



TURKEY'S WITHDRAWAL FROM THE ISTANBUL CONVENTION

A Step Backward for Women's Human Rights

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Briefing Paper

The Advocates for Human Rights

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The Advocates for Human Rights
330 Second Avenue South Suite 800
Minneapolis, MN 55401
+1.612.341.3302
hrights@advrights.org
www.theadvocatesforhumanrights.org

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I. ERDOĞAN'S SATURDAY SURPRISE

In the early morning hours of Saturday, March 20, 2021, Turkey's President Recep Tayyip Erdoğan made a devastating announcement. Ten days after pledging a renewed commitment to human rights,¹ he published a decree² to withdraw from the Council of Europe's human rights treaty, The Convention on Preventing and Combating Violence against Women and Domestic Violence.³ Ironically, under Erdoğan's leadership, Turkey was the first country to sign and ratify the treaty⁴ known as the Istanbul Convention, named after the city where it was opened for signatures in May 2011.⁵ President Erdoğan seeks to withdraw the country's commitment to protecting the right to life of Turkey's more than 40 million women. Presidential Decision 3718, issued without explanation, reads:

It is decided that the Council of Europe Treaty on Preventing and Combating Violence against Women and Domestic Violence signed on 11/5/2011 and ratified on 10/2/2012 with the Council of Ministers Decision No 2012/2816 is to be terminated based on Presidential Decree No 9 paragraph 3.⁶

¹ Hamdi Firat Buyuk, "Turkey's Under-Pressure Erdogan Pledges to Boost Human Rights," *Balkan Insight* (March 2, 2021), <https://balkaninsight.com/2021/03/02/turkeys-under-pressure-erdogan-pledges-to-boost-human-rights/>.

² "Decree Withdrawing from the Istanbul Convention dated March 19, 2021," *Official Gazette of Turkey* (March 20, 2021), <https://www.resmigazete.gov.tr/eskiler/2021/03/20210320-49.pdf>.

³ Council of Europe, "The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence," CETS No. 210 (Aug. 1, 2014 (entry into force)), <https://www.coe.int/fr/web/conventions/full-list/-/conventions/rms/090000168008482e>.

⁴ Council of Europe, "Ratification of the Istanbul Convention," <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures>.

⁵ Council of Europe, "Ratification of the Istanbul Convention."

⁶ Translated and quoted in Başak Çali, "Withdrawal from the Istanbul Convention by Turkey: A Testing Problem for the Council of Europe," *EJIL:Talk! Blog of the European Journal of International Law* (March 22, 2021), <https://www.ejiltalk.org/withdrawal-from-the-istanbul-convention-by-turkey-a-testing-problem-for-the-council-of-europe/>.

A. INTERNATIONAL REACTION

Global calls for Turkey to reconsider withdrawal were immediate. Council of Europe (CoE) and European Union (EU) leaders,⁷ UN Special Rapporteurs and Working Groups,⁸ UN Women,⁹ and U.S. President Joseph Biden¹⁰ were among those leading the response.

In Europe, CoE Secretary General Burić called Turkey's withdrawal "devastating news" and described it as "all the more deplorable because it compromises the protection of women in Turkey, across Europe and beyond."¹¹ EU Foreign Policy Chief Borell tweeted, "the #Istanbul Convention aims at ensuring essential legal protection to women & girls across the world. We cannot but regret deeply and express incomprehension towards the decision of the Turkish government to withdraw from this convention. We urge Turkey to reverse its decision."¹²

At the UN level, Dubravka Šimonović, the UN Special Rapporteur on violence against women, called Turkey's decision "a very worrying step backwards. It sends a dangerous message that violence against women is not important, with the risk of encouraging perpetrators and weakening measures to prevent it."¹³ CEDAW Committee Chair Acosta Vargas noted, "As a party to the Convention on the Elimination of All Forms of Discrimination against Women, a sister instrument to the Istanbul Convention, I would welcome a dialogue with Turkey to discuss the importance of the Istanbul Convention for working together on the elimination of all forms of gender-based violence against women at the national, regional and international levels."

⁷ Council of Europe, "Statement of the President of the Congress on Turkey's announced withdrawal from the Istanbul Convention," *Council of Europe, News, 2021 Website* (March 23, 2021), <https://www.coe.int/en/web/congress/-/statement-of-the-president-of-the-congress-on-turkeys-announced-withdrawal-from-the-istanbul-convention>; Secretary General Council of Europe, "Statement by Council of Europe Secretary General Marija Pejčinović Burić," *Council of Europe Website* (March 20, 2021), <https://www.coe.int/en/web/portal/-/secretary-general-responds-to-turkey-s-announced-withdrawal-from-the-istanbul-convention>. Council of Europe, "Council of Europe leaders react to Turkey's announced withdrawal from the Istanbul Convention," *Council of Europe Website, Newsroom* (March 21, 2021), <https://www.coe.int/en/web/portal/-/council-of-europe-leaders-react-to-turkey-s-announced-withdrawal-from-the-istanbul-conventi-1>.

⁸ United Nations Human Rights Office of the Human Rights Commissioner, "Turkey: Withdrawal from Istanbul Convention is a pushback against women's rights, say human rights experts," *United Nations Human Rights Office of the Human Rights Commissioner News Website* (March 23, 2021), <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26936&LangID=E>.

⁹ UN Women, "Statement by UN Women on Turkey's withdrawal from the Istanbul Convention," *UN Women Website* (March 20, 2021), <https://www.unwomen.org/en/news/stories/2021/3/statement-un-women-turkey-withdrawal-from-the-istanbul-convention>.

¹⁰ "Statement by President Biden on Turkey's Withdrawal from the Istanbul Convention," *White House Statement* (March 21, 2021), <https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/21/statement-by-president-biden-on-turkeys-withdrawal-from-the-istanbul-convention/>.

¹¹ Council of Europe, "Statement by Council of Europe Secretary General Marija Pejčinović Burić."

¹² Mark Scott, "EU calls on Turkey to reverse withdrawal from treaty protecting women," *Politico* (March 21, 2021), <https://www.politico.eu/article/eu-turkey-withdrawal-istanbul-convention-protecting-women/>.

¹³ United Nations Human Rights Office of the Human Rights Commissioner, "Turkey: Withdrawal from Istanbul Convention is a pushback against women's rights, say human rights experts."

Together with all UN Special Procedures, Ms. Acosta and Ms. Simonović called on Turkey to reconsider its withdrawal decisions.¹⁴

In the United States, President Biden stated, Turkey’s “sudden and unwarranted” withdrawal is “deeply disappointing . . . This is a disheartening step backward for the international movement to end violence against women globally.”¹⁵

B. TURKEY ERUPTS

“Shame on this bigotry, patriarchy, heartlessness that protects bullies and murderers instead of women.”¹⁶

Turkish author Elif Shafak

Within Turkey, thousands of women have taken to the streets¹⁷ chanting “Istanbul Convention saves lives” and “We don’t accept one man’s decision.”¹⁸ A coalition of women’s groups described the withdrawal as a “nightmare,” but one that is just beginning; they declared, “It is obvious this withdrawal will empower murderers, abusers, and rapists of women.”¹⁹ Canan Güllü, the President of the Federation of Women’s Associations, stated that Erdoğan’s decision strips women of their right to live in a violence-free environment, likening it to women “being treated like a sack of garbage thrown out on the street and everyone who walks by can give it a kick...”²⁰

C. TESTING TURKEY’S “RULE OF LAW”

Legal experts immediately analyzed the one-paragraph decree.²¹ They point out that Erdoğan’s unilateral withdrawal from a treaty involving human rights is contrary to Turkey’s Constitution because it is a purely executive action, based on his presidential circular giving him the power to

¹⁴ United Nations Human Rights Office of the Human Rights Commissioner, “Turkey: Withdrawal from Istanbul Convention is a pushback against women’s rights, say human rights experts.”

¹⁵ “Statement by President Biden on Turkey’s Withdrawal from the Istanbul Convention.”

¹⁶ Jonathan Spicer Tuvan Gumrukcu, “Turkey’s Erdogan quits European treaty on violence against women,” *Reuters* (March 20, 2021), <https://www.reuters.com/article/us-turkey-women-erdogan/turkeys-erdogan-quits-european-treaty-on-violence-against-women-idUSKBN2BC00J>.

¹⁷ Esra Yalcinalp, “Turkey Erdogan: Women rise up over withdrawal from Istanbul Convention,” *BBC* (March 25, 2021), <https://www.bbc.com/news/world-europe-56516462>; “Turkey: Thousands protest exit from domestic violence treaty,” *DW* (March 27, 2021), <https://www.dw.com/en/turkey-thousands-protest-exit-from-domestic-violence-treaty/a-57027554>.

¹⁸ Yalcinalp, “Turkey Erdogan: Women rise up over withdrawal from Istanbul Convention.”

¹⁹ Gul Tuysuz and Isil Sariyuçe, “Turkey withdraws from Istanbul convention to combat violence against women,” *CNN* (March 20, 2021), <https://www.cnn.com/2021/03/20/europe/turkey-convention-violence-women-intl/index.html>.

²⁰ Daniel Bellut, “Bizarre reasoning aside, Erdogan’s exit from Istanbul Convention is unconstitutional,” *DW* (March 23, 2021), <https://www.dw.com/en/bizarre-reasoning-aside-erdogans-exit-from-istanbul-convention-is-unconstitutional/a-56964581>.

²¹ EŞİK - Women’s Platform for Equality, “Urgent Appeal to the Council of Europe,” *EŞİK - Women’s Platform for Equality Website* (March 2021), <https://esikplatform.net/urgent-appeal-regarding-the-istanbul-convention/>; Bellut, “Bizarre reasoning aside, Erdogan’s exit from Istanbul Convention is unconstitutional.”

withdraw from a treaty.²² The Turkish Constitution requires Parliament to ratify human rights treaties by legislation, which Parliament did unanimously in 2012 for the Istanbul Convention.²³ According to the Turkish legal experts, only after this step is taken does the executive's power to approve and publish an international treaty arise.²⁴ Therefore, parliamentary action is constitutionally required before Turkey can withdraw from the Istanbul Convention. According to EŞİK - Women's Platform for Equality,²⁵ 77 of the 79 bar associations in Turkey agree that Erdoğan's withdrawal decree violates the Turkish Constitution.²⁶

Serap Yazici, an expert on constitutional law, invited all women to launch proceedings that would declare the decree unconstitutional.²⁷ The main opposition party, the People's Republican Party (CHP), promptly met on March 20 and concluded that Erdoğan lacked the authority to terminate the Istanbul Convention and that it would contest the withdrawal with the Council of State, the highest administrative court in Turkey.²⁸ Subsequently, CHP Vice Chair Gökçe Gökçen announced CHP's intention to pursue "all legal remedies" to oppose the decisions, confirming it will file an appeal with the Council of State and give legal assistance to others pursuing litigation.²⁹

Erdoğan insists that "[The withdrawal from the convention] is not a decision to be taken by parliament. The opposition does not know anything about it. The move taken by the president is fully legal and the process will continue accordingly. We make our decisions.... This is done."³⁰

²² EŞİK - Women's Platform for Equality, "Presidential decision on the Istanbul Convention is Non-Existent , the Convention is in Force," *EŞİK - Women's Platform for Equality Website* (March 20, 2021), <https://esikplatform.net/sozlesme-yururluktedir/>; EŞİK - Women's Platform for Equality, "Urgent Appeal to the Council of Europe."; Çali, "Withdrawal from the Istanbul Convention by Turkey: A Testing Problem for the Council of Europe."

²³ Article 90 of the Turkish Constitution as quoted in Çali, "Withdrawal from the Istanbul Convention by Turkey: A Testing Problem for the Council of Europe."

²⁴ Article 104 of the Turkish Constitution as quoted in Çali, "Withdrawal from the Istanbul Convention by Turkey: A Testing Problem for the Council of Europe."

²⁵ EŞİK - Women's Platform for Equality is a coalition comprised of more than 310 women's and LGBTQI organizations EŞİK - Women's Platform for Equality, "EŞİK - Women's Platform for Equality (English)," *EŞİK - Women's Platform for Equality Website* (2021), <https://esikplatform.net/?fbclid=IwAR3vMbZqYrvaZO8Ls0Bc7W0f3M71aiJUEJEUpQZw8cnFfBkKxwCLxPRUWY>.

²⁶ EŞİK - Women's Platform for Equality, "Urgent Appeal to the Council of Europe."

²⁷ Bellut, "Bizarre reasoning aside, Erdoğan's exit from Istanbul Convention is unconstitutional."

²⁸ "CHP to apply to Council of State over withdrawal from Istanbul Convention," *Hurriyet Daily News* (March 22, 2021), <https://www.hurriyetdailynews.com/chp-to-apply-to-council-of-state-over-withdrawal-from-istanbul-convention-163349>.

²⁹ Evrim Kepenek, "Withdrawal from Istanbul Convention: CHP offers legal aid for appeals," *bianet* (March 24, 2021), <https://bianet.org/english/women/241317-withdrawal-from-istanbul-convention-chp-offers-legal-aid-for-appeals>. The İYİ (Good) Party leader Meral Akşener also criticized Erdoğan's decision, questioning the power of the President, as the executive, to terminate an international treaty that under Turkey's Constitution had to be approved by Parliament. "İYİ Party leader criticizes withdrawal from Istanbul Convention," *Hurriyet Daily News* (March 23, 2021), <https://www.hurriyetdailynews.com/iyi-party-leader-criticizes-withdrawal-from-istanbul-convention-163364>.

