



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

Distr.: General  
12 July 2022

Original: English

## Committee on the Elimination of Discrimination against Women

### Concluding observations on the eighth periodic report of Türkiye\*

1. The Committee considered the eighth periodic report of Türkiye (CEDAW/C/TUR/8) at its 1882nd and 1884th meetings (CEDAW/C/SR.1882 and CEDAW/C/SR.1884), held on 14 and 15 June 2022. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/TUR/Q/8, and the responses of Türkiye are contained in CEDAW/C/TUR/RQ/8.

#### A. Introduction

2. The Committee appreciates the submission by the State party of its eighth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/TUR/CO/7/Add.1) and its written replies to the list of issues and questions raised by the pre-sessional working group on the eighth periodic report. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister of Family and Social Services, Derya Yanik, and included representatives of the Ministry of Foreign Affairs, the Ministry of Family and Social Services, the Ministry of Justice, the Ministry of the Interior, the Ministry of Health, the Ministry of Education, the Ministry of Labour and Social Security and the Permanent Mission of Türkiye to the United Nations Office and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2016 of the State party's seventh periodic report (CEDAW/C/TUR/7) in improving its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption and establishment of the following:

\* Adopted by the Committee at its eighty-second session (13 June–1 July 2022).



- (a) The Eleventh Development Plan (2019–2023), which includes provisions on equality and empowerment of women;
- (b) The HIV/AIDS Control Programme of Türkiye (2019–2024);
- (c) The Strategy Paper and Action Plan on Women’s Empowerment (2018–2023);
- (d) The Action Plan on Human Rights (2021–2023).

5. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, in 2017.

### C. Sustainable Development Goals

6. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of Türkiye and to adopt relevant policies and strategies to that effect.**

### D. Parliament

7. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Grand National Assembly of Türkiye, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

### E. Principal areas of concern and recommendations

#### General context

8. The Committee expresses deep concern about the measures taken by the State party during the two-year state of emergency that was declared following the attempted coup against the Government in 2016, which ended in principle on 18 July 2018. It is particularly concerned about the impact that the Government’s various repressive counter-terrorism measures have had on women’s human rights and the rule of law in the State party. The Committee is also concerned about several measures taken by the State party during the state of emergency that led to the dismissal of thousands of women, including civil servants, judges, military personnel and academics, from their jobs. Finally, the Committee notes with concern that these measures continue to have a strong negative impact on women’s human rights and the rule of law in the State party today.

9. **Recalling its previous recommendations ([CEDAW/C/TUR/CO/7](#), para. 8), the Committee urges the State party to uphold its commitment to human rights, the rule of law, the independence of the judiciary and respect for freedom of expression. It calls upon the State party to respect, protect and fulfil women’s human rights and preserve the constitutional order, including its human rights**

guarantees. The Committee also calls upon the State party to give full effect to the Convention as a significant framework for peace, security and sustainable development, as reaffirmed by the Security Council in its resolutions [1325 \(2000\)](#) and [1820 \(2008\)](#), as well as by the Committee in its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, and bearing in mind that gender equality is a condition for democratic and peaceful order.

#### **Withdrawal from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence**

10. With reference to the statement of the United Nations High Commissioner for Human Rights of 23 March 2021 and the Committee's statement of 1 July 2021 on the State party's withdrawal from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), the Committee reiterates its deep regret and concern about the decision of the State party to withdraw from the Istanbul Convention, having notified the Council of Europe on 20 March 2021. In addition, it regrets the fact that the decision to withdraw from the Istanbul Convention was taken without a parliamentary debate and reportedly without wider consultation with civil society, including women's groups and women human rights defenders. The Committee considers that the State party's denunciation of the Istanbul Convention constitutes a retrogressive measure that reduces the scope of protection of women's human rights and is inconsistent with the State party's due diligence obligations under the Convention on the Elimination of All Forms of Discrimination against Women to uphold the highest human rights standards for women and girls.

11. **Recalling the principle of indivisibility and universality of human rights enshrined in the Vienna Declaration and Programme of Action of 1993, and anchored in the Convention, the Committee invites the State party to reconsider its decision to withdraw from the Istanbul Convention, which further weakens protections for women and girls, deprives them of acquired rights and stands in contrast to the aforementioned standards and principles of international human rights law.**

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

12. The Committee takes note of the measures taken by the State party to implement gender-responsive recovery strategies related to the coronavirus disease (COVID-19) pandemic and targeted measures to alleviate the negative economic and social effects of the pandemic on women and girls. Nevertheless, the Committee is concerned about the high prevalence of gender-based violence against women, including domestic violence, in the State party, the longest shutdown of educational institutions globally in response to the pandemic and the feminization of poverty, which disproportionately affects women and girls belonging to disadvantaged and marginalized groups, who face multiple and intersecting forms of discrimination and whose condition further deteriorated during the pandemic.

