



# **Violence against Women in Turkey**

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## Introduction

Violence against women is a widespread problem in Turkey. The country has seen a rise in the rate of femicide over the past year. Turkey was the first country to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence, better known as the Istanbul Convention, and has ratified the Convention on the Elimination of All Forms of Discrimination against Women and is regularly evaluated by the Cedaw Committee (Convention on the Elimination of All Forms of Discrimination against Women). Turkey has also signed UN Security Council Resolution 1325 regarding women and promoting peace and security. However, Turkey does not maintain official statistics on femicide, and World Health Organization (WHO) data show that 38% of women in Turkey are subjected to violence from their partners in such a despicable and disgraceful situation.

Hardline religious forces have considered the Istanbul Convention to be a threat to Turkish traditions and customs, and the Convention has been repeatedly attacked in public. For example, in May last year, the women's representative of the conservative Islamic Felicity Party, EbrosIturk, described the Convention in a newspaper article as a "bomb threatening the family". After the decision to withdraw from the Convention, the government endangered the lives of millions of women by withdrawing from the Convention.

Turkey's conservatives say the Convention undermines family structures and encourages violence. They also oppose the principle of gender equality in the Istanbul Convention and see it as promoting homosexuality, given the principle of non-discrimination based on sexual orientation, and critics of the withdrawal said it would reinforce Turkey's violation of EU values, which is still a candidate to join.

The number of victims in 2020 is very worrying, and the killings of women will be repeated as the government continues to evade the implementation and activation of the Istanbul Convention carried out by women's movements in Turkey. Turkey often witnesses angry women protests, claiming responsibility for the killing of women in favour of the government of President Recep Tayyip Erdogan, but the police meet them with violence.



## **Women and Law in Turkey**

In August 2012, Law No. (6284) on family protection and the prevention of violence against women was passed. It recognizes all forms of violence against women and protects the main and secondary victims of domestic violence (women, children and family members of survivors), and provides services, such as shelters, financial assistance and psychological and legal counselling services.

The effectiveness of Turkish laws in punishing perpetrators is very weak, as sexual violence has been recognized in the Penal Code as a crime committed against individuals rather than as a crime against society, family or public morals.

Non-governmental organizations (NGOs) have been consulted throughout the drafting of the law, but their recommendations have not been taken into account. Since the state does not adequately monitor cases of violence against women, women's NGOs, academics, artists and advocates for the issue of women are trying to monitor this phenomenon themselves. Additionally, trafficking in women for sexual exploitation or employment has also been criminalized under the Penal Code (Article 80), as amended in June 2005 to include trafficking for prostitution. However, statistics indicate that the number of deportations (about 2,000 per year) to neighbouring countries for "illegal" sex work and sexually transmitted diseases have not declined since 2002.

The application of Law 6284 to protect the family and prevent violence against women is inadequate, and there are many problems still in the support systems (social, psychological and legal) available to survivors of violence.

In recent years, Turkish authorities have conducted two comprehensive surveys on domestic violence in Turkey, in 2008 and 2014, to examine the prevalence and development of violence over time, as well as men's and women's perceptions of this phenomenon and the judicial response and protection system.

According to NGO reports, 27 women died in 2015 despite filing a complaint against their attackers.

According to a 2013 survey, 26% of women between the ages of 15 and 49 were married underage, and a previous study conducted by the same institute in 2008 showed that 29% of married minors had been married, indicating that there had been no significant decline in the phenomenon. Additionally, the



International Convention on the Rights of the Child, of which Turkey is a state party, prohibits marriage under the age of 18.

Civil law also sets a general limit, but there are many provisions allowing exceptions, and therefore, Turkey violates the age of marriage by 18 of its obligations under international law and its constitution, discriminates against girls and fails to protect them from forced marriage. Despite criminalization, the religious (unregistered) marriage of minors remains very common and widely restricted, particularly in poor rural areas where 50% of underage girls may be married.