³⁰ "No legal problem in withdrawal from Istanbul Convention: Erdoğan," *Hurriyet Daily News* (March 26, 2021), <https://www.hurriyetdailynews.com/no-legal-problem-in-withdrawal-from-istanbul-convention-erdogan-163455>.

The outcome of the constitutional challenges is unclear. Consistent application of the rule of law has been absent in Turkey in recent years.³¹ Carnegie Europe's Marc Pierini asserts Erdoğan's regime has dismantled Turkey's rule of law architecture.³² A 2021 report released by the Stockholm Center for Peace concludes that Turkey's judiciary lacks independence.³³ Recently, 170 members of the U.S. House of Representatives signed a bipartisan letter to Secretary of State Blinken urging President Biden's administration to address "troubling" human rights issues as it formulates policy for dealings with Turkey. The letter noted the long history of human rights abuses under Erdoğan:

President Erdoğan and his Justice and Development Party have used their nearly two decades in power to weaken Turkey's judiciary, install political allies in key military and intelligence positions, crack down on free speech and free press, and wrongfully imprison political opponents, journalists, and minorities. Since 2016, more than 80,000 Turkish citizens have been imprisoned or arrested and more than 1,500 nongovernmental organizations have been closed to suppress political opposition.³⁴

A decision on the constitutionality of Erdoğan's withdrawal decree is a test of the independence of Turkey's judiciary and the rule of law, and one that will take place under intense international scrutiny.

EŞİK - Women's Platform for Equality also issued an urgent appeal to the CoE to disregard the President's unconstitutional decree as "null and void" and to recognize that the Istanbul Convention remains in full force and effect in Turkey.³⁵ Under the Istanbul Convention's terms, if proper withdrawal procedures were followed, Turkey's withdrawal would become effective on July 1, 2021.³⁶

³¹ Merve Tahiroglu, "How Turkey's Leaders Dismantled the Rule of Law," *The Fletcher Forum of World Affairs* 44, no. 1 (Winter 2020), <https://static1.squarespace.com/static/579fc2ad725e253a86230610/t/5e4f1c5fa4152c26b4ed04f9/1582242911712/tahiroglu-upload-20FEB.pdf>.

³² Marc Pierini, "Turkey's Presidential Regime Rests on Zero Rule of Law," *Carnegie Europe* (April 17, 2019), <https://carnegieeurope.eu/strategieurope/79728>.

³³ "Turkey's Judicial Council: Guarantor or Annihilator of Judicial Independence?," *Stockholm Center for Freedom Website* (March 2021), <https://stockholmcf.org/wp-content/uploads/2021/03/Turkish-Judicial-Council-HSK-Report.pdf>.

³⁴ 170 Members of House of Representatives Letter to Secretary of State Blinken, "Moulton, Gonzalez lead more than 170 members of Congress in Call to Uphold Our Commitments to Supporting Human Rights, Rule of Law" *Moulton Website* (March 1, 2021), <https://moulton.house.gov/press-releases/moulton-gonzalez-lead-more-than-170-members-of-congress-in-call-to-uphold-our-commitments-to-supporting-human-rights-rule-of-law>; EŞİK - Women's Platform for Equality, "Presidential decision on the Istanbul Convention is Non-Existent, the Convention is in Force."

³⁵ EŞİK - Women's Platform for Equality, "Urgent Appeal to the Council of Europe."

³⁶ "Istanbul Convention will remain in force until July 1," *bianet* (March 24, 2021), <https://bianet.org/english/women/241292-istanbul-convention-will-remain-in-force-until-july-1>.

The CoE now faces a novel issue of international treaty law. While a country's entry into a treaty cannot be recognized if it contravenes the country's national law, the convention on treaties that governs this issue is silent on how withdrawal should be treated.³⁷

Domestic constitutional challenges add more complexity to the issue. It is unclear if the challenges will be decided before the July 1, 2021 withdrawal effective date. It is also unclear whether any decision by the Council of State will be viewed as impartial given skepticism about the independence of Turkey's judiciary.

D. IRRATIONAL "RATIONALES" FOR WITHDRAWAL

The President's office issued a statement in response to the international and national outcry over its withdrawal from the convention on violence against women. It defended its action by alleging the convention had been "hijacked by a group of people attempting to normalize homosexuality – which is incompatible with Türkiye social and family values."³⁸ The concern apparently centers around the convention's non-discrimination clause and a belief this could force a nation to recognize same-sex marriage.³⁹ In 2019, however, the European Commission for Democracy through Law (Venice Commission) found that the Istanbul Convention "does not create an obligation for States Parties to legalize same-sex marriage."⁴⁰

The Presidential statement further explains that Turkey has "zero tolerance" for violence against women and upholds and promotes women's rights through its Constitution and existing laws. The statement adds that Turkey is also a member of CEDAW, and that its as-yet to be formulated Human Rights Action Plan, announced on March 2, 2021, will improve the effectiveness of existing precautions against domestic violence and violence against women.⁴¹ The statement continued: "It must be noted that Turkey's withdrawal from the Istanbul Convention has zero

³⁷ For a comprehensive discussion of the legal technicalities of Turkey's withdrawal under international law, see Çali, "Withdrawal from the Istanbul Convention by Turkey: A Testing Problem for the Council of Europe."

³⁸ Directorate of Communications, "Statement by the Directorate of Communications on Türkiye's Withdrawal from the Istanbul Convention," *The Republic of Türkiye Directorate of Communications* (March 21, 2021), <https://www.iletisim.gov.tr/english/duyurular/detay/statement-by-the-directorate-of-communications-on-turkeyes-withdrawal-from-the-istanbul-convention>. According to a legal analyst, a second constitutional issue lurks in the statement's framing. Can Turkey's social and family values form a legitimate basis under the Constitution for withdrawal from a treaty ratified by Parliament? Çali, "Withdrawal from the Istanbul Convention by Turkey: A Testing Problem for the Council of Europe."

³⁹ Yalcinalp, "Turkey Erdogan: Women rise up over withdrawal from Istanbul Convention."

⁴⁰ European Commission for Democracy through Law, "Armenia - Opinion on the constitutional implications of the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) adopted by the Venice Commission at its 120th Plenary Session (Venice, 11-12 October 2019)," Opinion No. 961 (Oct. 14, 2019): 17, [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2019\)018-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2019)018-e). Armenia had asked the Venice Commission to opine on whether ratification of the Istanbul Convention would violate Armenia's Constitution. The Commission determined that it would not and, in its opinion, answered a number of specific questions posed by Armenia.

⁴¹ Directorate of Communications, "Statement by the Directorate of Communications on Türkiye's Withdrawal from the Istanbul Convention."

impact on the implementation of strict, effective, and real-world measures, including a landmark legislation that President Erdoğan's government drafted, sponsored and passed."⁴²

Erdoğan's statements regarding his "accomplishments" in combating violence ring hollow at best. In 2020, 409 murders of women were identified as femicides.⁴³ Women are attacked on the street in incidents of so-called vigilante violence where male citizens punish women who engage in activities the men consider morally offensive, like wearing shorts or smoking cigarettes.⁴⁴ Law 6284 on violence against women, which was adopted on March 8, 2012 as part of the government's effort to comply with the Istanbul Convention,⁴⁵ has not been effectively implemented.⁴⁶ Turkey's Human Rights Association's Women's Committee has called on the State to abandon its "policies of impunity" and fully implement Law 6284.⁴⁷ If, as Erdoğan promises, "withdrawal from the Istanbul Convention will have zero impact" on implementation of existing laws, Turkey's more than 40 million women face an uncertain future.

Following the President's announced withdrawal from the Istanbul Convention, Vice President Oktay tweeted his support: "We are determined to carry our sincere struggle to raise the dignity of Turkish women in society to the levels they deserve, by preserving our traditional social fabric. For this sublime purpose, there is no need to look outside or imitate others. The solution is in our traditions and customs, in our essence."⁴⁸ While national traditions and cultures are important, "traditions and customs, in our essence" can also be a red flag when misused to perpetrate gender inequality.⁴⁹ Recourse to "traditions and customs" has been used in recent

⁴² Directorate of Communications, "Statement by the Directorate of Communications on Türkiye's Withdrawal from the Istanbul Convention."

⁴³ Anit Sayac, "Digital Monument For Women Dying of Violence (in Turkey)," *Anit Sayac*, (2020), <http://anitsayac.com/?year=2020>.

⁴⁴ Esra Sarioglu, "Vigilante Violence against Women in Turkey: A Sociological Analysis/Turkiyede Kadına Yonelik Vigilantist Siddet: Sosyolojik Bir Inceleme," Article, *Kadin/Woman 2000* 19 (2018/12// // 2018), https://link.gale.com/apps/doc/A577908718/EAIM?u=umn_wilson&sid=EAIM&xid=8866051f.

⁴⁵ "Law 6284 Law to Protect Family and Prevent Violence against Women," *TurkeyLaws* (March 8, 2012 adopted.), <http://www.lawsturkey.com/law/law-to-protect-family-and-prevent-violence-against-woman-6284#:~:text=Violence%20against%20Woman,-6284%20Law%20to%20Pr>.

⁴⁶ "İHD: The State Should Abandon the Policy of Impunity for Violence Against Women," *BIA News* (November 25, 2019), <http://bianet.org/english/women/216271-ihd-the-state-should-abandon-the-policy-of-impunity-for-violence-against-women>; David Lepeska, "Can Turkey curb violence against women and put more women to work?," January 12, 2020, <https://ahvalnews.com/turkey-women/can-turkey-curb-violence-against-women-and-put-more-women-work>.

⁴⁷ "İHD: The State Should Abandon the Policy of Impunity for Violence Against Women."

⁴⁸ Muskan Yadav, "Turkey announces withdrawal from violence against women treaty," (March 21, 2021), <https://www.jurist.org/news/2021/03/turkey-announces-withdrawal-from-violence-against-women-treaty/>.

⁴⁹ UN Special Rapporteur on violence against women Yakin Ertürk, *Intersections between culture and violence against women* (United Nations Human Rights Council, 2007); UN Special Rapporteur on violence against women Yakin Ertürk, *Short Intersections between culture and violence against women*; Sevgi Doğan, "New Political Debate in Turkey: Istanbul Convention," *Security Praxis* (August 26, 2020), <https://securitypraxis.eu/new-political-debate-in-turkey-istanbul-convention/>.

Turkish government proposals to restore child marriage,⁵⁰ establish amnesty to those convicted of sex crimes against children,⁵¹ limit alimony,⁵² and make divorce more difficult.⁵³

E. IS WITHDRAWAL A CYNICAL POLITICAL CALCULATION? MISOGYNY? BOTH?

Some perceive President Erdoğan's withdrawal as a calculated political strategy to secure support from religious fundamentalists.⁵⁴ Erdoğan will be seeking a fourth term in the next Presidential election currently scheduled in 2023. In June 2020, when Erdoğan first raised the possibility of withdrawal from the Istanbul Convention, some viewed withdrawal as an Erdoğan tactic to shore up sinking popularity.⁵⁵ Just 19 days before Erdoğan's withdrawal decree, Reuters reported support for Erdoğan's *Adalet ve Kalkınma Partisi* (AKP or AK Party) and its MHP ally (the far-right Nationalist Movement Party)⁵⁶ had dropped to just 45 percent.⁵⁷ Remarking on the withdrawal and other recent acts by Erdoğan, the BBC observed that "there is a sense that the man who has dominated Turkey since 2003 is seeking to consolidate his conservative support base as opinion polls signal discontent among voters."⁵⁸

While political calculus appears part of Erdoğan's motivation for withdrawal, Erdoğan and his AK Party's deeply engrained anti-female bias and opposition to women's rights must be recognized

⁵⁰ Women's UN Report Network, "Turkey – Women Challenge Report of 'Protecting the Integrity of Family' Commission on Issues of Divorce, Religious Affairs Directorate Mediation on Violence Issues, Legal Age of Marriage +," *WUNRN – Women's UN Report Network website* (June 13, 2016), <https://wunrn.com/2016/06/turkey-women-challenge-report-of-protecting-the-integrity-of-family-commission-on-issues-of-divorce-religious-affairs-directorate-mediation-on-violence-issues-legal-age-of-marriage/>.

⁵¹ Yakin Erturk, "A move to set free child sex abusers: in the name of "our culture"," *openDemocracy* (December 2, 2016), <https://www.opendemocracy.net/en/5050/midnight-motion-to-set-free-child-sex-abusers-in-name-of-our-culture/>.

⁵² Emel Altay, "Fighting for gender equality: The Istanbul Convention," *Inside Turkey* (Dec. 25, 2019, updated Jan. 6, 2020), <https://insideturkey.news/2019/12/25/fighting-for-gender-equality-the-istanbul-convention/>.

⁵³ Women's UN Report Network, "Turkey – Women Challenge Report of 'Protecting the Integrity of Family' Commission on Issues of Divorce, Religious Affairs Directorate Mediation on Violence Issues, Legal Age of Marriage +." What is the plus sign + for?

