

WHERE IS THE
SUPPORT SYSTEM?
— AFTER SEXUAL VIOLENCE?

Harassment-Rape

**not my
fault**

Sexual Violence- Information for
Survivors of Sexual Violence

Association for
Struggle against
Sexual Violence

www.cinselsiddetlemucadele.org
www.csdestek.org

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Sexual Violence



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CONFUSED, ANGRY, UPSET, ANXIOUS
ALL OF THIS IS TEMPORARY

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Hello,

This brochure is for adults over the age of 18 who have been subjected to sexual violence/assault. Herein, you can find the information on the options for getting the support you may be in need from where and how following the assault as well as the information on medical and legal procedures. The medical and legal procedures are in line with the legislation as of 2020 therefore these may become out of date in future and it is possible that we may encounter different practices. If our gender identity and sexual orientation constitute an obstacle in front of the legal recognition of the violence we faced or of the access to the support and justice we need, we can request guidance and counseling from NGOs working specifically on these issues. For more comprehensive and detailed information, you can see the csdestek.org web site.

Glossary of Terms Used in the Brochure

Survivor It is the term used for persons who have been subjected to any form of sexual violence at some point in their life. As the Association for Struggle Against Sexual Violence, we prefer to use the term “survivor”, instead of “victim” in general apart from the legal proceedings. However, each of us can free to choose whatever expression we see fit for ourselves.

Sexual Violence It defines all kinds of attitudes, actions, interventions entailing attempts and threats towards sexuality without the explicit and apparent consent of the person, or that occur in cases where the person cannot give consent. These actions and behaviors are not based on sexual drive or need. It is merely an act of violence, an abuse of power or authority to establish hierarchies of respect and discipline with the purpose of intimidating and punishing the person.

Harassment, Rape, Sexual Abuse Those are forms of sexual violence which are defined in the Turkish Penal Code with some terms such as Sexual Harassment (Harassment), Sexual Assault (Sexual Attempt conducted in the manner of sexual harassment, against Sexual Integrity etc.), Qualified Sexual Assault (Rape) and Child Molestation (Sexual Abuse). Therefore, you can hear these terms in the public institutions that are service providers.

Self-help It is used for explaining “self-support and self-help”. It means the use of one’s own efforts, will and resources by themselves to overcome a problem in line with their needs in emotional, psychological and concrete ways without relying on others.

Self-defense It means the self-defense of one’s person, especially through the use of physical force, which is permitted in certain cases as an answer to a charge of violent crime.

Support system We use this term as “a network of acquaintances who provide support or of professionals who provide services to survivors of sexual violence”. The persons in this network do not necessarily have to be experts or may be experts, such as a trusted friend (or friends), our family members, our psychologist or psychiatrist, or someone we have the same opinions or approach. Apart from our personal support system; we can use the term of “organizational support system” which is the support network consisting of NGOs and public institutions working in coordination in the country we live in. We choose which persons will be included in our support system, because we know best what kind of support will be good for us.

Safety Plan The safety plan is a special emergency plan(s) that we form in line with our own circumstances, by evaluating the risks that we may experience for our own safety. If we are already being subjected to violence, if we think there is a risk that we may be in danger, we can form this plan and make it ready to follow when necessary. It can make it easier for us to act and protect ourselves in an environment where we do not know what to do, in case of possible violence or shock.

“I have been subjected to sexual assault...”

Sexual violence or sexual assault is not a form of violence that some people may be subjected to due to some reasons. Sexual assault can be committed against any person; it cannot be justified by the characteristics and behavior of the person exposed to violence.

The perpetrator of sexual violence or sexual assault can be someone we love, someone we just know, or someone we do not know.

Violence directed against us by the perpetrator; can be in different forms, such as rape, rape attempt, sexual harassment, fondling or unwanted sexual touch or coercion into unwanted sexual behavior.

The behavior involving sexual assault is the choice of the perpetrator, it is the fault of the perpetrator; it is a criminal offence on which the penalty imposed. Whatever reaction we have during sexual assault, it is the most appropriate response we choose for ourselves at that moment (including being unresponsive). All the decisions we make during and following the violence are related to our safety and circumstances. Our first priority following the sexual assault should be our own safety. First of all, it may be the right choice to go to a place where we will be physically and psychologically safe.

