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Enhancement of Participatory Democracy in Turkey:  
**Gender Equality Monitoring Project**

# **Gender Equality in Political Decision-Making**

Mapping and Monitoring Study  
Full Summary

**Prof. Dr. Serpil Sancar**



## **CEİD PUBLICATIONS**

Gender Equality in Political Decision-Making  
Mapping and Monitoring Study  
Full Summary

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## PREFACE

The present report is the outcome of a series of thematic mapping work and efforts to develop gender equality (GE) monitoring indicators under the *Enhancement of Participatory Democracy in Turkey: Gender Equality Monitoring Project*. The project took shape in the period 2013-2017 in a process involving meetings and exchange of opinion with many institutions and persons. The common point emerging in this process was the necessity of developing independent mechanisms for monitoring and evaluation at the stage that GE policies reached in Turkey. In other words, what was needed was an independent monitoring mechanism to assess the appropriateness and effectiveness of national legislation and action plans developed so far in translating GE into life. This also entailed the development of tools satisfying relevant scientific and technical requirements and facilitating systematic monitoring free from political and ideological polemics. To ensure compliance with international norms and sustainability, it was also necessary to develop monitoring indicators and assess these indicators through mapping and periodic reporting, which became the roadmap of the project. It was also among the objectives of the project to take initial steps to ensure the institutionalization needed for the sustainability of these efforts.

While delineating its field of work the *Enhancement of Participatory Democracy in Turkey: Gender Equality Monitoring Project* adopted a "gender sensitive rights-based" approach. The basic objectives of the project include the following: Supporting the inclusion of international norms and standards developed for GE in legislation, practices and monitoring policies in Turkey; reporting of GE related problem areas through mapping; contributing to institutionalization in Turkey of an independent, scientific and mainstreamed strategy by developing GE specific monitoring indicators; and enhancing government-civil society cooperation and monitoring capacity in the field of GE.

Starting in March 2017, the project was planned so as to be completed in 24 months. In the project funded by the European Union, the beneficiary is the Ministry of Foreign Affairs Directorate for EU Affairs, contracting authority is the Central Finance and Contracts Unit and the implementing party is the Association for Monitoring Gender Equality. The target group of the project comprises gender-focused civil society organizations, other civil organizations engaged in rights-based monitoring, relevant governmental agencies, governorates and metropolitan municipalities, and district municipalities as units of equality. Project stakeholders include the Ministry of Family, Labour and Social Services General Directorate on the Status of Women (KSGM), the TBMM (The Grand National Assembly of Turkey) Commission on Equal Opportunities for Women and Men (KEFEK), Human Rights and Equality Institution of Turkey (TIHEK), and Ombudsman Institution (KDK).

**Mapping reports** and **monitoring indicators** were developed in ten thematic areas identified in line with the objective of the project (combating gender-based violence against women; gender equality in participation to political decision making, to education, employment, religious activities, sports, access to urban rights/services, media and combat against trafficking in women/human beings). Besides, to make project outputs as well as many sources and data

in relevant fields accessible to all, a **Gender Equality Monitoring Centre** was set up and made functional with its e-library. Mapping Reports on ten thematic areas and their summaries were made available in the electronic environment, printed in Turkish and their informative summaries were released in Turkish and English. On the basis of Mapping Reports, 1337 GE monitoring indicators were presented to the public for use, 515 of which have their presently available or accessible data and 822 proposed to be developed.

One important component of the project was intensive work carried out in selected pilot provinces for local-level sharing of data from reports and indicators developed. Training in gender-sensitive rights-based monitoring and in mapping reports and monitoring indicators accompanied by preparatory workshops on local equality monitoring action plans were the activities carried out in selected seven pilot provinces. Efforts were made to establish and maintain **Local Equality Monitoring Platforms**. In Adana, Ankara, İstanbul, İzmir, Kars, Gaziantep and Trabzon as pilot provinces, **Local Equality Monitoring Plans** were developed to assess and monitor whether services delivered at local level observe gender equality, and a **National Equality Monitoring Plan** was prepared to scale up this work countrywide and ensure its sustenance.

The longer-term durability of services developed by the project is possible with the presence of sustained support. We believe that this support will be available as project outputs are used and further improved by large sections of society.

There are so many organizations and individuals contributing to the project without which it would be simply an impossible endeavour. We are grateful to the project team working with full commitment and engagement throughout the process, experts completing mapping reports and indicators in a long and tiresome work, and to CEİD members supporting the management of the project in harmony from its start to completion. CEİD local coordinators and training experts facilitated the implementation of the project by their hard work at both central and local levels. Staff from public organizations and representatives from civil society organizations who prepared Local Equality Monitoring Plans by taking part in work conducted by Local Monitoring Platforms put this work in practice at the local level. In case this project is to be attributed any success, it is the outcome of efforts and contributions of many including those we could not mention here. We are indebted to all for what they have added to the *Enhancement of Participatory Democracy in Turkey: Gender Equality Monitoring Project*.

