

# UNDERSTANDING GENDER-BASED VIOLENCE RESPONSE IN THE HUMANITARIAN CONTEXT IN TURKEY

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# CONTENTS

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- INTRODUCTION ..... 1**
- Methodology ..... 2
  
- DEFINING GENDER-BASED VIOLENCE ..... 3**
- Types of GBV in the Humanitarian Context in Turkey ..... 4
  
- UNDERLYING FACTORS CONTRIBUTING TO GBV ..... 6**
- Economic Factors ..... 6
- Socio-Cultural Factors ..... 8
- Intersectionality ..... 9
  
- RESPONSE TO GBV ..... 10**
- Legal Framework ..... 11
- Programs, Services, and Challenges ..... 13
  - Prevention ..... 14
  - Protection and Prosecution ..... 16
  - Policy ..... 20
  
- CONCLUSION AND RECOMMENDATIONS ..... 22**
- Recommendations for frontline GBV responders in Turkey ..... 23
- Recommendations for Donors and Policy-Makers ..... 25

# INTRODUCTION

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**One in 95 people are currently forcibly displaced worldwide.<sup>1</sup> Of those who have fled their home countries, Turkey hosts over 4 million, more than any other country. Now in its second decade, the conflict in Syria has had a profound effect on Turkish society that is likely to continue well into the future. At least 3.6 million Syrians, around half of whom are women and girls, have come to call Turkey home for the time being. The second largest group of refugees and asylum seekers are Afghans, who are estimated to number at least 125,000 as of the end of 2020.<sup>2</sup> This number is reported to be rising by the day amid the recent humanitarian crisis in Afghanistan.<sup>3</sup> This movement has become highly politicized, and discussions of gender have become central to the growing anti-refugee discourse. As observed in the recent attacks on Syrian neighborhoods in Altındağ, Ankara, frustrations within the Turkish host community show signs of bubbling over.<sup>4</sup>**

In this environment, female refugees are particularly vulnerable. They stand at a harsh convergence, facing heightened risk of violence as both women and forcibly displaced persons. The challenges they face are systemic; official state policy has come to prioritize “protection of the family” over individual women’s rights and the Turkish economy is faltering amid COVID-19. Just like their counterparts in the host community, refugee women are susceptible to many forms of violence, whether it be familial, societal, or work or education related. Still, such forms of gender-based violence (GBV) are further compounded by

additional vulnerabilities arising from their status as refugees or forcibly displaced persons. Restrictions on movement and social distancing measures resultant from the pandemic have also come to radically challenge the ways in which women access support.<sup>5</sup> Simultaneously, members of the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community continue to face significant hurdles in accessing services.

Turkey offers strong protections to those forcibly displaced peoples seeking refuge within its borders. While the central government is ultimately responsible for the protection of the country’s refugees, international and national non-governmental organizations (NGOs), and local civil society organizations (CSOs) and municipal actors have come to play a unique role in mechanisms related to GBV prevention, protection, prosecution, and policy.

The gender equality movement in Turkey is robust and resilient. The challenges that women face in exercising their social and political freedoms free from violence are well documented and openly confronted. Along the same lines, significant attention has been paid to the mass movement of Syrians to Turkey since 2011. Programs to facilitate peaceful coexistence between Syrian refugees and their Turkish host communities have been prioritized and financed, largely by the European Union (EU). Still, the intersection of these two challenges remains underexplored. With this in mind, this report aims to shed light on the subject from the perspective of service providers, examining how local CSOs, national and international NGOs, and municipal actors work to prevent GBV and protect survivors within Turkey’s refugee communities.

<sup>1</sup> UNHCR, “Global Trends Forced Displacement in 2020,” (18 June 2021).

<sup>2</sup> UNHCR, “UNHCR Statistical Factsheet Onward Movements of Afghan Refugees,” (March-April 2021).

<sup>3</sup> “Afghan refugees are reaching Turkey in greater numbers,” *The Economist*, 31 July 2021.

<sup>4</sup> “Turkish capital reels from violent protests against Syrians,” BBC, 12 August 2021.

<sup>5</sup> HasNa, Inc., “Turkish Civil Society’s Response to Refugees during COVID-19,” (July 2020).

## Methodology

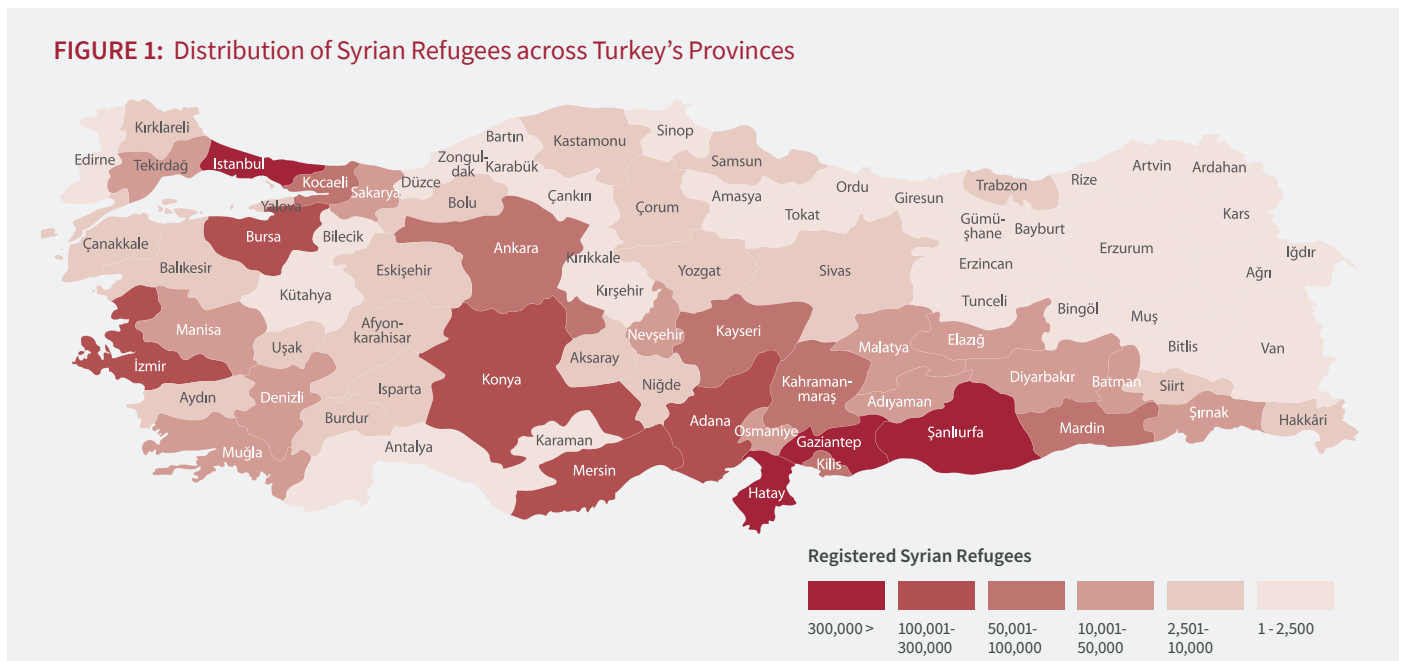
The qualitative data for this report was collected between June and July 2021 through a series of semi-structured interviews with over 25 academicians, local municipal officers, and representatives of international and national NGOs as well as local CSOs. In selecting interviewees, significant efforts were made to contact organizations and individuals who specialized in the fields of human displacement, GBV, and humanitarian assistance. Considering the multi-layered and structural nature of GBV, this research prioritized identifying interviewees at all levels, from high-level inter-governmental organizations, through medium-level nation-wide aid agencies, to low-level local municipalities and grassroots, community-led non-profit organizations.

Each interview focused on a maximum of ten questions revolving around GBV prevention and protection within Turkey's refugee communities. Topics addressed included legal protections, prevention and protection programming, the most prevalent forms of GBV in this context, the unique needs of refugees compared to those of the host community, the relationship between economic factors/COVID-19 and GBV, and the programs and services targeting LGBTI individuals. Questions were designed to facilitate a deeper understanding of the challenges confronted by organizations in addressing GBV faced by refugees as well as the underlying factors that may contribute to GBV within this community. It is important to note that HasNa did not engage in direct interviews with

program beneficiaries or survivors of GBV. While humanizing violence and sharing survivor's stories are vital in raising awareness, this research primarily aimed to explore the operations of non-state actors in addressing GBV while also maintaining a distance from end beneficiaries in order to avoid any ethical concerns.

The geographical distribution of interviewees largely reflects the distribution of refugees throughout Turkey. Nearly 90% (or 3.6 of 4.1 million) of Turkey's refugees are Syrian nationals under Temporary Protection, and they are primarily registered in provinces along the southern border or in larger metropolitan centers such as Istanbul or Bursa (see Figure 1). However, research and advocacy institutions participating in this research, particularly those promoting women's and/or LGBTI causes, tended to be located in larger cities, especially Istanbul and Ankara.