**No matter how
the sexual assault
occurs, it is not
our fault!**



During or following sexual assault/sexual violence, it is not unusual for us to experience some negative effects. Among the most well known experiences that can cause psychological trauma are the acts of sexual abuse and of sexual violence.

However, we should keep in mind that trauma is a personal experience; not every individual who experiences a traumatic incident may suffer from a psychological trauma. When our personal boundaries are violated by someone else; we may have many different needs such as punishment for the perpetrator, feeling good and safe, confronting the incident we experienced and/or denial of it. The needs and emotions felt after the violence may differ from person to person.

Our options

Being subjected to violence is an unexpected and unusual situation. Confusion after violence, not knowing what to do is natural. **We are not alone or helpless in case of sexual assault.** In our own circumstances, we can form many support mechanisms for our needs or ask for support in order to form them. In addition to the self-help steps and the support we receive from our acquaintances; we can consider a variety of options, including services we can enjoy as a right such as medical support, psychological support, and reporting the incident of violence.

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Following sexual violence the options below can be benefitted:

Believing in ourselves: As survivors of sexual violence, we may opt to doubt ourselves, blame ourselves and hold ourselves accountable due to the need to make sense of what is going on for “not letting it happen again” and due to the influence of false beliefs developed in the society (“the stereotypical and expected behaviors” attributed to the persons who are subjected to sexual violence etc.). This can lead us to deny the violence we have been subjected to. When we feel this way, we can often remind ourselves that we are not responsible for the violence under any circumstances and that we never deserve the violence. The fact that we sometimes cannot find the support we expect even from our relatives does not mean that what we are experiencing is not in fact a violence or it is our fault. The emotions felt by each person after violence, the way of expressing these feelings and the method of dealing with these are different. Our reactions and behaviors cannot be the criteria for the persons in believing us. It is significant that we shall believe in ourselves and define the incident we faced as the violence.

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Disclosing to someone you trust: It is possible to disclose the violence we faced with to someone we trust and ask for their support. This person can be a relative or a professional. Sharing itself is a situation that will support us emotionally. The process we experience after violence is not a burden we have to carry or deal with alone. We can share the knowledge to the extent we want with the person(s) we choose. We can request from them just to listen, to provide advice, to accompany us or to support us regarding any other need. We identify best who can be the persons we trust.

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Receiving healthcare support: Undergoing a post-violence medical examination is supportive, whether there is a physical injury or not. The situations such as pounding, internal injury, sexually transmitted diseases, unwanted pregnancy, etc. that we are not aware of can be identified, prevented or cured on time. Psychological evaluation as well as physical examination is extremely important. In addition, the healthcare institution can ensure the collection and documentation of some evidence in a timely manner, even if we have not yet decided to report violence. In every situation we shall make our own health a priority.

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Reporting the violence: Sexual violence is not our fault. It is the fault of the perpetrator and the crime of the perpetrator. If we have been subjected to sexual assault, it is our most fundamental right to file a complaint. After sexual violence, we are not alone; we are not the ones to be ashamed of and to hide. There are institutions obliged to provide support and there are professionals providing right services for the survivors in Turkey. There is a strong civil society, social media and public opinion that support survivors in Turkey. Regardless of how the legal process develops, seeking justice can be an empowering process, even though it is annoying in itself.

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Supportive counseling: Apart from all the above; getting a professional support to improve the skills to cope with the negative effects of sexual violence or assault on us can be more supportive than we think. We may have traumatic sufferings such as compelling emotional changes, stimuli reminding the violence, flashbacks, post-traumatic stress disorder, depression. In our way of healing after a traumatic experience such as sexual violence, it is important that we get psychological counseling and therapy support from the experts who do not judge us, whom we can trust and who are experienced dealing with sexual violence cases.

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Exploring different options: The process of healing after violence is not a straight process, rather fluctuating. Sometimes it can be short, sometimes long; there are the ups as well as the downs. Of course, we do not have to try to be strong all the time. And we should remember again that we are not all alone. Even if we are not aware of it, there may be different alternatives to support us. Exploring the options can help us discover what is good for us and become stronger. For example, if we do not want to make a legal notice, we can investigate options for anonymous reporting (Harassment map, studies and reports of NGOs, etc.). If there is a situation where we would hesitate to be disclosed about who we are while filing a legal complaint; we can make legal applications via CIMER or Alo 183 while keeping our identity information confidential. In this case, our credentials will not be used in any official record. In addition to that various healing activities are possible such as self-help options and exercises that we can apply ourselves, participating in activities involving solidarity, conducting social relations that we think are good for us, different forms of support and solidarity, a job we want, various sportive and artistic activities, getting support from a celebrity's life story, self-defense options.

