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REPORT

on the role of women in Turkey in social, economic and political life
(2004/2215(INI))

Committee on Women's Rights and Gender Equality

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the role of women in Turkey in social, economic and political life (2004/2215(INI))

The European Parliament,

- having regard to the 2004 regular report and the recommendation of the European Commission on Turkey's progress towards accession of 6 October 2004 (COM(2004)0656)¹ and its resolution² of 15 December 2004 on this report,
 - having regard to the decision of the European Council of 17 December 2004 to open negotiations with Turkey concerning accession to the European Union,
 - having regard to the Community acquis in the field of women's rights and gender equality,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report by the Committee on Women's Rights and Gender Equality (A6-0175/2005),
- A. whereas Turkey is set to open negotiations concerning accession to the European Union as of 3 October 2005,
- B. whereas the Convention on the Elimination of Discrimination Against Women (CEDAW)³ forms a part of international law and takes precedence over Turkish national law, as recognised by Article 90 of the Turkish Constitution; and whereas Turkey has been a party since 1985 to CEDAW, as well as to its Optional Protocol since 2002,
- C. whereas adoption of the Community acquis is obligatory for candidates wishing to join the European Union,
- D. whereas women's rights and gender equality are part of the Community acquis,
- E. whereas the recent legal reforms in Turkey in the area of women's rights go a long way in implementing the acquis, though translating those reforms and changes into practice and achieving practical results remains a major problem,
- F. whereas progress made in the field of legislation now needs to be implemented in practice and the new Penal Code has not yet entered into force, but is scheduled to do so on 1 June 2005,
- G. whereas the European Commission's regular report on Turkey's progress towards

¹ OJ C 13, 19.1.2005, p.3.

² *Texts Adopted*, P6_TA(2004)0096.

³ <http://www.un.org/womenwatch/daw/cedaw/>

accession¹ identifies, as regards the situation of women, the following main areas of concern, among others: violence against women, particularly domestic violence and crimes of honour and tradition, a high illiteracy rate, a low level of participation by women in parliament as well as in local representative bodies, and the low level of women's participation and the prevailing discrimination in the labour market,

- H. whereas economic and social underdevelopment in some urban and rural areas in general and in disadvantaged regions of Turkey, as well as migration and its related problems such as poverty, and inner-city discrepancies, aggravate the problems of women in those regions and undermine their position, which is also hampered by prevailing patriarchal social structures,
- I. whereas hundreds of cases of torture were referred to Turkish government bodies and human rights organisations during 2003 and 2004 and whereas more than 2,000 applications for asylum from Turkish citizens (among them many women) were accepted by EU Member States in 2003,
- J. whereas, owing to the lack of an integrated strategy for the development of the economic, social and cultural needs of Kurdish women, they are suffering a long-standing accumulation of problems (illiteracy, poor health, poverty, exclusion etc.),
- K. whereas an existing situation of negative discrimination against women can sometimes best be remedied by temporary measures of positive discrimination as allowed by, among others, CEDAW, and there is an absolute need for women role models in positions of power and decision-making, including at the highest level,
- L. whereas the Turkish government has not yet concluded negotiations with the European Commission concerning participation in the Daphne II programme on combating violence against women, and seems unwilling to make any financial contributions of its own,
- M. whereas UNICEF estimates that each year between 600 000 and 800 000 girls who have attained the mandatory age for going to school are either prevented by their families from doing so or do not have the infrastructure available to enable them to attend the available rural schools,
- N. whereas there is a serious lack of accurate data on the situation of women in Turkey, especially concerning violence against women, and existing data does not yet cover all problems relating to women's rights,
- O. whereas there is an ongoing decrease in the participation of women in the Turkish labour market,
- P. whereas political participation by women in Turkey's decision-making bodies is disconcertingly low, with women constituting only 4.4% of the parliament and around 1% of representatives in local assemblies, with weak numerical participation by women in economic and political centres of decision making,