⁵⁴ Murat Yetkin, "When Erdoğan doesn't get his applause," *Yetkin Report* (July 22, 2020),

<https://yetkinreport.com/en/2020/07/22/when-erdogan-doesnt-get-his-applause/>; Murat Yetkin, "Will the Ismailağa Community or the Istanbul Convention remain?," *Yetkin Report* (July 8, 2020), <https://yetkinreport.com/2020/07/08/ismailaga-cemaati-ister-de-istanbul-sozlesmesi-kalir-mi/>; Ragip Soylu, "Vulnerable and flagging in the polls, Erdogan rattles his base," *Middle East Eye* (July 27, 2020), <https://www.middleeasteye.net/news/turkey-erdogan-hagia-sophia-coronavirus-economy-support>.

⁵⁵ For example, it was asserted that the withdrawal threat was a ploy on par with turning World Heritage Monument Hagia Sophia into a place of Islamic worship, stripping it of secular status. Soylu, "Vulnerable and flagging in the polls, Erdogan rattles his base." Doğan, "New Political Debate in Turkey: Istanbul Convention."

⁵⁶ An example of MHP's far-right nature is its position that Turkey's third largest political party, the Kurdish rooted Peoples' Democratic Party should be banned. Yalcinalp, "Turkey Erdogan: Women rise up over withdrawal from Istanbul Convention."

⁵⁷ Birsen Altayli Orhan Coskun, "With poll support dropping, Erdogan's party looks to change Turkish reelection law: officials," *Reuters* (March 2, 2021), <https://www.reuters.com/article/us-turkey-politics/with-poll-support-dropping-erdogans-party-looks-to-change-turkish-relection-law-officials-idUSKCN2AU1V4>.

⁵⁸ Esra Yalcinalp, "Turkey Erdogan: Women rise up over withdrawal from Istanbul Convention," *BBC News* (March 26, 2021), <https://www.bbc.com/news/world-europe-56516462>.

as fundamental factors.⁵⁹ One commentator correlates the AK Party's politics with increasing violence against women, describing the party's approach as "a politics that uses the language of violence, insolence, [and] humiliation" against women.⁶⁰

There are numerous examples of such rhetoric from members of the AK Party. President Erdoğan has stated on various occasions that "Men and women cannot be equal. It's against their nature."⁶¹ In a speech broadcast on TV, AK Party's Uğur Işılak' claimed that "woman's nature is to be slave."⁶² Mehmet Muezzinoglu, AK Party member and a former health minister, stated that motherhood is the only career for women.⁶³ Former head of the Human Rights Commission of the Turkish Grand National Assembly Üstün claimed: "The one who is raped should not have an abortion. The rapist is more innocent than the victim who had an abortion."⁶⁴ The former mayor of Ankara shared this view: he asserts "women who are victims of rape should die before they have an abortion."⁶⁵ Finally, the country's former Deputy Prime Minister, Mehmet Simsek, blamed rising unemployment on women seeking jobs.⁶⁶

Dr. Feride Acar, the first President of the Istanbul Convention monitoring body (GREVIO), states that "the opposition against the Istanbul Convention is triggered by an instinct to protect the patriarchy."⁶⁷ The sociologist Deniz Kandiyoti agrees, explaining that Erdoğan and AKP efforts seek to secure "masculinist restoration."⁶⁸ A former AK Party Member of Parliament (MP), now an official of Ahmet Davutoğlu's *Gelecek Partisi* political party, has explained that "conservative men see the Convention as a threat to the existing patriarchal structure and simply do not want to lose the power over women they have traditionally had."⁶⁹ According to this MP, anti-LGBTI

⁵⁹ "Women In Turkey Are Determined To Stop Femicide - Murders Of Women," *Business World* (January 4, 2021), <http://www.businessworld.in/article/Women-in-Turkey-are-determined-to-stop-femicide-murders-of-women/04-01-2021-361288/>; Deniz Kandiyoti, "Locating the politics of gender: Patriarchy, neo-liberal governance and violence in Turkey," *Research and Policy on Turkey* 1, no. 2 (July 7, 2016), <https://doi.org/10.1080/23760818.2016.1201242>, <https://doi.org/10.1080/23760818.2016.1201242>.

⁶⁰ Doğan, "New Political Debate in Turkey: Istanbul Convention."

⁶¹ Elif Godasoglu Kucukkalioglu, "Framing Gender-Based Violence in Turkey," *Les cahiers du CEDREF* 22 (2018), <https://journals.openedition.org/cedref/1138>; Doğan, "New Political Debate in Turkey: Istanbul Convention."; "Recep Tayyip Erdoğan: 'Women Not Equal to Men'," *The Guardian* (Nov. 24, 2014), <https://www.theguardian.com/world/2014/nov/24/turkeys-president-recep-tayyip-erdogan-women-not-equal-men>.

⁶² Quoted in Doğan, "New Political Debate in Turkey: Istanbul Convention."

⁶³ Doğan, "New Political Debate in Turkey: Istanbul Convention."

⁶⁴ Quoted in Doğan, "New Political Debate in Turkey: Istanbul Convention."

⁶⁵ "Women In Turkey Are Determined To Stop Femicide - Murders Of Women."

⁶⁶ "Women In Turkey Are Determined To Stop Femicide - Murders Of Women."

⁶⁷ Altay, "Fighting for gender equality: The Istanbul Convention."

⁶⁸ Kandiyoti, "Locating the politics of gender: Patriarchy, neo-liberal governance and violence in Turkey," 109.

⁶⁹ Nevşin Mengü, "The sister's slap," *duva.R English* (August 4, 2020), <https://www.duvarenglish.com/columns/2020/08/04/the-sisters-slap>. The former MP is Kanu Torum

sentiments are a convenient “narrative,” but he views opposition to the Istanbul Convention as motivated by a desire to maintain the existing “gender-based power disparity.”⁷⁰

II. ERDOĞAN AND AK PARTY DISMANTLE WOMEN’S RIGHTS

A. EARLY DAYS

When Erdoğan and his AK Party first came to power in 2002, the AK Party regularly spoke of gender equality as part of its platform, making accession to the European Union a priority.⁷¹ In the early years of Erdoğan/AK Party governance, changes to the Constitution,⁷² the overhaul of the civil code,⁷³ a new labor law,⁷⁴ and changes to the penal code occurred.⁷⁵ The AK Party government welcomed collaboration with civil society, including women’s rights organizations, in developing gender equality policy.⁷⁶ Turkey appointed Dr. Feride Acar as its representative to the CoE Ad Hoc Committee on Preventing and Combating Violence against Women and Domestic Violence, a body that from April 2009 to January 2011 drafted the Istanbul Convention.⁷⁷

⁷⁰ Mengü, “The sister’s slap.”

⁷¹ Ayşe İdil Aybars, Paul Copeland, and Dimitris Tsarouhas, “Europeanization without substance? EU–Turkey relations and gender equality in employment,” *Comparative European Politics* 17, no. 5 (2019), http://repository.bilkent.edu.tr/bitstream/handle/11693/50056/Europeanization_without_substance_EU_Turkey_relations_and_gender_equality_in_employment.pdf?sequence=1.

⁷² In Turkey, the principle of equality before the law is found in Article 10 of the Turkish Constitution. Article 10 was first amended in 2004, imposing upon the state the duty to ensure not only *de jure* equality for women but *de facto* equality as well. A second amendment enacted in 2010 further strengthened the principle of equality by introducing positive discriminatory measures in support of gender equality. The relevant provisions of the Constitution now read as follows: “[Everyone is equal before the law without distinction as to] language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such grounds. Men and women have equal rights,” and “The State has the obligation to ensure that this equality exists in practice. Measures taken for this purpose shall not be interpreted as contrary to the principle of equality.” Cigdem Tozlu Asuman Goksel on behalf of the Turkish Social Sciences Association, “WAVE Violence against Women Country Report Turkey,” *WAVE: Women Against Violence Engagment financed by the European Commission and the Republic of Turkey* (January 2016): 3., https://notus-asr.org/wp-content/uploads/2016/05/WAVE_Report_Turkey_FINAL_EN_6March2016-3-3.pdf.

⁷³ Significant changes in the civil code occurred. A report prepared by Women for Women’s Human Rights- New Ways in 2005, hailed the new Civil Code as “a new approach to the family and women’s role in the family” by abandoning the previous approach that “assigned women a legislatively subordinate position in the family with rights and duties defined in respect to the man” with the one that defines “the family as a union based on equal partnership.” Summarized and quoted in Association, “WAVE Violence against Women Country Report Turkey.”

⁷⁴ Kucukkalioglu, “Framing Gender-Based Violence in Turkey.”

⁷⁵ Association, “WAVE Violence against Women Country Report Turkey,” 6-9.

⁷⁶ Kucukkalioglu, “Framing Gender-Based Violence in Turkey.”

⁷⁷ Council of Europe Directorate General of Human Rights and Legal Affairs, “Report of the 1st Meeting, Ad Hoc Convention on Preventing and Combating Violence Against Women and Domestic Violence,” *CAHVIO (2009) 5* (May 4, 2009), <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016805938a2>; CAHVIO, “Report of the 9th Meeting,” *CAHVIO (2011) 8* (Jan. 25, 2011), <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016805938a8>.

In May 2011, Turkey hosted the CoE Council of Ministers meeting in Istanbul that opened the Istanbul Convention for signature; Turkey was the first country to sign the Convention.⁷⁸ Turkey's Parliament unanimously ratified the Istanbul Convention in 2012, the only piece of legislation unanimously agreed upon during that legislative term.⁷⁹ Thereafter, the government engaged women's groups to prepare Law 6284, the national legislation on violence against women. The law's 2012 adoption was a material step towards enactment of the Istanbul Convention's requirements into Turkish law.⁸⁰

Even as Erdoğan and his government embraced the Istanbul Convention and enacted Law 6284, they simultaneously minimized the importance of women's equality and combating discrimination. In 2011, the Erdoğan government abolished the General Directorate of Women's Status and Problems and downgraded issues affecting women by placing them under the Ministry of the Family and Social Policies. Discrimination against women became a social welfare issue, making women "objects of 'protection' rather than full-fledged civic subjects."⁸¹

Opposition to gender equality appears throughout the Erdoğan's and the AK Party's public policies. It is evident in Turkey's neoliberal economic policies that place women in the role of caregivers to the family and make them the nation's safety net,⁸² the low levels of growth of women's participation in the labor force,⁸³ and the growing implementation of a conservative

⁷⁸ Council of Europe, "About - Historical Background to the Istanbul Convention." <https://www.coe.int/en/web/istanbul-convention/historical-background>; Council of Europe, "Ratification of the Istanbul Convention."

⁷⁹ "The Istanbul Convention was the common idea of all 4 parties: Statement of Aylin Nazlıaka, deputy of the Turkish political party CHP," *BIA News Center* (July 22, 2020), <https://bianet.org/kadin/toplumsal-cinsiyet/227861-istanbul-sozlesmesi-4-partinin-de-ortak-fikriydi>.

⁸⁰ Kucukkalioglu, "Framing Gender-Based Violence in Turkey," 12; Association, "WAVE Violence against Women Country Report Turkey."

⁸¹ Kandiyoti, "Locating the politics of gender: Patriarchy, neo-liberal governance and violence in Turkey," 108; Alparslan Nas, "Familialization of women: Gender ideology in Turkey's public service advertisements," *Fe Dergi* 8, 1 (2016): 168-69., <https://dergipark.org.tr/tr/download/article-file/937983>.

⁸² According to the "Business World Woman" report of the Turkish Enterprise and Business Confederation in August 2017, 1.2 million more women left the workforce compared to the previous year and the most important reason for leaving is "that of traditional gender roles, women are expected to provide care for children and elderly." According to One Step Forward, Two Steps Back "at a time when governments are expected to strengthen policies of equality, it is clear that this regression is an intentional effort to increasingly confine women to home life and cut them off from society." Ürün Güner, "One Step Forward, Two Steps Back: Gender Equality in Turkey," *TPQ (Turkish Policy Quarterly)* (September 24, 2017), <http://turkishpolicy.com/article/872/one-step-forward-two-steps-back-gender-equality-in-turkey>; Alev Özkazanç, "Gender and authoritarian populism in Turkey: the two phases of AKP rule," *openDemocracy* (February 3, 2020), <https://www.opendemocracy.net/en/rethinking-populism/gender-and-authoritarian-populism-turkey-two-phases-akp-rule/>.

⁸³ Employment numbers for Turkey, according to the economist Gedikli, show one of the highest gender employment gaps in the world. The official Turkish employment data for 2018 reports the employment rate of women at 32.9% compared to 70.9% for men. The employment rate in Turkey for women in 2018 was only 3% higher than it was in 1990 when the employment rate for women was at 32.6%. From 1990 to the early 2000s employment rates for women fell to around 20% during the early 2000s. After 2015, a slight improvement can be seen, leading to the 2018 employment rate of 32.9%. Cigdem Gedikli, "Occupational Gender Segregation in Turkey: The Vertical and Horizontal Dimensions," *Journal of Family and Economic Issues* 41 (2020), <https://link.springer.com/article/10.1007/s10834-019-09656-w>. The Turkish Statistical Institute's "Women in Statistics 2018" report said the employment rate among women above the age of 15 was 28.9% less than half the rate for men,

religious ideology in education that, for example, has eliminated gender equality from the curriculum of the national education system.⁸⁴ It can be seen in the manipulation of the health system to facilitate Erdoğan's goal of fostering every Turkish woman's obligation to the nation to have three children.⁸⁵ Information on contraception and family planning is not universally available⁸⁶ and abortion, which is legal at the request of the woman until the end of the tenth week of pregnancy, is difficult, if not impossible, to secure.⁸⁷ Antagonism to women's rights also is reflected in the exclusion of NGOs that support the Istanbul Convention from consultation and funding.⁸⁸

Perhaps the clearest articulation of a rationale for Erdoğan's and AKP's treatment of women is Erdoğan's replacement of "gender equality" with what he labels "gender justice."⁸⁹ Gender

65.6%. "Official figures show gender inequality in Turkey's labor force," *Hurriyet Daily News* (March 8, 2019), <https://www.hurriyetdailynews.com/official-figures-show-gender-inequality-in-turkeys-labor-force-128345>.

