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1325**

**WOMEN  
COUNT**

**TURKEY 2018**

TURKEY'S IMPLEMENTATION OF UNSCR 1325



This report was developed using the framework of the Women Participation through Media project, led by Operation 1325. The report was researched and written by Zeynep Alemdar from the organisation »Women in Foreign Policy«. Alemdar is associate professor and head of the Department of Political Science and International Relations at Okan University, Istanbul, where she also heads the European Union Research Center. The original Women Count project led by the Global Network of Women Peacebuilders is acknowledged. Women Count Turkey 2018 was funded by the Swedish Institute, which bears no responsibility for the content of the report. Language editing was done by Julia Casciola.

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# WOMEN COUNT TURKEY 2018

## CONTENTS

INTRODUCTION	4
<b>1. LEGAL FRAMEWORK OF WOMEN, PEACE AND SECURITY IN TURKEY</b>	<b>5</b>
1.1. State of Affairs	5
1.2. Legislation	7
<i>Constitution</i>	7
Table 1. Changes in the Constitution	7
<i>Civil Code</i>	8
Table 2. Changes in the Civil Code	8
<i>Penal Code</i>	9
Table 3. Changes in the Penal Code	9
<i>Labor Code</i>	9
Table 4. Changes in the Labor Code	9
<i>Other Laws</i>	10
Table 5. Other Laws Pertaining to Women	10
<i>International Agreements</i>	11
Table 6. International Legal Documents	11
<b>2. WOMEN AND PARTICIPATION</b>	<b>12</b>
2.1. Women in Parliament	12
• What type of work in Parliament?	12
Table 7. Women in the Parliamentary Committees	13
2.2. Women in Cabinet	13
2.3. Elected and Appointed Women in Local Government	14
2.4. Women as Public Officials	14
2.5. Women in the Diplomatic Corps	14
2.6. Women in the Police Force	15
Table 8. Number of Police Force by Sex, 2013-2016	15
2.7. Women in the Gendarmerie	15
2.8. Women in the Judiciary	16
2.9. Women in Decision-Making Positions in the Private Sector and Civil Society Organizations	16
• Women Leaders/Decision-Makers in the Private Sector	16
• Women in Trade Unions, Professional Boards and Chambers	16
Table 9. Women in Decision-Making Positions in Unions, Professional boards, and Chambers	17
<b>3. PROTECTION OF WOMEN AND PREVENTION OF VIOLENCE AGAINST WOMEN</b>	<b>18</b>
<b>4. WOMEN IN TURKEY'S INTERNATIONAL PEACE AND SECURITY AGENDA</b>	<b>19</b>
4.1. Situation of Women Refugees in Turkey	19
Table 10. Legal Framework Pertaining to Women Refugees in Turkey	20
4.2. Women in the Military	21
<b>5. RECOMMENDATIONS</b>	<b>22</b>

# INTRODUCTION

This report presents data on the situation of women in Turkey from a women, peace and security perspective, and highlights the intersectionality of women's problems. The report briefly introduces the state of affairs in Turkey, with particular focus on the peace and security agenda, and thereafter describes the legal and policy framework. The report uses indicators from the monitoring model of the Women Count project developed by the Global Network of Women Peacebuilders.<sup>1</sup> However, since each case is unique, the data available for each country are different and the statistical methods used vary. The Women Count Turkey 2018 report is organized in five sections, encompassing the United Nations Security Council Resolution 1325's (UNSCR 1325) three focus points: (i) participation of women at all levels of decision-making, (ii) protection of women against violence, and prevention of violence against women, and lastly, (iii) women's inclusion in peace-building and recovery.

The first section of the report presents an overview of the state of women, peace and security in Turkey, followed by a comprehensive review of the domestic and international legal framework pertaining to the women, peace and security agenda. In the second part of the report, data are given on women's participation in the legislative, executive, and judicial authorities, as well as in civil service, the diplomatic corps and civil society. The third section focuses on the protection of women and the prevention of violence against women, with the latest available data presented. The fourth section shows the place of women in Turkey's international peace and security agenda, focusing on the situation of women refugees in Turkey as well as the participation of women in the security sector, including the police, gendarmerie and the military. Finally, recommendations are made. Three main recommendations are presented, the implementation of which requires the combined efforts of women's civil society and national and international stakeholders in Turkey's peace and security. The recommendations are:

- (i) to close the gap between the law and its implementation in terms of women's rights
- (ii) to adhere to international rules and norms in the international agreements that Turkey committed to
- (iii) to mainstream and implement gender-sensitive policies in Turkey's international engagements, peace-keeping activities, humanitarian aid, and refugee protection.

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1) »Women Count – Security Council Resolution 1325: Civil Society Monitoring Report 2014,« The Global Network of Women Peacebuilders, accessed May 13, 2017, <http://gnwp.org/?s=women+count&search=search>.

# 1. WOMEN, PEACE AND SECURITY IN TURKEY

## STATE OF AFFAIRS

Although Turkey's GDP increased from 362.46 billion US dollars<sup>2</sup> to 857.75 billion dollars<sup>3</sup> in the last decade, the country's economic growth has not improved the situation of women in the country. According to the Global Gender Gap Index of the World Economic Forum, relative gaps between women and men across four areas (health, education, economy and politics) remain strong, and Turkey ranks only 131st among 144 countries.<sup>4</sup>

The United Nations Development Program's (UNDP) Gender Inequality Index paints a similar picture. Although Turkey is ranked as a high human development index country, it ranks high in the gender inequality index which focuses on three aspects of human development, namely reproductive health, empowerment, and economic status.<sup>5</sup>

According to another set of data, comparing and contrasting three dimensions that have not been put together before (women's inclusion in education, employment, and the parliament, as well as women's cell-phone use and financial inclusion; the extent of discrimination against women in the justice system; and women's security at individual and societal levels), Turkey ranks 105th among 153 countries, ranking especially poorly in women's participation in politics and economics, legal discrimination, and intimate partner violence.<sup>6</sup> These data are especially alarming since Turkey has a strong feminist movement, dating back to Ottoman times. The first school to train women teachers was founded as early as 1870. The first newspaper for women was issued in 1895, and in 1923, women in Turkey made the first attempt to found a women's-only political party. In 1934, women gained the right to run for office in Turkey, ahead of many of Turkey's European neighbors. With its deep roots, women's activism in Turkey has been successful in pushing for change. The country went through a period of positive legal change, especially after the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was ratified in 1989, and the European Union (EU) became an effective instrument to change laws and provide funding for women's movements. However, implementation of these laws has always been very poor, and the patriarchal mindset persists. It is widely argued by women's groups that practices to improve equality between the sexes need to be strengthened. UNSCR 1325 provides a further comprehensive legal framework to protect and promote the human rights of girls and women and to improve the understanding of equality in the security sector, which remains one of the most patriarchal sectors.