Association for Monitoring Gender Equality

Board of Directors

# Contents

Biography .....	3
Preface.....	4
List of Tables .....	8
List of Acronyms.....	9
<b>I. INTRODUCTION.....</b>	<b>12</b>
<b>II. GENDER EQUALITY IN PARTICIPATION TO DECISIONS: NORMS AND STANDARDS</b>	<b>15</b>
<b>A. GENDER EQUALITY IN PARTICIPATION TO DECISION MAKING.....</b>	<b>15</b>
Fundamental Rights Defining Gender Equality in Participation to Decision Making.....	15
Global Norms Governing Rights Related to Gender Equality.....	15
How Gender Equality will be Realized in Participation in Decision Making? .....	15
Dimensions of Equal Participation in Decision Making.....	16
Development of Global Gender Equality Norm in the Course of Time.....	16
International Conventions on Gender Equality.....	16
International Documents Laying the Ground for Gender Equality Policies.....	17
<b>B. GENDER EQUALITY NORMS .....</b>	<b>17</b>
1. Equality .....	17
2. Non-discrimination .....	21
3. It is the Responsibility of States to Prevent Discrimination.....	23
<b>C. IDENTIFICATION OF STANDARDS, CRITERIA AND GOOD PRACTICES .....</b>	<b>25</b>
1. Standards and Criteria in United Nations Documents.....	25
2. Standards and Criteria in European Union, Council of Europe Documents and Action Plans .....	27
3. Good Practices.....	30
<b>III. ANALYSIS OF EXISTING SITUATION IN TURKEY: NORMATIVE POLITICAL STRUCTURE.....</b>	<b>32</b>
1. Turkey's Position in the World.....	32
2. Gender Equality Sensitiveness of Fundamental Laws Governing Political Life in Turkey .....	33
2.1. Fundamental Norms in National Policies Related to Gender Equality.....	33
2.2. Legislation Sensitive to Gender Equality .....	34
2.3. Legislation Devoid of Gender Equality.....	34
3. Documents on National Policies of Gender Equality .....	34
3.1. Action Plans.....	34
3.2. Other Documents of National Legislation.....	35

3.3. AÇSHB-KSGMS Gender Equality National Action Plans.....	35
3.4. TBMM-Commission on Equal Opportunities for Women and Men-KEFEK Reports .....	36
<b>IV. MAPPING GENDER EQUALITY IN TURKEY .....</b>	<b>37</b>
1. Discrimination: Gender Differences at Central and Local Levels in Politics.....	37
1.1. Factors Affecting Gender Equality in Participation to Political Decision-Making....	37
1.2. Gender Equality and Women’s Participation in Political Parties in Turkey .....	42
1.3. Gender Equality in Participation to Local Decision Making in Turkey.....	49
2. Discrimination: Difference between Running and Elected Women in Politics.....	53
3. Discrimination: Gender Discrimination in Employees and Managers in Public Services .....	54
4. Discrimination: Women cannot participate to Government .....	54
5. Discrimination: Uneducated Women in Public Sector Suffer More from Discrimination.....	55
6. Discrimination: Gender Inequality in Top Management Positions in Public Administration .....	56
7. Discrimination: Gender Inequality in Participation to Economic Decision Making in Turkey .....	58
<b>V. SOURCES OF INDICATOR AND DATA IN ASSESSING GENDER EQUALITY .....</b>	<b>59</b>
<b>VI. INDICATORS FOR MONITORING GENDER EQUALITY IN PARTICIPATION TO DECISION MAKING.....</b>	<b>60</b>
<b>I. TABLE OF ESTABLISHED INDICATORS OR INDICATORS WITH RELEVANT DATA.....</b>	<b>60</b>
<b>II. TABLE OF INDICATORS SUGGESTED FOR USE.....</b>	<b>63</b>

## LIST OF TABLES

<b>Table 1:</b> Examples of Quota Application for Equal Participation to Political Decision Making.....	30
<b>Table 2:</b> Turkey's Score in Global Gender Gap Index .....	32
<b>Table 3:</b> Turkey's Place in Global Gender Gap Index.....	33
<b>Table 4:</b> Gender Inequality in Participation to Political Decision Making in Turkey.....	37
<b>Table 5:</b> Women's Participation and Representation in 24 June 2018 Elections and After...40	
<b>Table 6:</b> Number of Elected Women Mayors in the Local Elections of 30 March 2014 .....	50
<b>Table 7:</b> Proportion of Women in Specialized Professions-Management Boards of Professional Organizations .....	54
<b>Table 8:</b> Low Proportion of Women with State Authority and Participating to Government.....	55
<b>Table 9:</b> Difference between Educated and Uneducated Women Employed in Public Organizations .....	56
<b>Table 10:</b> Proportion of Women in Supreme Boards in Turkey .....	57