13. **In line with its guidance note on the obligations of States parties to the Convention in the context of the COVID-19 pandemic, issued on 22 April 2020, the Committee recommends that the State party:**

(a) **Implement measures to redress long-standing inequalities between women and men by placing women at the centre of COVID-19 recovery strategies, in accordance with the 2030 Agenda, paying particular attention to unemployed women, women living in poverty, women belonging to ethnic and**

**national minority groups, women in humanitarian settings, older women, women with disabilities and migrant, refugee and asylum-seeking women;**

**(b) Review its strategies to ensure that all COVID-19 recovery efforts, including emergency measures, are aimed at effectively preventing gender-based violence against women and girls, ensure the equal participation of women and girls in political and public life and in decision-making in the context of recovery efforts, economic empowerment and service delivery and ensure that such strategies are designed so that women and girls benefit on an equal basis with men and boys from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic.**

#### **Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations**

14. The Committee welcomes the State party's reaffirmed engagement and collaboration in the implementation of the Convention. It notes the State party's efforts to enhance the visibility of the Convention and the fact that, according to article 90 of the Constitution, international treaties ratified by the State party form an integral part of national law and that any violation of the rights enshrined in the Convention may be challenged by citizens before the Constitutional Court. It is concerned, however, that women, in particular rural women, women belonging to ethnic and national minorities, migrant, refugee and asylum-seeking women and women with disabilities, are often not aware of their rights under the Convention and the remedies available to claim them.

**15. Recalling its previous recommendations (CEDAW/C/TUR/CO/7, para. 17), the Committee recommends that the State party:**

**(a) Disseminate and give more visibility to the Convention and the Committee's concluding observations, its jurisprudence under the Optional Protocol and its general recommendations;**

**(b) Consider establishing a comprehensive mechanism for the implementation of the present concluding observations and involve non-governmental organizations promoting women's rights and gender equality in the work of the mechanism, taking into account the four key capacities of a national mechanism for reporting and follow-up, namely, engagement, coordination, consultation and information management;**

**(c) Raise awareness among women of their rights under the Convention and the legal remedies available to them to claim violations of those rights and ensure that information on the Convention, the Committee's jurisprudence under the Optional Protocol and its general recommendations is accessible to all women;**

**(d) Provide systematic capacity-building for government officials, judges, prosecutors, police officers and other law enforcement officials, as well as lawyers, on the Convention.**

#### **Constitutional and legislative framework and discriminatory laws**

16. The Committee notes that the principle of non-discrimination, including on the basis of sex, is enshrined in the Constitution. However, it remains concerned about intersecting forms of discrimination against disadvantaged and marginalized groups of women in the State party, in particular Kurdish women, refugee and asylum-seeking women and women with disabilities.

**17. The Committee recommends that the State party:**

(a) **Adopt legislation that prohibits all forms of discrimination against women and covers direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in accordance with article 1 of the Convention;**

(b) **Ensure the effective application of the constitutional prohibition of sex-based discrimination;**

(c) **Devise a comprehensive system to collect data on discrimination, disaggregated by sex, age, nationality, ethnicity, disability and socioeconomic status.**

**Women's access to justice**

18. The Committee is concerned about the negative impact that the adoption of the constitutional amendments in 2017 had on the State party's judiciary, further undermining its ability to independently discharge its mandate. It is also concerned that the changes in the structure of both the Turkish Constitutional Court and the Council of Judges and Prosecutors, the body responsible for ensuring self-governance of the judiciary, seriously undermine the independence of the judiciary by positioning it under close oversight by the executive. The Committee notes the information provided by the delegation that procedures and conditions for the selection of judge and prosecutor candidates are clearly regulated in articles 8 and 9 of Act No. 2802 on judges and prosecutors. It is, however, concerned:

(a) About the dismissal of approximately 20 per cent of active judges and prosecutors during the state of emergency on grounds of "association with terrorism" and the failure of the State party to reinstate judges, including women, dismissed following the attempted coup despite their acquittal of criminal charges;

(b) About the climate of fear of reprisals that these dismissals have created among incumbent judges and prosecutors;

(c) That the dismissed judges and prosecutors have reportedly been largely replaced with often inexperienced judges and prosecutors who face an already heavy caseload, which has grown further owing to the high number of additional cases resulting from the emergency measures;

(d) About the reported lack of objective, merit-based, pre-established and uniform criteria for the selection and appointment of judges;

(e) That Act No. 2802 on judges and prosecutors precludes the recruitment of women with disabilities as judges and prosecutors;

(f) About the open rejection of and failure to implement judgments of the European Court of Human Rights by the State party, including in cases brought by women applicants.

**19. Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:**

(a) **Reinstate without delay all judges, including women judges, dismissed following the attempted coup against the Government who have been acquitted of criminal charges, and provide them with appropriate reparation;**

(b) **Expedite the investigation and prosecution of all acts of harassment, intimidation and reprisals perpetrated against women judges and prosecutors, provide remedies and reparation to the victims, and establish a specific registry**

of such incidents, with gender-sensitive indicators, disaggregated data and publicly available statistics;

(c) **Provide capacity-building to members of the judiciary, prosecutors, police and other law enforcement officers on gender-responsive administration of justice, including by systematically using the training manual on gender-based violence against women developed by the justice, law and order sector;**

(d) **Adopt a transparent, inclusive and merit-based selection process for the selection and appointment of judges and safeguards against real or perceived conflicts of interest in the selection and appointment process;**

(e) **Amend the law on judges and prosecutors (Act No. 2802) and adopt legal measures to allow and facilitate the effective participation of women with disabilities in the justice system, including as judges, witnesses, complainants and respondents.**

20. The Committee remains concerned about persisting barriers to women's access to justice, including:

(a) Legal illiteracy among many women and girls;

(b) The limited scope of legal aid, both economically and substantively, resulting in non-eligibility for legal aid of women earning the minimum wage, the cumbersome procedure to prove eligibility and language barriers faced by women seeking justice, in particular Kurdish women, women belonging to other minorities and refugee women;

(c) Limited knowledge of women's rights on the part of law enforcement officials and legal practitioners.