⁸⁴ Funda Karapehlivan, "Constructing a "New Turkey" through Education " *Heinrich-Boll-Stiftung* (October 1, 2019), <https://tr.boell.org/en/2019/10/01/constructing-new-turkey-through-education>; Ayşe Durakbaşa and Funda Karapehlivan, "Progress and Pitfalls in Women's Education in Turkey (1839-2017)," *Encounters in Theory and History of Education* 19 (2018), <https://ojs.library.queensu.ca/index.php/encounters/article/view/11915>; Batuhan Aydagül, "Turkey's Progress on Gender Equality in Education Rests on Gender Politics," *Turkish Policy Quarterly* (June 26, 2019), <http://turkishpolicy.com/article/956/turkeys-progress-on-gender-equality-in-education-rests-on-gender-politics>; Özkazanç, "Gender and authoritarian populism in Turkey: the two phases of AKP rule."

⁸⁵ Erdogan has proclaimed that it is every woman's duty to have at least three children. Stuart Williams, "Have 'at least 3 kids', Erdogan tells Turkish women," *Business Insider*, June 6, 2016 <https://www.businessinsider.com/afp-have-at-least-3-kids-erdogan-tells-turkish-women-2016-6>. At a 2013 wedding, Erdoğan offered his views on the nation's need for children: "One (child) is bankruptcy. It is the bankruptcy of the nation. Two is standing in place. Three will sort of carry us forward. So we need four or five." Gul Tuysuz, "7 times Turkish President 'mansplained' womanhood," *CNN*, June 19, 2016, <https://www.cnn.com/2016/06/09/europe/erdogan-turkey-mansplained-womanhood/index.html>; Özlem Altıok, "Reproducing the Nation," *Contexts* (May 20, 2013), <https://contexts.org/articles/reproducing-the-nation/>.

⁸⁶ Erdogan proclaimed that contraception is "treason" and "No Muslim family" should consider birth control or family planning. "Turkey's Erdogan says women who reject motherhood 'incomplete'," *BBC News*, June 5, 2016, <https://www.bbc.com/news/world-europe-36456878>; "Non-emergency abortion in Turkey: free in theory, banned in practice," *Ahwal* (January 14, 2019), <https://ahvalnews.com/women/non-emergency-abortion-turkey-free-theory-banned-practice>; Ayşe Dayı, "Neoliberal Health Restructuring, Neoconservatism and the Limits of Law: Erosion of Reproductive Rights in Turkey," *Health and Human Rights Journal* 21, no. 2 (December 9, 2019), https://www.researchgate.net/publication/338264104_Neoliberal_Health_Restructuring_Neoconservatism_and_the_Limits_of_Law_Erosion_of_Reproductive_Rights_in_Turkey.

⁸⁷ For Erdogan, abortion is "murder" and a secret plot "designed to stall Turkey's economic growth and a conspiracy to wipe the Turkish nation from the world stages." Dayı, "Neoliberal Health Restructuring, Neoconservatism and the Limits of Law: Erosion of Reproductive Rights in Turkey." "Turkey's women face dangerous conditions to obtain legal abortion", *DW*, January 27, 2019, <https://www.dw.com/en/turkeys-women-face-dangerous-conditions-to-obtain-legal-abortion/a-47257680>.

⁸⁸ "After 2015," Funda Ekin, a Turkish lawyer explained, "the little cooperation we had (with the AKP government) was cut entirely. People perceived to be in the opposition are shut out. They don't invite women's rights activists anymore to work on important issues together." "Violence against women, Turkey's new normal," *The Arab Weekly* (January 3, 2020), <https://theArabweekly.com/violence-against-women-turkeys-new-normal>. In its 2018 published review, GREVIO acknowledged the exclusion of the women's rights groups that had been instrumental in formulating the Istanbul Convention and the national legislation implementing it. Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), *Baseline Evaluation Report Turkey* (2018), 29-31., <https://rm.coe.int/eng-grevio-report-turquie/16808e5283>.

⁸⁹ Aybars, Copeland, and Tsarouhas, "Europeanization without substance? EU-Turkey relations and gender equality in employment."; Nas, "Familialization of women: Gender ideology in Turkey's public service advertisements," 171.

justice is framed as a reflection of Turkish national customs and identity. It is tied to the concept of the complementary, but never equal, nature of the biological sexes where a woman's primary role is to produce and care for children and other family members.⁹⁰ It also contrasts with gender equality, a concept portrayed as an erroneous Western idea imposed by those who disregard Turkey's cultural identity.⁹¹

At the First International Women and Family Summit in 2014, Erdoğan told the audience that women and men could not be treated equally "because it goes against the laws of nature.... Their characters, habits and physiques are different... you cannot place a mother breastfeeding her baby on equal footing with men."⁹² Further, he stated: "Our religion has defined a position for women: motherhood.... Some people can understand this, while others can't. You cannot explain this to feminists because they don't accept the concept of motherhood."⁹³ According to Erdoğan, gender justice, rather than gender equality, is necessary because women are vulnerable to "all kinds of exploitation" in the West under the "pretext of equality."⁹⁴

Opposition to gender equality also manifests in the government's introduction of legislation intended to erode women's rights,⁹⁵ failure to enforce laws on violence against women,⁹⁶ an alarming rise in femicides,⁹⁷ so-called vigilante violence against women,⁹⁸ the exclusion and

⁹⁰ Kucukkalioglu, "Framing Gender-Based Violence in Turkey.," "Motherhood should be women's priority: Turkish President Erdogan," *DW* (November 24, 2014), <https://www.dw.com/en/motherhood-should-be-womens-priority-turkish-president-erdogan/a-18083263>; "Recep Tayyip Erdoğan: 'Women Not Equal to Men'.," "Turkey President Erdogan: Women Are Not Equal to Men," *BBC News* (Nov. 24, 2014), <https://www.bbc.com/news/world-europe-30183711>; Ben Cohen, "Turkey's Islamist President Erdogan Attacks Women's Rights Activists as 'Enemy of the Nation'," March 11, 2019, <https://www.algemeiner.com/2019/03/11/turkeys-islamist-president-erdogan-attacks-womens-rights-activists-as-enemy-of-the-nation/>.

⁹¹ "Turkey's Erdogan says men and women should race 100 metres to see if they are equal," *Ahval News* (November 28, 2018), November 28, 2018, <https://ahvalnews.com/women/turkeys-erdogan-says-men-and-women-should-race-100-metres-see-if-they-are-equal>; "Gender Justice the 'Turkish' Way: Anti-Gender Politics in the Land of AKP," Interview with Alev Özkazanç, visiting Scholar at the University of Oxford with the research project on anti-gender movements and gender violence in Europe and Turkey, *Euromed Rights* (Mar. 5, 2020), <https://euromedrights.org/publication/gender-justice-the-turkish-way-anti-gender-politics-in-the-land-of-akp/>.

⁹² "Recep Tayyip Erdoğan: 'Women Not Equal to Men'.," "Turkish President Erdoğan says gender equality 'against nature'," *Hurriyet Daily News* (November 24, 2014), <https://www.hurriyetdailynews.com/turkish-president-erdogan-says-gender-equality-against-nature-74726>.

⁹³ "Recep Tayyip Erdoğan: 'Women Not Equal to Men'.," "Turkish President Erdoğan says gender equality 'against nature'."

⁹⁴ "President Erdoğan Addresses 5th International Women's Conference," *Presidency of the Republic of Turkey Website* (March 7, 2016), <https://www.tccb.gov.tr/en/news/542/40058/president-erdogan-addresses-5th-international-womens-conference>; "Gender Justice the 'Turkish' Way: Anti-Gender Politics in the Land of AKP."

⁹⁵ See Section II.B Anti-Women's Rights Legislative Proposals.

⁹⁶ See Section II.C Failure to Enforce Laws on Violence against Women.

⁹⁷ "Number of Women Killed in Turkey Continues to Rise-NPR," *Ahval News* (September 16, 2019), <https://ahvalnews.com/femicides/number-women-killed-turkey-continues-rise-npr>; Beril Eski, "Turkey femicides are rising — with Erdogan poised to make the violence worse," *NBC News Website* (August 14, 2020), <https://www.nbcnews.com/think/opinion/turkey-femicides-are-rising-erdogan-poised-make-violence-worse-ncna1236682>.

⁹⁸ Sarioglu, "Vigilante Violence against Women in Turkey: A Sociological Analysis/Turkiyede Kadina Yonelik Vigilantist Siddet: Sosyolojik Bir Inceleme." See Section II.E Vigilante Violence.

harassment of women's rights NGOs,⁹⁹ and, most recently, the government's rejection of the Istanbul Convention.¹⁰⁰

B. ANTI-WOMEN'S RIGHTS LEGISLATIVE PROPOSALS

Perhaps the best known of Turkey's anti-women's rights legislative proposals is dubbed the "marry your rapist law." Its terms directly contravene the Istanbul Convention.¹⁰¹ In its most recent iteration, section 103 of the Penal Law would be amended to allow those convicted of certain sexual offenses to be released from prison if: (1) the age difference between the convicted sex offender and the victim is less than 15 years; (2) the victim is at least 13 years old at the time of the incident; (3) there is no criminal complaint, and; (4) the offender and victim marry (even if the marriage is below the legal age for marriage).¹⁰² While the legal age for marriage in Turkey is 18, this proposal would allow so-called "iman" marriages that permit marriage with girls starting at age 13 so long as their "spouse" is not more than 15 years older (e.g., a 28-year-old male, 13-year-old girl). Some parents in Turkey may "consent" to a daughter's marriage to her rapist to avoid perceived harm to the family's honor.¹⁰³ In effect, the proposed change would legalize underage rape and child marriage and endorse the ongoing victimization of the child by allowing her perpetrator to marry her.¹⁰⁴

Various UN agencies opposed previous amnesty proposals, emphasizing that "any forms of sexual violence against children are crimes which should be punished as such."¹⁰⁵ A UN Special

⁹⁹ See Section III Exclusion and Harassment of Women's Rights NGOs; Opposition to the Istanbul Convention.

¹⁰⁰ See Section III Exclusion and Harassment of Women's Rights NGOs; Opposition to the Istanbul Convention.

¹⁰¹ "Turkish women's rights activists concerned about proposed 'amnesty for child abusers'," *Arab Weekly* (February 9, 2020), <https://theArabweekly.com/turkish-womens-rights-activists-concerned-about-proposed-amnesty-child-abusers>.

¹⁰² Rebekah Evans, "Turkey wants to introduce law allowing rapists to marry their victims to avoid prosecution," *EXPRESS*, January 23, 2020, <https://www.express.co.uk/news/world/1232560/turkey-news-women-rape-marriage-law-marry-your-rapist-latest-bill>; Kate Dannies, "Turkey's 'marry your rapist' bill is part of a disturbing global pattern," *The Washington Post*, January 29, 2020, <https://www.washingtonpost.com/opinions/2020/01/29/turkeys-marry-your-rapist-bill-is-part-disturbing-global-pattern/>; Sarah Tor, "Turkey's 'marry your rapist' law has taken women's rights right back to the 1950s," *Independent*, January 23, 2020, <https://www.independent.co.uk/voices/turkey-marry-your-rapist-bill-law-statutory-rape-a9298906.html>. The marry your rapist bill was first introduced and killed in 2016 and at the beginning of 2020 a new version was set to be formally introduced, which has not yet occurred. Uzay Bulut, "Turkey: Women's Rights Abuses Widespread and Systematic," *Gatestone Institute, International Policy Council* (March 21, 2019), <https://www.gatestoneinstitute.org/13911/turkey-women-rights-abuse>.

¹⁰³ "Feminist Meeting on the Istanbul Convention," (Online: Women's Platform for Equality, Oct. 15, 2020); Evans, "Turkey wants to introduce law allowing rapists to marry their victims to avoid prosecution."; Dannies, "Turkey's 'marry your rapist' bill is part of a disturbing global pattern."; Tor, "Turkey's 'marry your rapist' law has taken women's rights right back to the 1950s."

¹⁰⁴ TCK-103 Women's Platform Against Child Sexual Abuse Amnesty, "Women's organizations in Turkey say 'no' to amnesty for perpetrators of sexual abuse of children and to child marriage," *Women's Platform Against Amnesty for Child Sexual Abusers Press Release* (July 6, 2020), https://www.tck103kadinplatformu.net/wp-content/uploads/2020/07/tcp103_20200706_press_release.pdf.