To supplement information acquired from the interviews, an extensive literature review was performed by making use of primary and secondary literature on GBV, Turkey's refugee populations, and the combination thereof. Sources ranged from academic articles, reports published by local and international humanitarian organizations, international and national legal texts, and analyses from the mainstream media. It should be noted that this research occupies a unique position. On the one hand, there is a plethora of research on both dynamics related to refugees in Turkey and GBV within Turkish society; on the other hand, research on the intersection of these two topics is scarce in comparison. One reason for this could be the lack of evidence on GBV within Turkey's refugee communities.



Source: UNHCR Turkey: [Provincial Breakdown Syrian Refugees in Turkey](#) as of 05 August 2021, UNHCR, July 2021.

# DEFINING GENDER-BASED VIOLENCE

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**According to the World Health Organization (WHO), gender refers to the socially constructed characteristics of women, men, girls, and boys. Gender is fluid over time, as it is learned through socialization. It generally encompasses “norms, behaviors, and roles associated with being a woman, man, girl or boy, as well as relationships with each other”.<sup>6</sup>**

Gender-based violence (GBV) refers to violence that targets individuals or groups on the basis of their gender. The United Nations’ Office of the High Commissioner for Human Rights’ Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) defines GBV as “violence that is directed against a woman because she is a woman or that affects women disproportionately”.<sup>7</sup> The United Nations (UN) Declaration on the Elimination of Violence against Women, adopted by the General Assembly on December 20, 1993, further elaborates, defining violence against women as:

*any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.<sup>8</sup>*

Violence against women and girls violates several principles enshrined in international human rights law, including the right to life, equality, security of the person, equal protection under the law, and freedom from torture and other cruel, inhumane, or degrading treatment. However, GBV is not restricted to women and girls alone. The UN High Commissioner for Refugees (UNHCR) employs a more inclusive conception of sexual and gender-based violence (SGBV) which recognizes that although the majority of victims and survivors are women and children, boys and men are also targets,<sup>9</sup> as are LGBTI persons on the basis of their gender expression and sexual orientations. This report therefore seeks to approach GBV in the refugee community from a broader, more inclusive perspective.

Women escaping from conflict zones face several difficulties and obstacles that may prevent them from migrating, including a lack of economic resources, responsibility for the welfare of children, restrictions on women traveling alone, both within and outside of their home country, and fears of violence during and after migration.<sup>10</sup> A January 2018 report by Turkish CSO Support to Life suggests that GBV may be perpetrated at various stages throughout the migration cycle. During armed conflict, fundamental human rights are easily ignored and fleeing family members are often dispersed.<sup>11</sup> Refugee women, children, and other marginalized groups are then faced with the double disadvantage of navigating complex immigration systems in their country of asylum, all while confronting language and cultural barriers as well as heightened risks of encountering SGBV (see Figure 2).

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<sup>6</sup> “[Gender and Health](#),” Health topics, World Health Organization, last modified 2021.

<sup>7</sup> “[Definitions of Sexual and Gender-Based Violence](#),” *The New Humanitarian*, 1 September 2004.

<sup>8</sup> United Nations General Assembly, Resolution 48/104, [Declaration on the Elimination of Violence Against Women](#), 2, (20 December 1993).

<sup>9</sup> UNHCR, “[Sexual and Gender-based Violence Against Refugees, Returnees, and Internally Displaced Persons: Guidelines for prevention and Response](#),” (May 2003): 10.

<sup>10</sup> Aysun Dogutas, “[Gender-based Violence against Syrian Refugee Women in Turkey](#),” *Border Crossing 9*, no. 2 (December 2019): 2.

<sup>11</sup> Support to Life, “[Guide for Gender-Based Violence in Humanitarian Settings](#),” (January 2018): 11.

**FIGURE 2:**

PHASE	TYPE OF VIOLENCE PRESENT
<b>DURING CONFLICT, PRIOR TO FLIGHT</b>	Abuse by persons in power; sexual bartering of women; sexual assault, rape, abduction by armed members of parties in conflict, including security forces; mass rape and forced pregnancies.
<b>DURING FLIGHT</b>	Sexual attack by bandits, border guards, pirates; capture for trafficking by smugglers, slave traders.
<b>IN THE COUNTRY OF ASYLUM</b>	Sexual attack, coercion, extortion by persons in authority, sexual abuse of separated children in foster care; domestic violence; sexual assault when in transit facilities, collecting wood, water, etc.; sex for survival/forced prostitution; sexual exploitation of persons seeking legal status in asylum country or access to assistance and resources, resumption of harmful traditional practices.
<b>DURING REPATRIATION</b>	Sexual abuse of women and children who have been separated from their families; sexual abuse by persons in power; sexual attacks, rape by bandits, border guards, forced/coerced repatriation.
<b>DURING REINTEGRATION</b>	Sexual abuse against returnees as a form of retribution; sexual extortion in order to regularize legal status, exclusion from decision-making processes; denial of or obstructed access to resources, right to individual documentation and right to recover/own property.

Source: Support to Life, “[Guide for Gender-Based Violence in Humanitarian Settings](#),” (January 2018): 12.

## Types of GBV in the Humanitarian Context in Turkey

The UNHCR’s “Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response” classifies acts of SGBV into five categories: sexual violence, physical violence, emotional and psychological violence, harmful traditional practices, and socio-economic violence.<sup>12</sup> For the purposes of this report, respondents were asked to describe the most prevalent forms of GBV reported by refugee communities in Turkey, these were then categorized into the three broad groups below. In order to facilitate a more holistic understanding of the multi-systemic forms of GBV within this community, this section combines the first three categories of GBV mentioned in the UNHCR guidelines into a single, comprehensive group.

**Sexual, Physical, and Emotional Violence:** Sexual violence, including rape, sexual abuse, and incest, is experienced by women and girls in conflict and post-conflict settings, during transit, and upon arrival in destination countries. A systematic review from 2014 revealed that 21% of women in conflict countries had experienced sexual violence either by a stranger or by an intimate partner.<sup>13</sup> HasNa’s interviews also highlighted that married women and young girls can face physical, sexual, and emotional violence at the hands of their husbands, brothers, or other immediate or distant family members. As noted by respondents to this research, involuntary confinement and restrictions on movement among forcibly displaced women and girls can also constitute a form of mental violence, leading to severe emotional and psychological trauma.

<sup>12</sup> UNHCR, “[SGBV Guidelines](#),” 15.

<sup>13</sup> Dogutas, “Gender-based,” 3.

**Harmful Traditional Practices:** Early and forced marriage and adoption of refugee women as “co-wives” by Turkish citizens are common forms of GBV posing a threat to forcibly displaced persons in Turkey. While polygyny with material restrictions is legal and culturally acceptable in Syria,<sup>14</sup> it is forbidden under Turkish civil law.<sup>15</sup> Even though polygyny is legally forbidden in Turkey, it still exists from a traditional standpoint in some parts of the country: particularly in the form of unregistered or religious marriages.<sup>16</sup> According to Dr. Bezem Coşkun, Associate Professor at TED University, Syrian refugees’ mass migration to the provinces along the Syrian border resulted in an increased number of child brides and polygyny in Turkey. This was reiterated by respondents to this research, with many arguing that refugee communities saw child marriage and becoming a co-wife (*Kuma* in Turkish) as effective means of social protection, preventing the threat of sexual assault and obviating women’s need to resort to prostitution for survival.<sup>17</sup> A July 2020 report by ECPAT International also mentions cases of economically at-risk Syrian families accepting payments (or bride price) from older Turkish men specifically for underage Syrian brides.<sup>18</sup> The foreign co-wives of Turkish citizens also face the risk of human trafficking, as they may be introduced and married off to Turkish men by brokers, and ultimately end up as unpaid domestic help in Turkish households.<sup>19</sup>

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**Socio-economic Violence:** From 2014 onward, the Ministry of National Education in Turkey ensured access to education for all school-age Syrian children under Temporary Protection; yet by 2020 over 32% of school-age Syrian children were still missing out on an education.<sup>20</sup> The lack of access to education creates further obstacles in the path to formal and even informal employment, forcing refugee women and girls into early marriages, prostitution, or child labor.

Another form of socio-economic violence can be seen in social exclusion and/or discrimination on the basis of gender expression and sexual orientation. LGBTI refugees often face exclusion from family members, employers, aid organizations, government authorities, and so on. Examples of such forms of discrimination include denial of access to services and social benefits, frivolous imposition of criminal penalties, public and private hostility, and infliction of physical and psychological harm.<sup>21</sup>



Photo: Aram Sabah / Unsplash

<sup>14</sup> “Polygamy Rates Rise in Syria,” *The Syrian Observer*, January 2019.

<sup>15</sup> Fariba Nawa and Ozge Sebzeci, “Activists Condemn Turkey Over Polygamy Upsurge,” *The New Humanitarian*, 20 July 2016.