## LIST OF ACRONYMS

<b>AÇŞHB</b>	Ministry of Family, Labour and Social Services
<b>ATO/ASO</b>	Ankara Chamber of Trade/ Ankara Chamber of Industry
<b>BİST</b>	Stock Exchange of İstanbul
<b>CECM</b>	Council of Europe Committee of Ministers
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CEID</b>	Gender Equality Monitoring Association
<b>CEPA</b>	Council of Europe Parliamentary Assembly
<b>CoEGES</b>	Council of Europe Gender Equality Strategy
<b>DPD</b>	State Personal Directory
<b>EC</b>	Council of Europe
<b>EC - EDUR</b>	European Urban Charter and Declaration of Urban Rights
<b>ECGELL</b>	European Charter for Gender Equality in Local Life
<b>ECHR</b>	European Convention on Human Rights
<b>ECoHR</b>	European Court of Human Rights
<b>EIGE</b>	European Institute for Gender Equality
<b>ESC</b>	European Social Charter
<b>ESHİD</b>	Equal Rights Monitoring Association
<b>EU</b>	European Union
<b>EU-AmsT</b>	Treaty of Amsterdam
<b>EU-CFR</b>	European Union Charter of Fundamental Rights
<b>EU-GEI</b>	European Gender Equality Index
<b>Eurostat</b>	European Statistics
<b>GDI</b>	Gender Development Index
<b>GII</b>	Gender Inequality Index
<b>HDI</b>	Human Development Index
<b>HSK</b>	Board of Judge and Prosecutors
<b>IPU</b>	Inter-Parliamentary Union
<b>İTO/İSO</b>	İstanbul Chamber of Trade/ İstanbul Chamber of Industry
<b>KA-DER</b>	Association for Supporting Women Candidates
<b>KAGİDER</b>	Women Entrepreneurs Association of Turkey
<b>KEFEK</b>	TBMM Commission of Equal Opportunity Between Men and Women

<b>KK</b>	Women's Coalition
<b>KSGM</b>	General Directorate on the Status of Women
<b>MDG</b>	Millennium Development Goals
<b>MÜSİAD</b>	Association of Muslim Industrial and Businessman
<b>SIGI</b>	Social Institutions and Gender Index
<b>TBMM</b>	The Grand National Assembly of Turkey
<b>TCEUEP</b>	Gender Equality National Action Plan 2008-2013
<b>TESK</b>	Confederation of Tradesmen and Artisans of Turkey
<b>TİHEK</b>	Human Rights and Equality Institution of Turkey
<b>TİM</b>	Turkish Assembly of Exporters
<b>TİSK</b>	Confederation of Employers Unions of Turkey
<b>TİSK</b>	Cofedertion of Turkish Employers
<b>TMMOB</b>	Union of Chambers of Architects and Engineers of Turkey
<b>TOBB</b>	Union of Chambers and Stock Exchange
<b>TTB</b>	Turkish Medical Association
<b>TÜBAKKOM</b>	Turkish Bar Association Commission for Women's Legal Affairs
<b>TÜİK</b>	Turkish Statistical Agency
<b>TÜRK-İŞ</b>	Confederation of Trade Unions of Turkey
<b>TÜSİAD</b>	Association of Turkish Industrialists and Businessmen
<b>UCLG</b>	United Cities and Local Governments
<b>UN</b>	United Nations
<b>UN-BD</b>	Beijing Declaration
<b>UN-BPFA</b>	Beijing Platform for Action
<b>UN-CCPR</b>	International Covenant on Civil and Political Rights
<b>UN-CHR</b>	Committee on Human Rights
<b>UN-CPRW</b>	Convention on the Political Rights of Women
<b>UN-SDG</b>	Sustainable Development Goals
<b>UN-UDHR</b>	Universal Declaration of Human Rights
<b>UNDP</b>	United Nations Development Programme
<b>US</b>	United States of America
<b>YÖK</b>	Consil of Higher Education
<b>YSK</b>	Supreme Electoral Board

## Information on the Names of Institutions

Since this report was completed before the decrees mentioned below it does not reflect changes made in the names of some major institutions. The Decree No. 703 in Force of Law on 'Amendment of Some Laws and Decrees to Ensure Compliance with Constitutional Amendments' was published in the Official Gazette No. 30473 dated 9 July 2018. The decree introduced changes to the organization and mandate of some Ministries and institutions.

With the Presidential Decree No. 1 dated 10 July 2018 on the Organization of the Office of Presidency and the Presidential Decree No. 4 dated 15 July 2018 on the Organization of Agencies and Institutions Under, Related and Attached to Ministries and other Agencies and Institutions, organizational structure and mandate of some ministries and institutions were modified.