¹ OJ C/2005/13/ 3

- Q. whereas the economic independence of women is crucial to their ability to assert their rights,
- R. whereas the 14 shelters for women who have been victims of violence that exist in Turkey do not meet the needs of a population of approximately 70 million, while even the modest possibilities offered by the law in force, i.e. a shelter in all municipalities with over 50 000 inhabitants, are not being sufficiently realised,
- S. whereas on 6 March 2005 the police violently disrupted a demonstration in Istanbul linked to International Women's Day.
1. Emphasises that respecting human rights, including women's rights, is a sine qua non for membership of the European Union and calls on the European Commission to make the issue of human rights, including women's rights, central to the agenda for the negotiations with Turkey;
 2. Emphasises that the Turkish government should carefully maintain and establish where needed its countrywide legal registration of marriages and births to guarantee every man and woman a full entitlement to citizenship and the possibility fully to enjoy their human rights, e.g. access to education and to health care;
 3. Commends the Turkish government and parliament on the recent legislative reforms, inter alia in the fields of the Constitution, the Civil and the Penal Code and the Labour Code, relating to the situation of women, expresses its concern over the lack of enough progress regarding application and implementation of legislation in the field of women's rights, and therefore expects concrete gender-sensitive measures, programmes and projects for implementation, as well as continuous monitoring of the implementation of the legislation, e.g. by executing gender impact assessments on a regular basis;
 4. Commends the Turkish government on recent legal changes which make honour killings punishable by lifelong imprisonment and allow for the punishment of accomplices and accessories to honour killings; commends and approves the recognition of marital rape as a crime, and calls on the governments of the Member States of the European Union to follow this example;
 5. Underlines the need for full and effective implementation of the new legislation and calls on the Turkish government to ensure that the Directorate-General for the status of women has a clear mandate and sufficient funding and staff;
 6. Calls on the Turkish government to proceed with the necessary reforms, and their due implementation, relating to the protection and dignity of minorities in the country, in particular the Kurdish communities in the South-East of Turkey, where the situation concerning the rights of women remains a matter of concern (illiteracy, social and occupational exclusion, poverty etc.), and calls on the Turkish government to cooperate with mayors in these regions in drawing up and promoting targeted equal opportunities and women's rights programmes;
 7. Underlines that the government, with the aid of the Directorate General and in cooperation with women's NGOs, needs to provide for a holistic approach with qualitative and

quantitative targets to ensure women's rights which fully respects and recognises women's human rights as rights of individuals, irrespective of their traditional roles as wives and mothers, with full political commitment, and underlines that the government needs to implement gender mainstreaming in line with Article 10 of the Constitution, to raise awareness on women's issues and to protect women's rights, and needs to create a gender budget at national and local level and to initiate and develop projects concerning women's rights on a regular basis;

8. Acknowledges the positive role played by civil society in accomplishing the recent legislative reforms and recognises that, for democratic changes to be realised, information and mobilisation of the whole political class, civil society, religious communities and the media is needed;
9. Calls on the European Commission, as well as on the Turkish government, to acknowledge the role of women's rights organisations as partners of the government and to support them and provide them with sufficient funding and to ensure their independence, in line with European Union practice;
10. Calls on the Turkish government to continue a meaningful dialogue with civil society, to cooperate where possible, to consolidate this cooperation through official and stable structures and institutions, and to involve NGOs in the process of negotiating EU accession;
11. Underlines the importance of structured cooperation between social partners and between Turkish NGOs and NGOs in the European Union, for instance by exchange programmes and 'twinning' such organisations;
12. States that sufficient funds for NGOs in Turkey, within the framework of the European Initiative for Democracy and Human Rights, must be provided for in the EU Financial Perspectives for 2007–2013;
13. Calls on the European Commission, in the light of the third pillar of its accession strategy, to initiate and support, in cooperation with the Turkish government, debates within Turkish society on women's rights, and particularly on violence, illiteracy and the right to education, especially in rural and disadvantaged areas;
14. Condemns the excessive use of force by members of the police force during demonstrations, and welcomes the recent pledge by the government to uphold the Circular of the Ministry of the Interior of 17 August 2004 on the prevention and punishment of possible disproportionate use of force by the security forces; urges the government to raise awareness on women's rights and to provide training, as called for in paragraph 15 of this resolution;
15. Finds that the protection of women's rights is still insufficient in practice, especially as regards violence against women, and urges the government to direct more attention to the implementation of legislation, among other things by urgently setting up shelters, supporting initiatives by civil society and providing adequate funds from national and municipal budgets for both government and NGO shelters, as well as mandatory gender- and violence-sensitivity training for public administrators, the police, the judiciary and

health and educational personnel;