21. **Recalling its previous recommendations (CEDAW/C/TUR/CO/7, para. 23), the Committee recommends that the State party:**

(a) **Enhance women and girls' awareness of their rights and their means of enforcing them, placing particular emphasis on the integration of women's rights and gender equality into curricula at all levels of education, including legal literacy programmes, and emphasizing the crucial role of women's access to justice;**

(b) **Ensure that free legal aid and interpretation in Kurdish and Arabic is made available to women without sufficient means, including those earning the minimum wage, for example through the establishment of legal aid clinics in rural and remote areas, and expand the project to fund the provision of legal aid by the Union of Turkish Bar Associations, in partnership with the United Nations Development Programme;**

(c) **Strengthen capacity-building and awareness-raising programmes for the judiciary to eliminate gender bias and stereotyping and incorporate a gender perspective throughout the justice system.**

#### **National human rights institution**

22. The Committee welcomes the establishment by Act No. 6701 of the Human Rights and Equality Institution. It remains concerned, however, about the current status of the Human Rights and Equality Institution and whether the appointment of its members has been impartial and adequate human and financial resources have been allocated to it.

23. **In line with commitments made during the universal periodic review (A/HRC/44/14/Add.1, para. 45.31), the Committee recommends that the State**

party ensure the full independence of the Human Rights and Equality Institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and strengthen its capacity to investigate and report on human rights violations, including violations of women's rights, and to actively engage with the United Nations human rights mechanisms, including the Committee.

#### **Discriminatory stereotypes and harmful practices**

24. The Committee remains concerned about the persistence of deep-rooted discriminatory stereotypes and the State party's official declarations concerning the roles and responsibilities of women and men in the family and in society, which overemphasize the traditional role of women as mothers and wives, thereby undermining women's social status, autonomy, educational opportunities and professional careers, as well as constituting an underlying cause of gender-based violence against women. It notes with concern that patriarchal attitudes persist within State authorities and society, and that the principle of gender equality is increasingly being replaced by a vaguely defined concept of "gender justice".

25. **Recalling its previous recommendations (CEDAW/C/TUR/CO/7, para. 29), the Committee recommends that the State party adopt a comprehensive strategy based on women's rights and empowerment that is aimed at eliminating patriarchal attitudes and stereotypes that discriminate against women. The strategy should include efforts at all levels, in collaboration with civil society, to educate the public and raise awareness of the negative impact of discriminatory stereotypes on women's enjoyment of their human rights.**

26. The Committee remains concerned about:

(a) The ongoing practice, especially in rural and remote areas, of giving girls as brides to settle blood feuds, and the continued payment of "bride prices" in certain regions;

(b) The significant number of child marriages, especially in deprived rural areas, their wide acceptance in society and the insufficient efforts made by the State party to prevent them and adequately punish perpetrators.

27. **Recalling its previous recommendations (CEDAW/C/TUR/CO/7, para. 31) and drawing attention to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:**

(a) **Ensure that any form of sale or exchange of women and girls for the purpose of dispute settlement is criminalized, investigated and prosecuted and that perpetrators are adequately punished;**

(b) **Effectively implement the prohibition of child marriage and strengthen awareness-raising efforts regarding the harmful effects of child marriage on the health and development of girls.**

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

28. The Committee welcomes the adoption of the Fourth National Action Plan to Combat Violence Against Women (2021–2025). It also notes the significant legal reforms adopted by the State party to strengthen the legal framework to combat violence against women and domestic violence and that Act No. 6284/2012 on the protection of family and prevention of violence against women provides an important framework for preventing violence and protecting victims. The Committee notes with



concern, however, that gaps in both the scope of the existing legislation and its implementation still exist. In this respect, the Committee draws the attention of the State party to the Constitutional Court's decision of 2021 on case No. 2017/32972, in which the Court found that State officials, prosecutors and judges had failed to take the necessary steps to protect a woman who had lodged multiple complaints with the authorities, before being killed by her former husband. The Committee further remains concerned that Turkish legislation does not specifically criminalize domestic violence and includes no provision relating to the prosecution or punishment of perpetrators. The Committee reiterates its concern about the persistence of systematic and widespread gender-based violence against women in the State party, including sexual violence, and that:

(a) At least 3,175 femicides in the State party were reported between 2010 and 2020 and that more than 300 women were murdered in 2021, mostly by their intimate or former intimate partners or husbands or members of their families;

(b) Official data on violence against women demonstrate that, in 8.5 per cent of cases of women killed between 2016 and 2021, the woman had obtained a protection order that was valid at the time of her death. In 2021, this percentage increased to 12 per cent;