¹⁰⁵ UNFPA UNICEF, UN Women, UNDP, "Joint UNICEF, UNFPA, UN Women and UNDP Statement on Turkey's Draft Bill on Sexual Abuse against Children," *Press Release* (November 21, 2016), <https://www.unfpa.org/press/joint-unicef-unfpa-un-women-and>

Rapporteur on violence against women explained that amnesty would contravene Turkey's obligations under international treaties and "culture" is not a justification for forced and early marriage.¹⁰⁶ More than 300 organizations came together to form the TCK-103 Women Against Child Sexual Abuse Amnesty Platform in 2016. Since then, they have battled against various versions of this proposal, most recently in 2020.¹⁰⁷

Other proposed amendments seek to limit a woman's access to divorce. A legislative proposal by the Nationalist Action Party, an ally of the AK Party, would limit the period during which alimony could be paid to five years. Removing a woman's rights to alimony will severely restrict her ability to divorce.¹⁰⁸ Other proposals include, for example, mediation by religious scholars in divorce cases.¹⁰⁹

C. FAILURE TO ENFORCE LAWS ON VIOLENCE AGAINST WOMEN

According to Turkey's Human Rights Association's Women's Committee, institutional resistance to implementing relevant laws is one of the main reasons women continue to suffer violence.¹¹⁰ Others observe that both the Istanbul Convention and Law 6284 on violence against women are ignored.¹¹¹ A secretary of the Central Women's Committee of the Human Rights Association explained the government:

prioritizes the family, not the woman as a person. Therefore, the men are not being penalised and the male-dominated legal system, which is supported by the Erdoğan government, applies unfair, reduced sentences to male perpetrators of violence against women. This creates an environment in which women become unprotected and men know that there is impunity for their crimes. This is the main reason why the number of murders of women is increasing.¹¹²

undp-statement-turkeys-draft-bill-sexual-abuse-against; Erturk, "A move to set free child sex abusers: in the name of "our culture"."

¹⁰⁶ Erturk, "A move to set free child sex abusers: in the name of "our culture"."; UN Special Rapporteur on violence against women Yakin Ertürk, Short Intersections between culture and violence against women

¹⁰⁷ TCK-103 Women's Platform Against Child Sexual Abuse Amnesty, "Women's organisations in Turkey say "no" to amnesty for perpetrators of sexual abuse of children and to child marriage." In connection with the latest proposal, they have prepared a 72-page report opposing the proposal.

¹⁰⁸ Altay, "Fighting for gender equality: The Istanbul Convention."

¹⁰⁹ Kareem Shaheen and Gokce Saracoglu, "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>.

¹¹⁰ Lepaska, "Can Turkey curb violence against women and put more women to work?."

¹¹¹ "iHD: The State Should Abandon the Policy of Impunity for Violence Against Women."

¹¹² Hamdi Firat Buyuk, "Women Face Rising Violence in Male-Dominated Turkey," *Balkan Insight* (September 2, 2019), <https://balkaninsight.com/2019/09/02/women-face-rising-violence-in-male-dominated-turkey/>; Christina Asquith, "Turkish Men Get Away With Murder," *The New York Times (Opinion)* (February 23, 2015), <https://www.nytimes.com/2015/02/24/opinion/ozgecan-aslan-and-violence-against-women-in-turkey.html>.

A Turkish lawyer explains, “Women who have been beaten go to the police and are told, ‘Don’t file a complaint, it will just make your husband angry.’”¹¹³ Judges can reduce sentences against men for “good” behavior like appearing remorseful, wearing a tie to court, praying regularly, or pleading “intolerable provocation to their honor”—resulting in light penalties for men.¹¹⁴

D. FEMICIDES

Femicide is an increasing problem in Turkey, both in its brutality and frequency. There are, however, no reliable numbers on femicides or violence against women in Turkey. According to a Turkish lawyer, 2009 is the last year that Erdoğan’s government maintained credible statistics on violence against women.¹¹⁵ The government’s numbers showed that, between 2003 and 2010, femicides increased 1,400 percent.¹¹⁶ She opined, “the government ignores the problem (of violence against women) because they’re complicit. Politicians imply that men and women are not equal, that women are given by God to man to care for. They want a family controlled by men, where everyone in the family obeys the men.”¹¹⁷

It is reported that three women are killed per day in Turkey compared to one woman per day in the UK.¹¹⁸ The Turkish Gendarmerie’s report on femicides from 2008 to 2017 highlighted a significant increase after 2013 in the number of women killed (2,487). The report found that 62 percent of the women were killed by their husbands, ex-husbands, or boyfriends, 28 percent by other relatives, and 10 percent by stalkers, neighbors, or others.¹¹⁹ Lack of reliable numbers has led to several NGOs committing to publicizing femicides and male violence against women and demanding change.¹²⁰ For example, *Anıt Sayaç*, a digital database formed in 2007, records the names of identified female victims of gender-based violence and the number of women who die

¹¹³ “We Don’t Want to Die’: Women in Turkey Decry Rise in Violence and Killings,” *National Public Radio, Morning Edition* (September 15, 2019), <https://www.npr.org/2019/09/15/760135010/we-dont-want-to-die-women-in-turkey-decry-rise-in-violence-and-killings>.

¹¹⁴ Nicole Tung & Dalia Mortada, “In the Kingdom of Men Women in Turkey endure a culture of violence,” *International Women’s Media Platform* (May 28, 2018), <https://www.iwmf.org/reporting/in-the-kingdom-of-men-women-in-turkey-endure-a-culture-of-violence/>; Kandiyoti, “Locating the politics of gender: Patriarchy, neo-liberal governance and violence in Turkey.”

¹¹⁵ Pinar Tremblay, “Turkey’s rate of murdered women skyrockets,” (September 14, 2014), <https://www.al-monitor.com/originals/2014/09/turkeywomenmurder.html>.

¹¹⁶ Tremblay, “Turkey’s rate of murdered women skyrockets.”

¹¹⁷ “We Don’t Want to Die’: Women in Turkey Decry Rise in Violence and Killings.”

¹¹⁸ Christine Amanpour, “Interview with Elif Shafak, Violence against women in Turkey a ‘human rights crisis’,” *CNN* (March 20, 2021), <https://edition.cnn.com/videos/tv/2021/03/19/amanpour-elif-shafak-turkey-domestic-violence-melek-ipek.cnn>.

¹¹⁹ Beril Eski, “The Murder of a Ballerina,” *The New York Times* (February 4, 2020), <https://www.nytimes.com/2020/02/04/opinion/turkey-women-murders.html>.

¹²⁰ See, e.g., “Male Violence Monitor,” *bianet news (English)* (2021), <https://bianet.org/english/gender/134394-bianet-is-monitoring-male-violence>; “We Will Stop Femicide Platform (English),” *We Will Stop Femicide Website* (2021), <http://www.kadincinayetlerinidurduracagiz.net/for-english>; Anıt Sayaç, “Digital Monument for Women Dying from Violence (English),” *Anıt Sayaç (The Monument Counter) Website* (2021), <http://anitsayac.com/>; <https://memorializeturkey.com/en/memorial/the-monument-counter-a-digital-memorial-for-women-killed-by-violence/>.

by femicide by year.¹²¹ The digital database recorded 409 femicides in 2020.¹²² We Will Stop Femicide Platform and the *Bianet* Male Violence Monitor also collect and publish data on femicides.¹²³

Femicides gained national attention starting in 2015 when Özgecan Aslan, a university student riding home in a minibus, was attacked by the driver.¹²⁴ He attempted to rape and beat her, ultimately killing her.¹²⁵ Her death galvanized the country. People wore black in mourning and held mass protests before the government.¹²⁶ The driver was eventually convicted of murder.¹²⁷ Subsequently, two other femicides, that of Sule Cet (2018) and Emine Bulut (2019), became the focus of national and international outrage and a rallying points to protest the unrelenting wave of femicides.

In May 2018, another university student, 23-year-old Sule Cet, was sexually assaulted and murdered by a wealthy businessman and his associate. Originally, the men claimed that Ms. Cet committed suicide by throwing herself from the 20th floor of a building in Ankara.¹²⁸ At the trial, the defense speculated about her virginity and suggested that Ms. Cet was to blame because she consumed alcohol. At one hearing, one of the defendants reportedly blamed Cet's father for her murder, telling him "if only you'd looked after your daughter."¹²⁹ Activists rallied outside the trial and created a wave of social media posts calling for justice. The hashtag #SuleCetIcinAdalet (Justice for Sule Cet) drove hundreds of thousands of social media posts in the 19 months leading up to the defendants' convictions on December 4, 2019.¹³⁰

The nation saw first-hand the impact of femicide on the 10-year-old daughter of Emine Bulut. On August 23, 2019, Emine's ex-husband slit her throat in front of their daughter in a café in the Turkish province of Kirikkale.¹³¹ They had met in the café to discuss a disagreement regarding custody.¹³² A video showed Emine, 38, bleeding to death while an ambulance was called.

¹²¹ Anıt Sayaç, "Digital Monument for Women Dying from Violence (English)."

¹²² Anıt Sayac, "Digital Monument For Women Dying of Violence (in Turkey)."

¹²³ "We Will Stop Femicide Platform (English)."; "Male Violence Monitor."

¹²⁴ Asquith, "Turkish Men Get Away With Murder."

¹²⁵ Selin Girit, "Turkey rallies over murder of woman who 'resisted rape'," *BBC News* (February 15, 2015), <https://www.bbc.com/news/world-europe-31476978>.

¹²⁶ Nil Köksal, "Özgecan Aslan's killing a 'breaking point' in Turkish fight to end violence against women," *CBC News* (February 16, 2015), <https://www.cbc.ca/news/world/%C3%B6zgecan-aslan-s-killing-a-breaking-point-in-turkish-fight-to-end-violence-against-women-1.2958885>.

¹²⁷ "Killer of Turkish female student Özgecan Aslan shot dead in prison," *DW* (April 11, 2016), <https://www.dw.com/en/killer-of-turkish-female-student-%C3%B6zgecan-aslan-shot-dead-in-prison/a-19179575>.

¹²⁸ Feminists believe that many deaths of women reported as suicides are covering up femicides by family members.

¹²⁹ "Turkey jails businessmen in high-profile 'femicide' case," *Outlook: The News Scroll* (December 4, 2019), <https://www.outlookindia.com/newscroll/turkey-jails-businessmen-in-highprofile-femicide-case/1677503>.

¹³⁰ Ayla Jean Yackley, "Womens' groups welcome conviction for student's murder," *Al-Monitor* (December 5, 2019).

¹³¹ "Emine Bulut: Anger in Turkey over mother's murder," *BBC News* (August 23, 2019), <https://www.bbc.com/news/world-europe-49446389>.

¹³² "Emine Bulut: Anger in Turkey over mother's murder."

The pleading of her 10-year-old daughter, “Mum, please don’t die,” could be heard on the video.¹³³ Her death sparked mass protest rallies and the popular hashtag “We Don’t Want to Die” (#Ölmekistemiyoruz)” was everywhere.¹³⁴

Yet, femicides continue at alarming rates. On the weekend before March 8, 2021, the press reports:

On Saturday, a woman in the capital, Ankara, was stabbed and killed by her husband in front of her four children. At the same day, a 92-year-old woman was raped and then murdered by her 23-year-old neighbor in the western city of Aydin. Another woman was almost beaten to death on Sunday in the northern city of Samsun on the street by her ex-husband who did not accept their divorce. The woman was only saved after some citizens intervened and called the police.¹³⁵

Turkey’s media has also been criticized for its coverage of femicides and violence against women. A media specialist at the Ethical Journalism Network explains, “Government-backed and opposition media outlets are both guilty of unethical reporting of gender-based violence. We see a pattern of victim-focused, murder-excusing, melodramatic reporting styles that often disclose more information about the victim and the subtext than the offender, and fail to give context to the crimes, or show how femicide is the last act of control in a relationship.”¹³⁶

E. VIGILANTE VIOLENCE

In addition to femicides, incidents of “vigilante violence” against women began to increase in 2016. Vigilante violence involves male violence to enforce a gendered public moral order against an unknown female.¹³⁷ Esra Sarioglu characterizes vigilante justice as incidents where “self-appointed vigilantes, all of whom are male citizens, mete out punishments to those women whom they perceive to have transgressed the moral codes in Turkey.” She explained that women are assaulted for no other reason than wearing shorts,¹³⁸ smoking cigarettes, sitting cross-legged in public, engaging in public displays of affection, and exercising in parks.¹³⁹ For example, two young women in Izmir sought help from police officers after being harassed on the street.

¹³³ Kristina Jovanovski, "Protesters: Turkey Not Implementing Laws to Protect Women," *The Media Line*, November 26, 2019, <https://themedialine.org/people/human-rights/protesters-turkey-not-implementing-laws-to-protect-women/>; "Emine Bulut: Anger in Turkey over mother's murder."

¹³⁴ Jovanovski, "Protesters: Turkey Not Implementing Laws to Protect Women."

¹³⁵ Hamdi Firat Buyuk, "Femicides and Violence Overshadow Women’s Day Protests in Turkey," *Balkan Insight* (March 8, 2021), <https://balkaninsight.com/2021/03/08/femicides-and-violence-overshadow-womens-day-protests-in-turkey/>.

¹³⁶ "Women In Turkey Are Determined To Stop Femicide - Murders Of Women."

¹³⁷ Sarioglu, "Vigilante Violence against Women in Turkey: A Sociological Analysis/Turkiyede Kadina Yonelik Vigilantist Siddet: Sosyolojik Bir Inceleme."

¹³⁸ Members of the Turkish government apparently joined in inciting vigilante violence, in that they “publicly encouraged verbal harassment of women wearing shorts.” "Women In Turkey Are Determined To Stop Femicide - Murders Of Women."

