnostic testing. If tested positive, they are provided with the necessary follow-up and treatment.

151. All patients thus diagnosed and notified to the medical system are covered by the General Health Insurance for their access to treatment and care services.

152. All women, including women involved in prostitution without any distinction, are able to access modern birth control methods.

### **XIII. Participation in political and public life**

#### **Reply to paragraph 14 of the list of issues**

153. The 11th Development Plan and the Strategy Paper and Action Plan on Women’s Empowerment include certain measures to carry out activities to increase the active participation of women in politics and decision-making mechanisms (CEDAW/C/TUR/8, para 88–89).

154. As a result of the General Elections of 24th June 2018, 104 women found seats in the parliament, representing 17.45% of all members (see Table 5).

155. One of the 17 Ministers in the Cabinet is a woman (5.88%).

156. Six out of 58 Deputy Ministers working at Ministries are women (10.34%).

157. According to the results of the local elections held on 31st March 2019, 3 out of 30 metropolitan mayors and 40 out of 1381 mayors are women.

158. See Table 6 for the percentage of women working in certain professions and see Table 7 for the list of judges and prosecutors working in a variety of fields.

### **XIV. Education**

#### **Reply to paragraph 15 of the list of issues**

159. The gross schooling rate for girls in secondary education was 67.52% in 2002–2003 and rose to 121.13% in 2020–2021, whereas the net schooling rate for girls was 45.16% in 2002–2003 and rose to 87.79% in 2020–2021.



160. The schooling rate for girls aged 14–17 is 90.49% for 2020–2021.
161. The syllabi for a large number of classes taught at all levels from pre-school to secondary education include specific content aimed at raising awareness on such matters as VAW and inequality.
162. Formal curricula also covers content on sex education ([CEDAW/C/TUR/8](#), para 131, 138).
163. The Increasing Quality of and Access to Early Childhood Education Services Project was launched on November 2020. The project aims to increase access to early childhood education and to improve the quality of education.
164. The Family Education Programme made available by MoFSS to adults covers a Paediatric and Adolescent Health Module, which aims to explain the basic developmental stages and the healthcare needs specific to each of these stages.
165. The Information Technologies Authority offered an online Scratch coding training to girls on the occasion of the International Girls in ITC Day.
166. “Women and Girls in Science Day” event was held with the participation of the Minister of FSS at Konya Science Centre on 11th February 2021.
167. MoNE organised 43 Scientix workshops on STEM education in 33 provinces. Approximately 30 webinars were organised for 3000 teachers during the pandemic.
168. The Ministry of Youth and Sports offers loans/scholarships to higher-education students.
169. The course books have been designated in the context of promoting equality in education under the Guidelines and Explanations to be Applied in Evaluation of Draft Textbook and Education Tools and the e-Content of Such Materials ([CEDAW/C/TUR/8](#) para 132).
170. A series of awareness-raising seminars for parents were organised in 2019 in provinces that fared the lowest in terms of the schooling of girls.
171. Within the scope of The Literacy Campaign launched in 2018, nearly one million and 200 thousand individuals have attended courses organised by public education centres. More than 800 thousand (70%) of the trainees are women.
172. 455 sermons on the “schooling of girls” were delivered between 2017 and 2020.
173. Family and Religious Guidance Bureaus/Centres implemented 2 projects on “Girls’ Education” in 2019 and 2020.
174. Everyone must participate in and complete the 12-year compulsory education process. It is not possible for a student to be removed from any level of education and measures are in place specifically to ensure that girls remain within the education system. Students completing their 8th grade are then registered with high schools and followed up in terms of their progress on the e-school system.
175. See the response to question 23 on access to education for girls under temporary protection, and girls with disabilities.

## **XV. Employment**

### **Reply to paragraph 16 of the list of issues**

176. Detailed information on this subject was provided in paragraphs 140–143, and 147–153 of the Report.

177. The Additional Employment Incentive has been in place since 2018. Accordingly, every woman of at least 18 years of age or every insured person with a disability registered with the Institution is eligible for 18 months of support.

178. The Promoting Decent Future of Work Approach with a Focus of Gender Project (2021–2023) is implemented by the General Directorate of Labour.

179. The Operation on Supporting Registered Women Employment puts forth a project budget to cover a cost of 320 Euro for 4.000 women employers and their 4.000 women workers for a period of 22 months in 7 provinces.