(c) Gender-based violence against women and girls is considerably underreported owing to victims' stigmatization, fear of reprisals, economic dependence on the perpetrator, legal illiteracy, language barriers and/or lack of trust in law enforcement authorities;

(d) Inadequate assistance and remedies are available to women seeking to escape violent relationships, reflected, inter alia, in insufficient numbers of shelters across the State party and inappropriate conditions for women in shelters, as well as the frequent practice of sending victims back to their abusive partners or compelling them to part with their children;

(e) Gender-based violence and discrimination against lesbian, bisexual and transgender women persist. Such violence is exacerbated by widespread impunity for perpetrators of hate crimes, including gender-based violence against and killings of lesbian, bisexual and transgender women; and by the application of article 29 of the Penal Code on "unjust provocation" in court cases on killings of lesbian, bisexual and transgender women as a mitigating circumstance.

**29. Recalling its previous recommendations (CEDAW/C/TUR/CO/7, para. 33) and in line with its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and with Sustainable Development Goal 5.2 on the elimination of all forms of violence against all women and girls in the public and private spheres, the Committee recommends that the State party enhance mechanisms to monitor the enforcement of laws criminalizing gender-based violence against women. It also recommends that the State party:**

(a) **Adopt the necessary legislative amendments to specifically criminalize domestic violence and femicide;**

(b) **Strictly enforce and monitor protection orders and punish non-compliance, and investigate and hold law enforcement officials and judiciary personnel accountable for failure to register complaints and issue and enforce protection orders;**

(c) **Encourage reporting of domestic violence against women and girls by raising awareness among women and men, including through educational and media campaigns, with the active participation of women's organizations and**



women human rights defenders, on the criminal nature of gender-based violence against women, in order to challenge its social acceptance and to destigmatize and protect women from reprisals for reporting incidents of gender-based violence;

(d) Ensure the availability of a dedicated multilingual hotline available 24 hours a day, seven days a week, for victims of domestic and sexual violence and expand the network of specialized, inclusive and accessible shelters for women and girls who are victims of gender-based violence, taking into account their specific needs, and provide women who cannot safely return to their homes with assistance to live autonomously; such assistance may include psychosocial support, professional training to enable them to engage in income-generating activities and, if necessary to ensure their safety, a changed identity;

(e) In line with its general recommendations No. 19 (1992) on violence against women and No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, exercise due diligence to protect lesbian, bisexual and transgender women from discrimination and gender-based violence, by ensuring that perpetrators of gender-based violence against lesbian, bisexual and transgender women do not benefit from the mitigating circumstances provided for in article 29 of the Penal Code;

(f) Collect comprehensive data, disaggregated by age, sex, relationship between the victim and the perpetrator, and other sociodemographic characteristics, such as disability, to better inform policies and strategies to combat gender-based violence against women and girls, including domestic and sexual violence.

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

30. The Committee is concerned about the persistence of crimes, including killings, committed in the name of so-called “honour”, and about the relatively high number of forced suicides or disguised murders of women in the State party. It notes with concern the State party’s limited efforts to raise public awareness of the criminal nature and misleading concept of so-called “honour crimes”. It notes the information provided during the previous dialogue by the State party that article 29 of the Penal Code providing for mitigating circumstances in the case of “unjust provocation” is not applied to killings in the name of so-called “honour”. The Committee remains concerned, however, that this does not constitute a sufficient legal safeguard, given that the provision explicitly prohibiting the application of article 29 addresses only killings in the name of “custom” (*töre*) and thus may not always cover killings in the name of so-called “honour” (*namus*).

31. The Committee reiterates its previous recommendations (CEDAW/C/TUR/CO/7, para. 35) that the State party strengthen its efforts to prosecute and adequately punish all crimes committed in the name of so-called “honour”, and:

(a) Amend the Penal Code, with a view to explicitly excluding crimes committed in the name of so-called “honour” from the application of article 29 of the Code;

(b) Ensure that suicides, accidents and other violent deaths of women and girls are effectively investigated, inter alia, by using forensic evidence, such as medical and/or psychological autopsy;

(c) Ensure that prosecutors and judges strictly apply article 84 of the Penal Code, according to which, any person who incites, or encourages, another person to commit suicide, or who strengthens an existing decision to commit

suicide, or who, in any way, assists a person in committing the act of suicide, will be sentenced to imprisonment for a term of two to five years;

(d) **Dismantle the concept that the honour and prestige of a man or the family are intrinsically associated with the conduct or presumed conduct of women related to them, which is based on patriarchal attitudes and serves to control women and restrict their personal autonomy and is incompatible with the Convention.**

#### **Women and peace and security**

32. The Committee reiterates its concern that a high number of predominantly Kurdish civilians, including many women, have reportedly been killed or have been subjected to violence, including sexual violence, by the Turkish security forces in the context of counter-terrorism operations against the Kurdistan Workers' Party (PKK), which is considered a terrorist organization by the State party and by other States and international organizations, including the United States of America and the European Union, and affiliated youth factions in the south-east of the State party. According to information before the Committee, the ongoing conflict between the Turkish security forces and the PKK has claimed more than 5,850 lives since a two-and-a-half-year ceasefire ended in July 2015. In 2021, a monthly average of 209 incidents occurred in the State party and northern Iraq. The Committee recalls that human rights must be protected at all times, including in the context of counter-terrorism measures. In particular, the Committee remains concerned about:

(a) Documented allegations that Kurdish women have been subjected to sexual violence, harassment and threats;

(b) The large number of persons who have been evicted from their homes, including many women, who are often subjected to intersecting forms of discrimination and who are exposed to additional risks of sexual and other forms of gender-based violence when compelled to sleep on the street;

(c) The delay in the adoption of the draft national action plan for the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security.