The ministries and institutions subject to modifications are listed below.

- The Ministry of Family and Social Policies (*Aile ve Sosyal Politikalar Bakanlığı*) and Ministry of Labour and Social Security (*Çalışma ve Sosyal Güvenlik Bakanlığı*) were merged and renamed as 'Ministry of Labour, Social Services and Family.' (*Çalışma, Sosyal Hizmetler ve Aile Bakanlığı*)  
Upon the Presidential Decree (Decree No. 15) dated 4 August 2018 on Amendments to Some Presidential Decrees, the Ministry of Labour, Social Services and Family (*Çalışma, Sosyal Hizmetler ve Aile Bakanlığı*) was renamed as Ministry of Family, Labour and Social Services (*Aile, Çalışma ve Sosyal Hizmetler Bakanlığı*).
- The Ministry of European Union (*Avrupa Birliği Bakanlığı*) was closed and the Department of European Union (*Avrupa Birliği Başkanlığı*) was established within the Ministry of Foreign Affairs.
- The Ministry of Science, Industry and Technology (*Bilim, Sanayi ve Teknoloji Bakanlığı*) and Ministry of Development (*Kalkınma Bakanlığı*) were merged and named as Ministry of Industry and Technology (*Sanayi ve Teknoloji Bakanlığı*).
- The Ministry of Customs and Trade (*Gümrük ve Ticaret Bakanlığı*) and Ministry of Economy (*Ekonomi Bakanlığı*) were merged and renamed as Ministry of Trade (*Ticaret Bakanlığı*).
- The Ministry of Food, Agriculture and Animal Husbandry (*Gıda, Tarım ve Hayvancılık Bakanlığı*) and Ministry of Forestry and Hydraulic Works (*Orman ve Su İşleri Bakanlığı*) were merged and renamed as Ministry of Agriculture and Forestry (*Tarım ve Orman Bakanlığı*).
- The Ministry of Finance (*Maliye Bakanlığı*) was renamed as Ministry of Treasury and Finance (*Hazine ve Maliye Bakanlığı*), and the Undersecretary of Treasury (*Hazine Müsteşarlığı*) which used to be under Deputy Prime Minister was transferred in the new structuring to the Ministry of Treasury and Finance.
- The Ministry of Transportation, Maritime Affairs and Communication (*Ulaştırma Denizcilik ve Haberleşme Bakanlığı*) was renamed as Ministry of Transportation and Infrastructure (*Ulaştırma ve Altyapı Bakanlığı*).

# I. Introduction

One of the most fundamental values of the modern world is the idea that “human beings are born as equal”. The other is the obligation of the States (law) to treat equally human beings that are born as equal and recognize them as “citizens”. However, it has been stated explicitly by women that these approaches do not in fact encompass women and men equally. To put it more correctly, the “de facto” meaning of being “human” and “citizen” in law, in social and political life was being male, white and with property. This was a “modern masculine order” and it was stated all around the world that women should be engaged in family affairs and childcare only as their “biological nature” made it necessary.

Women’s demands to enjoy the same rights that modern societies offer to men have been going on since the 18th century to reach our times while gaining momentum and assuming new shapes. Women taking part in the 1789 French Revolution had their **Declaration of the Rights of Woman and Citizen** in 1791 in the face of the new French Constitution recognizing only men as citizens. The leader of this women’s movement, criticizing the pioneer men of the revolution who excluded women, French author Olympe de Gouges, prepared this declaration in reaction to the **Declaration of the Rights of Man and of the Citizen**. As the first document in the world defining and defending the rights of women the **Declaration of the Rights of Woman and Citizen** stated that women must be equal with men in legal, political and social fields. The author of the declaration, Olympe de Gouges paid the price of her initiative by being executed by guillotine.

Women first demanded their rights, including equal right to education with men, by legitimizing these demands with such acceptable reasons as being “educated mothers” rather their direct personal benefits. It was true, however, that the right to education would not suffice in the struggle for making woman “equal” in status to man. Demands for legal and social equality between women and men eventually extended to the demand for equal right to elect and be elected and started to be raised strongly starting from the mid-19th century.

Women’s having equal right with men to elect and be elected was not a simple change; it meant the recognition of women as decision-makers in the state and public as “citizens. So it met with strong resistance; women’s political rights were the latest to come and in fact women could not effectively have their political rights until then mid-20th century. Women’s gaining of political rights was not easy and immediate even in the leading democracies of the world. Women in England raised their demand to right to vote in 1832. Their petitions were not considered and it went that far to prohibit women’s voting. In France, it was only in 1848 that not only men with property but all men were entitled to vote (suffrage). Women’s voting was found “undesirable” even after half century had elapsed over the French Revolution. In Germany laws prohibiting women’s participation in political gatherings in 1850. Women in New Zealand gained their right to vote in 1893 and right to be elected in 1918. In Australia it was in 1902 that women were entitled to vote. In 1906, Finland became the first European country entitling her women citizens the right to vote and be elected and the first European woman deputy in Europe appeared in

the parliament of Finland. Women gained these rights in 1917 in Canada and Russia (USSR) and in 1918 in Austria and Germany. In the USA, women gained their right to vote nationwide upon a constitutional amendment taking effect in 1920 and women joined the elections held in that year. It was only in democratic environment emerging after the 2nd World War that women could gain their political rights.<sup>1</sup> (for a chronology of women's suffrage by countries see the introduction of the main report).