If we do not want to make a legal notice, we can investigate options for anonymous reporting



* <https://sendeanlat.harassmap.org/tr>



**The process I experience after abuse-
rape or childhood sexual abuse is my way
of surviving and healing after violence.
Violence cannot define me. I am whole just as
I am, with all my experiences.**

“I decided to file a complaint...”

Talking about sexual violence, especially about the sexual violence we faced and disclose it to someone is often not easy. The fact that the decision to seek for “justice” in whatever form and have to explain the incident more and more can initiate a challenging process for us. However, this decision can also help us regain a sense of control over our lives, empowerment and a positive closure by drawing a veil over the incident. Having information about the current application system and processes can be effective in reducing concerns about unfamiliar issues and being more prepared.

The Steps Having Priority;

- After deciding to report violence, first of all we can apply to **the police station (or gendarmerie), to the prosecutor's office, or to the hospital** closest to our location. (You can learn where you can apply via the units map provided in **csdestek.org** or via different resources)
- If going to these places is difficult for us; you can dial **155 hotline of police (or 156 hotline of gendarmerie)** in order to report the incident and ask for help.
- If we are in an environment where we cannot talk, we can download and use the Women's Support App (KADES) linked to law enforcement officials for emergency support. KADES is a smartphone app and it has been developed for immediate intervention in cases of violence or threats of violence. There is a button in the app, and when you press the button in case of an emergency, your location information is sent to the nearest police station.
Unfortunately, the KADES app is in Turkish and is not built in a way for persons with a foreign ID number can use it. If you do not speak Turkish, since it is very easy to use the KADES app, learning how to use the app by a Turkish-speaking relative will benefit you in case of emergencies.
- When going to the police station, hospital or

prosecutor's office, **being accompanied by someone we trust can be supportive.**

If you do not speak Turkish, it is very important for the persons accompanying you to speak Turkish having a legal residence permit in Turkey. It should be kept in mind that there is a risk of deportation in case of illegal stays.

If you are a foreign national having no the legal permission to stay in Turkey, if you apply to the police station in Turkey, you may face the risk of legal administrative proceedings. If you are staying illegally in Turkey, we recommend you to apply and file a complaint to the prosecutor's office rather than to the police stations.

- In the institution we apply, **it is our right to request a lawyer.** Upon our request, a lawyer will be assigned to us (by the police station, the prosecutor's office or the court).

It is unclear whether the appointed lawyer will speak your language or have already received a special training on foreign nationals/refugees (such as divorce proceedings etc.). However, you can request directly or via your lawyer that your statement to be taken via an interpreter. Apart from the police station and the prosecutor's office, there are lawyers specially trained on both women's rights and rights of refugees in the legal aid offices of the bar associations

- If the violence we are subjected to is rape, **making the first application to the hospital** may be preferred in terms of both reaching healthcare support as soon as possible and collection of the evidence as soon as possible.

Hospitals generally have hospital police officers. With the notice of our doctor or directly with our request, we can file our complaint to the hospital police, a report can be filled and the judicial authorities can be notified. If the hospital has that option, we can also request to be examined by a female doctor if we will feel more comfortable.

- If the attack has just **happened, applying to the relevant institution as soon as possible (within the first 72 hours) for ensuring the evidence is not lost** without having a bath and changing the clothes is significant. We can take spare clothes with us. If we have taken off our clothes, we can put them in a clean and if possible, in a non-nylon paper bag (as moisture in the nylon bag can cause evidence to be lost) and take them with us by sealing them well. It is important to try to pay attention to these as much as we can, but we should not worry if we did not provide any of these due to our circumstances, there are cases where sexual crimes are proven by other findings. Details that may not come to our mind are investigated by experts and these offences can be proven.

- We can preserve written and visual items such as messages and photographs that may be used as the evidence of the attack, and if possible, we can take the photograph of the traces of the attack by ourselves.
- Those who want to support us or the service providers can have wrong and judgmental attitudes. Service providers do not have the right to make us feel bad, verbally or behaviorally (by blaming, intimidating, judging, being indifferent, intervening without consent etc.) during the process.