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2) »Global Gender Gap Report 2017,« World Economic Forum, accessed November 15, 2017, <https://www.weforum.org/reports/the-global-gender-gap-report-2017>. p. 139.

3) Ibid., p. 334.

4) Ibid.

5) »Human Development Report 2016, Gender Inequality Index,« United Nations Development Programme, accessed December 10, 2017, <http://hdr.undp.org/en/composite/GII>.

6) »Women, Peace, and Security Index 2017/18,« Georgetown Institute for Women, Peace and Security Contact GIWPS, accessed February 20, 2018, <https://giwps.georgetown.edu/country/turkey/>.

Turkey's position in the Fragile States Index has been worsening since 2011, and in 2017, the country ranked 67th among 178 countries, shifting from 95th in 2011.<sup>7</sup> Turkey's scores are especially poor for indicators on the perceived trust of citizens in domestic security; fragmentation of state elite; use of nationalistic rhetoric; group grievances because of divisions based on social or political characteristics; human rights and rule of law; and the pressure on the state because of refugees and internally displaced people.<sup>8</sup> Surely these security issues affect women's lives, playing on their sense of security and impeding their ability to participate.

Since the failed coup attempt on July 15th<sup>9</sup>, 2016, Turkey has been under a state of emergency and 19 decree laws have been issued as of February 2018. Certain laws included in these decrees are of particular importance to women's groups, since in the absence of an established mindset for gender equality, no one can ensure that these laws will be used in women's best interests. For instance, the bill that allows Muslim clerics to conduct civil marriages, passed in November 2017, has opened up the way for underage marriages. While most couples in Turkey choose both a civil and a religious ceremony (the religious ceremony required civil registration until a change in law in 2015), the fact that the muftis, or muslim clerics, can perform civil unions may lead to an increase in the number of child marriages, which already account for a third of all marriages in Turkey. While underage marriage inhibits the participation of women in decision-making positions and locks them in care work at an early age, the consequences of child marriages and forced marriages include other imminent threats to women's security, such as intimate partner violence. Since obstacles women face in their private and public lives are intrinsically linked, it is necessary to look at different pieces of legislation that affect women and inhibit them from participating freely and on an equal basis in public life and from becoming leaders and decision makers at all levels. Moreover, protecting women against violence and preventing violence against them, and the role of women in peace and security, are dependent on laws and regulations, as well as the mindset that surrounds, implements and enforces the law.

Gender equality should be defined with reference to gender identity rather than male/female binary; however, LGBTI rights are not included in Turkish legislation. The sporadic data on how the LGBTI community is affected by the Women, Peace and Security agenda would not let us portray the LGBTI community's situation in an adequate way in this report. Therefore the report does not mention questions on LGBTI rights.<sup>10</sup>

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7) »Fragile State Index,« The Fund for Peace, accessed November 19, 2017, <http://fundforpeace.org/fsi/country-data/>.

8) Ibid.

9) Kareem Shaheen and Gokce Saraçoglu, »Turkish marriage law a blow to women's rights, say activists,« The Guardian, November 14, 2017, <https://www.theguardian.com/world/2017/nov/14/turkish-marriage-law-a-blow-to-womens-rights-say-activists>.

10) As part of the legal harmonisation process with the EU law, and the Istanbul convention that forbids discrimination on the basis of gender identity, the LGBTI organisations made several attempts to include their rights in legal texts. For instance, they recommended equity clauses to the Discrimination Regulation and the Draft Law on Equality Board, yet their recommendations were removed right before the voting. Moreover, the implementation of the Istanbul Convention was delayed, and the entire Convention is also contested because of this anti-discrimination statement. See Özgül Kaptan, »A Decade of Violence Against Women in Turkey,« Research Turkey, September 15, 2015, <http://researchturkey.org/a-decade-of-violence-against-women-in-turkey/>.

## LEGISLATION

Laws affecting the women, peace and security agenda can be organized according to the three main legal documents, namely the Constitution, the Civil Code and the Penal Code. Other laws such as labor law, and municipal law also include provisions for preventing discrimination and violence against women; these laws were introduced thanks to the efforts of a strong and persistent women's movement as well as international treaty obligations.

## CONSTITUTION

The Turkish Constitution went through extensive changes between 1999 and 2005 in order to meet EU standards and adopt the EU acquis. In 2004, gender equality was secured in the Constitution via the clause »men and women have equal rights and the state is responsible to ensure this equality.« The principle of gender equality in Turkey was strengthened by the amendments made in 2001, 2004 and 2010, with the significance detailed in the table below.

**TABLE 1. CHANGES IN THE CONSTITUTION**

DATE OF THE AMENDMENTS TO THE 1982 CONSTITUTION	ARTICLE	WHAT CHANGES	SIGNIFICANCE
2001	<b>Article 41</b>	»The family is the base of Turkish society« is followed by the phrase »and it is based on equality between spouses«	The principle of »gender equality« was strengthened
	<b>Article 66</b>	The provision expressing inequality in the regulation of Turkish citizenship was removed	International agreements aimed at fundamental rights and freedoms have been given priority in case of non-compliance with national regulations; and individual applications can be made to the Constitutional Court in case of gender discrimination within the scope of the European Convention on Human Rights
2004	<b>Article 90</b>	Where international agreements on fundamental rights and freedoms duly put into effect and national laws contain different provisions on the same subject, the provisions of the international agreement shall prevail	International agreements aimed at fundamental rights and freedoms have been given priority in case of non-compliance with national regulations; and individual applications can be made to the Constitutional Court in case of gender discrimination within the scope of the European Convention on Human Rights
2004	<b>Article 10</b>	»Women and men have equal rights. The state is obliged to ensure that this equality is put into practice« was added.	With these amendments, beyond non-discrimination on the basis of sex, the state has been obliged to make necessary arrangements to provide women and men with equal rights and equal opportunities in every area
2010	<b>Article 10</b>	»Women and men have equal rights. The state is obliged to ensure that this equality is put into practice.« This was followed by the second paragraph »... the measures to be taken for this purpose shall not be construed as contrary to the principle of equality.«	

## CIVIL CODE

In 2002, the Turkish Civil Code that had been adopted in 1926 changed to keep up with societal changes and to eliminate discriminatory laws against women. Women's movement efforts were mostly effective in changing the Family Law section of the Code.<sup>11</sup> Prior to the changes, the law reflected a patriarchal mindset, positioning the wife legally in a dependent position on her husband. In the 2002 Civil Code, equal representation of women and men was granted in the marriage union, and the terms »wife« and »husband« were replaced with »spouse«.