The official ideology of the newly established republican regime in Turkey favoured women's presence in public sphere and have their jobs out of home as professionals. Women's education and their professional occupation building were adopted as a state policy. The adoption of **Civil Code** in 1926 was a revolution in terms of recognition of civil rights of women; this legislation freed family law from religious provisions and made it subject secular law. The Civil Code removed polygamy for males and made civil marriage compulsory. It entitled parental rights to both parents and gave effect to a significant rise in women's social status by bringing equality in inheritance law.

However, when it comes to women's political rights, right to elect and be elected, we cannot talk about the same support as, for example, in the case of right to education. In the first and second **TBMM** (Grand National Assembly of Turkey) that led the War of Liberation and then established the republic there was unfortunately no place for women. Furthermore, the Constitutions of 1920 and 1924 did not recognize women as equal citizens and conferred the right to elect and be elected to men only. These rights of women had to wait for 1930 and 1934.

The women gained their right to elect on 20 March 1930, in the local elections held that year. In 1933, the **Village Law** introduced the right to elect neighbourhood heads and to be elected to village councils. The right to elect and be elected to the national assembly was recognized with a constitutional amendment made on 5 December 1934. Participating to general elections for the first time on 8 February 1935, women won 18 seats in the TBMM, making up only 4.5% of total deputies. It dropped to 0.62% in 1950 when multi-party elections were held and remained under 5% for long years only to climb up to 14.4% in 2007. It was 17.1% in the last general elections held on 24 June 2018.

It sounds reasonable to start the great momentum in the struggle for women's rights in the world and in Turkey with 1975. The United Nations had declared 1975 as **International Women's Day** and March 8 started to be celebrated as women's day throughout the world. In 1979, the **United Nations** took the lead in new developments by opening the **Convention on the Elimination of All Forms of Discrimination against Women** (CEDAW) to the signature of Member States. This meant the admission that international law and existing human rights documents could not fully encompass women's specific problems and hence the need for new arrangements and measures. Then, the concept "women's human rights" started to appear more and more in international documents of law.

The **Vienna World Conference on Human Rights** in 1993 was another important step in the recognition of women's human rights. The **Vienna Conference** clarified that it among the

<sup>1</sup> For timeline of countries in women's suffrage see : <https://www.ipu.org>

priority tasks of governments and the **United Nations** to ensure that women “enjoy all human rights fully and equally.” The **United Nations Fourth World Conference on Women** held in Beijing followed the Vienna Conference in 1995. By confirming that women’s human rights constitute an inseparable but unique component of human rights, this Conference took an important step in establishing *women’s human rights* as an inherent part of international law and public policies.

Besides the Vienna Conference, it is observed that women’s participation in political life has been an issue addressed by many UN conferences and documents. These include decisions taken in Mexico (1975), Copenhagen (1980) and Nairobi (1985) and the **Beijing Action Plan** (1995) emerging from the **Fourth World Conference on Women**. Others to follow were **Women 2000-Beijing + 5** (2000), **United Nations Millennium Declaration** and **United Nations Sustainable Development Goals**.<sup>2</sup>

It was in the 1990s that advocacy for gender equality found itself a strong place in public policies. In spite of many steps taken since then, comparative international indexes show that it is questionable to what extent women can actually exercise their political rights in Turkey. The low rate of parliamentary representation of women in particular indicates the dimensions of the problem in comparison to other countries of the world. According to **Inter-parliamentary Union (IPU)** 2002 data, while the world and Europe averages for the parliamentary representation of women were 14.5% and 16.8%, respectively, it was only 4.4% in Turkey. In 2017, the rate climbed to 14.7% in Turkey, but for the same year it is 23.6% for the world and 27.2% for Europe. With this proportion, Turkey remained even behind Arabic countries (17.5%) that she boasted for being more advanced than. Women’s political participation in Turkey is indeed problematic given that they make up about 30-40% of management positions in state institutions, universities and in the private sector.

The objective of the present study is to address factors influencing institutional capacity, public policies, and relevant practices in an efforts to understand to what extent gender equality, as basic norm of civilization in political decision-making is realized. Monitoring indicators suggested in this study are intended to show us what we need to know for a better understanding of the case in the country.