16. Calls on the Turkish government to change Municipality Law No 5215 on shelters so as to make the establishment of multiple shelters in all municipalities with over 50 000 inhabitants mandatory, to ensure all shelters are built and maintained in accordance with international standards and to facilitate and support NGOs' providing such shelters and similar facilities;
17. Recognises that Turkey has already made a start with implementing legislation and acknowledges individual projects that have already been set up; also recognises the positive role the European Commission has played with regard to these projects;
18. Calls on the government of Turkey to set up more nurseries in order to boost women's participation in the workforce;
19. Welcomes as a first step the recent announcement by the government that before the end of 2005 about five additional shelters will be opened;
20. Urges the Turkish government to give serious consideration to participating in the Daphne II programme on combating violence against women;
21. Condemns instances of polygamy, forced marriage, crimes of tradition, honour crimes and violence against women in general, including sexual harassment at work, and requests the Turkish government as a whole and individual members of the cabinet and members of parliament to do the same, to seek ways to prevent these crimes and to put a stop to them, to punish crimes of custom and crimes of honour equally severely and to participate in and organise campaigns for raising public awareness of these issues and to support NGOs' campaigns on these issues financially;
22. Urges the government to take measures to ensure the safety of victims of violence and witnesses during judicial proceedings in cases of violence against women;
23. Welcomes the criminalisation of non-voluntary virginity tests and genital examinations, notes the exception made in cases of a court order, but underlines that even where there is such an order the consent of the women concerned should be an absolute necessity;
24. Calls on the government to provide women who have been, or are at risk of becoming, victims of violence with proper, easily accessible healthcare and legal support and protection, as well as to establish telephone help lines for women to report violence and request support;
25. Commends the Turkish government on recent legal changes which make honour killings punishable by lifelong imprisonment and allow for the punishment of accomplices to the honour killing; commends the recognition of marital rape as a crime, and calls on the Turkish government to ensure that the penal sanctions envisaged are effectively applied; calls on the Member States of the European Union to fight honour crimes on their territory;
26. Asks the European Commission to support the drawing up of independent, comprehensive

prevalence studies providing, inter alia, reliable data, especially with regard to the illiteracy rate among women, problems related to women's labour force participation, and the occurrence of violence against women, in particular domestic violence and honour killings, with a view to helping the authorities concerned to take the necessary measures;

27. Urges Turkey, being party to the United Nations CEDAW and its Optional Protocol, to ratify Additional Protocol No 12 to the European Convention on Human Rights,¹ which deals with preventing discrimination;
28. Suggests the adoption of a mandatory quota system combined with a 'zipper' placement on the election lists as the best possible way to improve women's participation in Turkish politics in the short term, and proposes that the relevant Turkish laws be changed accordingly;
29. Encourages the political parties in Turkey to extend the role of women in the party hierarchy beyond the women's branches, to give women leading roles in the party's organisational structure, to raise awareness of the importance of female political participation and to scout for, train and support female candidates for political office; believes that such policies could be reinforced by cooperation with European political parties, which would offer substantial mutual exchange of experiences and views;
30. Welcomes the proposal to establish a Committee on Women's Rights and Gender Equality with full legislative powers in the Turkish parliament, urges that the necessary legislation be adopted as soon as possible, and invites this committee to liaise regularly with the European Parliament's Committee on Women's Rights and Gender Equality;
31. Calls on the Turkish parliament also to ensure the presence of women MPs in the Delegation to the EU-Turkey Joint Parliamentary Committee;
32. Reaffirms its call on the Turkish authorities to step up their efforts to guarantee women's right to education and that women whose free access to education is hindered by difficulties stemming from their family or their social or cultural environment are informed of their rights; suggests to the Turkish government that it guarantee the right to education at primary and secondary level and increase financial aid to parents, especially in rural and disadvantaged areas, with a view to encouraging them to educate their children, and above all their daughters, given the high illiteracy rate among women;
33. Calls on the Turkish government to take the necessary measures, especially in rural and disadvantaged regions, to combat illiteracy, notably by organising information and awareness campaigns on the importance of education and its potential contribution to the economy and society, with particular stress on educating girls;
34. Is of the opinion that promoting gender-sensitive education and compulsory participation of female pupils/students whose families live principally in decentralised regions would help to improve the social level and open up society to gender issues; encourages, therefore, the process of making education more gender-sensitive, for instance by reviewing educational materials in line with Article 5 of CEDAW, and calls on the