TABLE 2. CHANGES IN THE CIVIL CODE

Date of the Amendments	What changes	Significance
1 January 2002	Equal representation of women and men was granted in the representation of the marriage union; the spouses entitled to joint custody of the child; the obligation of one of the spouses to obtain permission from the other in the choice of profession and work has been abolished; the »regime of participation in acquired property« which aims to protect women's labor is preferred	The Civil Code demonstrates a regulatory feature that takes into consideration the equality between women and men, ends gender discrimination, renders women equal to men in the family and society, and values women's labor.
9 January 2003	The »Law on the Establishment, Duties and Trial Procedures of Family Courts« was adopted	These courts, in addition to the obligation to resolve disputes relating to family law, are also responsible for enacting protective and/or preventive measures within the scope of the law, and for implementing the wLaw No. 6284 on the Protection of the Family and the Prevention of Violence Against Women, in cases of domestic violence and/or violence against women.

## PENAL CODE

After the new Civil Code was passed, women's groups in Turkey convened under the Turkish Penal Code Platform, coordinated by the organization »Women for Women's Rights«. They worked to make the law woman-friendly, and to get rid of regulations endowing men, family and society with a certain force over women's bodies and sexuality. The Turkish Penal Code, with contemporary regulations on gender equality and violence against women, came into force on 1 June 2005<sup>12</sup>.

In 2014, the Penal Code was amended again; the scope of sexual crimes was extended and punishment for sexual assault crimes was made more severe. Moreover, Article 122 on discrimination was rearranged under the heading »Hatred and discrimination«, and the following provision was enacted: »the prohibition on the enjoyment of a person's public goods or services or the prevention of economic activity due to hatred arising from language, race, nationality, color, gender, disability, political thought, philosophical belief, religion or denominational differences is punishable by up to three years imprisonment«.

11) »Medeni Haklar ve Medeni Kanun,« Kadının İnsan Hakları Yeni Çözümler Derneği, accessed June 19, 2017, <http://www.kadinininsanhaklari.org/kadinin-insan-haklari/yasalardaki-haklarimiz/medeni-haklar-ve-medeni-kanun/>.

12) »TCK Reformu,« Kadının İnsan Hakları Yeni Çözümler Derneği, accessed October 25, 2017, <http://www.kadinininsanhaklari.org/programlar/savunuculuk/ulusal-duzeyde-savunuculuk/tck-reformu/>.



**TABLE 3. CHANGES IN THE PENAL CODE**

	DATE OF THE AMENDMENTS	WHAT CHANGES	SIGNIFICANCE
<b>Penal Code</b>	<b>1 June 2005</b>	The law contains more than thirty significant changes: martial rape regulated as a crime, 'sexual rape at work' introduced, 'sexual crimes' classified as crimes against sexual immunity.	It ensures the equality of men and women and the legal protection of the physical and sexual rights of women and children
		The 'custom and honor' murders are considered willful and to be sentenced to aggravated life imprisonment. This is the most severe punishment foreseen in the law	
<b>Criminal Code</b>	<b>2014</b>	The punishment for sexual assault crime was aggravated by law, and the major form of the crime was rearranged and its scope was expanded	The re-evaluation of sexual crimes, the enlargement of the scope of these crimes and the increase of punishments
		Article 122 on discrimination was rearranged with the heading »hatred and discrimination«, and the provision; »the prohibition on the enjoyment of a person's public goods or services or the prevention of economic activity due to hatred arising from language, race, nationality, color, gender, disability, political thought, philosophical belief, religion or denominational differences is punishable by up to three years imprisonment« was enacted	

**LABOR CODE**

The Labor Code, which regulates work life, was re-arranged in 2003. Provisions on sexual harassment were included in the law for the first time, and acting against gender equality in business was outlawed. Thus significant improvements were made in order to achieve equality between men and women in the work sphere. The employer's responsibility to ensure equal treatment was organized, and the prohibition of discrimination was regulated.

Circular No. 2004/7, »Acting on the Principle of Equality in Staff Procurement«, issued by the Prime Ministry, concluded that discrimination based on sex should be banned in the recruitment for public institutions and organizations (except in cases of service necessity)<sup>13</sup>.

Another regulation that helped introduce a more egalitarian view of gender was introduced in 2013, with the repeal of a regulation by the Ministry of Labour and Social Security on »Heavy and Dangerous Works«. This created new work opportunities for women, who had previously been banned from working on »heavy and dangerous« jobs<sup>14</sup>.

**TABLE 4. CHANGES IN THE LABOR CODE**

	DATE OF THE AMENDMENTS	WHAT CHANGES	SIGNIFICANCE
<b>Labor Code</b>	<b>2003</b>	Acting against gender equality in business was outlawed, from the establishment of the contract to the end of a contract and the provisions on sexual harassment and partial employment in the workplace have been put into the law for the first time	Significant improvements were made in order to achieve equality between men and women in the work sphere
		With the new Labor Law No. 4857, some of the flexible working methods have gained legal basis	

13) The Republic of Turkey Ministry of Family and Social Policies, Personel Temininde Eşitlik İlkesine Uygun Hareket Edilmesi, Turkish Circular Note B.02.0.PPG.0.12-320-1140 (21 January 2004), [https://www.basbakanlik.gov.tr/genelge\\_pdf/2004/2004-0320-01140.pdf](https://www.basbakanlik.gov.tr/genelge_pdf/2004/2004-0320-01140.pdf) (accessed May 24, 2017).

14) »Ağır ve Tehlikeli İşler Yönetmeliğinin Yürürlükten Kaldırılmasına Dair Yönetmelik, « T.C. Resmi Gazete, February 08, 2013, <http://www.resmigazete.gov.tr/eskiler/2013/02/20130208.pdf>.