Process at the police station

Steps:

- We can go to the nearest police station or District Police Department. If possible, applying to the **Unit for Combating Violence Against Women and Family** of District Police Department may be preferable.
- We report to the police that we have been sexually assaulted. We can submit our request for a lawyer before our testimony. The police shall take the necessary steps to appoint a lawyer to us. If we request a lawyer at the police station or the prosecutor's office, random lawyers are appointed from the CMK service of the bar associations. It is unclear whether the appointed lawyer will speak your language or have already received a special training on foreign nationals/refugees. However, you can request directly or via your lawyer that your statement to be taken via an interpreter.
- Police informs the prosecutor and takes instructions from the prosecutor. (If we want, we can go directly to the prosecutor's office)

Although the police are required to find an interpreter for foreign nationals who do not speak Turkish, interpreters are often not available. If you do not speak Turkish, it may be more beneficial for you to apply to the prosecutor's offices in courthouses instead of going directly to the police station, for the sake of expressing yourself better. It will be easier to access an interpreter when you apply to the

prosecutor's office, as the prosecutor's office is a unit within the courthouse and there are interpreters contracted within.

- After our testimony is recorded, we can read the document written by the officer completely; and following that we sign it on the condition that there is no missing or incorrect information.

If we have given our statement via an interpreter, it is very important to ask the interpreter to read the entire statement to us, and if we agree with it, we sign it. If we think that an incorrect or incomplete translation has been provided or that our statements have been recorded in the statement report incompletely, it is our right to request the correction of deficiencies and inaccuracies before signing the statement report. It is very difficult to reject a report that we have a signature on it later.

- The police send us to the hospital. In the hospital, the procedures will be carried out for medical examination, collection of evidence and documentation of violence.
- Our file is created at the police station. Our reports, the records of our testimonial statement are involved in this file and the file is reported to the prosecutor's office. The next responsibility of the police is to identify the perpetrator and to ensure that the necessary work is carried out for the investigation phase. If you have a lawyer, your lawyer will follow this process for you in coordination with you.

Our Rights:

- If we are in danger, we can request protection order or interlocutory injunction at the police station. The police are obliged to protect us and to conduct all related actions.
- In urgent cases where delays are undesirable, all urgent measures can be taken by the prosecutor's office and, depending on the situation, by the police officers. The police are also obliged to obtain these orders from the prosecutor.
- In our application to the police, it is sufficient to have only our identity card with us. Even if we do not have an ID card, the police are obliged to identify our ID in order to take action.

If you are a foreign national residing in Turkey, you can apply by temporary protection ID, refugee/conditional refugee/subsidiary protection document you were issued, residence permit or a passport. If you are a foreign national having no the legal permission to stay in Turkey, if you apply to the police station in Turkey, you may face the risk of legal administrative proceedings. If you are staying illegally in Turkey, we recommend you to file a complaint to the prosecutor's office rather than to the police stations.

- In cases of emergencies where delays are undesirable, the police are obliged to take us to the women's shelter or the first reception unit of the shelters.

If you are a foreign national residing in Turkey, you need to have a legal permission to stay in Turkey in order to be admitted to ŞÖNİM. We recommend you to get support from a lawyer or non-governmental organization in order to be admitted to ŞÖNİM or another women's shelter.

- When we are directed to a hospital, prosecutor' office or public order unit, we have the right to ask for support from the police. The police have no obligation to take us - if we are in safe conditions - according to the legislation, but they provide this service under appropriate conditions.
- If the applicant does not speak Turkish, the police shall find an interpreter, if not, they shall refer them to the prosecutor's office for a statement to be taken via an interpreter.
- In cases where we cannot go to the police, the police are obliged to go and come to where we are.
- When we request a copy of our statement and other application documents for ourselves, the police are obliged to provide the copies.
- **Even if the violent crime is defined as simple or qualified sexual assault in our request for a lawyer, it is within the scope of the Law No. 6284 and IF WE WANT PROTECTION ORDER A lawyer will be appointed free of charge by the bar without any documents being requested from us (poverty**

certificate etc.). If we want a protection order to be issued but do not know how to do so, we can ask for a lawyer specially trained on women's rights and refugee rights from the legal aid offices of the bar associations to help us in that regard.