¹³⁹ Sarioglu, "Vigilante Violence against Women in Turkey: A Sociological Analysis/Turkiyede Kadina Yonelik Vigilantist Siddet: Sosyolojik Bir Inceleme."

Instead, the police officers chastised them for their clothing and told them, “You actually deserve more with these outfits.” One of the police officers proceeded to batter the two women.¹⁴⁰ In another example, a young woman tried to intervene when two men physically assaulted her aunt and mother because her aunt was smoking. In response, one of the men extinguished the cigarette on the young woman’s neck.¹⁴¹ In addition, mixed-gender groups consuming alcohol in public spaces are sometimes intimidated by small business owners in the vicinity. Café and art galleries involved in activities perceived as immoral, such as serving alcohol during an art exhibition, may find themselves in danger or their businesses threatened by groups of religious-nationalist youth.¹⁴²

While Turkish women have found multiple and creative avenues to protest femicide (see Section III on Civil Society Resistance), they have not curbed the violence or materially diminished the impunity enjoyed by the perpetrators.

III. EXCLUSION AND HARASSMENT OF WOMEN’S RIGHTS NGOs; OPPOSITION TO ISTANBUL CONVENTION

After 2012 and the adoption of Law 6284, state consultation with women’s rights organizations on policy matters impacting women ended.¹⁴³ In 2013, the Erdoğan government formed its most prominent conservative women’s NGO (a government organized NGO, or GONGO), KADEM (*Kadın ve Demokrasi Derneği* – Association for Woman and Democracy).¹⁴⁴ KADEM was organized by leading conservative figures and the women’s branch of the AK Party and funded by the government.¹⁴⁵ Erdoğan’s daughter Sümeyye Erdoğan is one of the founders of KADEM and works as the vice president of the association.¹⁴⁶ One article describes KADEM as “independent” in name only and asserts that it does not contribute to the expansion of the civil sphere and democratization.¹⁴⁷ Instead, AK Party leaders use KADEM to promote the image of the Turkish

¹⁴⁰ Sarioglu, "Vigilante Violence against Women in Turkey: A Sociological Analysis/Turkiyede Kadına Yonelik Vigilantist Siddet: Sosyolojik Bir Inceleme."

¹⁴¹ Sarioglu, "Vigilante Violence against Women in Turkey: A Sociological Analysis/Turkiyede Kadına Yonelik Vigilantist Siddet: Sosyolojik Bir Inceleme."

¹⁴² Sarioglu, "Vigilante Violence against Women in Turkey: A Sociological Analysis/Turkiyede Kadına Yonelik Vigilantist Siddet: Sosyolojik Bir Inceleme."

¹⁴³ Kucukkalioglu, "Framing Gender-Based Violence in Turkey."; Goksel, "WAVE Violence against Women Country Report Turkey."; (GREVIO), *Baseline Evaluation Report Turkey*; "Feminist Meeting on the Istanbul Convention."

¹⁴⁴ Çağla Diner, "Gender Politics and GONGOs in Turkey," *Turkish Policy Quarterly* Winter 2018 (March 21, 2018), <http://turkishpolicy.com/article/898/gender-politics-and-gongos-in-turkey>; Ayşe Durakbaşa, "Feminism in Turkey," *Eurozine* (July 29, 2019), <https://www.eurozine.com/feminism-in-turkey/>.

¹⁴⁵ Durakbaşa, "Feminism in Turkey."; Diner, "Gender Politics and GONGOs in Turkey."

¹⁴⁶ Diner, "Gender Politics and GONGOs in Turkey."

¹⁴⁷ Diner, "Gender Politics and GONGOs in Turkey." However, KADEM recently came out in defense of the Istanbul Convention and against withdrawal. "KADEM website," (April 8, 2020). <https://kadem.org.tr/en/istanbul-convention-implementations-and->

woman as “wife and mother, one who is more than willing to fulfill her domestic responsibilities through self-sacrifice without regard to her individuality.”¹⁴⁸ A founding member of KADEM explains that it will break the monopoly of the women’s movement in Turkey and be the only institution to fulfill the needs of women in Turkey.¹⁴⁹

One of the earliest public efforts of the Erdoğan government to exclude women’s rights NGOs occurred in 2014 when the Erdoğan government led the process to nominate a Turkish “expert” for membership on the Istanbul Convention’s initial GREVIO committee.¹⁵⁰ The Ministry of Family and Social Policies sought to exclude from the nomination process a group consisting of 88 women’s groups, known as the Platform, that had been active on Law 6284’s development. Eventually, the Ministry relented and allowed their attendance at an initial meeting. At the meeting, the Ministry insisted that only three NGOs would be selected for a committee that would make the nomination, ignoring all suggestions from the Platform.¹⁵¹ When members of the Platform walked out of the meeting in protest, the Ministry nominated three NGOs “with no direct experience or expertise in dealing with domestic violence.”¹⁵² Of the three, two were apparent GONGOs.¹⁵³

The Platform persisted, demanding that Turkey’s nominee fulfil the requirements established by Article 66 of the Istanbul Convention, including that the nominee have the qualifications to substantiate expert status related to violence against women, human rights, gender equality, assistance to and protection of victims, and that the candidate’s selection be transparent and open to competition.¹⁵⁴ Their persistence resulted in a government decision to appoint Dr. Feride Acar.¹⁵⁵

grevio-process-workshop/; "Conservative Turkish women’s group defies critics to support Istanbul Convention," *Ahval News* (Aug. 2, 2020), <https://ahvalnews.com/kadem/conservative-turkish-womens-group-defies-critics-support-istanbul-convention>.

¹⁴⁸ Diner, "Gender Politics and GONGOs in Turkey."

¹⁴⁹ Durakbaşa, "Feminism in Turkey."

¹⁵⁰ "Feminist Meeting on the Istanbul Convention."

¹⁵¹ Özlem Altıok and Bihter Somersan, "Building "a new Turkey": gender politics and the future of democracy," *openDemocracy* (March 3, 2015), <https://www.opendemocracy.net/en/5050/building-new-turkey-gender-politics-and-future-of-democracy/>.

¹⁵² Somersan, "Building "a new Turkey": gender politics and the future of democracy."

¹⁵³ Somersan, "Building "a new Turkey": gender politics and the future of democracy." "The two GONGOs were KADEM, which was newly formed at that time, and Women Healthcare Professionals Solidarity Association of which Prime Minister Davutoğlu's wife was “honorary president.”

¹⁵⁴ Article 66, Council of Europe, "The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): Questions and answers." <https://rm.coe.int/istanbul-convention-questions-and-answers/16808f0b80>; "Feminist Meeting on the Istanbul Convention." Rule 10, Council of Europe Committee of Ministers, "Resolution CM/Res(2014)43 on rules on the election procedure of the members of the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)," (November 19, 2014), https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805c4ba0. which provides “Each State Party shall ensure that the national selection procedure leading to the nomination of candidates for GREVIO is transparent and open to competition in order to lead to the nomination of the most qualified candidates.”

Gul Tuysuz, "Turkish women rally against domestic violence as ruling party contemplates leaving key rights treaty," *CNN* (August 5, 2020), <https://www.cnn.com/2020/08/05/europe/turkey-gender-protests-istanbul-convention-intl/index.html>.¹⁵⁵

Since then, women labelled as feminists have been demonized. Erdoğan claims feminists have “no relations to our religion and our civilization,”¹⁵⁶ are “marginal women,”¹⁵⁷ are not mothers,¹⁵⁸ and are “enemies of the nation.”¹⁵⁹ There have been increasing crackdowns against women’s marches, especially annual International Woman’s Day marches, including permit cancellations and police use of tear gas.¹⁶⁰ Some women’s NGOs have been closed by decree or fined.¹⁶¹

In 2019, conservatives and religious fundamentalists began to push public opposition to the Istanbul Convention.¹⁶² Unlike the Central and Eastern European countries where the U.S. religious right, Russian proxies, and other far-right forces play a material role in fomenting opposition, Turkey’s opposition is tied to an authoritarian and paternalistic interpretation of Turkish culture, a version of traditional religious values, and resentment and distrust of the EU.

In May 2020, a religious fundamentalist group, comprised of journalists from the ultra-conservative daily *Yeni Akit* and former AK Party lawmakers, known as the Turkey Thinking Platform, presented Erdoğan with a report urging withdrawal from the Istanbul Convention. The report claimed the treaty damages the religious, social, and cultural codes of society and weakens the institution of the family.¹⁶³ The group also suggested that women are becoming more

"Feminist Meeting on the Istanbul Convention."; Somersan, "Building "a new Turkey": gender politics and the future of democracy."

¹⁵⁶ Deniz Kandiyoti, "The gender wars in Turkey: a litmus test of democracy?," *openDemocracy* (March 30, 2015), <https://www.opendemocracy.net/en/5050/gender-wars-in-turkey-litmus-test-of-democracy/>.

¹⁵⁷ "Turkey's Erdogan says women who reject motherhood 'incomplete'."

¹⁵⁸ "Turkey President Erdogan: Women Are Not Equal to Men."; "Recep Tayyip Erdoğan: 'Women Not Equal to Men'."

¹⁵⁹ Cohen, "Turkey's Islamist President Erdogan Attacks Women's Rights Activists as 'Enemy of the Nation'."

¹⁶⁰ "Turkey bans Istanbul International Women's Day rally for second year," *The New Arab (UK)* (March 8, 2020), <https://english.alaraby.co.uk/english/news/2020/3/8/turkey-bans-international-womens-day-rally-in-istanbul>; Jovanovski, "Protesters: Turkey Not Implementing Laws to Protect Women."; "Erdogan accuses women's march of disrespecting Islam," *Reuters*, March 10, 2019 2019, <https://www.reuters.com/article/us-womens-day-turkey-erdogan/erdogan-accuses-womens-march-of-disrespecting-islam-idUSKBN1QR0JT>; Cohen, "Turkey's Islamist President Erdogan Attacks Women's Rights Activists as 'Enemy of the Nation'."; Bulut, "Turkey: Women's Rights Abuses Widespread and Systematic."; Alev Özkazanç, "The new episode of anti-gender politics in Turkey," *Engenderings, LSE (London School of Economics) Blogs* (May 20, 2019), <https://blogs.lse.ac.uk/gender/2019/05/20/new-episode-anti-gender-turkey/>; "International Women's Day: Clashes, Coronavirus And Women Prepare To Strike," *NPR* (March 8, 2020), <https://www.npr.org/2020/03/08/813477367/international-womens-day-2020-clashes-coronavirus-and-women-prepare-to-strike>.

¹⁶¹ "Turkey: Women's Rights Defenders in the Crosshairs," *Federation of International Human Rights* (December 12, 2019), <https://www.fidh.org/en/issues/human-rights-defenders/turkey-women-s-rights-defenders-in-the-crosshairs>.

¹⁶² See e.g., Dicle Eşiyok, "Turkish Islamists say laws protecting women threaten the family," *Ahval News* (July 15, 2019), <https://ahvalnews.com/domestic-violence/turkish-islamists-say-laws-protecting-women-threaten-family>; Altay, "Fighting for gender equality: The Istanbul Convention."

¹⁶³ "Islamist platform to no longer submit advisory report to gov't on Istanbul Convention amid public reaction," *duvaR. English* (August 4, 2020), <https://www.duvarenglish.com/women/2020/08/04/islamist-platform-says-it-will-no-longer-submit-advisory-report-to-govt-on-istanbul-convention-amid-public-reaction>.

masculine and men are becoming more feminine, noting, incorrectly, that the Istanbul Convention attempts to eliminate gender.¹⁶⁴

In June 2020, President Erdoğan suggested that it is possible for Turkey to “annul” its commitment to the Istanbul Convention,¹⁶⁵ thereby encouraging fundamentalist religious and nationalistic groups to increase their criticism of the Convention. These criticisms included claims that the Istanbul Convention was a tool of Western imperialist powers to control Turkish society, would destroy the Turkish traditional family,¹⁶⁶ and foster homosexuality.¹⁶⁷ On July 2, 2020, Numan Kurtulmuş, the Vice Chair of Erdoğan’s governing AK Party, remarked that Turkey should never have signed the Convention and noted, “Just as [the Istanbul Convention] was duly signed, one can duly withdraw from the convention.”¹⁶⁸

Protests erupted across Turkey, inflamed by these statements and information that the AKP would meet on August 5 to discuss withdrawal and revocation of Law 6284.¹⁶⁹ In addition, news broke of yet another femicide – this time of a 27-year-old university student, Pinar Gutekin, who was murdered by her ex-boyfriend after she refused to resume their relationship.¹⁷⁰ The protests reflected women’s fury at their own government’s failure to protect Turkish women against rising levels of femicide and violence, while at the same time proposing both to cancel Turkey’s Law 6284 and withdraw from a convention on violence against women.

¹⁶⁴ "Islamist platform to no longer submit advisory report to gov't on Istanbul Convention amid public reaction."

¹⁶⁵ Volga Kuşçuoğlu, "Conservatives Campaign Against İstanbul Convention in Pro-AKP Circles," *bianet* (July 17, 2020), <https://bianet.org/english/women/210554-conservatives-campaign-against-istanbul-convention-push-akp-for-withdrawal>.