## OTHER LAWS

Other laws pertaining to women's place in society and affecting women's participation in public life are listed in the Table 5. These laws pertain to different sectors and different needs of women but their existence provides the opportunity for women to be on equal footing with men. However, problems in interpretation and selective application of the law are evident, as women in Turkey are far from enjoying full representation and equality.

**TABLE 5. OTHER LAWS PERTAINING TO WOMEN**

TITLE OF LAW	DATE	WHAT CHANGES
<b>Law No. 4320 Family Protection Law</b>	<b>1998</b>	It aims to prevent violence against women, and provided the concept of domestic violence to be defined in a legal text for the first time; and it was amended in 2007 that the scope of the Law was broadened
	<b>2007</b>	
<b>Law No. 5393 Municipality Law</b>	<b>2005</b>	Metropolitan municipalities and municipalities with population of over 50,000 may open houses of protection for women and children
	<b>2012</b>	The metropolitan municipalities and municipalities with over 100,000 inhabitants are obliged to open guest-houses for women and children
<b>Law No. 6284 on Protecting the Family and Prevention of Violence Against Women</b>	<b>20 March 2012</b>	It was prepared with the contributions of all relevant institutions and organizations within the scope of the Ministry of Family and Social Policies
	<b>5 January 2013</b>	The Regulation on Opening and Operating Women's Shelters
	<b>17 March 2016</b>	The Regulation on Centers for Violence Prevention and Monitoring Center

## INTERNATIONAL AGREEMENTS

International agreements that Turkey is signatory to were decidedly helpful during legal changes to the Constitution and all other laws. When the EU harmonization process accelerated, the EU proved to be instrumental to the women's cause in Turkey.<sup>15</sup> In 2004, when the ruling party, the Justice and Development Party (AKP), proposed the criminalization of adultery despite the protest of women's groups (still being discussed in Turkey as of February 2018), the EU proved helpful to the women's groups work, pressuring the government to withdraw its proposal. Back in 2004, Günter Verheugen, the EU's enlargement commissioner at the time, warned the Turkish Prime Minister and the head of the AKP that raising this issue would undermine Turkey's campaign for EU admission.<sup>16</sup> Today, the UN's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Council of Europe's Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) shadow reports, prepared by women's civil society in Turkey with tremendous effort, provide data and explain the situation within the country. Turkey is a signatory of the CEDAW since 1985 and the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) since 2011.

**TABLE 6. INTERNATIONAL LEGAL DOCUMENTS**

DATE	KEY CONTRIBUTIONS	AIMS
1974	The Declaration on the Protection of Women and Children in Emergency and Armed Conflict	Special protection for women and children during armed conflict and emergency situations
1993	The United Nations World Conference on Human Rights	Recognition of violence against women during armed conflict as a violation of human rights
1993	The Declaration on the Elimination of Violence against Women	Recognized that women in situations of armed conflict are especially vulnerable to violence
1995	The Beijing Platform for Action	In addressing armed and other conflicts, an active and visible policy of mainstreaming a gender perspective into all policies and programmes should be promoted so that an analysis of the effects on women and men are done before decisions are taken
		Paragraph 44 of the Beijing Platform for Action calls on »[g]overnments, the international community and civil society, including NGOs and the private sector... to take strategic action«, inter alia , in relation to »[t]he effects of armed or other kinds of conflict on women, including those living under foreign occupation«
2000	The 23th special session of the UN General Assembly	Entitled »Women 2000: gender equality, development and peace for the twenty-first century«
2000	UN Security Council resolution 1325	Calling for women's participation in peacebuilding
27 October 2017	UN Security Council Open Debate on Women, Peace and Security	Contribution of the women in peacebuilding processes

However, neither the international agreements nor the efforts of women's civil society can guarantee a better position for women in Turkish society, mostly because of gaps in implementation. The next section of this report provides the current available data on women's participation in Turkey in various sectors according to how they pertain to UNSCR 1325.

15) Zeynep Alemdar, Turkish Civil Society and the EU: Domestic Politics Through International Organizations (Germany: VDM Verlag Dr. Müller, 2008), 129.

16) New York Times 9/15/2004.

## 2. WOMEN AND PUBLIC PARTICIPATION

Women's public participation is only consequential when the women who participate are cognizant of patriarchal values and the discriminatory system. When the number of women who participate is very low, the likelihood of cognizant women being able to stand up for and defend women's rights is further reduced. Therefore, numbers matter, and when more women are in gatekeeping positions and they support other women, defending equality becomes easier.

Historically in Turkey, women's participation in politics has been low, and when women participate they still find themselves in care-type work within politics. Women's branches in political parties serve male leaders; women in Parliament are put into Committees that have small or no budgets; they do not make what are considered »important« decisions, or they are merely put in those positions because of their language skills. In the judiciary, the picture is the same, with women serving as clerks and no women leading higher courts or other decision-making bodies. Professional organizations such as trade unions and chambers severely lack women's leadership.

Women's participation rates are also low in the police force and army.

### WOMEN IN PARLIAMENT

Turkey ranks very low in terms of representation of women in Parliament. Although women got the right to be elected into office as early as 1934, the rate of female representation in Parliament has only been 14% since 2011, up from 4.4% in 2002, and 9.1% in 2007. The women's movement was especially effective with its campaigns during the 2007<sup>17</sup> and 2011 elections, drawing attention to the low representation of women in Parliament through popular media campaigns.

#### WHAT TYPE OF WORK IN PARLIAMENT?

Poor representation of women in Parliament is also reflected in the Committees where women are represented. As expected, women do not hold positions in security and intelligence, or in national defense committees that deal with foreign relations. Moreover, a quick look at the background of women in the committees reveals that their education levels are much better than those of their male colleagues. There are also no women in the budgetary sub-committee or in committees that make important economic decisions.