- We do not have to carry out the whole process with the first lawyer appointed to us. If we are not satisfied with our lawyer, we have the right to change our lawyer by consulting NGOs working in this field during the process. Our lawyer cannot have an approach such as not believing in us or judging us, this is against professional ethical rules.
- The police are obliged to make effective investigations. They cannot make us do their own works or cannot put us at risk. They are obliged to collect the documents and findings correctly, by maintaining the chain of evidence, and to deliver them to the relevant institutions without delay. Under no circumstances, no one can make us collect the evidence by ourselves. It is a crime.
- It is our right to request to be accompanied by our lawyer during the investigation (collecting evidence) at the crime scene.
- Under no circumstances the police can act to discourage us from our complaint process, they cannot behave indifferently, keep us waiting in a way that discourages us, or take negligent action;

certainly cannot suggest a compromise or meeting with the perpetrator we filed a complaint against. These are all crimes. The police are obliged to record our complaint. The police cannot misguide you about that the complaints are filed only to the prosecutor's office. The police shall take an action on a complaint or report filed to them.

- During the trial process, we have the right not to meet the perpetrator who inflicts violence on us. We can request to be alone at the hearing during we will give our statement.

- **Law No. 6284 covers the procedures and principles regarding our protection and taking and implementation of measures to prevent violence when we are exposed to or in risk of violence. Within the scope of the law, we have rights to apply for shelter, temporary protection, requesting order to prevent the perpetrator from approaching/disturbing, etc. We may encounter judges or lawyers who do not know about the provisions of this law. In these situations, knowing our rights can be vital.**

Process at the Hospital

Steps:

- If the attack has just happened within 72 hours in order to ensure the evidence is not lost, we can take into consideration not having a bath and putting our clothes in a clean non-nylon paper bag and take them with us by sealing them well.
- We can go to the nearest hospital with an emergency service. If possible, it may be preferred to go to public hospitals or even to university hospitals with qualified service having expert staff in cases of sexual violence. (The list of hospitals providing qualified service can be seen on the units map at the csdestek.org website.)

When we go to the hospital, forensic case record is opened. With this record, no fee is charged from the survivor for emergency response and reporting procedures. Those who do not have any health insurance can apply to the hospital without worrying about the fees.

- We can file our complaints to the police at the hospital. Even if we have not made a decision about filing a complaint yet, we can share our situation with the doctor, and ask for our examination to be made and recorded. We should not forget that, doctors are obliged to report the forensic cases they face according to the laws.

- When we tell the staff at the reception desk that we have been subjected to sexual assault, they will provide the necessary guidance.
- At the hospital, the obstetrician or emergency doctor will make our first examination.
- Psychiatric examination is also very important for our health. In addition to physical findings, psychological findings also constitute important evidence in the offences of sexual violence. We can request that all the necessary examinations regarding the violence we experience be conducted in a holistic way.
- If we first went to the hospital and want to file a complaint, the healthcare institution takes the first steps in the notification process. The hospital police take the first testimonial statement. If we are receiving inpatient treatment, police officers of the police station may come to the healthcare institution and record our statements. If we are receiving outpatient treatment, we may be asked to go to the police station to provide them with a detailed statement.
- When all our examinations are completed, we can leave the hospital. The hospital staff is obliged to make an emergency medical intervention, to make a medical examination, to report the traces of violence.

Our Rights:

- In the room where we will be examined, there cannot be anyone else (unrelated medical staff, police, our relative / acquaintance if we do not prefer) other than the doctor who will do the examination.
- The healthcare professionals cannot intervene in our body without our consent. Those professionals are obliged to answer the questions we ask.
- The healthcare staff is there for our healthcare needs and has to be meticulous, attentive and supportive.
- Since the healthcare staff is not the person who will take our statement, we have the right not to answer their questions.
- In case we do not choose to make a legal notification, we can go through a medical examination by simply telling the doctor without officially notifying that we have been attacked, request the detection of traces without a forensic report, and get the healthcare support we need.
- If we prefer, we can request a female doctor. The hospital is obliged to meet this request only if there is any available doctor in that regard.
- Forensic medical examination is not carried out in any hospital without the order of the prosecutor. Gynecological examination can only be done with our consent.



HEALING & RECOVERY FOLLOWING SEXUAL VIOLENCE:
PATIENCE-EFFORT-COURAGE

Not filing a complaint does not mean that we are guilty or that the violence we were subjected to is not real. Ensuring justice after sexual assault does not only mean punishing the perpetrator. Justice means that we can access the support we need and find healing and empowerment after violence. We believe in survivors of sexual violence; we are not alone...