¹⁶⁶ For example, Ergün Yıldırım, a columnist for pro-government *Yeni Şafak*, said the İstanbul Convention "represents a total disengagement from the classical Turkish woman, Turkish family structure, classical Islamic family and the values of the Muslim women." He said it reflects the "post-modern non-familialism, the life of extramarital partnership and feminist point of view towards women that Europe has developed in the past 30 years." Volga Kuşçuoğlu, "Conservatives Campaign Against İstanbul Convention, Push AKP for Withdrawal," *bianet*, July 17, 2019, <http://bianet.org/english/women/210554-conservatives-campaign-against-istanbul-convention-push-akp-for-withdrawal>; Sevgi Doğan, "İstanbul Convention: Violence, Women and Turkey" *European Law and Gender* Università di Pisa (August 18, 2020), <https://elan.jus.unipi.it/blog/istanbul-convention-violence-women-and-turkey-by-sevgi-dogan/>.

¹⁶⁷ *Yeni Akit* published an article on July 15, 2019 titled "The Istanbul Convention Must be Immediately Canceled." It condemned the Convention for "doing the groundwork for the justification of homosexual heresy and the disintegration of the family under the guise of preventing violence against women."

¹⁶⁸ CNN also reports that in the televised broadcast he asserted, "There are two issues in this convention which we do not approve of. First is the gender issue (e.g., that the Convention approves a "third" gender) and the other is sexual orientation issue," AKP deputy chair Numan Kurtulmuş, said in a televised interview. "There are also other issues but these two have been the concepts which have played into the hands of and creates spaces for the LGBT and marginal elements to work within." Tuysuz, "Turkish women rally against domestic violence as ruling party contemplates leaving key rights treaty."

¹⁶⁹ Ayla Jean Yackley, "Murders of women in Turkey: 'The state cannot shield us'," *The Financial Times* (August 11, 2020), <https://www.ft.com/content/866a35af-af57-425d-8c5d-a51a9774e427>.

¹⁷⁰ Umut Uras, "Protests in Turkey over brutal murder of young woman," *Al Jazeera* (July 22, 2020), <https://www.aljazeera.com/news/2020/07/22/protests-in-turkey-over-brutal-murder-of-young-woman/>; "Brutal murder of young woman shocks country," *Hurriyet Daily News* (July 21, 2020), <https://www.hurriyetaidailynews.com/brutal-murder-of-young-woman-shocks-country-156758>.

Attorney Selin Nakipoglu, who represents abuse victims, described the law as the only effective tool they have. She stated, “although the convention hasn’t been effectively implemented, abandoning it would have a domino effect on what protections we have.”¹⁷¹ We Will Stop Femicide Platform director Kav described the authorities as “...discussing doing away with the convention entirely. This emboldens men to turn to violence.... If merely talk of leaving the convention has had this effect, the situation for women will become completely precarious without it.”¹⁷²

A July 2020 survey showed that nearly 64 percent of people in Turkey are against the country’s withdrawal from the convention, while 19.4 percent had no opinion.¹⁷³ Among AK Party voters, only 25.7 percent said Turkey should withdraw from the convention, while 50 percent were against the withdrawal.¹⁷⁴ Another poll in August 2020 conducted after widespread protests against withdrawal, showed that only 7 percent of survey participants favored Turkey’s withdrawal.¹⁷⁵

Neither Erdoğan nor the religious conservatives opposing the convention was prepared for the pushback against withdrawal, especially the vocal protests by conservative religious women. Women members of President Erdoğan’s AK Party who consistently have formed his political base¹⁷⁶ and KADEM, the Erdoğan government created and funded women’s GONGO,¹⁷⁷ opposed

¹⁷¹ Yackley, "Murders of women in Turkey: 'The state cannot shield us'."

¹⁷² Yackley, "Murders of women in Turkey: 'The state cannot shield us'."

¹⁷³ "Survey: Half of AKP voters against withdrawal from Istanbul Convention," *bianet* (July 27, 2020), <https://bianet.org/english/women/228087-survey-half-of-akp-voters-against-withdrawal-from-istanbul-convention>.

¹⁷⁴ "Survey: Half of AKP voters against withdrawal from Istanbul Convention."

¹⁷⁵ KONDA Research, "'Only 7 percent say Turkey should withdraw from Istanbul Convention'," *BIA News Desk* (Sep. 2, 2020), <https://bianet.org/english/women/230104-only-7-percent-say-turkey-should-withdraw-from-istanbul-convention>. The fieldwork was conducted with face-to-face participation of 3, 559 people in 206 neighborhoods and villages in 110 districts in 32 of 81 provinces in Turkey. A total of 18 surveys were conducted in each neighborhood and they included an age and gender quota.

¹⁷⁶ İpek İlkkaracan, "Economic and Political Gender Gaps and the Rise of Populism: Insights from a Turkish Perspective," *Journal of International Affairs* 72, no. 2 (2019): 195., www.jstor.org/stable/26760842. The journalist commentator Murat Yetkin opined as follows: "For years, Erdoğan got more votes from women. Women wearing the Islamic headscarf were able to go to universities and workplaces. They were able to work to support themselves. But women are used to exercising their civil rights to inheritance and alimony through official marriage. Taking this away from them will not be easy. And it won't be easy to tell them that to withdraw from the Istanbul Convention against violence against women is the best for them. Neither will it be easy to tell them to be patient in the name of those damned patriarchal traditions and to 'protect the family institution' when the man they are married to beats them. Will those women ever vote for Erdoğan again? Erdoğan has started to see this crystal clear. Upon pressures, the Women and Democracy Platform (KADEM) of which his daughter Sümeyye Erdoğan Bayraktar is a director, has stopped opposing to the withdrawal from the Istanbul Convention. But it seems like there is no unanimity among them. It's not just the associations that have been critical of Erdoğan from the start. Women among the Justice and Development Party (AKP), too, are writing letters to and requesting appointments with Erdoğan and the First Lady Emine Erdoğan. They do so both as individuals and through their women's associations. A women's right crack has appeared within AKP." Yetkin, "When Erdoğan doesn't get his applause."

¹⁷⁷ Hamdi Firat Buyuk, "Istanbul Convention's Fate Splits Turkish President's Supporters," *Balkan Insight* (August 10, 2020), <https://balkaninsight.com/2020/08/10/istanbul-conventions-fate-splits-turkish-presidents-supporters/>.

withdrawal.¹⁷⁸ KADEM issued a 16-point statement publicized on August 2, 2020 condemning withdrawal and the “demonization” of the Convention.¹⁷⁹ It declared, “At a time when there is no connection between the Istanbul Convention and the rise in the number of women’s murders, it is not rational to declare the convention, which aims to prevent women’s murders, as a scapegoat.”¹⁸⁰ Sevda Karaca with the Rose and Bread Initiative explained that violence against women is a chronic problem in Turkey and many women from more conservative backgrounds voted for the AK Party because they wanted protection. “Now they are angry,” Karaca stated, a sentiment that has divided the AK Party over the issue.¹⁸¹

Conversely, on August 3, 2020, the other large and influential GONGO in Turkey, Tügva (Turkey Youth Foundation) on whose board Erdoğan’s son sits, publicly opposed the Convention as having “made no contribution to our society.”¹⁸² Mahmut Ünlü, a leader of a religious sect, publicly supported Tügva’s statement and tweeted, “If we do not react to this convention right now, tomorrow we cannot prevent our children from being gay.”¹⁸³

In early August, the AK Party’s Women’s Branch Chairperson announced that the Central Office Women’s Branch and all 81 provincial women’s branches planned to file criminal complaints against Abdurrahman Dilipak, a pro-AK Party media columnist. In a July 27 article entitled “The Daisies of the AKP,”¹⁸⁴ Dilipak accused KADEM and other AK Party individuals of being behind the Convention, calling all women supporting the convention “whores.”¹⁸⁵

One day before the anticipated August 5 AK Party meeting, Turkey’s Thinking Platform announced that in the face of a strong public reaction, it was withdrawing from public discourse

¹⁷⁸ Hamdi Firat Buyuk, "Istanbul Convention's Fate Splits Turkish President's Supporters," *Balkan Insight* (August 10, 2020), <https://balkaninsight.com/2020/08/10/istanbul-conventions-fate-splits-turkish-presidents-supporters/>.

¹⁷⁹ "Conservative Turkish women’s group defies critics to support Istanbul Convention."; Durrie Bouscaren, "In Turkey, a conservative push to remove domestic violence protections is met with an uproar," *The World* (Aug. 5, 2020), <https://www.pri.org/stories/2020-08-05/turkey-conservative-push-remove-domestic-violence-protections-met-uproar>.

¹⁸⁰ Menekse Tokyay, "Turkish women’s anger as doubts grow over domestic violence treaty," *Arab News* (Aug. 5, 2020), <https://www.arabnews.com/node/1714741/middle-east>.

¹⁸¹ Buyuk, "Istanbul Convention's Fate Splits Turkish President's Supporters."

¹⁸² Buyuk, "Istanbul Convention's Fate Splits Turkish President's Supporters." This constituted a rare public display of division within President Erdoğan’s own family. See also, Mengü, "The sister’s slap."

¹⁸³ Mengü, "The sister’s slap."

¹⁸⁴ "Islamist columnist slammed by AKP spokesperson for insulting defenders of Istanbul Convention," *duva.R English* (July 31, 2020), <https://www.duvarenglish.com/human-rights/2020/07/31/islamist-columnist-slammed-for-insulting-defenders-of-istanbul-convention>.

¹⁸⁵ The term, “whores,” also has been translated in press articles as “prostitutes.” "Islamist columnist slammed by AKP spokesperson for insulting defenders of Istanbul Convention."; "Women from AKP file a complaint against columnist over Istanbul Convention remarks," *bianet* (August 11, 2020), <https://m.bianet.org/english/print/228820-women-from-akp-file-a-complaint-against-columnist-over-istanbul-convention-remarks>; Mehmet Tosun, "Turkey has ‘zero tolerance’ for violence against women," *AA* (October 1, 2010), <https://www.aa.com.tr/en/life/turkey-has-zero-tolerance-for-violence-against-women/1992618>."

on the withdrawal from the Istanbul Convention.¹⁸⁶ It stated, "Our platform is withdrawing from this issue and will not be a part of it in any way because this issue has worn us out."¹⁸⁷ It concludes that it will no longer offer views against the Istanbul Convention.¹⁸⁸

The August 5 meeting was cancelled, yet Erdoğan's remarks that day indicate that withdrawal remained a priority on Erdoğan's and the AK Party's agenda. Erdoğan stated the treaty was not legitimate because it would destroy the foundation of the family. He added, "I am of the opinion that we are highly capable to draft texts which honor human dignity, put the family at the center and which are appropriate for our social fabric. Instead of translated texts, we need to determine our frame on our own. Instead of saying Copenhagen criteria, we would say Ankara criteria and proceed on our way."¹⁸⁹

August 18 was set as the new date for decisive action against the Istanbul Convention.¹⁹⁰ On August 17, the conservative *Yeni Refah Partisi* (New Welfare Party) filed a lawsuit against Aylin Nazliaka, chair of the women's branch of the main opposition party, CHP. Nazliaka criticized Turkey's plans for withdrawal, stating that "only men 'troubled' by the treaty are 'the men who inflict violence on their spouses, partners or female strangers, the men who massacre, harass, and rape women.'"¹⁹¹ *Yeni Refah Partisi*, in turn, accused her of slander and inciting public enmity and hatred.¹⁹² Simultaneously, some 50 separate but similar criminal complaints were filed with the Chief Public Prosecutor's Office against her by party members.¹⁹³

On August 18, the AK Party announced it would no longer pursue eliminating Law 6284 on violence against women. With respect to the Istanbul Convention, AK Party insisted that it is listening to those who support the convention and those who do not: "The work is going on. We are seriously following the views of those who are expressing their position in a decent way and without insulting women."¹⁹⁴

¹⁸⁶ "Islamist platform to no longer submit advisory report to gov't on Istanbul Convention amid public reaction." <https://www.duvarenglish.com/women/2020/08/04/islamist-platform-says-it-will-no-longer-submit-advisory-report-to-govt-on-istanbul-convention-amid-public-reaction>.

¹⁸⁷ "Islamist platform to no longer submit advisory report to gov't on Istanbul Convention amid public reaction."

¹⁸⁸ "Islamist platform to no longer submit advisory report to gov't on Istanbul Convention amid public reaction."

¹⁸⁹ "Erdoğan signals withdrawal of Turkey from Istanbul Convention," *duva.R English* (August 13, 2020), <https://www.duvarenglish.com/women/2020/08/13/erdogan-signals-withdrawal-of-turkey-from-istanbul-convention>.

¹⁹⁰ "Fate of Istanbul Convention in Turkey to be determined Tuesday," *Daily Sabah* (August 16, 2020), <https://www.dailysabah.com/politics/legislation/fate-of-istanbul-convention-in-turkey-to-be-determined-tuesday>.

¹⁹¹ Mahmut Gul, "Turkish Islamist Party's Twisted Review of the Istanbul Convention," *Polygraph.info* (Aug. 27, 2020), <https://www.polygraph.info/a/istanbul-convention-turkey-fact-check/30805958.html>.

¹⁹² Gul, "Turkish Islamist Party's Twisted Review of the Istanbul Convention."

¹⁹³ Gul, "Turkish Islamist Party's Twisted Review of the Istanbul Convention."

¹⁹⁴ "Ruling AKP says it's open to hear views of associations on Istanbul Convention," *Hurriyet Daily News* (August 19, 2020), <https://www.hurriyetdailynews.com/ruling-akp-says-its-open-to-hear-views-of-associations-on-istanbul-convention-157527>.