33. **In accordance with article 2 of the Convention, and taking into account its general recommendations Nos. 19, 28 and 30, the Committee reiterates its previous recommendations ([CEDAW/C/TUR/CO/7](#), para. 37) that the State party:**

(a) **Take all possible steps towards peace in the framework of internal and external military operations with the different factions and ensure that women and their organizations are included in all peace negotiations and efforts for rebuilding and reconstruction;**

(b) **Investigate, prosecute and adequately punish all acts of sexual and gender-based violence, including against Kurdish women and girls, perpetrated by the Turkish security and defence forces, as well as by any other armed group;**

(c) **Establish an independent and impartial investigation mechanism for this purpose, with international assistance, to be conducted effective, impartial and transparent inquiries into such violations;**

(d) **Take immediate steps to ensure accountability and provide medical, psychological and other support for victims of sexual and other forms of gender-based violence against women, as well as adequate reparation, and rehabilitation to women and girls who are victims of human rights violations committed in the context of armed conflict and counter-terrorism measures in the State party;**

(e) **Improve access for internally displaced women and girls to education, health care and housing and swiftly ensure that they can return to their homes and that their homes are rehabilitated to decent housing conditions.**

34. **The Committee furthermore calls upon the State party to establish a clear time frame for the finalization and adoption of the draft national action plan for the implementation of Security Council resolution 1325 (2000), in cooperation with representatives of women's organizations, and ensure that it takes into consideration the full spectrum of the Council's agenda on women and peace and security and implement it without delay.**

#### **Trafficking and exploitation of prostitution**

35. The Committee welcomes the efforts made by the State party to prevent and combat trafficking in women and girls, including by engaging in international cooperation and awareness-raising initiatives. However, the Committee notes with concern:

(a) That the State party has not yet adopted comprehensive anti-trafficking legislation, even though it remains a source, transit and destination country for trafficking in women and girls, and that there is a lack of statistical data on the extent of trafficking and its root causes, including in humanitarian settings;

(b) That migrant, refugee and asylum-seeking women are at a high risk of becoming victims of trafficking for purposes of sexual or labour exploitation;

(c) The underreporting of and low conviction rates in trafficking cases;

(d) The high prevalence of exploitation of girls in prostitution and domestic servitude;

(e) Reports that victims of trafficking, including women in prostitution, have been arrested, detained and deported for administrative offences, such as violations of immigration law;

(f) That there are only two government-run shelters for victims of trafficking and that several shelters run by non-governmental organizations were closed in 2016 due to lack of funding.

36. **In the light of its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, and recalling its previous recommendations (CEDAW/C/TUR/CO/7, para. 40), the Committee recommends that the State party:**

(a) **Adopt comprehensive anti-trafficking legislation and systematically collect data on trafficking, disaggregated by sex, age, nationality, ethnicity, disability and socioeconomic status;**

(b) **Enhance training and capacity-building efforts for law enforcement and border officers to increase their ability to identify victims of trafficking and refer them to appropriate services;**

(c) **Ensure that traffickers and complicit State agents are prosecuted and adequately punished and provide information on the prosecution and conviction rates in trafficking cases in its next periodic report;**

(d) **Continue combating the exploitation of women and girls in prostitution and domestic servitude and prosecuting and punishing perpetrators, address and reduce the demand for commercial sex and provide exit programmes for women wishing to leave prostitution, including alternative income-generating opportunities;**

(e) **Ensure that women who are victims of trafficking and exploitation of prostitution are exempt from any liability and that they have access to witness protection programmes and temporary residence permits, irrespective of their ability or willingness to cooperate with the prosecution authorities;**

(f) **Significantly increase the number of shelters for victims of trafficking in both urban and rural areas and provide free legal assistance, adequate medical care, psychosocial counselling, financial support, education, professional training and access to income-generating opportunities to women and girls who are victims of trafficking;**

(g) **Provide adequate funding to civil society organizations operating shelters and providing victim support services.**

### **Equal participation in political and public life**

37. The Committee notes with concern:

(a) The persistence of structural barriers to participation in political and public life, including discriminatory gender stereotypes, faced by women, in particular Kurdish women, lesbian, bisexual, transgender and intersex women and women with disabilities;

(b) That only 1 of 17 ministers is a woman and that only 104 women candidates were elected in the parliamentary elections in 2018, accounting for 17.4 per cent of Members of Parliament;

(c) The low representation of women in decision-making positions in the civil service and the foreign service of the State party;

(d) The prevalence of hate speech and harassment targeting women in political discourse, which hamper the participation of women in political and public life;

(e) That discriminatory laws and regulations in the State party have the effect of disenfranchising women with intellectual or psychosocial disabilities.