180. The Series of Seminars on Financial Literacy and Economic Empowerment of Women were launched in 2017 and reached 570.591 individuals in 81 provinces as of September 2021 (para 163).

181. The “Cooperation Protocol on Strengthening Women’s Cooperatives” had been signed on October 2018 in cooperation with the Ministry of Agriculture and Forestry and the Ministry of Trade under the coordination of the MoFSS; the protocol was renewed for a period of 2 years on July 2021. 791 workshops, training events, and meetings organised until September 2021 under the protocol reached 39.020 individuals in total. Moreover, visits were paid to 361 cooperatives and 505 new women’s cooperatives were established.

182. The “Empowering Women through Cooperatives Project” was launched on September 2021 in cooperation with the Ministry of Agriculture and Forestry and under the coordination of MoFSS. The project aims to offer training on the cooperative system and women’s empowerment.

183. My Digital Job Project aims to contribute to the development of women’s digital skills by offering digital literacy and digital marketing training to women already receiving training at Public Education Centres. The project is delivering digital literacy training in 13 provinces and digital marketing training in 12 provinces.

184. Pursuant to Article 5 of the Prime Ministry Circular No 2011/2, an “Anti-Mobbing Board” was established within the Ministry of Labour and Social Security.

### **Reply to paragraphs 17–19 of the list of issues**

185. Any differential treatment or contract termination based on sex-related reasons shall not be considered valid and it is possible for a woman worker to claim discrimination compensation under the Labour Code.

186. The Code upholds equality between women and men in wage determination.

187. According to the Principle of Equality in Remuneration of the Minimum Wage Regulation, the principle of equality between women and men is upheld in the determination of the minimum wage.

188. The rate of women’s employment increased from 25.3% to 26.3% within the same period.

189. The rate of women’s participation in the labour force was 27.9% in 2002 and rose to 30.9% in 2020.

190. While in 2002, 26% of women worked in services; 60% in agriculture; and 14% in industry, these rates were recorded at 60% in services, 23% in agriculture, and 17% in industry in the year 2020.

191. The rate of women in informal employment dropped from 72.5% in 2002 to 37.1% in 2020.

192. There are 27.723 pre-school care and education institutions operating under MoNE and 1.771 such institutions operating under MoFSS.

193. The “Mother at Work Project (2018), launched as a collaboration between İŞKUR and GDSW, served 54.892 women between September 2018 and July 2021 (para 173).

194. Among the women who participated in the training programmes organised by İŞKUR in the industry and manufacturing sectors, those with children aged 2–5 have been provided with a monthly care support up to 400 TRY for only one of their children since April 2018. A total number of 662 women received the support as of July 2021.

195. Phase II of the Project on Support for More and Better Jobs for Women (2009–2022) aims to increase decent job opportunities for women and to identify and reduce the obstacles to women’s employment.

196. In Turkey, various steps are taken in the form of regulations, programmes, and projects to improve the participation of all women in the economic life.

### **Old-age pension**

197. The Law No. 5510 on Social Security and General Health Insurance stipulates that women aged 58 or older and men aged 60 or older insured for the first time after 01.10.2018 are eligible for old-age pension on the condition that they have at least 9000 days of disability, old-age, and survivors’ insurance premiums paid in and notified.

198. The criterion of age for eligibility for the old-age pension differentiates between women and men, giving women the possibility to retire early. However, a gradual increase in the age requirement will be rolled out starting from 2036 and the same age requirement of 65 years will apply for women and men after 2048.

199. Among women claiming retirement or old-age pension, those with children with disabilities severe enough to require continuous care from another person benefit from a specific advantage where a quarter of their number of premium days paid in after the effective date of the Law is added to their total number of premium days paid in and the number of days thus added is counted towards their retirement age limit.

### **Domestic workers**

200. Law No. 5510 governs the insurance conditions for domestic workers employed for fewer or more than 10 days a month.

201. Insured persons accumulating 10 or more days of employment in a month working with one or more natural persons in domestic services as calculated in line with the number of hours worked are subject to the provisions prescribed for those insured under 4-a.

202. Such persons are eligible for long-term insurance (disability, old-age, and survivors insurance), short-term insurance (industrial accident, occupational illness, health, and maternity insurance), and unemployment insurance.

203. On the other hand, insured persons accumulating fewer than 10 days of employment in a month working with one or more natural persons in domestic services as calculated in line with the number of hours worked are subject to the provisions governing industrial accident and occupational illness insurance only.