There are many laws on the protection of women, but the reality for Turkish women is very difficult, the laws render useless as ink on paper. It is worth mentioning that Turkey is seeking to pass a law allowing the rapist to marry his victim. The adoption of this law is dangerous as it will reduce the gravity of the act. After Turkish President Recep Tayyip Erdogan conveyed this message, it would only be a matter of time for society to believe in the unimportance of women's rights.

This law will release dozens of men sentenced for rape, which currently number about 4,000 on the condition of marrying their victims which is a big step backwards for Turkey.

Given Erdogan's political views as a whole, the only reason for implementing such policies is to help Turkey become a major actor in the world as "strong countries come from strong families." However, forcing a girl to marry her rapist is unacceptable in Turkish culture today and the majority consider it a sexual assault. There is major anger in Turkey regarding the law of marrying a rapist. Referring to the second attempt by the ruling party to propose a law granting immunity to the rapist if he marries the victim, which has angered opposition parties and women's rights groups because this law is set, one way or another, to legalize child marriage and rape in a country whose law stipulates that the legal age of marriage is 18.

The ruling Justice and Development Party (AKP), led by President Recep Tayyip Erdogan, is defending the bill as detailed to deal with the problem of child marriage in Turkey.

Across Turkey, opponents of the law stand ready to demonstrate and denounce, as parliament has not yet set a date for the second session of its debate, that the law is an attempt to erase evidence of increased violence against girls and women in Turkey.



## **Rates of Violence against Women in Turkey**

Over the past months, women's rights defenders in Turkey have renewed their call and demand from their government to protect women from domestic violence, with the latest statistics showing that one of them is killed every day by men. Violence against Turkish women has reached the highest levels after at least 300 women were killed in 2020. 171 suspected deaths were recorded last year as well. The main reasons for killing women are family guardianship, gender inequality, religious militancy and the government policy that classifies women as second-class citizens.

The government, for example, does not classify violence against and killing women as a violation of human rights, nor does it apply domestic or international laws protecting women, reflecting the State's desire for continued violence, especially since it is always biased for men against their victims.

The most prominent reason for the continued killing of women is the failure to hold the murderers properly accountable. The Turkish judiciary does not conduct serious investigations into such incidents, and as a result, the perpetrators go unpunished. Turkish women's rights defenders accuse their country's authorities of covering up the perpetrators of these crimes and evading the implementation of the provisions of international agreements signed by Ankara years ago. Despite Turkey's resort to strict measures to protect women, women's associations confirm that all this "remained a dead letter". In 2012, Ankara expanded the domestic violence legislation to include unmarried women after it used to include married women only. However, this law was also not implemented.

In 2020, Ankara announced its intention to withdraw from the Istanbul Convention, one of a number of international agreements that could protect Turks from violence, leading to many women luring the streets in angry protests which security authorities have arrested dozens of.

Recently, Turkish society has been witnessing a development in the phenomenon of violence against women, whose figures have increased over the past two decades, bringing the number of women killed to 300 in 2020, compared to 22 in 2002, according to an opposition government report.



The report indicates that the number of victims exceeded 400 in 2018 and reached 474 in 2019, these figures take into account only cases recorded by the police. The total number of deaths between 2002 and 2020 reached about 6,732 women. The report states that they were killed by men in their social circle, where the perpetrator was either a husband or a former husband, or even a brother or father of the victim, due to the lack of available mechanisms that protect women in Turkey, lack of attention to victims' complaints, rejection of cases and not taking them seriously and leniency of judges with perpetrators of domestic violence.

### **Istanbul Convention against Violence**

The Istanbul Convention is a convention drawn up by the Council of Europe to prevent and combat violence against women and domestic violence in 2011 in Istanbul. Turkey was the first country to ratify the Convention, followed by 27 other European countries, and the official name of the convention is the Council of Europe Convention on preventing and combating violence against women and domestic violence, but later became known as the Istanbul Convention after the name of the city it signed in 2011.