38. **Recalling its general recommendation No. 23 (1997) on women in political and public life, as well as target 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Adopt temporary special measures, such as statutory quotas and a gender parity system, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to ensure the equal representation of women, in particular women belonging to ethnic minorities and women with disabilities, in the Grand National Assembly, provincial and municipal legislative bodies, the Government, the civil service and the foreign service, in particular at decision-making levels;**

(b) **Provide capacity-building in political leadership and campaigning skills and access to campaign financing for women candidates;**

(c) **Raise awareness among political leaders and the general public that the full, equal, free and democratic participation of women in political and public life on an equal basis with men is an essential condition for sustainable development and for the full implementation of the Convention;**

(d) **Strengthen mechanisms to prevent hate speech against women politicians, women human rights defenders and women candidates in political and public discourse, including online, and prevent harassment and threats against them, including by strengthening reporting and monitoring mechanisms, requiring all political parties to develop policies to promote gender equality and**

**combat harassment, and holding social media companies accountable for discriminatory user-generated content;**

**(e) Repeal discriminatory provisions that exclude women with intellectual or psychosocial disabilities and women without a permanent home address from exercising their rights to vote and to stand for election.**

#### **Women human rights defenders and journalists**

39. The Committee takes note of the information provided by the State party that the rights to freedom of opinion, expression, association and peaceful assembly are guaranteed under the Constitution. It is concerned, however, that article 314 of the Penal Code and article 7 of the Anti-Terror Act relating to leaders and members of armed organizations are applied to convict women human rights defenders and sentence them to lengthy prison sentences. It is also concerned that women human rights defenders and activists, including those advocating for the rights of lesbian, bisexual, transgender and intersex women and women journalists are often subjected to arrest, physical assault, threats, intimidation, harassment and the freezing of assets. It also notes with concern reports indicating that civil society organizations are facing violence, harassment and legal repression for allegedly “acting against the law and against morality”.

40. **The Committee recommends that the State party:**

**(a) Ensure that women human rights defenders, lawyers and journalists can freely carry out their legitimate activities and create an enabling environment for them to advocate for women’s human rights;**

**(b) Prevent discrimination against women human rights defenders, activists and journalists, ensure their protection from violence and intimidation, investigate, prosecute and punish all abuses against them, including by public officials;**

**(c) Amend provisions that restrict the civic space and funding for civil society organizations, including women’s organizations, for allegedly “acting against the law and against morality”.**

#### **Nationality**

41. The Committee welcomes the fact that the State party hosts the world’s largest refugee population, with 3.7 million Syrians under temporary protection and more than 320,000 refugees and asylum-seekers under international protection, predominantly women and girls, guaranteeing their right to birth registration and enabling foreign women to confer their nationality to their children. However, the Committee notes with concern:

**(a) The lack of information on measures taken to reduce statelessness;**

**(b) Reports of Turkish citizens, including women, being placed on the Interpol Red Notice list and having their passports cancelled while travelling abroad, in order to have them deported back to Türkiye.**

42. **Recalling its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party:**

**(a) Collect data on stateless women and girls, disaggregated by age, ethnicity and disability, and provide such data in its next periodic report;**

(b) **Ensure that in all cases where a Turkish passport may be cancelled or withdrawn, the citizen concerned is given prior notice of such cancellation to be able to challenge such decision in court;**

(c) **Ratify the Convention on the Reduction of Statelessness of 1961.**

### **Education**

43. The Committee welcomes the increase in girls' enrolment in secondary education from 45 per cent in 2002 to 87 per cent in 2021. It also welcomes the inclusion of education on sexual and reproductive health and rights in school curricula and the provision of access to online or in-person vocational training for pregnant adolescent girls. The Committee nevertheless notes with concern:

(a) That education is compulsory for girls and boys only up to 12 years of age;

(b) The high illiteracy rates in parts of the south-east region of the State party owing to poverty and linguistic barriers;

(c) The lower enrolment rates among women and girls compared with men and boys;

(d) The relatively high rates of early pregnancy and school dropout among girls, owing in part to child marriage;

(e) Persistent discriminatory gender stereotypes in the education system, including an emphasis on traditional roles of women in school textbooks;

(f) The lack of sexuality education addressing the social relations of gender and the impact of patriarchal attitudes and discriminatory stereotypes on women's and girls' sexuality;

(g) Harassment, corporal punishment and bullying of girls and women in school environments and the limited information on the number of complaints and investigations in such cases and on the penalties imposed.