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17) Turkish Statistical Institute Social Structure and Gender Statistics, Number of Representatives and Representation Rate in the Assembly by the Election Year and Sex, 1935-2016, distributed by the Grand National Assembly of Turkey, accessed February 12, 2018. (Numbers of 2017 added from the KA.DER report, »TBMM Milletvekilleri, Cinsiyete Göre Dağılım.«)

**TABLE 7. WOMEN IN THE PARLIAMENTARY COMMITTEES**

COMMITTEE	FEMALE	MALE	RATIO
Justice	4	21	0,16
Constitution	2	24	0,08
European Union Harmonization Program	6	19	0,24
Public Works, Improvement, Transportation and Tourism	2	24	0,08
Petition	3	10	0,23
External Affairs	3	23	0,12
Security and Intelligence	0	17	0,00
Human Rights Investigation	8	17	0,32
Internal Affairs	2	24	0,08
Women- Men Equal Opportunity	19	7	0,73
Budgetary Subcommittee	0	152	0,00
National Education Culture, Youth, Youth and Sports	3	23	0,12
National Defence	0	26	0,00
Planning and Budgeting	6	35	0,15
Industry, Commerce, Energy, Natural resources, Information and Technology	1	25	0,04
Health, Family, Work and Social Issues	5	21	0,19
Agriculture, Forestry and Rural Affairs	4	22	0,15
Environment	0	26	0,00

## WOMEN IN CABINET

As of February 2018, there are two female ministers in the Turkish Cabinet, out of a total of 27 ministers; the women hold the positions of Minister of Family and Social Policies, and Minister of Labour. There is similar representation in senior bureaucratic positions, with only one female Deputy Undersecretary across 25 ministries, again in the Ministry of Family and Social Policies.<sup>18</sup>

In the ministries, women hold few managerial positions: there are six female General Managers, 34 female Deputy General Managers (9.66%), and 369 female Heads of Department (13.55%).

Tansu Çiller, the 22nd Prime Minister of Turkey, was in office from 1993 to 1996 and remains the country's sole female Prime Minister to date.

18) »TBMM Milletvekilleri, Cinsiyete Göre Dağılım,« KA.DER, accessed June 1, 2017, [http://ka-der.org.tr/wp-content/uploads/2018/01/kad%C4%B1n-istatistikleri-2017\\_R.pdf](http://ka-der.org.tr/wp-content/uploads/2018/01/kad%C4%B1n-istatistikleri-2017_R.pdf).

## ELECTED AND APPOINTED WOMEN IN LOCAL GOVERNMENT

Historically, women's representation in local government has been low in Turkey.<sup>19</sup> In the 2014 local elections, only three women were elected mayor of metropolitan municipalities (Aydın, Diyarbakır and Gaziantep), but as of February 2017, only two of them were still in office. The Kurdish woman mayor of Diyarbakır was arrested and a district governor from Ankara, a trustee, was appointed mayor in November 2016.<sup>20</sup> The number of women in metropolitan municipality councils is also low; the ratio remains around 10%.<sup>21</sup> These rates do not differ significantly from previous years, and even in metropolitan municipalities headed by women mayors, the percentage of women council members is 5 to 6%.<sup>22</sup> Women are discriminated against and discouraged from participating in local governance structures and from preparing lists for the nomination of candidates for municipal councils; they are positioned in the lower ranks on the lists, thereby decreasing their chances of being elected.<sup>23</sup> Moreover, issues prioritized by municipalities, such as land development and legal issues, are not considered women's issues, therefore women candidates do not stand much chance.

In civil administration, there are only two female governors (Muğla and Yalova), accounting for 2.4%.<sup>24</sup> The remaining figures are alarming as well, as there are only eight female deputy governors, 12 female district governors, five female district governor candidates, one female provincial director of legal affairs, and two female department heads.

## WOMEN AS PUBLIC OFFICIALS

While 37.30% of the approximately 3 million personnel employed in public institutions are female, only 11% of these women are in senior decision-making positions.<sup>25</sup> Figures are especially low in provincial organizations, where the numbers of women working in the position of regional director, provincial director, and district director are extremely low.

## WOMEN IN THE DIPLOMATIC CORPS

Out of a total of 245 Ambassadors, 45 are women (18.3%), and of 75 Consul Generals, only 10 are female (13.3%).<sup>26</sup> On the other hand, women are better represented in managerial positions in the Foreign Ministry than other ministries. There are 58 female department heads out of a total of 130 (44.6%), and a 43% rate of female deputy general managers.<sup>27</sup>

Tansu Çiller, the only female Prime Minister of Turkey, held the post of Foreign Minister during a coalition government from June 1996 to June 1997.

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19) For more information on the history and development of local governments in Turkey, see S. Ulaş Bayraktar, Elise Masicard. Decentralisation in Turkey. Agence Française de Développement, pp.102, 2012, Focales.

20) »Trustee appointed to Diyarbakır municipality,« Hürriyet Daily News, November 01, 2016, <http://www.hurriyetaidailynews.com/trustee-appointed-to-diyarbakir-municipality-105630>.

21) Ulaş Bayraktar, Women in Municipalities, Municipalities for Women, accessed September 19, 2017, <http://tesev.org.tr/en/yayin/women-in-municipalities-municipality-for-women/>.

22) Ibid.

23) Ibid.

24) »Kamu yönetiminde kadının adı yok!«, Milliyet, last modified September 02, 2017, <http://www.milliyet.com.tr/kamu-yonetiminde-kadinin-adi-yok-gundem-2512324/>.

25) Ibid.

26) The MFA, e-mail message to author, April, 2017.

27) The MFA, e-mail message to author, April, 2017.

## WOMEN IN THE POLICE FORCE

One of the important merits of women's participation in the security sector is that women who are vulnerable and receiving security services may feel more comfortable interacting with women security personnel. However, the number of women in the police force in Turkey is very low, and these women are not in decision-making positions.

As of February 2017, only 8.1% of chief of police, 7.4% of chief inspectors, and 5.94% of police officers were female.<sup>28</sup> While women may feel safer in the company of women police officers, and the existence of women police officers may help break stereotypes about women in the security sector, these numbers are insignificant in terms of the potential to bring change.

**TABLE 8. NUMBER OF POLICE IN TURKEY BY SEX, 2013-2016**

YEAR	TOTAL	MALE	FEMALE	SEX RATIO
2003	171 328	162 551	8 777	1 852
2004	171 902	162 722	9 180	1 773
2005	175 044	165 510	9 534	1 736
2006	181 196	171 196	10 000	1 712
2007	187 510	177 099	10 411	1 701
2008	193 142	182 253	10 889	1 674
2009	204 376	192 810	11 566	1 667
2010	213 787	201 690	12 097	1 667
2011	228 419	215 714	12 705	1 698
2012	238 247	225 082	13 165	1 710
2013	246 764	233 228	13 536	1 723
2014	253 361	239 502	13 859	1 728
2015	257 503	243 288	14 215	1 711
2016	254 931	239 910	15 041	1 595

Directorate General of Public Security, 2017

## WOMEN IN THE GENDARMARIE

There are currently a total of 828 female gendarmarie (52 officers and 776 non-commissioned officers), amounting to just 1% of the Gendarmerie General Command.<sup>29</sup>

In December 2017 it was declared that the number of female officers and non-commissioned officers would be increased by 10%.<sup>30</sup> In order to ensure this, the Command declared that a minimum of 10 out of every 100 applicants to the gendarmerie would have to be women, starting in 2018.