The agreement was drafted by the Council of Europe, an international organization founded after World War II to defend human rights, not only to lay the legal foundations that ensure that women aggressors are punished, but also to prevent violence from happening and to work to protect its victims.

It aims to establish a legal framework to prevent and combat violence against women and domestic violence, including marital rape and female genital mutilation as well as prosecuting preparators, promoting equality, protecting victims and ending impunity for perpetrators.

The Convention is a legally binding one concluded by the Council of Europe and was ratified by 34 European countries and came into force in 2014. The Convention has been criticized by the elite of the ruling Justice and Development Party (AKP) who consider the Convention as a threat to family values, particularly provisions on equality between men and women and those that provide for non-discrimination against sexual minorities.



The agreement includes legal obligations, including investment in education, data collection on gender-related crimes and support services for victims. The Convention was signed by 45 European countries, as well as the European Union as an organization.

Conservative objectors argue that the convention promotes the rights and teachings of homosexuality in contravention of so-called traditional family values, as well as some that refer to how the Convention defines gender as a socially-oriented group, however, these terms mentioned in the Convention are used to refer to the disproportionate impact of violence on women, as well as the inherent inequality between men and women. But from the point of view of some hardliners, these labels go beyond their purpose, despite repeated attempts by the Council of Europe to refute these allegations.

The Convention, in various ways, “has become a victim of greater attempts to make political gains by tarnishing the image of women's rights and homosexuals, and Turkey is trying to distort the Convention and create panic about the idea that families, values and the national system are under attack when of course all this is completely unrealistic.”

### **Turkish Withdrawal from the Agreement**

More recently, Erdogan has seemed more politically fragile, bowing to the demands of hardliners, both within his conservative party and in the opposition Islamic Felicity Party, to win their support. Those who rejected the Convention considered it to encourage divorce and undermine traditional family values. In particular, they felt that the problem was that signatories to the Convention should protect victims from discrimination regardless of their sexual orientation or gender identity -- that is, their concern was that such a specific clause might allow same-sex marriage.

President Erdogan's spokesman argued that the main objective of the Istanbul Convention was "abducted by a group of people trying to normalize homosexuality" and that this was contrary to social and family values in Turkey.





To silence critics, senior AKP members have announced that they will deal with domestic violence cases through judicial reform, as well as through the Treaty of Ankara, which will derive its authority from "customs and traditions."

In response, women in pro-government circles and elsewhere have taken to social media to criticize the justifications for "customs and traditions," which they see as classifying women as second-class citizens.

The repeal of the Convention is a major disappointment for many women who expected the judiciary and the police to play an important role in combating violence against women, gay, bisexual and transgender people.

President Erdogan has referred to the announcement of the formation of a parliamentary committee charged with combating violence against women, but the position of members of the ruling conservative Islamist party may not be in line with the concerns of NGOs, including MP and lawyer Houlia Ashi Nargis, who considered the phenomenon of femicide in Turkey "exaggerated and unrelated to reality" and that the killings of men are much greater than femicides.

A statement from the Turkish presidency, step procedurally, explained that Article 80 of the Council of Europe Convention on preventing and combating violence against women and domestic violence allows its parties to withdraw, by informing the European Council. Objectively, the statement criticized the Istanbul Convention, saying it was initially aimed at promoting the promotion of women's rights "but was manipulated by a group trying to normalize homosexuality in contravention of social and family values in Turkey." The statement stressed that Turkey's decision to withdraw from the Convention was based on the above-mentioned reason.

The main reason for the Turks' rejection of the Istanbul Convention may be the following clause: "The implementation of the provisions of this Convention by the Parties, in particular measures to protect the rights of victims, shall be secured without discrimination on any ground such as sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national



minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status.”

The Convention also states that its parties "shall ensure that culture, custom, religion, tradition or so-called “honour” shall not be considered as justification for any acts of violence covered by the scope of this Convention."