<sup>16</sup> ECPAT International, “ECPAT Country Overview: Turkey, A report on the scale, scope and context of sexual exploitation of children,” (July 2020).

<sup>17</sup> Bezem Coşkun, interview by HasNa, 3 July 2021.

<sup>18</sup> ECPAT Country Overview, 14.

<sup>19</sup> Dogutas, “Gender-based,” 4.

<sup>20</sup> “Outputs of the Project”. Promoting Integration of Syrian Kids into the Turkish Education System (PIKTES).

<sup>21</sup> Support to Life, “Guide,” 10.

# UNDERLYING FACTORS CONTRIBUTING TO GBV

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**GBV is a multi-dimensional social problem that is further exacerbated by imbalanced structural dynamics and cultural norms within societies. As outlined above, these imbalances culminate in different types of violence toward forcibly displaced persons in Turkey. According to HasNa's interviews, the most significant factors contributing to the persistence of GBV within Turkey's refugee communities are economic and socio-cultural in nature. Additionally, the notion of intersectionality deserves special attention within this context, as the vulnerabilities of one specific identity overlap and interact with those of another, thus amplifying the risks of GBV posed to certain individuals and communities.**

## Economic Factors

In 2016, Turkey introduced a work permit system that would allow employers to apply for work permits on behalf of Syrians with Temporary Protection status.<sup>22</sup> However, the work permit system poses several challenges for Syrian refugees, mainly because the permits must be requested by employers, who are often either uninformed on the process or reluctant to pay the minimum wage and the additional costs of social security and insurance payments.<sup>23,24</sup> As of April 2020, the total number of Syrians with a work permit was only 34,573; therefore, the majority of Syrians working in Turkey are doing so in the informal sector, unable to benefit from social security or insurance.<sup>25</sup> Informal and irregular employment inevitably corresponds with wages well below Turkey's \$422/month minimum wage, along with the risk of poor working conditions and exploitation, especially for women and children.

Women constitute about half of the Syrian population in Turkey, and around one-third of Syrian households are headed

by women.<sup>26</sup> According to a 2020 report by the International Labour Organization (ILO), only about 11.2% of Syrian women aged between 15 and 65 work, compared to the 71% of men.<sup>27</sup> According to one respondent to this research, less than 10% of Syrians with work permits in Turkey are women. A 2018 UN needs assessment found that more than half of the Syrian refugee women who had participated in some kind of vocational training had mostly received training in hairdressing and needlework, in which opportunities for formal work were very limited.<sup>28</sup> As noted by respondents to this research, the small portion of Syrian women who do enter Turkey's formal labor market are more likely to face the risks of sexual harassment and exploitation at the hands of their employers and/or coworkers. The same can still be true in certain forms of informal work as well. Moreover, such instances in either case may go unreported because survivors fear losing their source of income or tainting their reputations.

The lack of refugee women's access to education and the formal labor market leads to economic dependence on male members of the family, who invariably control household income and expenses. As a result, women may find themselves trapped in abusive relationships in which they are regularly subjected to physical, emotional, or psychological violence. Having a higher standard of household living reduces the likelihood of economic or intimate partner violence. A significant proportion of women who report economic violence from their spouses have lower family income.<sup>29</sup> Factors such as financial stress and a lack of financial safety nets are widely known to contribute to economic violence. Financial insecurity in refugee households can lead to the emergence of negative coping mechanisms described in the previous section such as early and forced marriage, child labor, and trafficking of women (often resulting in a refugee woman or girl becoming the co-wife of a Turkish citizen).

<sup>22</sup> Izza Leghtas, "Insecure Future: Deportations and Lack of Legal Work for Refugees in Turkey," Refugees International, (September 2019), 8.

<sup>23</sup> Ibid., 12-13.

<sup>24</sup> Ibid.

<sup>25</sup> Aysegul Kayaoglu, "Labour Market Impact of Syrian Refugees in Turkey: The View of Employers in Informal Textile Sector in Istanbul," *Migration Letters* 15, no. 5 (September 2020): 586.

<sup>26</sup> Leghtas, "Insecure," 14.

<sup>27</sup> Luis Pinedo Caro, "Syrian Refugees in the Turkish Labour Market," *ILO Office in Turkey*, (9 February 2020): 6.

<sup>28</sup> Leghtas, "Insecure," 26.

<sup>29</sup> Ömer Alkan, Şenay Özar Ş, and Şeyda Ünver, "Economic Violence Against Women: A Case in Turkey," *PLOS ONE* 16, no. 3, (15 March 2021): 8.



## Exacerbating Factors: COVID-19 and Economic Downturn

The refugee population in Turkey was deeply impacted by the outbreak of the coronavirus pandemic. Following school closures and the shutdown of public life, a significant number of refugees (particularly those employed in the informal sector) lost their livelihoods and struggled to meet their family's basic needs. Rising household tensions exacerbated by economic pressures and restrictions on movement have led to an increase in violence across the world.<sup>30</sup> Women sheltering at home with their abusers often have nowhere to turn. According to reports published by the Turkish Federation of Women's Associations, in 2020 Turkey saw an 80% increase in GBV cases, compared to 2019.<sup>31</sup> Quarantine and isolation policies coupled with deepening economic stress have fed into rising anti-refugee sentiment in Turkey, making women and girls from forcibly displaced communities even more vulnerable to hate crimes and GBV. Women and LGBTI individuals were also less likely to disclose trauma or request help from service providers who visited their homes as they did not feel safe discussing these issues in earshot of unsupportive family members. This was especially difficult for LGBTI community members whose roommates or family members were unaware of their sexual orientation. ŞÖNİM shelters have reportedly been forced to turn away some GBV survivors until they tested negative for COVID, leaving them stranded or compelling them to return to abusers. Financial losses have also led to an increase in child labor, as more and more children dropped out of school and were forced into work by family members.<sup>32</sup>

The Turkish Red Crescent protection teams have made targeted efforts to reach out to refugee women and girls via phone calls during their remote assessments, to inform them about access to services should they face domestic violence. Food and hygiene kits distributed to beneficiaries during lockdown also contained additional protection cards with phone numbers, urging women and girls to call the police or relevant community centers at those numbers if they felt unsafe at home. Other organizations such as the International Organization for Migration (IOM) also scaled up their information dissemination activities on early forced marriage and GBV. They also provided internet hubs in community centers with clean, sanitized rooms where women and children could access remote classes as well as psychosocial support and resilience-building activities online. The IOM also supported vulnerable communities with rental assistance and access to essential services such as health and legal services.



Photo: Hadi Yazdi / Unsplash

<sup>30</sup> Karen Nikos-Rose, "COVID-19 Isolation Linked to Increased Domestic Violence, Researcher Suggest," UC Davis, 24 February 2021.

<sup>31</sup> "Putting the brakes on COVID-19: Safeguarding the health and rights of women and girls," UNFPA Turkey, 11 July 2020.

<sup>32</sup> International Organization for Migration, interviewed by HasNa, 28 June 2021.

## Socio-Cultural Factors

GBV is both a result and reinforcer of inequitable power relations between men and women. Within patriarchal societal structures, domestic violence is often used to establish and strengthen a man's position as head of the household or in the relationship. The role of the husband is authoritarian; he typically holds the power to use any and all means to support his family, while the role of the woman is to look after the family members. Therefore, traditional social beliefs regarding gender roles have a growing impact on GBV. In many cases, intimate partner violence is considered acceptable and a private family matter that should not be discussed with others. Women are often reluctant to report cases of domestic or intimate partner violence, as they believe that such matters must be restricted to the private home environment. The cultural codes within certain traditional Syrian communities do not allow women to work, therefore restricting them to childcare and other domestic duties. The average size of a Syrian household (6 persons as of 2019)<sup>33</sup> is larger than that of a Turkish household (3.3 persons as of 2020)<sup>34</sup> thereby inflicting a greater burden of caregiving and domestic responsibilities on women in Syrian households.

There are also differences in Turkish and Syrian law regarding marriage. While religious marriages that allow a man to marry multiple women (including young girls) are recognized in Syria, the Turkish state only recognizes civil marriages between one man and one woman.<sup>35</sup> Moreover, the legal age of marriage in Turkey is 18, with certain exceptions available for those as young as 16.<sup>36</sup> According to a 2018 UN Women needs assessment report, most of the Syrian women who married in Syria have not registered their marriages in Turkey. This can present a significant liability for women who may end up needing proof of a registered marital relationship for social security benefits, insurance, alimony, child support, or other social benefits that require evidence of family size. Some reports show that husbands might also leave their families for work and eventually take more wives in other cities. Here, due to the lack of registration and documentation of many marriages, Syrian women may feel disempowered and be unable to get a divorce, much less the protections and support that could follow in the wake of a legal separation.<sup>37</sup>

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<sup>33</sup> Alan Makovsky, "Turkey's Refugee Dilemma," *Center for American Progress*, 13 March 2019.