204. Their employers pay in the premiums for industrial accident and occupational disease insurance, set as 2% of the lower limit of the daily earning taken as a basis for the premiums, in proportion with their time worked.

205. Under the applicable legislation, all women employed as domestic workers are provided with social security without any requirement concerning their nationality or citizenship.

## **XVI. Health**

### **Reply to paragraph 20 of the list of issues**

206. The Ministry of Health maintains its efforts to reduce diseases and deaths through equal, accessible, and quality reproductive healthcare services by minimising interregional discrepancies and differences between rural and urban areas and thus ensuring that everyone can use these services in full. All health-related services are available to everyone without any distinction.

207. The reproductive healthcare services available through the Ministry of Health are developed and delivered in line with WHO rules and standards.

208. Everyone is able to access emergency contraception and prophylactic methods throughout the country.

209. Any person visiting a hospital for services relating to pregnancy, birth, and puerperia is not expected to pay any fee for these services owing to their “Maternal Status”, regardless of their premium debt before the Social Security Institution.

210. A specific set of efforts are currently in place for access to reproductive healthcare services among seasonal agricultural workers.

211. An abortion can be performed until the end of the tenth week of pregnancy upon the request of the pregnant person on the condition that such procedure is not medically contraindicated on grounds of their health. Abortion is not possible for persons that have already completed the tenth week of their pregnancy, who may undergo an abortion by an obstetrician and gynaecologist only if they have been identified to suffer from one of the diseases specified in the relevant Statute.

212. In this case, it is mandatory that the diagnosis of the disease in question be proved with a justified report prepared jointly by the attending obstetrician and gynaecologist and one physician from the specialisation of relevance to the disease on the basis of positive clinical and laboratory findings (CEDAW/C/TUR/8 para 211). The procedures to be followed in response to pregnancies exceeding ten weeks resulting from sexual abuse and sexual assault are prescribed in the TPC. Accordingly, if a victim has gotten pregnant as a result of the offence, the pregnancy can be terminated by specialists on the condition that the pregnancy has not gone over twenty weeks and the pregnant person consents to the procedure.

213. The Training Programme on Consultancy for Reproductive Health Methods has been in place for Emergency Obstetric Care professionals and Syrian Healthcare Personnel since 2018.

## **XVII. Economic empowerment and social benefits**

### **Reply to paragraph 21 of the list of issues**

214. Women represent 45% of all trainees receiving the entrepreneurship training made available online by KOSGEB (CEDAW/C/TUR/8 para 182). 54% of these women candidate entrepreneurs is represented by young women entrepreneurs.

215. Under the Advanced Entrepreneur Support Programme, entrepreneurs who have completed their entrepreneurship training and started up their own businesses in manufacturing or software are eligible for a grant of up to 365.000 TRY and this grant can be increased up to 375.000 TRY for young entrepreneurs, women entrepreneurs, entrepreneurs with disabilities, and entrepreneurs related to martyrs. On the other hand, under the Traditional Entrepreneur Support Programme, entrepreneurs who have started up their own businesses in services and trade are eligible for a grant of up to 55.000 TRY and this grant can be increased up to 65.000 TRY for young entrepreneurs, women entrepreneurs, entrepreneurs with disabilities, and entrepreneurs.

216. The Ministry of Trade has launched a Cooperative Support Programme (KOOP-DES) for women's cooperatives.

217. As a first step under KOOP-DES, financing support has been made available to cooperatives operated predominantly by women as partners with the aim of commercialising women's labour.

218. In 2020, 149 such projects from 41 provinces were approved and women's cooperatives were supported with a total sum of 14 million and 279 thousand TRY in grants out of the project budget of 18 million and 970 thousand TRY.

219. As of August 2021, 149 such projects from 58 provinces were approved and women's cooperatives were supported with a total sum of 14 million and 279 thousand TRY in grants out of the project budget of 17 million and 936 thousand TRY.

220. In January 2019, a "Department of Exportation for Women and Young Entrepreneurs" was established under the Directorate-General of Exportation of the Ministry of Trade.

221. The Family Support Centres (FSCs) serving women under the Law on Social Assistance and Solidarity aim to secure psychosocial, sociocultural, vocational, and personal development for women and to improve their social integration.

222. There are 241 FSCs operating in 38 provinces under 138 Social Assistance and Solidarity Foundations and 31 Social Solidarity Centres (SSCs) operating in 13 provinces under 26 Social Assistance and Solidarity Foundations as of June 2021.