44. **In the light of its general recommendation No. 36 (2017) on the right of girls and women to education, and recalling its previous recommendations (CEDAW/C/TUR/CO/7, para. 44), the Committee recommends that the State party promote the importance of education at all levels for girls, as a basis for their empowerment, and:**

(a) **Raise the age of compulsory education to 16 years for girls and boys;**

(b) **Reduce the high illiteracy rate among women and girls, with a focus on girls living in poverty, rural girls, Kurdish girls, pregnant women and girls and young mothers, women and girls with disabilities and refugee and asylum-seeking women and girls, through temporary special measures, such as quotas with time-bound targets to increase enrolment, retention and completion rates among girls in secondary and higher education;**

(c) **Continue and enhance temporary special measures, including financial incentives and scholarships, to promote the enrolment of women and girls at all levels of education, and particularly in non-traditional fields of study, including science, technology, engineering and mathematics and information and communications technology;**

(d) **Encourage the enrolment, attendance and retention of girls and women in school and their reintegration if they drop out, particularly at the secondary and tertiary levels, in particular with regard to girls and women living in poverty, rural girls and women, pregnant girls and women and adolescent mothers, including by raising awareness among parents, community leaders and**

girls and women about the importance of education for their personal development and career prospects;

(e) **Remove discriminatory stereotypes about the roles of women and girls in society and sensitize teachers to ensure so that they do not reinforce gender stereotypes in educational environments;**

(f) **Include gender-sensitive, age-appropriate and accessible education on sexual and reproductive health and rights in all school curricula, including in humanitarian settings, to foster responsible sexual behaviour to prevent early pregnancy and sexually transmitted infections, address discriminatory stereotypes, and provide systematic training on women's and girls' sexual and reproductive health rights to teachers at all levels of the education system;**

(g) **Develop a national anti-bullying policy to provide safe and inclusive educational environments free from discrimination, harassment and gender-based violence against women and girls, including through safe transportation to and from schools in humanitarian settings, and investigate, prosecute and adequately punish all cases of harassment and violence perpetrated against girls and women in educational institutions.**

### **Employment**

45. The Committee notes with concern that, according to the World Economic Forum Global Gender Gap Report (2021), the State party ranks 140 among 156 countries in relation to the participation of women in the economy and equal opportunities. The Committee further notes with concern:

(a) The low workforce participation rate among women (33.3 per cent in 2021) owing to women's traditional gender roles in unpaid household and care work, and contract suspensions during the COVID-19 pandemic;

(b) Horizontal and vertical segregation in the labour market, especially in rural and remote areas;

(c) The persistent gender pay gap;

(d) The high unemployment rate among women with disabilities;

(e) The lack of measures to address sexual harassment in the workplace, especially of young women and lesbian, bisexual, transgender and intersex women, including the low number of investigations in sexual harassment cases.

46. **In line with target 8.5 of the Sustainable Development Goals on the achievement of full and productive employment and decent work for all women and men, and recalling its previous recommendations (CEDAW/C/TUR/CO/7, para. 46), the Committee recommends that the State party:**

(a) **Address the high unemployment rate among women through temporary special measures to promote women's access to formal employment, especially for refugee women and women from marginalized groups, and ensure that women in informal employment are covered by social protection schemes;**

(b) **Strengthen efforts to eliminate horizontal and vertical occupational segregation and enhance women's access to formal employment, encourage women and girls to select non-traditional career paths, in particular in science, technology, engineering and mathematics, information and communications technology and artificial intelligence, and prioritize the transition of women from part-time to full-time work, with the support of adequate and accessible childcare facilities;**



(c) Effectively enforce the principle of equal pay for work of equal value, in order to narrow and eventually close the gender pay gap by: (i) conducting regular labour inspections; (ii) applying gender-neutral analytical job classification and evaluation methods; (iii) conducting regular pay surveys; and (iv) encouraging employers to publish a narrative with their gender pay gap data, with a view to better understanding the reasons behind the gender wage gap and taking appropriate remedial measures;

(d) Ensure that women with disabilities have access to employment and accessible transportation to promote their inclusion in public and private employment;

(e) Amend the Labour Act and the Penal Code to explicitly criminalize sexual harassment in the workplace and ensure that victims of sexual harassment in the workplace have access to effective, independent and confidential complaint procedures and that all complaints are effectively investigated, perpetrators are prosecuted and adequately punished, and victims are protected from retaliation;

(f) Ratify the Maternity Protection Convention, 2000 (No. 183), the Domestic Workers Convention, 2011 (No. 189), and the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.

#### **Health**

47. The Committee reiterates its concerns:

(a) That access to sexual and reproductive health services, including modern contraceptives, is very limited, especially for women belonging to ethnic minorities and rural women, resulting in a significant number of early and unwanted pregnancies;

(b) That the policy of free contraceptives and the legal framework on abortion are under attack by high-level representatives of the Government, and a large number of public hospitals refuse to perform abortions even though termination of pregnancy is legal up to the tenth week of pregnancy, which compels many women to resort to expensive private clinics or unsafe abortion.

48. **Recalling its general recommendation No. 24 (1999) on women and health, the Committee reiterates its previous recommendations ([CEDAW/C/TUR/CO/7](#), para. 48) that the State party:**

(a) **Ensure affordable access to adequate sexual and reproductive health services and information, including modern and emergency contraceptives, for all women and girls, including women belonging to ethnic minorities and rural women and girls, with full respect for women's sexual and reproductive choices, autonomy, privacy, confidentiality and informed consent, in all parts of the State party;**

(b) **Uphold women's right to safe abortion and modern forms of contraception, monitor hospitals and ensure that they respect their legal obligations to terminate pregnancies up to the tenth week, ensure that abortion is legal at least in cases of rape, incest, threats to the life or health of the pregnant woman and severe fetal impairment, and decriminalize it in all other cases.**

#### **Economic empowerment**

49. The Committee notes with appreciation the various economic empowerment programmes launched by the State party, including the Strategy Paper and Action Plan on Women's Empowerment (2018–2023). It notes with concern, however, situations

of poverty and deprivation, including food insecurity, among women with disabilities and women caring for family members with disabilities, and rural, migrant and refugee women.