<sup>34</sup> Yunus Girgin, "Average household size in Turkey shrinks in 2020," *Anadolu Agency*, 6 May 2021.

<sup>35</sup> Daad Mousa, "Syrian Personal Status Laws," *Friedrich-Ebert-Stiftung*, December 2018, 4.

<sup>36</sup> "Child Marriage," UNICEF Turkey.

<sup>37</sup> UN Women, "Needs Assessment of Syrian Women and Girls Under Temporary Protection Status in Turkey," (June 2018): 57.

## Intersectionality

Gender is hierarchical and produces inequalities that intersect with other social and economic inequalities. Therefore, gender-based discrimination also intersects with other types of discrimination such as those based on ethnicity, socioeconomic or legal status, disability, age, geographic location, gender identity, sexual orientation, and so on. This is referred to as intersectionality. For example, the multi-dimensional nature of GBV directly impacts marginalized groups such as LGBTI refugees who may face multiple and simultaneous forms of discrimination or violence based on their gender identity, sexual orientation, ethnicity, religion, and refugee status. This presents itself as a significant obstacle in this group's ability to access education, social protection services, and employment opportunities. According to the United Nations Population Fund (UNFPA) Turkey, discrimination prevents many LGBTI host community members, let alone refugees, from accessing formal employment. Thus, LGBTI refugees may be even more likely to work in the informal sector, thereby risking deportation or a potential return to the dangerous and oppressive environments that they originally escaped. They may also face increased vulnerability to (sexual or economic) exploitation in

the workplace seeing that employers are aware of the power imbalance and can be certain that their employees will not file complaints against them at risk of losing their jobs. As a result, LGBTI refugees are often underpaid, or they are threatened to be outed<sup>38</sup> to family members or to the police. LGBTI people, particularly transgender individuals, who have no access to any other means of livelihood may also feel compelled to enter sex work, which can in turn lead to additional forms of SGBV.<sup>39</sup>

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Photo: Engin Akyurt / Unsplash

<sup>38</sup> According to the [Merriam-Webster.com Dictionary](https://www.merriam-webster.com/dictionary/out), to “out” someone is “to reveal the[i]r covert sexual orientation or gender identity”, typically without their consent.

<sup>39</sup> UNFPA, interviewed by HasNa, 7 July 2021.

# RESPONSE TO GBV

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The sheer number of refugees currently residing in Turkey has necessitated a unique framework in preventing and responding to GBV throughout the country. Turkey currently houses around 4 million refugees, around half of whom are women. Syrian women under Temporary Protection status number around 1.7 million, while Syrian girls under the age of 18 number around 840,000.<sup>40</sup> Aside from numerical considerations, the fact that GBV can take a variety of forms and present itself at a variety of levels means that a multisectoral, multilayered approach is necessary to combat the deeply embedded systemic norms that foster an environment conducive to the perpetration of GBV in both refugee communities and Turkish society at large. Indeed, many respondents noted a rise in the prevalence of GBV in Turkey in general, most often citing the steadily rising rates of femicide over the last five years,<sup>41</sup> high-profile cases of impunity and sentence reduction among the perpetrators of GBV,<sup>42</sup> challenges in girls' access to education, and the recent pervasiveness of (high-level) hate speech targeting both refugees and the LGBTI community. Still, other respondents cited the lack of available data as a significant challenge in determining whether rates of GBV in Turkey, much less within its refugee communities, were rising or not.

Within this complex and dynamic environment, international and national legal protections are afforded to refugees who have experienced or are at risk of experiencing GBV. Here, central and municipal authorities, national and international NGOs, and local CSOs all play prominent, albeit nuanced, roles in executing programs and providing services that aim to prevent GBV and protect its survivors.



Photo: Samet Kurtkus / Unsplash

<sup>40</sup> Republic of Turkey Ministry of Interior, Directorate General of Migration Management, “[Temporary Protection](#).”

<sup>41</sup> “[Şiddetten Ölen Kadınlar için Dijital Anıt](#),” (We Will End Femicide Platform), last modified 2021.

<sup>42</sup> Gizem Sade, “[Kadınlar hangi bahanelerle öldürülüyor? Katiller için nasıl ceza indirimi uygulanıyor?](#),” *Euronews*, 9 March 2021.

## Legal Framework

GBV within the refugee context in Turkey is addressed by a variety of laws and regulations. Protections required by refugees at risk of facing or having already faced GBV are included in legal frameworks addressing questions of asylum and GBV at both the national and international levels. Here, the most pertinent legal frameworks are the UN's 1951 Convention Relating to the Status of Refugees, the national Law on Foreigners and International Protection (LFIP), the national Law to Protect the Family and Prevent Violence against Women, and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (also known as the Istanbul Convention).

According to the UN's 1951 Convention Relating to the Status of Refugees, a refugee is defined as "someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion."<sup>43</sup> The Republic of Turkey is a signatory to the Convention, however, it maintains a geographical limitation, meaning that the Convention's measures only apply to those individuals originating from Europe.<sup>44</sup> Thus, an asylum seeker who originates from regions outside of Europe (i.e. Syria), who applies for refugee status must be resettled in a country other than Turkey after being recognized as a refugee. In 2013, another layer of complexity was added to the issue with the ratification of the LFIP, which established the "Temporary Protection" categorization for those non-European displaced people who entered Turkey in a "mass influx situation".<sup>45</sup> Legal implementations related to this status were then detailed in 2014, as "the existing de facto temporary protection regime already in place since 2011" was formalized through the Temporary Protection Regulation (TPR).<sup>46</sup> Temporary Protection is thereby afforded to "[t]he citizens of the Syrian Arab Republic, stateless persons and refugees who have arrived at or crossed [Turkey's] borders [...] due to the events that have taken place in [the] Syrian Arab Republic since

28 April 2011."<sup>47</sup> Adhering to the principle of non-refoulement, both the LFIP and TPR outline the foundational legal processes and procedures through which the government of Turkey manages the cases of those seeking asylum in Turkey.

Notably, both the LFIP and the TPR recognize the existence of refugees with "special needs", including pregnant women, single mothers or fathers with children, and people who have been "subjected to torture, sexual assault or other serious psychological, physical or sexual violence".<sup>48</sup> Syrians under Temporary Protection with special needs are to receive free "[h]ealth services, psycho-social support, rehabilitation and all other assistance".<sup>49</sup> Moreover, they shall also be granted priority in accessing accommodation in temporary accommodation centers. Still, it should be noted that 98% of Syrian refugees in Turkey currently reside outside of these centers, instead living throughout the country's 81 provinces.<sup>50</sup> Furthermore, the TPR excludes LGBTI individuals from claiming the "special needs" status. While Turkey's asylum laws provide a schema of the protections that are to be offered to refugees who have faced GBV, other international and national laws lay out the modes of preventing GBV and protecting its survivors in greater detail.

Law 6284 on Protecting the Family and Preventing Violence against Women was adopted by Turkey in 2012. This law is referred to in Article 48 of the TPR, which states that "[p]reventive and protective measures shall be immediately taken for foreigners who are identified to be victims of violence".<sup>51</sup> Indeed, Law 6284 provides a wide array of measures aimed at not only providing those affected by GBV with access to judicial assistance, medical and financial aid, and safe shelter, but also in collecting data on legal decisions, imprisonment sentences, and the implementation of these legal rulings.<sup>52</sup> Here, the Center for the Elimination and Monitoring of Violence (*Şiddet Önleme ve İzleme Merkezi* (ŞÖNİM)) plays a central role in facilitating women's access to shelters and in executing provisions of the law.

<sup>43</sup> UNHCR, Resolution 2198, "[Convention and Protocol Relating to the Status of Refugees](#)," 1951, 1967.

<sup>44</sup> UNHCR, "[Submission by UNHCR for the Office of the High Commissioner for Human Rights Compilation Report](#)" (20 December 2012).

<sup>45</sup> National Legislative Bodies/National Authorities, "[Turkey: Law No. 6458 of 2013 on Foreigners and International Protection \(as amended 29 Oct 2016\)](#)," 29 Oct 2016.

<sup>46</sup> European Council on Refugees and Exiles, "[Asylum Information Database](#)," May 2021.

<sup>47</sup> National Legislative Bodies/National Authorities, "[Turkey: Temporary Protection Regulation](#)," 22 October 2014.

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> "[Alternative to Camps](#)," UNHCR Turkey, 2020.

<sup>51</sup> National Legislative, "[Turkey](#)."

<sup>52</sup> Women's Learning Partnerships (WLP), "[Domestic Violence Law of Turkey](#)," 8 March 2012.