223. SSCs offer support to Roma citizens with respect to their psychosocial, sociocultural, vocational, artistic, and personal development.

## **XVIII. Rural women**

### **Reply to paragraph 22 of the list of issues**

224. Article 35 entitled the Right to property of Constitution guarantees equal rights to property and inheritance for women and men.

225. The Turkish Civil Code and the Law of Obligations prescribe a large number of provisions guaranteeing and protecting equal rights over property and inheritance including acquired by way of marriage.

226. The Subcommittee for Women's Empowerment and Support to Women's Entrepreneurship in Rural Areas was established on 27.01.2016.

227. The Seminars on Financial Literacy and Economic Empowerment of Women, raise women's awareness on such matters as financial management, income, expenses, accumulation of funds, assets, obligations, savings, investments, investment tools, and the individual pension system.

228. The Ministry of Trade has launched a "Project for the Promotion and Development of Cooperatives". The project reached 2570 women entrepreneurs with a series of training programmes on e-trade, marketing, and entrepreneurship with a focus on the cooperative system in 2020. In 2021, 250 women have received training on the cooperative system and marketing.

229. A Programme was launched to Strengthen Women's Entrepreneurship in Agriculture. The programme has offered certification training on applied entrepreneurship and an idea-based project preparation process to women pursuing entrepreneurship in rural areas.

230. A series of "Regional Meetings for Women's Cooperatives" were organised with the aim of improving cooperation and dialogue, raising awareness, and disseminating good practices in the field of women's cooperatives, reaching 3.152 individuals between 2019 and 2021.

## **XIX. Disadvantaged and marginalized groups of women**

### **Reply to paragraph 23 of the list of issues**

231. The Cohesion Strategy Paper and National Action Plan (2018–2023) offers contributions to the efforts to ensure that migrant women and girls are informed on their rights and the services available to them, and that they access the social support they need, are supported with access to education and healthcare services and the labour market.

232. The Strategy Paper on Roma Citizens (2016–2021) institutes a number of measures to be taken in the fields of education, employment, housing, healthcare and social services, and social assistance, thereby contributing to the empowerment of Roma women and girls.

233. The Ministry of Interior established protection desks, which refer women under international protection or temporary protection.

234. There are on-going efforts under the Barrier-Free Vision Paper and an Action Plan on the Rights of Persons with Disabilities.

### **Education**

235. The rule of thumb for students with special education needs is for them to continue with their education through inclusive/integrative practices; however, these students are also able to further their education in special education classes, schools, hospital classes, and home-schooling.

236. For students requiring special classroom education, classes are opened within schools located in their respective living environment. Students attending these classes are also offered free-of-charge school shuttle service.

237. Girls with disabilities and Syrian students under temporary protection are provided with access to the same educational services as offered to all other students.

238. Adaptation classes have been launched to ensure that foreign students are able to improve their adaptation to the Turkish education system.

239. Under the Law No. 6458, foreign nationals wishing to be enrolled in undergraduate, graduate, postgraduate or doctorate education can be provided with a residence permit on the condition that they meet the requirements specified in Article 39. The second paragraph of the same article allows for the issue of a 1-year residence permit to foreign nationals to be enrolled in elementary and secondary education, and for the subsequent 1-year extensions thereof, with the consent of their parents or legal guardians.

240. The Lifelong Learning programme implemented by MoNE provides Turkish language education programmes at youth centres for children aged 8–18 under temporary protection.

241. MoNE and the German Agency for International Cooperation collaborate for the implementation of the “Early Childhood Education for Syrian Children and Vulnerable Children in Turkey Project”. The project aims to improve the conditions promoting early childhood development for Syrian and disadvantaged children, aged 3–6.

242. A series of informative meetings were held for Syrian families along with an in-service training event for school administrators and teachers.

243. The CCTE was expanded to include Syrian children and children of other nationalities in May 2017. The programme aimed to reach 230.000 children in the first year and reached this target before the end of the one-year period.

244. There are 1.197.124 children of school age under temporary protection as of September 2021 and 706.067 out of 771.458 children registered in the education system of Turkey have been beneficiaries of the Conditional Education Aid for Foreign Nationals at least once.

245. Schools operating under the General Directorate of Secondary Education (upper secondary schools) offer education to 5.243 girls and 5.666 boys of Syrian nationality according to e-School data of 06.10.2021.