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<sup>2</sup> For mentioned documents see: <http://www.unwomen.org>

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## II. Gender Equality in Participation to Decisions: Norms And Standards

### A. GENDER EQUALITY IN PARTICIPATION TO DECISION MAKING

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#### Fundamental Rights Defining Gender Equality in Participation to Decision Making

- Right of all human beings, women and men, to have equal rights
- Right of women for equal participation in government and public service
- Right of all citizens, women and men, for equal participation in political life
- Equality of sexes before law and right to equal protection
- Right of women and men to equal participation in local politics
- Condition of not engaging in gender-based discrimination for ensuring equality
- It is the responsibility of states to ensure gender equality. It is a right to demand the realization of gender equality.

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#### Global Norms Governing Rights Related to Gender Equality

- Equality of women and men is a fundamental human right.
- Equality of sexes does not comprise only equality of biologically different individuals; it means gender equality. In other words, it is the equality of what society expects as behaviour, responsibility and rights from individuals of different sexes and sexual orientation; it is the equalization of sex-based differences in terms of power, status and using social opportunities. And this in turn requires not making any discrimination with respect to sex and sexual orientation.
- The principle of non-discrimination requires giving special consideration to those facing multiple-discrimination that is persons who are disadvantaged not only on the basis of their sex but a variety of others such as belief, race, religion, language and disability.
- Gender equality:
  - ▶ is the precondition of a democratic society
  - ▶ is an indispensable principle in economic development.
- To advance gender equality, conventions, strategies, policies, action plans and tools of implementation developed by global organizations such as **United Nations** and **European Union** show us internationally recognized norms, standards and practices and provide a roadmap.

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#### How Gender Equality will be Realized in Participation in Decision Making?

- By complying with conventions and relevant policy documents that set international and national norms and standards,

- By fulfilling fully and in line with international norms and standards related to gender equality principles, strategic goals, and implementation policies/plans envisaged in national legislation and associated policy documents,
- By preparing monitoring reports by using monitoring indicators developed to show what is missing and unfitting in policies implemented,
- By giving effect to new legislative arrangements and developing implementation plans to eliminate gaps found by monitoring reports.

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### Dimensions of Equal Participation in Decision Making

There are three distinct dimensions of gender equality in participation in decision-making:

- **Equality in political participation and decision-making:** Equal participation of sexes in political institutions and political decision-making processes and equal representation in legislative bodies
- **Equality in participation in economic decision-making:** Equal participation in institutions, processes and position where economic decisions are taken
- **Equality in participation in social decision-making:** Gender equality in decisions shaping social life

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### Development of Global Gender Equality Norm in the Course of Time

- Firstly, the equality of sexes before law and the right to equal protection under law was recognized.
- Then we see that equality was started to be defined as making no discrimination with respect to different sexes and sexual orientations.
- In time, sex came to be refined not only in biological terms; it was attributed emotional characteristics, social values, status and positions vis-à-vis power relations. The target now was to realize "gender equality."
- Upon the prohibition of discrimination on the basis of sex and sexual orientation, states are assigned the responsibility of protection by fulfilling both positive and negative obligations against discrimination.
- Extending special support to victims of gender-based discrimination (special measures, positive discrimination) became an important policy instrument.

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### International Conventions on Gender Equality

- UN- Universal Declaration of Human Rights (1948)
- UN- International Covenant on Civil and Political Rights (1976+2000)
- UN- Convention on the Political Rights of Women (1952)
- UN- Convention on the Elimination of All Forms of Discrimination against Women- CEDAW (1985)



- European Convention on Human Rights (1954+2000)
- European Social Charter (2004- with reservations)
- European Union Charter of Fundamental Rights (2000)
- Council of European Municipalities and Regions (CEMR) European Charter for Equality of Women and Men in Local Life (2006)
- European Urban Charter and European Declaration of Urban Rights (1992+ 2008)

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### International Documents Laying the Ground for Gender Equality Policies

- UN- Beijing Declaration and Action Plan (1995)
- UN- Millennium Development Goals (2000-2015)
- UN- Sustainable Development Goals (2015-2030)
- European Commission Charter on Strengthening Gender Equality: Women’s Charter (2010)
- Europe 2020 Strategy-(2010)
- International Union of Local Authorities (IULA) Declaration of Women in Local Government (1998)
- EC Charter on Local Self-Government (1985)
- Paris Agenda for Equality of Women and Men in Local Life (2015)

## B. GENDER EQUALITY NORMS

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### 1. Equality

#### Right to Equality

**UN Universal Declaration of Human Rights (UDHR) Art.2: Equal Rights and Freedoms.**

*“Everyone is entitled to **all the rights and freedoms** set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”*

Speaking about equality, we don’t refer to equality in biological capacity, physical properties and capabilities; it is equality in rights and freedoms as enshrined in the Universal Declaration of Human Rights.