As noted by Coşkun as well as a respondent representing the International Organization for Migration, the Istanbul Convention constituted much of the legal basis on which Law 6284 was built. Indeed, Article 1 of Law 6248 explicitly states that the Istanbul Convention would prevail in regard to the principles and procedures in protecting survivors and those at risk of GBV.<sup>53</sup> When Turkey became the first signatory of the Convention in 2011 (one year prior to the ratification of Law 6284), it assumed the full “force of law” as outlined in Article 90 of the Turkish Constitution.<sup>54</sup> The specificity of the Convention in addressing acts of GBV is much greater than that of Law 6284, explicitly encompassing instances of sexual harassment, forced marriage, rape, female genital mutilation, forced abortion or sterilization, and “crimes committed in the name of so-called ‘honour’”.<sup>55</sup> While these acts may be implicitly or explicitly outlawed by Turkish legislation, including the Penal Code, the comprehensive and consolidated nature of the Istanbul Convention in addressing the most common and pressing issues in the realm of GBV stands out. Furthermore, Article 4 of the Convention states that the fundamental rights laid out therein “shall be secured without discrimination” on the grounds of sexual orientation, gender identity, or migrant or refugee status, provisions which are absent from Law 6284. Legally, this is particularly salient for two reasons. First, international conventions carry significant weight in Turkey, challenges to their constitutionality cannot be brought before the Constitutional Court. Second, legal protections against discrimination for members of the LGBTI community, much less those who are also refugees, are noticeably absent within Turkey’s current legal framework.

Turkey’s withdrawal from the Istanbul Convention by decree on July 1, 2021 was decried by women’s and human rights activists in the country and around the world. It is also contested on legal grounds, as opponents argue that the withdrawal should have been executed by parliament, not the executive. The reasoning behind the withdrawal, as expressed by the Turkish Presidency’s Director of Communications Fahrettin Altun, was that the Convention was incompatible with Turkey’s social and family values, and had been “hijacked by a group of people attempting to normalise homosexuality”.<sup>56</sup>

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<sup>53</sup> [Domestic Violence Law of Turkey.](#)  
<sup>54</sup> [Constitution of the Republic of Turkey.](#)  
<sup>55</sup> Council of Europe, “[Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence,](#)” (2011).  
<sup>56</sup> Esra Yalcinalp, “[Turkey Erdogan: Women rise up over withdrawal from Istanbul Convention,](#)” *BBC*, 26 March 2021.

## Programs, Services, and Challenges

The landscape of service provision in the realm of GBV within Turkey’s refugee community is quite expansive. Still, while central governmental institutions remain the primary provider of essential protections for refugees, local CSOs and municipalities, national and international NGOs, and intergovernmental institutions such as the UN, Turkish Red Crescent, and various countries’ development agencies also play pivotal roles in ensuring that those refugees who have

faced and risk facing GBV are able to access the services available to them. Acting as a blueprint for states in their efforts to combat GBV, the Istanbul Convention encouraged the 4P approach, categorizing the primary areas of activity under the headings of prevention, protection, prosecution, and integrated policies (see Figure 3). Even after Turkey’s withdrawal from the Convention, this overall approach has been reiterated by Turkey’s Ministry of Family and Social Service in its June 2021 circular,<sup>57</sup> as well as by the 2020-2021 Combating Violence against Women Coordination Plan that seeks to streamline the activities of six ministries to this end.<sup>58</sup>



Source: Council of Europe, “[Istanbul Convention](#)”.

<sup>57</sup> T.C. Aile ve Sosyal Hizmetler Bakanlığı, Kadının Statüsü Genel Müdürlüğü. *Konu: Kadına Yönelik Şiddetle Mücadele*. Genelge. Sayı:13494116-400-16/06/2021. Ankara: 2021.

<sup>58</sup> The Combatting Violence against Women Coordination Plan ([Kadına Yönelik Şiddetle Mücadele, “Koordinasyon Planı,”](#) 2020-2021) targets the activities of Turkey’s Ministry of Family, Labor, and Social Services, as well as the Ministries of Justice, the Interior, Education, Health, and Religious Affairs.

## PREVENTION

A multitude of programs aiming to prevent GBV in the refugee community were observed in HasNa's interviews. Among the most prevalent were awareness raising and educational activities that worked to mitigate the risks of GBV.

In order for refugees to be able to benefit from the services and protections afforded by the government of Turkey, they must be registered with the local authorities, namely the provincial offices of the Directorate General of Migration Management (DGMM), as outlined in the TPR. Considering this, nearly all local and international stakeholders interviewed throughout the course of this research had programs in place that informed beneficiaries of the benefits of registering. While the most critical benefit of registration is the assurance of non-refoulement, others include access to education for children, participation in social safety net programs such as the Emergency Social Safety Net (ESSN),<sup>59</sup> the provision of healthcare and psychosocial support, and the ability to gain authorized employment. Ultimately, these programs also informed beneficiaries of the steps required to register.

Particularly on the local level, awareness raising activities also encompassed programs that aimed to inform refugees of their rights and obligations under Turkish law. One of the most pressing issues that local organizations repeatedly brought forth was the prevalence of early and forced marriages as well as polygyny within the refugee context. In this regard, many programs were designed to not only communicate the harm that these practices can inflict on the psychological and physical well-being of the women and girls affected, but also to reiterate that (unlike in Syria) polygyny and child marriage are prohibited in Turkey. Additionally, many local CSOs also informed beneficiaries of the potential punitive measures that could be taken against those found culpable in assisting in the arrangement of child and forced marriages.

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**Education as a Mitigator of GBV Risk:** Many respondents highlighted their efforts to promote education among girls as an alternative to early and arranged marriages. Both local aid workers and academic respondents noted a hesitancy of Syrian families to educate their daughters; this was often justified by the perception that the best way to ensure the safety and “honor” of their daughter was through marriage, not by investing the time and resources in the girl's education. Still, according to the Turkish Ministry of Education's project on Promoting Integration of Syrian Kids into the Turkish Education System (PIKTES), a higher rate of enrollment is seen among Syrian girls (65%) when compared to boys (62%).<sup>60</sup> Respondents noted that while young boys may be pushed to prioritize working over education, girls on the other hand were more likely to be pushed towards early marriage, not early employment. A notable nationally implemented initiative within this realm is the Conditional Cash Transfer for Education Programme funded by the EU, US, and Norway.<sup>61</sup> Recognizing financial insecurity as a primary reason why refugee families may decide to have their child prematurely work or marry, this program offers these families cash in exchange for enrolling and maintaining (at least 80%) attendance of their children in Turkey's public schools.

<sup>59</sup> European Civil Protection and Humanitarian Aid Operations, “The Emergency Social Safety Net (ESSN): Offering a lifeline to vulnerable refugees in Turkey,” (2020).

<sup>60</sup> “Outputs of the Project”. Promoting Integration of Syrian Kids into the Turkish Education System (PIKTES).

<sup>61</sup> “The Conditional Cash Transfer for Education (CCTE) Programme,” UNICEF Turkey.



**Livelihoods as a Mitigator of GBV Risk:** Many programs aimed at providing vulnerable refugee women with hard skills to enhance their chances of attaining employment and self-sufficiency, and therewith their ability to assume greater household financial responsibility and equity. Interestingly, it should be noted here that some organizations referenced difficulties in refugee women’s attainment of work permits as a reason why they promoted honing women’s skills that facilitate their ability to generate income in an informal fashion in fields such as home manufacturing. It was also noted that forms of home and community-based women’s cooperative and entrepreneurial styles of income generation were seen as more acceptable by male spouses who did not “approve” of their wives or daughters leaving the home or working with strangers. Several organizations also cited such informal income generating activities as an important alternative to formal employment environments that can introduce vulnerable women to (often unbalanced) power dynamics and increased contact with male coworkers, thus amplifying risks of GBV in the forms of sexual harassment and exploitation.

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**Solidarity Building as a Mitigator of GBV Risk:** Many educational and training programs aiming to promote economic self-sufficiency and gender equality also incorporate the maintenance and strengthening of social cohesion between local host and refugee communities. For the Mardin Joint Women’s Cooperation Association (MOKİD), employment training workshops and social outings bring refugee and host community women together, building a sense of community and solidarity. Facilitated by bilingual associates, such activities allow for women from all sectors of the society to establish trust and build social safety nets that can act as a bulwark against GBV. Such trust building exercises are invaluable, especially when considering that those who face or are facing GBV may not readily disclose their experiences of GBV. Furthermore, the UNFPA’s Safe Spaces programs can be seen as a good practice, not only in building solidarity among women, but also in providing free health, GBV, and empowerment services. In 2019 the 37 Women and Girls Safe Spaces were handed over to Turkey’s Ministry of Health.<sup>62</sup> Through its Key Refugee Groups Project, the UNFPA also offers safe spaces to LGBTI refugees, refugee sex workers, and refugees living with HIV. Implemented across six provinces, the project provides these key refugee groups with information and legal counseling, psychosocial support, referrals, accompaniment to external services, and translation/interpretation support services. In addition, the project hosts a hotline that is free of charge and operational 24/7, offering support in Arabic, Persian, English, and Turkish to beneficiaries all across Turkey.<sup>63</sup> Aside from providing invaluable resources, these safe spaces also function to build community, and thereby, social safety nets.