246. Education curricula, course books, and training materials do not include any statements, descriptions, or visuals that favour any ethnic identity, are based on inequality between sexes, and may lead to social exclusion.

247. Lodging houses are constructed within schools with the aim of securing access to education and improving the quality and efficiency of education services. Under the 2021 State Investment Programme, construction has been on-going for a total number of 58 lodging houses, 40 independent buildings and 18 in-school facilities, which, once completed, will offer accommodation to 10.538.

248. The Inclusive Early Childhood Education for Children with Disabilities Project, financed jointly by the European Union and the Republic of Turkey, was implemented between 2017 and 2020. The project provided training to 1200 teachers, prepared 38 story books, 2 short films, and 1 public service announcement, and organised information seminars for school administrators and parents.

## **Healthcare**

249. All healthcare services available to the citizens of Turkey are also extended, without any distinction, to migrants and asylum-seekers.

250. Within the framework of an agreement between the Ministry of Health and UNFPA, the Syrian Healthcare Personnel employed at Migrant Health Centres were included in the in-service training programme.

251. In an action implemented in collaboration with the World Health Organisation (WHO), “Pregnancy Education Class Training for Syrian Midwives and Nurses Employed at Migrant Health Centres” was organised with the aim of creating and mobilising education classes for pregnant persons at Migrant Health Centres.

## **Employment**

252. The Action Plans prepared under the National Employment Strategy (2014–2023) specify goals, policies, and measures under the main policy axis of “Increasing Employment among Groups Requiring Special Policies” aiming to increase the rate of employment among individuals with disabilities.

253. The grant component of the “Improving Social Integration and Employability of Disadvantaged Persons Project”, financed through the European Union Instrument for Pre-Accession Assistance (IPA) in 2016 and 2017, disbursed 23 million Euro to a total number of 137 projects.

254. Four and a half million Euro in resources was utilised to support 24 projects implemented with the aim of increasing the rate of employment among persons with disabilities.

255. A “Social Adaptation Programme” is implemented as a collaboration between MoFSS and UNICEF with the aim of achieving social adaptation among Syrian children living off camp in Turkey through Provincial Children’s Committees on the Rights of the Child and creating a platform allowing for dialogue and exchanges of information between Turkish children and Syrian children.

## **Kurdish women**

256. Article 10 of the Constitution rules that all individuals forming the Republic of Turkey are equal before the law. In this respect, it is not possible to prioritise any political opinion, ethnic structure, or religious belief to the detriment of others.

# **XX. Marriage and family relations**

## **Reply to paragraph 24 of the list of issues**

257. For the legislation on marriage age, see paragraph 79.

258. Turkish Civil Code listed adultery, attempt against life, severe ill-treatment or degrading treatment, criminal act and living in disrepute, abandonment, mental illness, and breakdown of marriage as grounds for divorce and offer specific clarifications on the grounds for divorce.

259. Article 167 prescribes that a spouse entitled to file for divorce may request a divorce or a separation in their own discretion and Article 169 states that once a legal action is in place for divorce or separation, the presiding judge will rule ex officio for



the interim injunctions required for the duration of the legal action specifically with respect to the residential arrangements and livelihood of the spouses, the management of the properties of the spouses, and the care and protection of children.

260. Article 173 specifies that a woman, once divorced, will maintain the personal status they have attained by way of marriage, but will return to their pre-marital surname.

261. Article 174 prescribes that a party with no fault or a slight fault in the matter whose current or expected interests have been damaged due to the divorce may demand a proportional material compensation from the party at fault and a party whose personal right has been undermined due to the incidents leading up to the divorce may demand a proportional amount of money as immaterial compensation from the party at fault.

262. Article 179 specifies that the division of matrimonial property shall be in line with the provisions of the regime governing the spouses and Article 181 regulates rights of succession and states that divorced spouses may not be each other's legal heirs and they will lose the rights vested in them through legacies instituted before the divorce, unless otherwise indicated in the said legacies.

263. Article 182 rules that a court, while deciding on a divorce or separation, will arrange the parental rights and parents' contact with their child or children after hearing the parents or, if the child or children in question are under guardianship, consulting with the legal guardian or the guardianship body whenever possible and that the primary consideration in the arrangement of the personal contact of the party who has not been granted custody with the child or children will be the interests of the child or children in terms of healthcare, education, and morals and this spouse will be obligated to contribute to the care and education expenses of the child or children to the extent of their financial means.

264. Please see the Report (para 247) for the issue of women's surnames.

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