The concept of equality based on rights and freedoms has been addressed and defined with its various dimensions by international conventions.

- “Equality before law” or *de jure* equality is the most fundamental norm in equality.
- Besides *de jure* equality *de facto* equality is also important. *De facto* equality stresses the need to make equality norm applicable, demandable and realizable in real life.
- Besides *equality of sameness equality in difference* is a norm more relevant in our times. It stresses the need to consider that people in different sexes and with different sexual orientation have their different problems, demands and preferences.

- *Equal opportunities (ex ante equality)* entitle people to make use of equal opportunities only without any difference in regard to sex. It does not question whether equality is actually realized as a result.
- *Ex post equality*): A different perspective is required when “*equal opportunities*” do not suffice to ensure the equality of sexes. It is because even when equal opportunities are presented to different sexes today, male dominant institutions and values established as a result of long years of unequal conditions may block the achievement of equal outcomes at once and therefore different interventions may be needed for transformation. When due account is taken of accumulated and structured nature of inequality coming from the past, the need for equalizing different sexes also with respect to social positions and status will become clear. The concept of equality pursuing this objective is known as *equality in outcomes (ex post equality)*.
- “*Transformative equality*”: No matter how we define equality, it is eventually necessary to transform the injustice that makes different sex and different sexual orientation unequal. This requires “*equality in outcomes*” and may often entail *reverse-positive discrimination*. Articles 4 and 5 in **CEDAW** define this type of transformative equality as an international convention provision.

## Gender Equality in Participation to Political Life, Government and Public Services

### **UN Universal Declaration of Human Rights (UDHR) Art. 21: Right to participate to government and public services:**

*“Everyone has the right to take part in the government of his country, directly or through freely chosen representatives. Everyone has the right of equal access to public service in his country.”*

### **UN International Covenant on Civil and Political Rights (ICCPR) Art. 25: Right to equal participation in political life:**

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

To take part in the conduct of public affairs, directly or through freely chosen representatives;

To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

To have access, on general terms of equality, to public service in his country.

## ***Right to Political Representation and Equal Participation to Public Service according to the Convention on the Political Rights of Women (CPRW)***

### **Right to Political Representation and Equal Participation to Public Service according to the CPRW**

*“Article 1: Women shall be entitled to vote in all elections on equal terms with men, without any discrimination.”*

*Article 2: Women shall be eligible for election to all publicly elected bodies, established by national law, on equal terms with men, without any discrimination.”*

*Article 3: Women shall be entitled to hold public office and to exercise all public functions, established by national law, on equal terms with men, without any discrimination.”*

The 1952 Convention stresses that political rights must be exercised equally by women.

According to this convention, the principle of equal rights requires that each woman is entitled to participate in her country

- To government,
- To public services, and
- To be elected to public bodies.

**CEDAW Art. 7: Women's Equal Participation to Political Life**

*"States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; To participate in non-governmental organizations and associations concerned with the public and political life of the country"*

## Equality between Men and Women

**UN International Covenant on Civil and Political Rights (CCPR) Art. 3: Equality between Men and Women**

*"The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant."*

**EU- Treaty of Amsterdam (AmST) Articles 2 and 3: The Task of Promoting Equality between Men and Women**

Art.2: Equality between Men and Women

*"It is the task of the Community .....to promote equality between men and women."*

Art. 3/2: Tasks of the Community

*"In all the activities referred to in this Article, the Community shall aim to eliminate inequalities, and to promote equality, between men and women."*

**EU- Treaty of Lisbon and EU-Charter of Fundamental Rights (EU-CFR) Art.23: Equality between Women and Men**

*"Equality between women and men must be ensured in all areas, including employment, work and pay."*

## General Comment No. 28 on UN-CCPR Article 3

The General Comment No. 28 where the Committee on Human Rights (UN-CHR) elaborates on Article 3 underlines that traditional, historical, cultural and religious reasons lie behind the unequal status of women and stresses the need to ensure the equality of sexes.

## Equality of Sexes according to the European Union Treaty of Lisbon and European Union Charter of Fundamental Rights

In Article 23 of the **European Union Charter of Fundamental Rights** we observe that the European Union followed on its classical approach focusing on equality in employment and remuneration while arranging for equality of women and men in the charter.

### *Equality of Sexes according to the European Union Treaty of Amsterdam (TAMs)*

Equality of women and men is among the founding norms of the European Union. Arrangements relating to this issue started to take shape with the **Treaty of Amsterdam** (AmsT). Article 2 in the treaty considers ensuring this equality as one of the duties of the union and Article 3 also defines as a duty to ensure gender equality in all activities of the union which are considered as common policies.

### **Equality of Sexes in Participation to Local Political Decision-Making**

International conventions defining the general norm of gender equality do not separately stress equality in participation in local political decision-making.