¹ <http://www1.umn.edu/humanrts/euro/z31prot12.html>

government to ensure that girls and boys are taught about issues of women's rights and gender equality;

35. Calls on the Commission and the government of Turkey to launch media (TV and radio) campaigns drawing attention to the importance of respecting women's rights and the positive effects on society and the workplace;
36. Underlines that Turkey needs to comply fully with the Community acquis in the field of equal pay, equal opportunities and equal treatment of men and women in working life and the labour market and needs to improve women's access to the labour market and lifelong learning, among other measures by fighting discrimination and ensuring compatibility of working and family life;
37. Calls on the Turkish government to provide information on the situation regarding the rights of women working in family businesses, in agriculture or illegally;
38. Calls on the Turkish government to promote exchanges between schools, associations and other bodies bringing together young European and Turkish people of both genders;
39. Calls on the European Commission and the Turkish government to continue setting up and supporting women's labour and employment projects, including projects set up by NGOs, and calls on the Turkish government to implement national action plans on women and employment, as is currently the practice in the Member States of the European Union;
40. Calls on trade unions and other social partners in the European Union and Turkey to cooperate in increasing the participation of women in the Turkish labour force and executive functions in different sectors of the labour market;
41. Emphasises its intention to monitor closely the situation of women in Turkey, to report on this on a yearly basis through its Committee on Women's Rights and Gender Equality and instructs the European Commission to do the same;
42. Calls on the Commission to cover, systematically and comprehensively, in its first report to the European Council in December 2005 on the pace of the reforms – which will also determine the progress of the negotiations – the progress achieved up to that point in changing and implementing legislation to promote women's rights;
43. Instructs its President to forward this resolution to the Council and the Commission, the Secretary-General of the Council of Europe and the government and parliament of Turkey.

EXPLANATORY STATEMENT

In preparing her draft report, the rapporteur has been in regular contact and has had in-depth discussions with a whole range of interested parties in Turkey and the European Union, both in public and private. This work has included:

- an exchange of views between Ambassador Demiralp, Permanent Representative of Turkey to the European Union, and the members of the Committee on Women's Rights and Gender Equality of the European Parliament on 25 November 2004,
- a visit with members of the Women's Rights Committee to the exhibition 'Women in Turkey - Mothers, Sultanas and Goddesses' in the BOZAR on 6 January 2005,
- an exchange of views with the European Commission's enlargement team for Turkey on 27 January 2005,
- a delegation visit by the Women's Rights Committee to Turkey, including discussions with the Turkish parliament, the Prime Minister, the Minister of Women's Issues, the Minister of Justice and trade union representatives, visits to universities and local projects, as well as exchanges of views with several women's rights organisations; the visit took place from 31 January to 2 February 2005,
- a public hearing on the issue of women's rights in Turkey in the European Parliament on 16 March 2005,
- conducting an exchange of views between the Turkish Minister for Women's Issues, Güldal Aksit, and the European Commissioner for Employment and Gender Equality, Vladimir Spidla, on 16 March 2005.

The rapporteur regrets that the rules of the European Parliament made it impossible for the delegation to Turkey also to visit rural areas, but hopes that having met with representatives from these areas has helped to give a full and complete picture of the situation in the whole of Turkey. The rapporteur recommends that on a future occasion special permission be granted to extend a delegation trip beyond the three days officially allowed for.

Civil society

The relationship between NGOs and the Turkish government has not always been a very easy one. It is for that reason that this report stresses the importance of an open attitude of cooperation between civil society and the government. This includes allowing NGOs and others the right to demonstrate. Since there was much public outcry after the excessive use of force during a demonstration in Istanbul on 6 March 2005, the rapporteur has found it opportune to include in this explanatory statement a short overview of the incident, based on preliminary findings by the European Commission's delegation in Turkey. On the basis of these findings the report condemns the excessive use of force but welcomes the government's pledge to punish the perpetrators and prevent any recurrence.