**50. The Committee recommends that the State party adopt and implement a poverty eradication strategy targeting, among others, women with disabilities, women caring for family members with disabilities, and rural, migrant and refugee women, expanding their access to entrepreneurial initiatives and opportunities to acquire necessary professional skills.**

#### **Rural women**

51. The Committee notes the State party's efforts to improve access for rural women to basic services and social benefits, including through the launch of the Women's Empowerment through Cooperatives Project (2022), which ensured the establishment of 862 new women's cooperatives in rural areas. It remains concerned, however, about rural women's and girls' limited access to education, employment and health services. It also notes with concern that rural women are underrepresented in decision-making and leadership positions.

**52. Recalling its general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party combat poverty among rural women and girls by enhancing their access to education, formal employment, low-interest loans without collateral, and ownership and use of land. It also recommends that the State party promote the equal participation of rural women in decision-making processes.**

#### **Kurdish women**

53. The Committee remains concerned about intersecting forms of discrimination against Kurdish women and girls based on their ethnic and linguistic identity, their marginalization in society and limited enjoyment of their human rights.

**54. The Committee reiterates its previous recommendations (CEDAW/C/TUR/CO/7, para. 13) and calls upon the State party to address intersecting forms of discrimination against Kurdish women and girls and ensure that they can fully enjoy their human rights under the Convention.**

#### **Marriage and family relations**

55. The Committee notes that the National Strategy and Action Plan on the Prevention of Early and Forced Marriage, drafted in 2018 and revised in 2020, has not yet been officially endorsed. It also notes that the Eleventh Development Plan, the annual presidential programme for 2022 and the national action plans on women's empowerment and on combating violence against women provide for measures to combat early and forced marriages. It further notes that the State party has promoted the development of provincial action plans on combating early and forced marriage, but that these action plans are not always sufficiently funded and monitored. The Committee notes with concern that, although the legal age of marriage is 18 years of age under the Civil Code, exceptions are allowed for marriages at the age of 17 with the approval of the parents and, in exceptional circumstances, at the age of 16 with the approval of a judge. The Committee further notes with concern that:

(a) The Constitutional Court judgment of 2015 that, in effect, decriminalizes a religious marriage that was not preceded by a civil marriage, may result in an increase in the number of polygamous and child marriages and constitute a significant risk for women, given that unregistered religious marriages deprive women of the economic protections under civil law;

(b) Despite the ruling of the European Court of Human Rights in 2013, ordering the State party to permit married women to maintain their own surname, article 187 of the Civil Code remains in effect, and married women must resort to court proceedings to secure their right to maintain their own surname;

(c) Article 183 of the Civil Code requires that, upon divorce, women who had previously changed their surname to their husband's name change it back to their maiden name.

**56. The Committee recommends that the State party establish a clear time frame for the adoption of the national strategy and action plan on the prevention of early and forced marriage. Recalling its previous recommendations (CEDAW/C/TUR/CO/7, para. 54), the Committee also recommends that the State party:**

(a) **Adopt legislation to prohibit child marriage and set the minimum age of marriage at 18 years for women and men, and continue to take all measures necessary to eliminate polygamous and child marriages, including unregistered religious marriages, and to require the civil registration of all marriages;**

(b) **Amend article 187 of the Civil Code to allow women to maintain their own surnames after marriage and pass their surnames to their children if they choose to do so, in line with article 16 of the Convention and the ruling of the European Court of Human Rights;**

(c) **Amend article 183 of the Civil Code to allow women who had previously changed their surname to their husband's name to retain that surname if they choose to do so upon divorce, instead of requiring them to change it back to their maiden name.**

57. The Committee notes that in 2018, the Ministry of Justice announced its intention to identify alternatives to "indefinite alimony", particularly for couples who were married for a limited period of time before divorcing. It also takes note of research finding that the average poverty alimony ordered by the State party's courts in 2019 was 370 Turkish lira, while the poverty threshold was 2,058 Turkish lira in October 2019, and that the justification for the fact that only women receive alimony payments is attributable to their traditional gender roles, the gender pay gap and women's limited access to the labour market, which makes them economically dependent on their partners. In addition, the Committee notes that limiting alimony payments in accordance with the duration of the marriage would force women survivors of domestic violence to remain in the violent relationship.

**58. The Committee recommends that the State party ensure the strict enforcement of alimony obligations, including by reinforcing penalties for non-compliance, in line with the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution.**

#### **Dissemination**

**59. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the Grand National Assembly and the judiciary, to enable their full implementation.**

**Technical assistance**

60. **The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in that respect.**

**Ratification of other treaties**

61. **The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention for the Protection of All Persons from Enforced Disappearance.**

**Follow-up to the concluding observations**

62. **The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 31 (a), 38 (a) and 40 (a) above.**

**Preparation of the next report**

63. **The Committee invites the State party to submit its ninth periodic report, which is due in July 2026. The report should be submitted on time and cover the entire period up to the time of its submission.**

64. **The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).**

---

<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.