On October 10, 2020, in a video message to mark the 25th anniversary of the Fourth World Conference on Women in Beijing, Erdoğan condemned violence against women. He stated, “We can never tolerate even a single woman in our country being exposed to violence incurring the violation of her rights, law, and dignity,” but did not mention the Istanbul Convention.

On December 3, 2020, he put the Istanbul Convention back on his agenda with a cryptic message. He emphasized family unity, noting “women’s position in the family will also be strengthened.”¹⁹⁵ Erdoğan stated, “I believe that the debates surrounding Istanbul Convention are based on the ongoing wrong implementation rather than the core of the issue. We won’t allow drifting to wrong paths when we correct some mistakes...We’ll take our steps in a way that, won’t harm the dynamics that keep our society together. We’ll make sure that our practices are carried out in a right, fair and sustainable path.”¹⁹⁶

According to Oğuzhan Asiltürk, chairman of the higher advisory board of Turkey’s right-wing Felicity Party (SP), on January 7, 2021, Erdoğan told him in clear terms that the treaty would be abandoned.¹⁹⁷ Conservative AK Party members reportedly recruited Asiltürk for his influence to push withdrawal from the Istanbul Convention.¹⁹⁸ The next pronouncement on the Istanbul Convention came on March 20, when Erdoğan officially announced the decision to withdraw from it.¹⁹⁹

IV. CIVIL SOCIETY RESISTANCE

Turkey’s early and strong endorsement of the Istanbul Convention is a testament to the extraordinary mobilization of civil society in support of women’s rights, equality, and freedom from violence. As Erdoğan and the AK Party adopted policy measures that undermined women’s equality while failing to implement violence against women laws, they created an environment of impunity for preparators.²⁰⁰ Women’s organizations have so far battled against and prevented “marry-your-rapist” laws and proposals to make divorce more difficult.²⁰¹ Turkey’s women’s organizations have been creatively and bravely working to save the lives of women and girls and

¹⁹⁵“Istanbul Convention back on Erdoğan's agenda with emphasis on 'family unity'," *duvaR. English* (December 3, 2020), <https://www.duvarenglish.com/istanbul-convention-back-on-turkish-president-recep-tayyip-erdogans-agenda-with-emphasis-on-family-unity-news-55319>.

¹⁹⁶ "Istanbul Convention back on Erdoğan's agenda with emphasis on 'family unity'."

¹⁹⁷ "Erdoğan will withdraw Turkey from İstanbul Convention, opposition politician claims," *Turkish Minute* (January 28, 2021), <https://www.turkishminute.com/2021/01/28/erdogan-to-withdraw-turkey-from-istanbul-convention-opposition-politician-claims/>.

¹⁹⁸ "Erdoğan will withdraw Turkey from İstanbul Convention, opposition politician claims."

¹⁹⁹ "Decree Withdrawing from the Istanbul Convention dated March 19, 2021.;" Yadav, "Turkey announces withdrawal from violence against women treaty."

²⁰⁰ "'We Don't Want to Die': Women in Turkey Decry Rise in Violence and Killings."

²⁰¹ See Section II.B Anti-Women Rights Legislative Proposals

combat the government's undermining of women's human rights. While Turkish women's human rights defenders have been innovative in using technology,²⁰² especially social media,²⁰³ the arts,²⁰⁴ and networking on various platforms, they were not able to stop Erdoğan from issuing his withdrawal decree.²⁰⁵

Twitter campaigns have sprung up and gained traction in response to publicized femicides and incidents of vigilante violence.²⁰⁶ While the campaigns do not always include a call to action,²⁰⁷ protesters have been encouraged to protest outside courthouses during cases of alleged femicide and severe violence against women. After the murder of Sule Cet, some credit social media with forcing the application of the law to the facts, which led to the conviction of the perpetrators.²⁰⁸ Researchers note that only 4.8 percent of studied Twitter posts related to violence against women are critical of authorities and only 18.4 percent included some sort of call for action.²⁰⁹ They attribute the low rates to the Turkish government's surveillance of social media and readiness to punish public criticism of the government. They concluded that "fear of getting on the wrong side of the government may prevent . . . social media users from posting anything even minimally critical of its [the Turkish government's] actions or policies."²¹⁰

²⁰² Turkey's women's groups have been effective in using social media hashtag campaigns in following trials of femicide. See, e.g., Section discussing femicides. Their black and white selfie campaign in the wake of this summer's proposal to withdraw from the Istanbul Convention gained global attention. Bethan McKernan, "Challenge accepted: Turkish feminists spell out real meaning of hashtag," *The Guardian* (July 31, 2020), <https://www.theguardian.com/world/2020/jul/31/challenge-accepted-turkish-feminists-spell-out-real-meaning-of-hashtag>. Aslı Bâli Jessica Wolf, "How an Instagram trend helped illustrate the value of the Istanbul Convention," *UCLA News* (September 16, 2020), <https://newsroom.ucla.edu/stories/from-instagram-trend-to-the-istanbul-convention>. In their October 15, 2020, forum, ESIK Platform provides information on a number of their successful national efforts.

²⁰³ Özen Baş Christine L. Ogan, "Women's Rights and Gender Equality in Turkey | Use of Social Media in the Struggle Surrounding Violence Against Turkish Women," *International Journal of Communication* 14 (2020), <https://ijoc.org/index.php/ijoc/article/view/12035>.

²⁰⁴ See, e.g., "Artist displays 440 pairs of high heels for women murdered in Turkey in 2018," *Reuters* (September 24, 2019), <https://www.reuters.com/article/us-turkey-womensrights-shoes/artist-displays-440-pairs-of-high-heels-for-women-murdered-in-turkey-in-2018-idUSKBN1W923G>; Yasemin Elci, "How Artists in Turkey Are Responding to Violence against Women," *ArtSy* (September 22, 2020), <https://www.artsy.net/article/artsy-editorial-artists-turkey-responding-violence-women>.

²⁰⁵ KONDA Research, "'Only 7 percent say Turkey should withdraw from Istanbul Convention'," *BIA News Desk* (September 2, 2020), <https://bianet.org/english/women/230104-only-7-percent-say-turkey-should-withdraw-from-istanbul-convention>.

²⁰⁶ Christine L. Ogan, "Women's Rights and Gender Equality in Turkey | Use of Social Media in the Struggle Surrounding Violence Against Turkish Women." The same result happened. Examples include #sendeanlat (tell your story too) around the brutal murder of Özgecan Aslan, #AyşegülTerzininSesiOlalım (Let's be the Voice for Ayşegül Terzi) protesting the court's decision dismissing a case against a man who attacked a woman on an Istanbul bus for wearing shorts in 2017, #SuleCetIcinAdalet (Justice for Şule Çet) in connection with another brutal murder of a young woman.

²⁰⁷ Christine L. Ogan, "Women's Rights and Gender Equality in Turkey | Use of Social Media in the Struggle Surrounding Violence Against Turkish Women," 5566. Cite needs Ozen Bas?

²⁰⁸ Dilay Yalcin, "Activists in Turkey hail convictions in femicide case," *BBC* (December 5, 2019), <https://www.bbc.com/news/world-50673700>; "Turkey jails businessmen in high-profile 'femicide' case."

²⁰⁹ Christine L. Ogan, "Women's Rights and Gender Equality in Turkey | Use of Social Media in the Struggle Surrounding Violence Against Turkish Women," 5566. Cite needs Ozen Bas as co-author?

²¹⁰ Christine L. Ogan, "Women's Rights and Gender Equality in Turkey | Use of Social Media in the Struggle Surrounding Violence Against Turkish Women," 5569. Cite needs Ozen Bas as co-author?

In the wake of the government's threats to withdraw from the Istanbul Convention in the summer of 2020, many women's groups recognized the need to unite nationally and seek broader transnational alliances. One example is EŞİK - Women's Platform for Equality (*Eşitlik İçin Kadın Platformu*), formed in the summer of 2020.²¹¹ "It became clear that instead of just reacting to daily attacks on women's rights coming from right-wing groups and governments," stated one ESIK member, "women had to confront this systemic assault by being proactive."²¹²

EŞİK consists of more than 310 women's and LGBTI+ organizations and is supported by nearly 150 NGOs, trade associations, and trade unions.²¹³ It brings together expertise from all walks of life, including from leading academics.²¹⁴ The Wilson Center's Middle East Women's Initiative highlighted ESIK's domestic political and transnational collaborative efforts.²¹⁵ Following Erdoğan's withdrawal notice, EŞİK published an explanation of Erdoğan's decree and urgently called on the CoE Ministers to acknowledge that President Erdoğan's decree was "null and void" and could not go into effect.²¹⁶

More is at stake than the Istanbul Convention and the right of women to live free from violence. Pushback against the Convention is just one aspect of a larger movement that seeks to eliminate the concept of "gender equality," eradicate women's sexual and reproductive rights, and limit women's participation in the labor market, while promoting a patriarchal concept of family as the rights holder and focus for public policy.²¹⁷

Attacks on women's rights are transnational and well-organized. Those who fight to preserve women's rights must be as well. For example, on October 15, 2020, EŞİK - Women's Platform for Equality organized a virtual meeting of transnational women's human rights defenders to share their experiences in facing opposition to the Istanbul Convention and explore possible ways forward. The meeting brought together "170 women from 15 countries from Europe and North America, confirmed that the arguments made in different countries against the Istanbul Convention are similar and that these arguments stem from misogynist, homophobic and

²¹¹ EŞİK - Women's Platform for Equality, "EŞİK - Women's Platform for Equality (English)."

²¹² Zehra F. Kabasakal Arat, "Women's Struggle in Turkey and a New Transnational Declaration," *Wilson Center Post* (Dec. 30, 2020), <https://www.wilsoncenter.org/blog-post/womens-struggle-turkey-and-new-transnational-declaration>.

²¹³ EŞİK - Women's Platform for Equality, "EŞİK - Women's Platform for Equality (English)."

²¹⁴ A few of ESIK's active academics include Feride Acar, Zehra F. Kabasakal Arat and Ozlem Altiok, each of whom spoke during the October 15, 2020, meeting that brought cross border feminists supporting the Istanbul Convention together. EŞİK - Women's Platform for Equality, "EŞİK - Women's Platform for Equality (English)." ZEHRA F. KABASAKAL ARAT

²¹⁵ Arat, "Women's Struggle in Turkey and a New Transnational Declaration."

²¹⁶ EŞİK - Women's Platform for Equality, "Explanations " *EŞİK - Women's Platform for Equality Website* (2021), <https://esikplatform.net/?fbclid=IwAR3vMbZqYrvaZO8Ls0Bc7W0f3M71aiJUEJErUpQZw8cnFfBKkxwCLxPRUWY#>.

²¹⁷ This is reflected, for example, in their 2020 Declaration of Women's Rights. EŞİK - Women's Platform for Equality, "Press Release on the 2020 Declaration of Women's Rights," *EŞİK - Women's Platform for Equality Website* (December 7, 2020), <https://esikplatform.net/7-aralik-2020/>.

transphobic patriarchal ideologies.”²¹⁸ EŞİK followed the meeting with a 2020 Declaration of Women's Rights, released on December 7, 2020, that twelve women's organizations and networks, including The Advocates for Human Rights, signed onto “to draw attention to the discrimination, violence, economic hardship and human rights violations faced by women worldwide.”²¹⁹

Following Erdoğan’s withdrawal, EŞİK participated in a parallel event together with The Advocates for Human Rights, organized by *Kırmızı Biber Derneği* on “Attacks on the Istanbul Convention: The Ongoing Struggle for Women’s Rights” as part of the NGO Virtual Forum at the UN Commission on the Status of Women’s 65th Meeting in March 2021.²²⁰

V. UNCERTAIN ROAD AHEAD

Erdoğan shows no signs of reconsidering withdrawal from the Istanbul Convention. Withdrawal sends a powerful message that women are expendable. It implies that their lives have little value and that their political views and participation in public life can be dismissed.

While the Istanbul Convention and laws on violence against women are only part of the efforts needed to end violence against women, their absence signals society’s endorsement of violence against women, impunity for their aggressors, and disenfranchisement of women in public life.²²¹ Efforts against Turkey’s withdrawal from the Istanbul Convention are just beginning. Those who believe in democracy, in the rule of law, and in the fundamental human rights of each person must continue to stand for the Istanbul Convention and the right to life of Turkey’s women and girls.

²¹⁸ EŞİK - Women's Platform for Equality, "Press Release on the 2020 Declaration of Women's Rights."

²¹⁹ EŞİK - Women's Platform for Equality, "Press Release on the 2020 Declaration of Women's Rights."

²²⁰ The Advocates for Human Rights, "Outrage as Turkish President Erdoğan Withdraws from the Istanbul Convention," *The Advocates for Human Rights Blog* (March 2021), <https://theadvocatespost.org/>.

²²¹ As U.S. Vice-President Kamala Harris noted, “The status of women is the status of democracy... The status of democracy also depends fundamentally on the empowerment of women. Not only because the exclusion of women in decision-making is a marker of a flawed democracy, but because the participation of women strengthens democracy. Leah Rodriguez, "US Vice President Kamala Harris Makes History With UN Gender Equality Speech," *Global Citizen (with links to Vice-President Harris' speech)* (March 17, 2021), <https://www.globalcitizen.org/en/content/kamala-harris-csw-un-speech-gender-equality/>.

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