28) Milliyet, »Kamu yönetiminde kadının adı yok!«, May 5, 2018, <http://www.milliyet.com.tr/kamu-yonetiminde-kadinin-adi-yok--gundem-2512324/>

29) Hürriyet Daily News, 18 December 2017, <http://www.hurriyetdailynews.com/number-of-female-officers-in-turkish-gendarmerie-to-increase-by-10-percent-12433444>

30) Hürriyet Daily News, 18 December 2017, <http://www.hurriyetdailynews.com/number-of-female-officers-in-turkish-gendarmerie-to-increase-by-10-percent-124334>

## WOMEN IN THE JUDICIARY

Women's place in the judiciary is especially important in countries where patriarchal norms are deep. In Turkey, there are no females among the President, Vice President and General Secretaries of the Constitutional Court, the Supreme Court of Appeal, and the Court of Accounts. There are no female members serving in the Constitutional Court, but 26.67% of judicial clerks of the Constitutional Court are female judges.<sup>31</sup>

As of March 2017, there were only 5 109 female judges and public prosecutors serving in the judicial and administrative courts, out of a total of 16 074 (31.78%).<sup>32</sup> The number of female prosecutors is particularly low, at only 9.23% of the population of judges and prosecutors. There are no women in the Higher Council of Judges and Prosecutors, where all the decisions are made, and no women in the Justice Academy, which provides the training for future legal officials.

The Council of State has better gender representation: women account for 48.34 % of the judges, and 57.14 % of the public prosecutors serving in the Council of State.

## WOMEN IN DECISION-MAKING POSITIONS IN THE PRIVATE SECTOR AND CIVIL SOCIETY ORGANIZATIONS

### WOMEN LEADERS/DECISION-MAKERS IN THE PRIVATE SECTOR

Turkey has the lowest rate of female participation in the labor force in its rank amongst OECD countries, and the proportion of female company executives is 15% compared to the world average of about 27%.<sup>33</sup> In 2012, the Turkish Stock Exchange Commission accepted the principle of including at least one woman as a member of the board of directors, towards implementation of The Report on the Determination and Implementation of Corporate Governance Principles, which helped improve the number of women on boards. Of the 410 companies traded on the Istanbul Stock Exchange, 168 boards were composed entirely of men.<sup>34</sup>

### WOMEN IN TRADE UNIONS, PROFESSIONAL BOARDS, AND CHAMBERS

Professional organizations such as bar associations, chambers, and trade unions are also very poor in terms of women's representation and women's leadership. There is only one trade union confederation with a woman director (and she is a co-chair), and governing bodies comprise hardly any women; the highest representation appears in the doctors's professional organization, with a ratio of 36% women.<sup>35</sup>

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31) »Türkiye Genel Hakim ve Savcı Kadro Durumu,« Hakimler ve Savcılar Kurulu, accessed August 15, 2017, <http://www.hskgov.tr/Eklentiler/Dosyalar/962736e7-d42b-4930-bd91-ec352fea7891.pdf>.

32) Ibid.

33) »The 2016 Report on Woman Directors in Publicly-Traded Companies in Turkey Revealed,« gazeteSU, March 04, 2018, <http://gazetesu.sabanciuniv.edu/en/2016-11/2016-report-woman-directors-publicly-traded-companies-turkey-revealed>.

34) Ibid.

35) »2016-2018 Merkez Konseyi,« Turkish Medical Association [Türk Tabipleri Birliği], accessed April 20, 2017, [http://www.ttb.org.tr/merkezkurul\\_goster.php?Guid=cad63712-88da-11e7-8318-948af52f0cac](http://www.ttb.org.tr/merkezkurul_goster.php?Guid=cad63712-88da-11e7-8318-948af52f0cac).



**TABLE 9. WOMEN IN DECISION-MAKING POSITIONS IN UNIONS, PROFESSIONAL BOARDS, AND CHAMBERS**

	Women	Total	Women	Total	Ratio
The Confederation of Public Employees' Unions (KAMU-SEN)	0	1	0	11	0
The Confederation of Public Employees' Trade Unions (KESK)	1	2	1	5	20
The Confederation of Public Servants Trade Unions (MEMUR-SEN)	0	1	0	6	0
The Confederation of Independent Public Servants Trade Unions (BASK)	0	1	2	9	22
The Confederation of Turkish Tradesmen and Craftsmen (TESK)	0	1	0	15	0
The Confederation of Progressive Trade Unions of Turkey (DİSK)	0	1	1	7	14,2
The Confederation of Turkish Real Trade Unions (HAK-İŞ)	0	1	0	6	0
The Confederation of Turkish Trade Unions (TÜRK-İŞ)	0	1	0	5	0
Turkish Confederation Of Employer Associations (TİSK)	0	1	1	26	3,8
Turkish Bars Association (TBB)	0	1	2	11	18
The Union of Chambers and Commodity Exchange of Turkey (TOBB)	0	1	0	15	0
The Turkish Medical Association (TTB)	0	1	4	11	36
The Union of Chambers of Turkish Engineers and Architects (TMMOB)	0	1	0	24	0
The Turkish Journalists' Association (TGC)	0	1	3	11	27

### 3. PROTECTION OF WOMEN AND PREVENTION OF VIOLENCE AGAINST WOMEN

UNSCR 1325 puts forward protection of women and prevention of violence against women as a means protecting and promoting the human rights of women and girls and ensuring their physical safety, health and economic security. It also aims to prevent the violation of human rights, and all forms of structural and physical violence against women and girls, including sexual and gender-based violence. This section of the report provides data mainly on physical violence against women, since it is the most obvious and crude display of male dominance and patriarchal norms.