Turkey has withdrawn from an international Convention aimed at protecting women from violence, despite calls from activists who see it as the way to combat turkey's escalating domestic violence. There is still no declared reason for this withdrawal.

### **Women's Demonstrations in Turkey**

When Turkish President Recep Tayyip Erdogan issued a decision to revoke Turkey's ratification of the Istanbul Convention to protect women from violence, women took to the streets of Turkish cities to protest his decision, and more demonstrations against the decision to withdraw from the agreement are expected. Among the slogans chanted by the demonstrators were: "Istanbul Convention saves lives."

Women's rights activists, lawyers and opposition politicians denounced Erdogan's decree, insisting that the president could not legally remove Turkey from an international agreement ratified by parliament.

Women are killed on a daily basis in Turkey, critics say the move puts women's lives at greater risk, and according to Turkey's We Will Stop Femicide Platform, at least 300 women were killed in 2020, mostly by their partners, and 171 bodies of women who died in suspicious circumstances were found.

Turkey was the first country to ratify the Convention after a unanimous vote in parliament in 2012, and the Convention was strongly supported by the Women and Democracy Association, in which President Erdogan's daughter is vice-chair, and President Erdogan praised the agreement in an earlier period and used it as evidence that Turkey is a leader in gender equality.



The human rights statement indicated that 1,015,337 incidents of violence against women occurred during the period from 2014 to 2019, which resulted in the deaths of 1,890 women, in addition to the death of 94 women within the framework of the protection system, according to data from the Ministry of Foreign Affairs and the Turkish Ministry of Interior. Civil society organizations monitored twice the number of women's deaths as a result of violence against them, as 2,248 deaths were recorded during the same period.

High rates of violence against women in Turkey indicate that the government's efforts to reduce this phenomenon are "cosmetic", as it relates to the adoption of policies and laws, without real practices on the real ground to reduce this phenomenon, turning a blind eye to those who oppose it. Women who oppose such acts face great violence.

The existence of a set of laws to protect women from domestic violence does not mean protecting them unless there are actual practices by the Turkish government to reduce this phenomenon, as formal change must follow a set of effective and applicable policies. Many women in Turkey are subjected to systematic abuse and persecution, particularly minority women and women active in civil society and human rights.

Turkey's exit from the Istanbul Convention, drafted to deal with violence against women and girls, is the first time that a country has decided to withdraw from a European agreement after its ratification.



## Conclusion

A human rights organization has monitored the high rates of violence against women in Turkey, due to the practices of the regime of President Recep Tayyip Erdogan and the "low perception" of women. The escalation of crimes of violence against women, especially domestic violence, has led to an escalation of the Turkish government's negative media discourse towards women, and the practices of the security and judicial services, which contributed to ignoring and exacerbating the problem.

Erdogan's speech on equality, in which he argued that women were not equal to men, contributed to an increase in violent crimes against women by deepening stereotypes against women and negative perceptions of their role in society.

Turkey ranks 130th out of 153 countries in the 2020 Gender-Equality Index, along with lower wage and education rates than men, which has contributed mainly to increased rates of violence against women.

There is a feeling that the man who has dominated Turkey since 2003 seeking to consolidate his support base from conservatives. Opinion polls point to voters' discontent. Turkey's attorney general is also banning the country's third largest party, the Peoples' Democratic Party. Hardliners appear to have gained more inflthird-largestthe AKP, which is seeking to become active before the 2023 elections. In the era of the Coronavirus, unemployment and economic fragility, all these movements appear to be linked, but Erdogan, as he tries to consolidate his position, seems adventurous in his steps.

Turkish President Recep Tayyip Erdogan's policies have encouraged a return to the traditional image of women in Turkey, during which they are subjected to all kinds of violence throughout their daily life.

There are laws to protect women in Turkey, but they often fail because of the "shameful" practicality.