<sup>62</sup> “Response to Syria Crisis in Turkey - Women and Girls Safe Spaces,” UNHCR, 23 March 2020.

<sup>63</sup> UNFPA, interviewed by HasNa, 7 July 2021

## PROTECTION AND PROSECUTION

For those refugees who have already faced or are currently facing GBV, a number of resources are available. Once again, while the government of Turkey is the primary service provider in this field, non-state NGOs and CSOs play an important role in referring beneficiaries to the relevant authorities, and oftentimes, in facilitating their access to services by providing translators/interpreters, personal escorts, and individual case consultants.

**Protection by Way of Legal Assistance:** Many local organizations that HasNa spoke with throughout the course of this research had at least one lawyer on staff to provide refugees with legal consulting for civil and criminal matters. Additionally, the local bar associations of various provinces may be able to provide specialized assistance to refugee women through either their human rights or women's rights centers, if available. Lawyers and legal professionals are able to provide valuable case management when it comes to reporting and disclosing GBV or other forms of criminal activity, and (along with the UNHCR) in advising refugees on their resettlement case. Case management afforded by local CSOs is also vital in informing survivors of the state of legal proceedings, including those of restraining orders, and in ensuring that they are afforded with adequate physical and social protections such as access to shelters, medical care, and psychologists.



Photo: Levi Meir Clancy/ Unsplash

Still, a number of challenges exist that might dissuade victims of GBV from seeking out legal assistance:

1. As outlined above, only those displaced people who have registered with the relevant authorities are able to access state services. Undocumented displaced persons who approach the police to report GBV may not have their claims taken seriously, and even risk deportation.<sup>64</sup> Not wanting to seek legal assistance related to GBV for fear of being deported may be more prevalent among certain ethnic minorities who are concerned about discrimination; this fear is also a significant deterrent from seeking help for individuals who are residing in provinces in which they are not currently registered.<sup>65</sup> This reality becomes all the more salient when considering that as of late 2017, provinces hosting a large number of refugees, such as Istanbul, can no longer keep up with the backlog of applicants, thus delaying new registrations.<sup>66</sup> As noted by one respondent, Istanbul, for example, is projected to be hosting around 1.6 million refugees, half of whom (800,000) are currently unregistered.

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<sup>64</sup> EuroMed Rights, "Turkey Situation Report on Violence against Women," (2017).

<sup>65</sup> Asylum Information Database (AIDA), "Country Report: Turkey," (2020).

<sup>66</sup> "Turkey Stops Registering Syrian Asylum Seekers," *Human Rights Watch*, 16 July 2019; Istanbul Municipality, interview by HasNa, 21 July 2021.

2. Many respondents pointed to the tightly knit familial and social structures of Syrian families and communities in Turkey, a factor that they claimed dissuaded refugees from disclosing GBV to “outsiders”. This is also supplemented by the fact that refugees may fear reprisal from the perpetrator of the violence or even the involved families, including their own.
3. Many respondents noted that employee trainings on GBV and asylum law should be incorporated into CSO and local authorities’ internal onboarding activities, especially for those who are more likely to come into contact with refugees who face or are at risk of facing GBV (lawyers, police, doctors, and so on). A lack of training on GBV (on the part of either local CSOs or local authorities), could lead to instances in which survivors are retraumatized after having to recount their experience to multiple individuals.
4. In nearly all realms of refugee service provision, the language barrier can present a significant obstacle. This is also true with respect to refugees’ access to legal services, from their initial application for asylum to their interactions with local bar associations. According to EuroMed Rights, a network of 65 human rights organizations working across the Middle East and Mediterranean regions, there are often “no specialised service[s] such as translation or consideration of cultural differences” when it comes to refugees’ interactions with the police, for example.<sup>67</sup>
5. Another challenge can be identified as legal impunity for men who have perpetrated GBV, particularly within the host community. Research and documentation on impunity and/or public perceptions of refugee men as perpetrators in cases of GBV is underexplored. Still, at least within the host community, the failure of police to effectively enforce restraining orders, government counselors’ encouragement of GBV survivors to remain in abusive marriages, and the lenient sentencing of those who were indeed found guilty of acts of GBV have all been observed by respondents to this research and others.<sup>68</sup> Some of those engaged in the field pointed to cases of

femicide within the host community in which murderers’ sentences were deferred or shortened because they were “provoked” by the victim or even because they simply “wore a tie” to the court hearing.<sup>69</sup> Furthermore, when asked about the implications of Turkey’s withdrawal from the Istanbul Convention, most respondents noted that the symbolic and highly publicized nature of the withdrawal may incite perpetrators of GBV to act with impunity or to continue abusive behaviors.

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6. As noted above, there are no legal mechanisms afforded by the TPR through which refugees can disclose their LGBTI status, and thereby receive the protections afforded by the “special needs” status. While Turkish law does not explicitly discriminate against or criminalize individuals based on their sexual orientation and/or gender identity, “provisions of law concerning ‘offenses against public morality,’ ‘protection of the family,’ and ‘unnatural sexual behavior’ sometimes served as a basis for abuse by police and discrimination by employers”.<sup>70</sup>

<sup>67</sup> EuroMed, “[Turkey](#).”

<sup>68</sup> US Department of State, “[Turkey 2019 Human Rights Report](#),” (2019): 54.

<sup>69</sup> Gizem Sade, “[Kadınlar hangi bahanelerle öldürülüyor? Katiller için nasıl ceza indirimini uyguluyor?](#),” *Euronews*, 9 March 2021.

<sup>70</sup> US Department of State, “[Turkey 2020 Human Rights Report](#),” (2020): 75.

### Protection by Way of Shelters and Emergency Services:

Emergency services and women's shelters are invaluable resources for women across Turkey who face the threat of violence. In principle, registered refugees are also able to access these spaces by reaching out to the police, provincial directorates of family and social policies, hospitals, the Gendarmerie, public prosecution offices, bar associations, and municipalities. The majority of shelters across the country are administered by ŞÖNİM under the Ministry of Family and Social Services. There are currently estimated to be 145 women's shelters in Turkey: 110 are administered by the Ministry of Family and Social Services, 32 by local municipalities, two by the DGMM, and one by a local CSO, namely the Purple Roof Women's Shelter Foundation.<sup>71</sup> Women who approach or are referred to these facilities are usually admitted for a period of up to six months with the chance to extend their stay.

A number of obstacles may be encountered in refugees' access to women's shelters:

**1.** As emphasized by multiple respondents during HasNa's interviews, as well as by the popular media, one of the primary challenges is the limited number of shelter facilities. Numbering around 145, women's shelters boast a combined capacity of around 3,500; considering Turkey's population, this equates to less than one space per 100,000 women.<sup>72</sup> According to experts, 8,000 shelters would be necessary to fulfill Turkey's existing needs.<sup>73</sup>

**2.** The number of shelter staff, including social workers, psychologists, and healthcare workers may also be insufficient.<sup>74</sup> This is sometimes supplemented by the poor physical conditions of the shelters themselves.<sup>75</sup>

There have been reports of refugee women facing serious resistance in gaining access to shelters despite their registered refugee status. Such resistance includes victims being asked to provide proof of physical violence, being forced to file legal complaints, or being refused shelter in instances where they only faced psychological violence.

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Photo: Mert Aydemir / Unsplash

<sup>71</sup> Seda Balmumcu, "Türkiye'de kadın sığınma evlerinin sayısı ve olanakları yeterli mi?," *BirGün*, 29 July 2020.

<sup>72</sup> "Turkey has Only 145 Shelters for 41.4 Million Women," *Bianet*, 29 July 2020.

<sup>73</sup> AIDA, "Country."

<sup>74</sup> EuroMed, "Turkey."

<sup>75</sup> Ibid.

<sup>76</sup> Purple Roof Women's Shelter Foundation, "2019 Yılı Faaliyet Raporu".