In 2017, a total of 286 women and girls were killed, 377 girls were sexually abused, 101 women were raped, 248 women were harassed, and 418 women were subjected to violence in Turkey.<sup>36</sup> In 2016, the number of women killed was reported to be 261, and in 2015, 284.<sup>37</sup> These data were collected by female journalists from local and national newspapers, news sites and agencies, since it is hard to find reliable statistics. In 2009, in response to parliamentary interpellation, the then Minister of Justice reported that the rate of female homicides had increased about 1.400% from 2002 to 2009.<sup>38</sup> In 2014, a Research Commission on the Causes of Violence against Women was founded within the General Assembly, and a report submitted to the Commission stated that there was a 33% increase in domestic violence in 2014 compared with the previous year.<sup>39</sup> In 2015, when a college student, Özgecan Aslan, was raped and murdered on her way from University, there was a public outcry. In 2015, research from Hacettepe University Institute of Population Studies revealed that four women out of 10 were exposed to physical violence in Turkey, and that 89% of victims of violence did not seek official help or file a complaint although they knew how to seek help.<sup>40</sup> Moreover, the research found that women under protection were also killed.

Despite many training projects and campaigns, the Istanbul-based Legal Aid Project against Sexual Assault and Rape in Custody reported that 294 women had applied for legal support during the previous 11 years; of these, 71 were rape applications.<sup>41</sup>

36) Çiçek Tahaoğlu, »Erkekler Aralık'ta 31 Kadın Öldürdü,« Bianet, January 12, 2018, <https://bianet.org/bianet/toplumsal-cinsiyet/193217-erkekler-aralik-ta-31-kadin-oldurdu>.

37) Çiçek Tahaoğlu and Begüm Baki, »2016'da Erkekler En Az 261 Kadın ve Kız Çocuğu Öldürdü,« Bianet, February 03, 2017, <http://bianet.org/kadin/kadin/183229-2016-da-erkekler-en-az-261-kadin-ve-kiz-cocugu-oldurdu>.

38) Özgül Kaptan, »A Decade of Violence Against Women in Turkey,« February 26, 2018 <http://researchturkey.org/a-decade-of-violence-against-women-in-turkey/>

39) Ibid.

40) Ibid.

41) »20 Senede 561 Kadın Gözaltında Taciz veya Tecavüze Maruz Kaldı,« Bianet, November 24, 2017, <https://m.bianet.org/bianet/kadin/191814-20-senede-561-kadin-gozaltinda-taciz-veya-tecavuze-maruz-kaldi>

## 4. WOMEN IN TURKEY'S INTERNATIONAL PEACE AND SECURITY AGENDA

Gender equality is a better indicator of state peacefulness than any other factor, such as democracy or GDP. When we look at the OECD's index for gender discrimination, 14 out of 17 countries at the bottom of the index (with restricted civil liberties, restricted access to resources and physical integrity, as well as male-child bias and discriminatory family laws) have experienced conflict in the last two decades.<sup>42</sup> Turkey is not a conflict country, therefore there are no data pertaining to violence against women during conflict or the role of women during post-conflict reconstruction. However, the vulnerability of women has increased due to the end of the peace process with the Kurds<sup>43</sup> and the refugee situation resulting from the Syrian war.

### SITUATION OF WOMEN REFUGEES IN TURKEY

Data on refugees are hard to access since most refugees are unregistered, especially women. While the number of registered Syrian women citizens in Turkey is reported at 1 412 960, the actual number is estimated to be much higher given the number of unregistered Syrian citizens.<sup>44</sup> By 31 March 2017, the number of registered refugees and asylum seekers from Afghanistan, Iran, Iraq, Somalia and other countries was 306 791 according to United Nations High Commissioner for Refugees (UNHCR) statistics. Children accounted for 46 127 of this number, and women 70 842.<sup>45</sup>

Syrian women also face early and forced marriages, as well as being subjected to multiple marriages. Early and forced marriages may give way to many other forms of violence and discrimination against women such as domestic labour, sexual violence, and human trafficking. Fifteen per cent of women aged 15-18 are married and these marriages are assumed to »guard« the Syrian women and girls who took refuge in Turkey.<sup>46</sup>

The Istanbul Convention's monitoring mechanism, namely the GREVIO Shadow Report, details the situation of women refugees in Turkey; the legal framework and protective measures are listed in Table 10. Although these protective measures exist, Turkey should further strengthen its collaboration with women and civil society organizations.

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42) Mary O'Reilly, *Why Women? Inclusive Society and Peaceful Societies*, December 15, 2017, <https://www.inclusivesecurity.org/wp-content/uploads/2017/06/Why-Women-Report-2017.pdf>

43) For a Women, Peace and Security perspective on the Kurdish Peace Process, see Ayşe Betül Çelik, <http://researchturkey.org/tr/15-years-after-unscr-1325-women-peace-and-security/>

44) » GREVIO Shadow Report, « Istanbul Convention Monitoring Platform, accessed October 05, 2017, 61, <https://rm.coe.int/turkey-shadow-report-2/16807441a1>.

45) Ibid.

46) Ibid.

**TABLE 10. LEGAL FRAMEWORK PERTAINING TO WOMEN REFUGEES IN TURKEY**

Legal Framework and Contributors		
<b>1951</b>	Geneva Convention	Legal regulations on the status of refugees
<b>1990</b>	The General Directorate on the Status of Women (GDSW)	It aims to prevent discrimination against women, protect and improve women's rights, and provide women with equal access to rights and opportunities wherever available across all fields of social life
<b>1994</b>	Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum from Another Country, Regulation no.1994/6169	It is the first detailed legal regulation regarding asylum seekers and refugees in Turkey; 'Temporary Protection' status
<b>2005</b>	Action Plan on Asylum and Migration	Steps needed on behalf of Turkey in order to bring its national legislations in line with EU directives on asylum and migration policies
<b>2005</b>	Law No. 5395 Turkey's Child Protection Law	Protection for all children, regardless of nationality, including Syrian children
<b>2013</b>	Law on Foreigners and International Protection	Clarified conditions for submitting an asylum claim in Turkey and the establishment of the General Directorate of Migration Management
<b>22 October 2014</b>	Temporary Protection Regulation	It expands the 1994 Regulation in terms of labor rights, social benefits and services
		As per Article 91 of the Law on Foreigners and International Protection. According to Provisional Article 1 of the Temporary Protection regulation, the regulation applies to Syrian nationals, as well as stateless persons and refugees from Syria
		Article 19 of the temporary protection regulation places the authority for the registration of foreigners covered by temporary protection on the Directorate General of Migration Management (DGMM).
<b>2014</b>	Law no.222 on Primary Education and Training; The Ministry of National Education's circular on foreigners' access to education (No 2014/21)	Issued in September 2014, ensures that foreigners under Temporary Protection have access to educational services delivered through schools and temporary education centres overseen by the provincial education directorate in each province.
<b>Since 2011-Syrian Crisis</b>	The Disaster and Emergency Management Authority of the Republic of Turkey (AFAD)	It is responsible for managing refugee camps in Turkey, while the Ministry of Interior retains the authority for carrying out registration of refugees residing in camps
<b>Since 2011-Syrian Crisis</b>	UNFPA	UNFPA is one of the United Nation's lead agencies working to advance gender equality and women's empowerment and to address the causes and consequences of gender-based violence, especially its effects on sexual and reproductive health

