



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org – cedaw@ohchr.org

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Dear Ms. Beliz Celasin Rende,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the seventh periodic report of Turkey, at the Committee's sixty-fourth session, held in July 2016. At the end of that session, the Committee's concluding observations (CEDAW/C/TUR/CO/7) were transmitted to your Permanent Mission. You may recall that in paragraph 59 on follow-up on the concluding observations, the Committee requested Turkey to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 15 (c), 33(b), (c) and (f) and 37 (c) of the concluding observations.

The Committee welcomes the follow-up report received on time in July 2018 (CEDAW/C/TUR/CO/7/Add.1) under the CEDAW follow-up procedure. At its seventy-first session, held in November 2018 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 15** of the concluding observations, urging the State party to **“take prompt measures to improve the security of women and girl refugees and asylum seekers, increase access to basic services and essential goods, including food, clothing and hygiene articles, for refugee women and their children and ensure that they are not compelled into sexual or labour exploitation”**:

The Committee takes note of the information provided by the State party that the Law No. 6284 on Protection of Family and Prevention of Violence Against Women has provisions such as free shelters for women, including women under temporary protection, who are victim of violence under the law, and measures taken for a potential victim of human trafficking. It further notes the provision of access to education, health and labour market under the Law and Regulation on Temporary Protection. However, these legislative measures taken by the State party were introduced before the dialogue with the Committee. The Committee considers that the State party has not taken sufficient steps to implement the recommendations. It considers that the recommendation **has not been implemented**.

The Committee considers that the information provided by the State has failed to address the recommendations. It thus considers that the quality of the information provided is **unsatisfactory**.

Ms. Beliz Celasin Rende
Chargé d'affaires a.i. of Turkey
to the United Nations Office at Geneva
Chemin du Petit-Saconnex 28B
1211 Geneva 19

Email: turkey.unog@mfa.gov.tr



In relation to the recommendation urging the State party to “**ensure that refugees and asylum seekers, in particular women, are informed about the national referral mechanisms for victims of sexual and gender-based violence and how to gain access to the formal justice mechanism**”:

The Committee welcomes the information provided by the State party on the distribution of brochures, in Turkish and Arabic, on application mechanisms for victims and witnesses of violence in areas densely populated by Syrians. While taking note of the guidelines for Works and Procedures with regard to Foreign Women Victim of Violence distributed to provincial directorates and the workshop on protection mechanism for refugee women to women’s shelters directors, it regrets that such measures are not specifically targeting refugees and asylum women to increase their knowledge on national referral mechanisms and their rights to access to justice. The Committee considers that the State party took some steps to implement the recommendations. It considers that the recommendation **has been partially implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, but fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 15** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

- 1. Take prompt measures to improve the security of women and girl refugees and asylum seekers, increase access to basic services and essential goods, including food, clothing and hygiene articles, for refugee women and their children and ensure that they are not compelled into sexual or labour exploitation.**
- 2. Ensure that refugees and asylum seekers, in particular women, are informed about the national referral mechanisms for victims of sexual and gender-based violence and how to gain access to the formal justice mechanism.**

In relation to the recommendation made in **paragraph 33** of the concluding observations, urging the State party to “**adopt the necessary legislative amendments that explicitly criminalize domestic violence, so as to enable the prosecution and punishment of perpetrators**”:

The Committee welcomes the information provided by the State party on the enforcement of the Third National Action Plan on Combating Violence Against Women (2016-2020) aiming at legislative amendments as one of five focused areas. However, noting the absence of legislative amendments to explicitly criminalize domestic violence, the Committee considers that the State party has not taken sufficient steps to implement the recommendations. It considers that the recommendation **has not been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, but fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

Regarding the recommendation urging the State party to “**vigorously monitor protection orders and sanction their violation, and investigate and hold law enforcement officials and judiciary personnel accountable for failure to register complaints and issue and enforce protection orders**”:

The Committee welcomes the information provided by the State party on the integration of systems on protection orders between National Judiciary Informatics System and the system of

the Ministry of Family and Social Policies (MoFSP), resulting in the transmission of the data to the Violence Prevention and Monitoring Centres and Provincial Directorates of the MoFSP within the same day. Although noting that the Turkish judicial system holds public officials accountable for failure to fulfil their duties on protection order, the Committee regrets the State party did not specify which actions have been taken after its dialogue with the Committee in 2016. The Committee considers that there is a **lack of sufficient information to make an assessment**.

The Committee considers that the information provided by the State party has failed to address the recommendation. It thus considers that the quality of the information provided is **unsatisfactory**.

With regards to the recommendation urging the State party to “**establish a hotline, operating 24 hours a day, seven days a week, on gender-based violence against women, with operators who also speak Kurdish and Arabic**”:

The Committee takes note of the information provided by the State party on efforts to establish single emergency call number which integrates several hotlines in the State party, and that 25 provinces have been already providing services under this new number. Although noting that “183 Social Support Hotline” existed before the dialogue, and operates on a 24/7 basis, in Turkish, Arabic and Kurdish, the Committee regrets the lack of information on measures taken since its dialogue with the State party in 2016. It further regrets the absence of information whether the single emergency call number operates on a 24/7 basis in Kurdish and Arabic also, as well as whether it effectively provides services exclusively on gender-based violence. The Committee considers that the State party has not taken sufficient steps to implement the recommendations. It considers that the recommendation **has not been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive, but fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 33** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. **Adopt the necessary legislative amendments that explicitly criminalize domestic violence, so as to enable the prosecution and punishment of perpetrators.**
2. **Vigorously monitor protection orders and sanction their violation, and investigate and hold law enforcement officials and judiciary personnel accountable for failure to register complaints and issue and enforce protection orders.**
3. **Establish a hotline, operating 24 hours a day, seven days a week, specifically on gender-based violence against women, with operators who also speak Kurdish and Arabic.**

Regarding the recommendation made in **paragraph 37** of the concluding observations, urging the State party to “**in accordance with article 2 of the Convention, and taking into account its general recommendations No. 19, No. 28 and No. 30, ensure that inquiries are conducted effectively, impartially and transparently, to ensure public trust in such proceedings, and establish an independent and impartial investigation mechanism for this purpose, with international assistance**” (Since the dialogue with the State party in 2016, the Committee has adopted the general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19):



The Committee takes note of the State party's position, rejecting the necessity for establishment of an independent and impartial investigation mechanism with international assistance. The Committee considers that this rejection and the absence of information on the measures taken to ensure effective, impartial and transparent inquiry conducted, as well as public trust in such proceeding, reflect rejection of the recommendation. It considers that the state party has failed to cooperate with the Committee in respect of this recommendation. Therefore, it considers that the information or measures taken **reflect rejection of the recommendation**.

The Committee considers that the information provided by the State party fails to address the recommendations. It thus considers that the quality of the information provided is **unsatisfactory**.

The Committee recommends that, in relation to **paragraph 37** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

Ensure that inquiries are conducted effectively, impartially and transparently, to ensure public trust in such proceedings, and establish an independent and impartial investigation mechanism for this purpose, with international assistance.

Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Hilary Gbedemah
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women