4. “[R]efugee wom[e]n cannot directly apply to ŞÖNİM”, instead they must be accompanied to the facilities by police.<sup>77</sup> This adds another step to the referral pathway, potentially deterring women from acquiring urgent assistance and making it more difficult to receive support.
5. Children over the age of 12 are not allowed in shelters, a reality that may see women opt to remain in abusive situations for fear of leaving their children.<sup>78</sup>
6. The language barrier, a problem often cited in this report, poses a significant obstacle not only to refugee women’s ability to reach emergency services, but also in their taking advantage of the educational, legal, and psychosocial support that shelters provide. Phone numbers that would commonly be dialed to report instances of domestic abuse and GBV, such as those of the police, the gendarmerie, or local hospitals, may not have on-site interpreters or translators for Arabic, let alone other languages spoken by those under International Protection such as Farsi, Pashto, and Dari.<sup>79</sup> Respondents to this research also reported that certified translators and interpreters were often lacking at hospitals, police stations, and bar associations (despite official policies), and that some personnel at these facilities would refuse to work with informal interpreters (such as friends and family) who accompanied refugees to these service providers.
7. Trans-women whose national ID card does not reflect the “female” gender marker are unable to access shelters.<sup>80</sup> This is particularly problematic considering that trans-women are at higher risk of facing GBV due to discrimination based on their gender identity and the associated difficulties in securing formal employment. This reality, in turn, can lead to trans-women engaging in sex-work, not only heightening their risk of facing GBV at the hands of clients, but also of being subjected to arbitrary punitive action, violence, and harassment at the hands of police. Additionally, in order for trans-women to change their gender marker on their national ID card, the “[c]ontinual deprivation of reproductive ability/sterilisation surgery is required and must be medically certified”.<sup>81</sup> Even if desired, gender-confirmation surgery is not an option for many trans-women, let alone trans refugees who lack access to the social and financial resources required for such a step in their transition. Gay, bisexual, and trans-men also face heightened risks of GBV, yet have no access to shelters.<sup>82</sup>

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Photo: sendika.org archive / csgorselarsiv.org

<sup>77</sup> Support to Life, “Guide,” 34.

<sup>78</sup> Purple Roof Women’s Shelter Foundation, “Kadına Yönelik Şiddetle Mücadelede Sığınaklar,” (4 May 2020).

<sup>79</sup> “Sexual and Gender-Based Violence,” Help Turkey, UNHCR.

<sup>80</sup> ERA - LGBTI Equal Rights Association for Western Balkans and Turkey et al., “List of issues related to the discrimination and violence against lesbians, bisexual women and transgender people in Turkey,” (July 2021).

<sup>81</sup> ILGA, “Trans Legal Mapping Report: Recognition before the Law,” (2019): 169.

<sup>82</sup> UNFPA, interviewed by HasNa, 7 July 2021.

## POLICY

Policies that work to address GBV within the refugee context are shaped and crafted by actors across the societal spectrum, whether academics, activists, research institutes, local CSOs, municipal officers, political parties, international humanitarian agencies, or, most prominently, the national government itself. It is important to note the systemic nature of both GBV and the economic and educational challenges that commonly face refugee communities. Violence against women, irregular employment, and child marriage, for example, are issues that do not only affect refugees, they are also problems within the host community. In this sense, combating GBV within the refugee context requires the enactment of policies that work to address fundamental inequalities and injustices within Turkish society, especially those that revolve around gender, race, and class.

With the exception of explicit LGBTI protections, Turkey possesses the legal framework to provide a robust response to GBV both within the host and refugee contexts, but the application of the law is far from perfect. The reasons for this gap between theory and practice are many. For Küçükalioglu, this difficulty in implementation of the law may be due to “embedded traditional social norms.”<sup>83</sup> Indeed, these traditional social norms have found a champion in the current ruling government. For many respondents to this research, policies of the current government emphasize “family values” over individual women’s liberties, much less the individual rights of LGBTI individuals. This approach can be seen as a detriment to the human rights-based approach that seeks to address “the inequalities, discriminatory practices (de jure and de facto) and unjust power relations which are often at the heart of development problems”.<sup>84</sup> It also may inhibit local authorities from applying the law to the letter, especially in matters in which traditional patriarchal norms (and national political rhetoric) indicate otherwise.

Within this context, Turkey’s withdrawal from the Istanbul Convention was a topic of much discussion throughout the interview process. Its explicit applicability regardless of “sexual orientation, gender identity, [or] migrant or refugee status” was repeatedly highlighted as a powerful tool in combating GBV facing vulnerable communities in Turkey.<sup>85</sup> As touched upon above, some respondents, as well as other women’s, LGBTI, and human rights organizations in Turkey and abroad have noted that the withdrawal is indicative of an official approach that not only demonizes the LGBTI community but also prioritizes maintenance of the family over individual rights. While the national government may have the most significant influence when it comes to domestic policy, the policies of international actors, particularly the EU, play an important role in shaping discussions and providing protections for refugees in Turkey.

Many local CSOs working to combat GBV and assist the refugee community are highly dependent on the funds and training resources provided by international donors, particularly the EU. The EU’s policy of containing refugees within Turkey has long been a topic of heated discussion, whether within foreign and humanitarian policy circles or in the arena of domestic politics in Turkey and across Europe. Nonetheless, as a result of the so-called 2016 EU-Turkey Deal that sought to halt the rapid flow of refugees to EU Member States via Turkey, €6 billion has now been committed by the Facility for Refugees in Turkey (FRIT) to provide support for vulnerable refugees and those organizations that serve them, including in the realm of GBV prevention and protection.<sup>86</sup> While members of the EU have collectively provided more than just those funds allotted to FRIT,<sup>87</sup> this endowment has now been fully contracted, indicating that the end of these funds is on the horizon. This could spell trouble, especially when considering that the conclusion of this highly visible and politicized batch of funding coincides with a rise in hate speech directed at refugees within the mainstream media and popular political rhetoric.<sup>88</sup> Refugees are increasingly being

<sup>83</sup> Elif Gözdasoglu Küçükalioglu, “Framing Gender-Based Violence in Turkey,” *Les Cahiers du CEDREF*, (2018).

<sup>84</sup> World Health Organization, “A Human Rights-Based Approach to Health.”

<sup>85</sup> Council of Europe, “[Istanbul Convention](#).”

<sup>86</sup> European Commission, “[EU signs final contracts under the €6 billion budget of the Facility for Refugees in Turkey](#),” (December 2020).

<sup>87</sup> Delegation of the European Union to Turkey, “[The EU Response to the Refugee Crisis in Turkey](#),” (2021).

<sup>88</sup> “[Hundreds attack Syrians’ homes, businesses in Ankara](#),” *Duvar English*, 11 August 2021.

met with hostility from all sides, as the leader of the largest political opposition party Kemal Kılıçdaroğlu vows to “send Syrians back to their own country”,<sup>89</sup> President Recep Tayyip Erdoğan asserts that Turkey is neither “Europe’s refugee warehouse”<sup>90</sup> nor is it obliged to be a “safe haven” for Afghan refugees.<sup>91</sup> Tensions have also moved beyond the rhetorical, as witnessed in the violent attacks on the largely Syrian neighborhood of Altındağ, Ankara on 12 August. Frustrations in Turkey are likely to grow as Europe and the US seem intent on maintaining policies that increasingly rely on Turkey as a suitable destination country for forcibly displaced people.

The EU and other international donors are capable of influencing the internal policies and procedures of those organizations that they fund. This can be a particularly powerful tool in combating GBV. European Civil Protection and Humanitarian Aid Operations (ECHO) call for their

partners to incorporate “gender mainstreaming” into their activities, or in other words:

*to conduct gender analysis at the onset of a programme, to gather and use gender-differentiated data, to consult, to have gender-balanced staff with gender expertise, and to adapt programme design and implementation according to the differential risks and opportunities facing gender groups.*<sup>92</sup>

Ultimately, the European Commission’s 2019 “Evaluation of the European Union’s Humanitarian Response to the refugee crisis in Turkey” identified gender mainstreaming as an area where there was “room for improvement”.<sup>93</sup> This need was also highlighted during HasNa’s interviews with local organizations such as Support to Life, which also mentioned that the margin of error was very thin when it came to dealing with sensitive cases revolving around GBV within refugee communities.



Photo: Ahmed Akacha / Pexels

<sup>89</sup> “Turkey’s main opposition leader vows to send Syrian refugees back home,” *Turkish Minute*, 19 July 2021.

<sup>90</sup> “Erdoğan says Turkey is not Europe’s ‘refugee warehouse,’” *AP News*, 19 August 2021.

<sup>91</sup> “Turkey not Afghan refugees’ safe haven: Erdoğan,” *Daily Sabah*, 19 August 2021.

<sup>92</sup> European Commission, “Evaluation of the European Union’s Humanitarian Response to the refugee crisis in Turkey,” (July 2019).

<sup>93</sup> *Ibid.*

# CONCLUSION AND RECOMMENDATIONS

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**The ways in which GBV affects Turkey’s refugee communities are nuanced, and so too are the programs that aim to prevent these forms of violence. The current convergence of concerns related to both the future of women’s rights in Turkey and the diminishing likelihood that refugees will return home presents an opportunity to spotlight GBV within the refugee community in order to build evidence, strengthen programming, and attract research. Indeed, those on the ground working to mitigate risks and protect victims of GBV within the refugee community have a plethora of experience that can be drawn upon in this respect.**

HasNa’s interviews and consultations reveal that there is no one single way to prevent GBV and that it is the result of systemic problems that affect men and women, refugees and members of the host community. Addressing the systemic nature of the underlying problems requires a cross-sectoral approach that would benefit women of both the refugee and host community. Still, difficulties in accessing livelihoods, education, and social safety nets present significant prevention and protection problems for vulnerable displaced groups, including those of the LGBTI community. Educational attainment and economic empowerment of refugee women and girls that extends beyond traditional gender-specific occupational training would go a long way in giving at-risk populations the agency they need to break free from abuse and to build safer, more independent lives. Bi-communal social support systems can also work to combat societal prejudices that lead to GBV while also

establishing invaluable support networks for those who are at risk or currently suffering from GBV. Support networks offered by civil society organizations implementing evidence-based advocacy and awareness projects help empower marginalized communities. The Refugee Council of Turkey is one such network, working to strengthen cooperation between national, local, and refugee-led organizations and effectively influence national and international policies and processes related to forced migration.