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<https://www.fluechtlingshilfe.ch/assets/hilfe/syrien/faq-syrians-in-turkey-english.pdf>  
<file://oknfilesrv/kullanici/irmak.kurtulmus/Desktop/5581280a4.pdf>

## WOMEN IN THE MILITARY

Previously, women took part in the Turkish Armed Forces as civilian personnel, namely as doctors, nurses, teachers, and engineers. In 1955, women were accepted to military academies in Turkey, and they started service as officers in 1957, including as women fighter pilots. However, this was interrupted until 1992, when women cadets were allowed to enter military academies again.<sup>47</sup>

Today, women officers serve in all branches except armory, infantry, and submarines. Because of the state of emergency, data on female personnel in the army were collected from available internet sources. In 2001, NATO sources reported the number of female officers employed in the Turkish Armed Forces at 918, with 533 in the Army, 192 in the Navy, 160 in the Air Force, and 33 in the Gendarmerie.<sup>48</sup> In 2014, there were 1 350 female officers in the Army, accounting for 3.3%, and it was declared that the Army aimed to increase the number of women by 5% by 2018.<sup>49</sup> In 2012, pregnancy leave was extended for female military personnel, and parental leave was also extended.<sup>50</sup>

These efforts to improve women's role in the army are not reflected in the international military deployments. According to the only available information on Turkish women in international deployment, there was one female Turkish Gender Advisor in Afghanistan, assigned as GENAD of Kabil Region Command in 2015, and another female Turkish Gender Advisor at NATO's Rapid Deployable Corps in Turkey.<sup>51</sup>

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47) »Committee on Women in NATO Forces,« International Military Staff, NATO, accessed May 13, 2017, <https://www.nato.int/ims/2001/win/turkey.htm>.

48) Ibid.

49) »The 1325 Scorecard Report,« Women in International Security, accessed September 23, 2017, <http://wiisglobal.org/wp-content/uploads/2014/03/Scorecard-Turkey-No-Scores2.pdf>.

50) »TSK'da Kadın Devrimi,« Milliyet, last modified May 10, 2012, <http://www.milliyet.com.tr/tsk-da-kadin-devrimi-siyaset-1538546/>.

51) »The 1325 Scorecard Report.«

## 5. RECOMMENDATIONS

Turkey needs a UNSCR 1325 National Action Plan (NAP). The country is situated in a conflict region, and its foreign policy has been through an entrepreneurial period since 2005, after the EU negotiation process started. Turkey took part in many international initiatives, took bold steps in mediation efforts, and hosted important international meetings. In 2009-10, Turkey became a rotating member of the UN Security Council for the first time since 1961. In May 2011, the 4th UN Conference on the Least Developed Countries was organized in Istanbul, and in 2011 Turkey was active in eight UN Peacekeeping operations.<sup>52</sup>

Turkey is also part of important international women's rights treaties such as CEDAW, and responsible for ensuring their implementation. Turkey took pride in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence being named the 'Istanbul Convention'. Ankara has been keen on working on Sustainable Development Goals as well. Although these international engagements provide the necessary legal references and policy tools, the numbers in this report show that Turkey needs a NAP that will improve the country's record in the Women, Peace and Security Agenda.

UNSCR 1325 provides a comprehensive framework for improving women's participation, protecting and promoting the human rights of women and girls, and preventing violence against women and girls. Sixty-three countries have written NAPs for the implementation of UNSCR 1325 using different methods and with various stakeholders. Many countries in Turkey's region, from Tajikistan to Jordan, Ukraine and Slovenia, as well as international organizations such as the EU and NATO, have their own NAPs.

Turkey's foreign policy prioritizing mediation, conflict resolution efforts and humanitarian assistance would benefit greatly from implementing UNSCR 1325 policy recommendations. Since each country is unique and problems relating to women are different, there is no one way of implementing the 1325 policies. Therefore, there should be cooperation between the coalition of women's organizations and the state agencies in order to write the most useful and effective NAP and to provide budget for its implementation. The project »First Steps towards a National Action Plan for the UNSCR 1325«<sup>53</sup> brought

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52) [http://www.uik.org.tr/tubakov/en/#proje\\_detay](http://www.uik.org.tr/tubakov/en/#proje_detay), accessed May 04, 2018.

53) The Women in Foreign Policy Initiative realized the project First Steps towards a National Action Plan for the UNSCR 1325, realized in 2016-2017 with the support of the Consulate General of Sweden in Istanbul, and the UNWomen.

together various women's organizations in Turkey, and trained them on cooperative dialogue, the UNSCR 1325, and NAP writing. These organizations have continued to show interest in the issue, thus Turkey has an active civil society able to write the NAP.

As this report shows, there is still ample work to be done in terms of the women, peace and security agenda in Turkey. Three main recommendations are offered for an effective UNSCR 1325 NAP in Turkey.

1. There is an alarming discrepancy between the legislation on women's rights on the one hand, and its practical implementation on the other. In order to close the gap it is essential to ensure women's representation and meaningful participation at all levels of decision-making.
2. Turkey is signatory to important international treaties and conventions; the country's international standing would benefit if it can implement the necessary gender reforms and improve the position of women within the country. The international indexes presented in the report point to backsliding that no country of Turkey's size can afford.
3. Turkey is an important regional player and its refugee policy, humanitarian aid and peace-keeping initiatives would benefit greatly from a gender perspective. Similarly, the country's international engagements will only improve and be more effective and enduring with the adoption of a gender perspective.

These recommendations might be best implemented by a coalition of women's civil society organizations, which could inform and campaign the decision-makers for UNSCR 1325-framed policymaking. International partners, individual governments and international organizations such as the UN, NATO, EU and the OSCE can contribute to this campaign by raising the issue and recommendations with their Turkish counterparts as well as supporting the already involved civil society organizations through funding, network-building and training activities.



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