PUBLIC INSTITUTIONS THAT CAN BE APPLIED IN CASE OF THE SEXUAL VIOLENCE AND ABUSE IN TURKEY

Istanbul Ministry of Family, Labor and Social Services Social Support Hotline

It provides 24/7 uninterrupted and free services with Kurdish and Arabic options. It responds to persons with hearing loss and speech impairments via 0 549 381 0 183 between 08:00 – 24:00 on weekdays and between 08:00 – 17:00 on Saturdays via 3G compatible phones.

ALO 150 – Presidency's Communication Center (CIMER)

<https://www.cimer.gov.tr/>

It provides 24/7 uninterrupted and free services. It is possible to make applications, filing complaints and notifications to the CIMER by dialing 150 by phone, in writing to CIMER portal or by using the e-devlet platform. An answer is provided within a maximum of 30 days.

ALO 157 Foreigners Communication Center (YIMER)

<https://yimer.gov.tr/>

It provides 24/7 uninterrupted services with Turkish, English, Arabic, Russian, Persian, German and Pashto options.

Istanbul Provincial Directorate of Family, Labor and Social Services +90 212 511 42 75

Women's Services Unit established within the Ministry and available under the Directorate of Social Services in every province. Notifications made to Alo 183 are also sent there for review.

Koza Violence Prevention and Monitoring Center (ŞÖNİM)
+90 212 465 21 96

Directorate General of Security Children's Branch Office

Offices of Public Prosecutors

ALO 155 (Police)

ALO 156 (Gendarme)

The closest police station, the closest social service unit

Istanbul Bar Association Legal Aid Center – +90 212 251 63 25

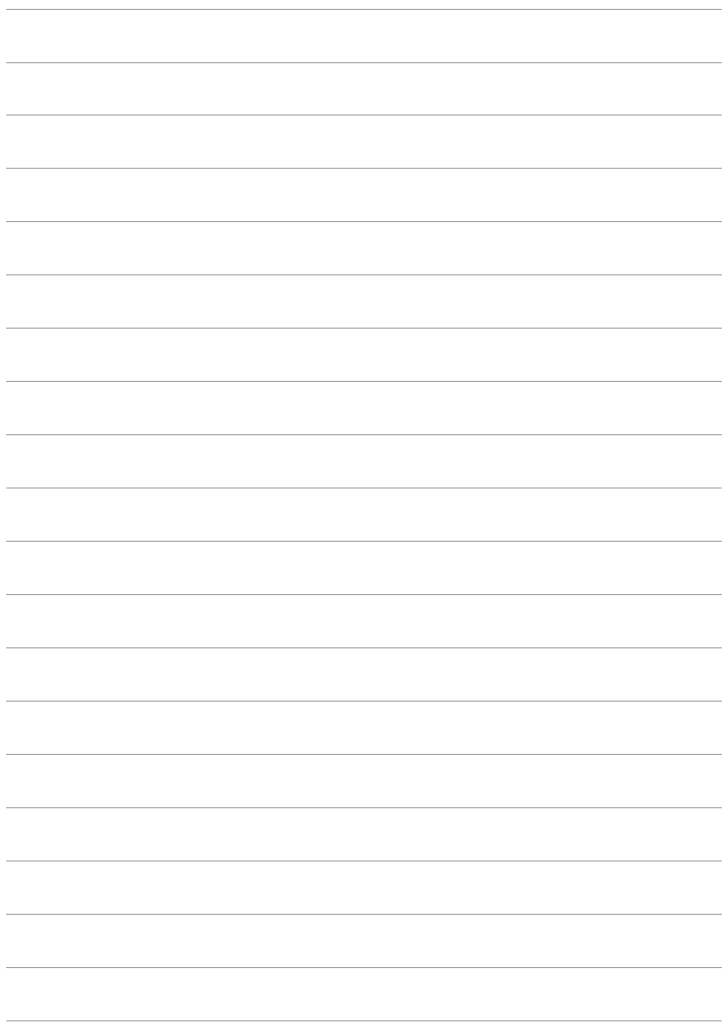
Istanbul Bar Association Children's Rights Center

Istanbul Bar Association CMK Unit – 444 52 71

Child Protection Map

<http://www.cocukkorumaharitasi.info/>

NOTES








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