Still, such empowerment cannot occur in a vacuum. While the more deep-rooted factors causing mass migration, such as conflict and poverty, typically take longer to resolve, the success of social protection services depends to a great extent on the prevailing policies and infrastructure within a host country that can support such programming. Therefore, a necessary prerequisite to solving a problem is to fully understand it. Cultural prejudices combined with prohibitive misapplication or ignorance of the law, and fear of negative consequences discourage survivors of GBV from making their voices heard. This problem can be resolved by creating environments of trust and by enforcing national policies focused on protecting victims of violence rather than penalizing them for speaking up. Stakeholders must therefore adopt a systemic approach to GBV response in the humanitarian context that aims to create safe spaces within which more evidence on GBV can be built and more agency can be granted to survivors.



## Recommendations for frontline GBV responders in Turkey:

**1. Inclusive Programming:** Our research findings echo Support to Life’s concern that the biggest problem faced by LGBTI refugees is systemic homophobia and transphobia. Widespread discrimination against this community consistently inhibits their access to basic needs such as housing, employment, and health and protection services.<sup>94</sup> Community-based and international GBV responders in Turkey must expand the scope of their programming to provide specialized psychosocial support to LGBTI refugees, create safe spaces and shelters for transgender refugees, and facilitate easier access to employment opportunities. Social cohesion programs that promote solidarity between LGBTI locals and refugees, and the formation of support networks at the community level would also go a long way in complementing the services provided by CSOs and municipalities.

**2. Improving Access to (Formal) Employment:** Poverty and a lack of access to formal employment contributes to various forms of GBV among refugees. The ILO’s Transition to Formality program (KIGEP) aims to promote formal employment by helping employers to cover the social security costs associated with formally hiring workers, whether Syrian or Turkish.<sup>95</sup> After all, informal employment is also a systemic issue that affects those in the host community as well. CSOs would do well to implement more targeted job skills training programs for women, thereby improving employability and access to the workforce. Social and economic inclusion initiatives such as the Embark Project<sup>96</sup> that brings together high-level business leaders, refugee and host community youth to provide mentorship and training could also be used to spread awareness about the work permit process for both employers and potential refugee employees. The significant advantages of refugee women’s self-employment in the fields of home manufacturing, women’s cooperatives, and entrepreneurial endeavors should also not be understated.



Photo: Türkiye LGBTİ Birliği / Unsplash

<sup>94</sup> Support to Life, “Guide,” 45.

<sup>95</sup> HasNa, Inc., “Turkish Civil Society’s Response to Refugees during COVID-19,” (July 2020): 10.

<sup>96</sup> “Embark,” Embark Project.

**3. Peer-to-Peer Turkish Language Training:** Seeing that CSOs are legally unable to provide formal Turkish language training, informal, peer-to-peer learning networks (both local and international) provide an inexpensive alternative that is also easier to access. For example, Paper Airplanes<sup>97</sup> is an American nonprofit organization that matches conflict-affected individuals with personal tutors for 12-16 week sessions conducted via Skype and other video conferencing platforms, thereby bridging gaps in language, higher education, and skills training. The Research Center on Asylum and Migration (IGAM)<sup>98</sup> based in Ankara also provides volunteer language training services to forcibly displaced persons in Turkey. It would be worthwhile to note here that online language training services have certain prerequisites such as literacy, possession of computers or smartphones, and access to a stable internet connection.

**4. “Do No Harm” Training:** Despite the presence of several local and international organizations with active GBV response programs for refugees in Turkey, it is of the utmost importance that CSO staff and frontline responders have the necessary training to adhere to the principle of “do no harm” when serving survivors of GBV. Humanitarian workers must themselves undergo adequate training from legal experts, social workers, and psychologists to avoid exposing beneficiaries to additional risk of violence or retraumatization throughout the course of projects, programs, and other works. Frontline workers’ ability to professionally and competently handle cases of GBV, particularly in the disclosure stage, helps to build trust, which is a necessary prerequisite to building evidence on GBV, especially in communities in which reporting cases of GBV is still considered to be taboo.

**5. Engaging Men and Boys in Combating GBV:** GBV prevention efforts must include education and awareness programs targeting young men and boys. Focusing solely on women runs the risk of compromising the protection environment as men are the primary perpetrators of GBV.<sup>99</sup> According to MOKiD, targeted education programs led

by men can be effective provided that they aim to create systemic change through early education rather than target older individuals with deeply entrenched cultural prejudices. MenEngage Alliance<sup>100</sup> is a global membership-based alliance of organizations that focus on engaging men and boys in combating GBV, making myriad resource materials available for CSOs and frontline responders.

**6. Training Service Providers on Legal Protections:** Considering Turkey’s rather robust legal framework in serving and protecting refugees that are officially registered, nearly all local actors have mechanisms in place to prioritize and promote refugees’ registration with the authorities. Still, these programs might be considered a half-measure when observing that refugees may be denied their legal rights by any number of private or public actors. With this in mind, it is necessary to extend specialized training on GBV, asylum law, and the intersection thereof, to a wide audience that comprises lawyers, social workers, judges, police officers, CSO workers, doctors, nurses, municipal officers, and so on. These trainings will provide those who are likely to come into contact with refugees facing GBV with the adequate tools required to detect GBV, prevent retraumatization, and facilitate protection. Such trainings have been executed in the past, but they have been criticized for being inconsistent and irregular in their implementation.<sup>101</sup>

**7. Increasing Support for Local Women-Led Organizations:** A bottom-up approach to fighting GBV would put local women leaders at the frontlines of humanitarian response and communicate the needs of the survivors effectively. Community-led groups can form trusted social networks and safe spaces for women and girls, and also ensure the privacy of the survivors. Because GBV is a social problem that directly impacts women, girls, and marginalized groups both within the refugee and host communities, social cohesion efforts that promote solidarity between women and empower them to support one another go a long way in filling the gaps in CSO and NGO-led GBV programming.

<sup>97</sup> “Paper Airplanes,” *Paper Airplanes*, last modified 2021.

<sup>98</sup> “The Research Center on Asylum and Migration (IGAM),” *IGAM*, last modified 2021.

<sup>99</sup> Support to Life, “*Guide*,” 36.

<sup>100</sup> “MenEngage Alliance,” *MenEngage Alliance*.

<sup>101</sup> EuroMed, “*Turkey*.”

## Recommendations for Donors and Policy-Makers

Gender mainstreaming is a critically important aspect of CSO and NGO programming in humanitarian settings. Creating an environment that promotes gender equality requires a long-term commitment from donors and policy-makers. Seeing that GBV is a multi-dimensional problem that is deeply rooted in social and cultural prejudices, creating a long-lasting impact takes time. Donors would therefore do well to scale up funding for GBV programs that extend beyond one or two years and focus on adopting a systems- and rights-based approach to combating violence against women and girls.

Turkey's recent withdrawal from the Istanbul Convention is seen as a major setback by many local CSOs at a time when domestic violence is on the rise not just in Turkey but all over the world. The pandemic has far-reaching consequences for the health and safety of conflict-affected individuals — particularly women, children, and members of the LGBTI community. Government leaders and policy-makers must

renew their commitment to the safety and protection of women and children who comprise almost half of Turkey's refugee population. They must also prioritize resolving the conflicts that constitute the root cause of mass displacement. As the Syrian Civil War enters its second decade, the crisis in Afghanistan has come to top of the agenda in Turkey. Still, an end to these conflicts will not mean an automatic, unproblematic resettlement of the millions of displaced across the region. For women, girls, and LGBTI individuals, resettlement can present even greater risks of GBV (see *Figure 2*). It also goes without saying that after over ten years of conflict in Syria, refugees have now built lives and families in Turkey that are difficult to transplant. And as Afghans increasingly flee to Turkey to escape the threat of violence and oppression that disproportionately affect women and girls, whether or not they will find a welcoming host remains to be seen. Empowering these communities and improving their access to education, protection, and opportunity could ultimately strengthen the country's workforce and revitalize its economy, offering a win-win solution to both refugees and host communities.



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HasNa's mission is to facilitate cross-cultural understanding between communities divided along ethnic, religious, racial, gender, and national lines, and to reduce barriers to effective integration and positive peace.

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