On Sunday 6 March the Turkish police in Istanbul violently dispersed a demonstration which was organised in connection with International Women's Day. On that day there were several demonstrations linked to International Women's Day. The one that was forced to disperse was prohibited at the site where it took place and consisted of men and women, not women only. All the other demonstrations went ahead without incident. In 2004 the Turkish Minister of the Interior had issued a memorandum which stated clearly that disproportional use of force by the police was strictly forbidden and should be punished. Following the events and the reaction of both the European public and the European institutions the Turkish authorities have started an investigation and have relieved six policemen of their duties pending this investigation.

Violence against women

Although there exists very little reliable, accurate and independent data on violence against women in Turkey, the rapporteur wishes to share with you the following from existing research, which helps illustrate the size of the problem, but in no way claims to give a full and complete picture of the situation. Because of the lack of data this report requests the European Commission to undertake and support independent prevalence studies.

Existing research¹ tells us the following:

Between 1990 and 1996 1,259 women were interviewed, of whom 88.2% said that they were living in a violent environment and 68% said that they had been beaten.

According to men, 34 percent of married women were subjected to violence by their spouses in 1995.

Almost all women living in slum areas in Ankara in 1995 had experienced domestic violence.

58% of women in east and south-east Anatolia reported having experienced a physical assault in 1998.

23% of high- and middle-income women had been assaulted or beaten by their husbands in 1998.

86.1% of the victims of domestic violence are women.

39.2% of women agree that a husband is justified in beating his wife; 63% of young women between the ages of 15 and 19 agree that beating can be justified.

Political participation by women

Political participation by women in Turkey remains worryingly low. NGOs and female politicians alike are calling for the introduction of quota systems. There is a legal debate on whether Article 10 of the new Turkish Constitution, which obliges the government to

¹ This data was provided by the UNFPA delegation in Turkey.

guarantee equal treatment of men and women, allows for such measures of what is called positive discrimination. The rapporteur is of the opinion that either this article should be interpreted as not prohibiting the adoption of measures which seek to reverse existing inequality, such as quota systems for the elections, or the article should be changed to explicitly allow for such measures. Either way, this report underlines that the dramatically low figures for women's participation in Turkish politics justifies such measures.

Education

More than half a million girls do not attend school each year, even though in Turkey it is compulsory to receive education for at least 8 years. There are several reasons for this. Families do not attach enough importance to girls getting an education. Especially in the South East the number of girls not attending school is disproportionately large. Regional conflicts have destabilised society in this region. Many families are afraid to send their children to school owing to the insecurity surrounding transport. The government has set up a programme together with UNICEF which provides children with safe transport. It is estimated that around 700,000 children will be transported in this way. This is part of the plan to get 100% of children in school by the year 2010. This also includes rewarding the poorest families for registering their children with a school, giving more for girls than for boys. Education is crucial in order to bring the illiteracy rate in Turkey down (currently about 25% among women), which in turn is crucial in order to allow women to participate in the labour market and in politics.

Participation of women in the labour market

According to studies by the European Foundation for the Improvement of Living and Working Conditions, only 27% of women in Turkey currently participate in the labour market, whereas in 1998 the figure was still 35%. Legislation and the availability of childcare infrastructures have already been improved, and the European Commission has several projects which seek to improve the number of women who are gainfully employed, such as vocational training programmes and programmes supporting women entrepreneurs. The fact that the number of women in the labour force is still dropping is therefore worrying and surprising, since in some areas women are doing very well, with around 30% of lawyers, academics and doctors being women. It may be partly explained by migration from rural areas to urban areas and the relatively high participation of women in the so-called informal sector, but the rapporteur believes that it is also still due to negative public perception of women in the labour force. Trade unions could play an important role in organising women already in the labour force and those seeking to be gainfully employed, so that it becomes easier for women to take part in the labour market. In this light this report also calls for cooperation between trade unions in the European Union and those in Turkey.

Commitment of the Turkish government

Once the Turkish government acknowledges that something has to be done about a specific problem, things start changing quickly. This report has to be seen as an appeal to the Turkish government to recognise that women in Turkey face severe problems in their everyday lives, in the family, in society, in the workforce and in the political sphere. A lot has been done on paper, but this now needs to be put into practice. Implementation of current legislation and the

effective protection of women's rights by the Turkish authorities, as well as respect and substantial support for NGOs, is a necessity if Turkey wants to become a member of the European Union. The ball is now in the court of the government, and it is up to the former soccer player and now Prime Minister, Erdogan, to do something with it.