The document that has many references relevant to Turkey and provides a guide for implementation is the European Charter for Equality of Women and Men in Local Life and Local Agenda 21 (LA-21).

### *European Charter for Equality of Women and Men in Local Life*

It was developed in the context of a project implemented by the Council of European Municipalities and Regions (CEMR) (2005-2006). The project was supported by the European Commission within the framework of the 5th Community Action Programme for Equality between Men and Women.

Under the fundamental norms of the Charter and in line with the principle of “decentralization” it is defined as a precondition of democracy to consider, in the provision of local services, the life experiences, skills and creativity of women to promote equality of sexes in daily life of general population.

### *Local Agenda 21 (LA-21) Women’s Assemblies in City Councils*

Turkey started implementing Local Agenda 21 (LA-21) in 1997 with the UNDP support and within the framework of a project conducted under the coordination of the UCLG-MEWA-United Cities and Local Governments, Middle East and West Asia Section (former IULA-EMME). This work was later transformed into Turkey LA-21 Programme.

Under this programme, the establishment City Councils by elated provinces and municipalities was supported. On the basis of City Council Regulations<sup>3</sup> issued under the Law No. 5393 on Municipalities, local governments may establish Women’s Assembly.

<sup>3</sup> City Council Regulations, Official Gazette No. 26313 dated 08/10/2006, <http://www.resmigazete.gov.tr/eski-ler/2006/10/20061008-5.htm>

### LA-21 City Council Women's Assemblies

Under Article 6(ğ) in *City Council Regulations*:

*"Assemblies and working groups: Including women and youth assemblies, city councils ensure the participation and contribution of various sections of society to urban management based upon the concepts of governance and sustainable development; as such city councils stand for joint structures on the basis of voluntary participation to the management of quality and liveable city."*

According to Article 4 (c) in *City Council Regulations*:

*"Enhancing the presence in social life and active participation to local decision-making mechanisms of children, youth, women and persons with disabilities"* is among the duties of City Councils.

## 2. Non-discrimination

### *Non-discrimination according to the United Nations Covenant on Civil and Political Rights (CCPR)*

#### UN-International Covenant on Civil and Political Rights (CCPR) Art. 26:

*"All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."*

The Article 26 in the **Covenant on Civil and Political Rights** is important in that it is the first international human rights covenant that covers the outcomes of all four stages in the development of the principle of equality (equality before law, right to equal legal protection, non-discrimination and protection against discrimination). In this regard, States Parties undertake both positive and negative obligations.

### *Non-discrimination according to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW):*

#### UN- Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)

##### Art.1:Ban on Discrimination:

*"For the purposes of the present Convention, the term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field"*

The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is the first international document underlining that de jure equality alone is not enough when women are concerned. The CEDAW emphasizes that to prevent gender-based discrimination it is also necessary to ensure de factor equality.<sup>4</sup>

<sup>4</sup> The UN General Assembly Resolution No. 3010 dated 18 December 1972. At the beginning of this resolution it is stated that "the principle of equality between men and women should be implemented both *de jure and de facto*."

### **CEDAW Committee Recommendation No. 23**

The **CEDAW Committee** detailed the scope of the right to equality of sexes in participation in political life with its **General Recommendation No. 13**. The recommendation underlines obstacles that women face not de jure but de facto and describes changes to be made in state policies to eliminate the existing inequality in parliaments.

#### **Importance of CEDAW in Ensuring Gender Equality:**

The CEDAW explicitly provides for the following that have not been covered by earlier international conventions:

**i) Need to ensure de facto equality:** For the first time in history, the CEDAW established it as a binding international norm that de jure equality only is not sufficient in ensuring equality and de facto equality is necessary to prevent gender-based discrimination against women.

**ii) Need to eliminate discrimination against women:** The CEDAW defines discrimination against women in detail and suggests concrete solutions, policies and effective action plans for its elimination.

The CEDAW outlines the outcomes of discrimination against women as:

- Violation of the principles of equal rights and respect for human dignity.
- Preventing women to participate equally with men to political, social, economic and cultural life of the country.
- Preventing higher levels of community and family welfare.
- Making it difficult for women in the service of humanity and their countries to develop their competencies.
- Therefore,
- Women's great contribution to the advancement of family and society must be fully recognized.
- The social importance of motherhood and the role of both parents in family affairs and child-raising must be emphasized.
- The role of women in reproduction must not be allowed to be a case for discrimination and it must be accepted that both parents and communities as well have their responsibility in child care and raising.
- For realization of full equality between women and men, it must also be stressed that there is need to change traditional roles of men and women in society.

#### **EU Treaty of Lisbon and Charter of Fundamental Rights (EU-CFR) Art. 21: Non-discrimination**

*"Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited."*

#### **Treaty of Amsterdam Art (AmT).13: Non-discrimination**

*"(...) within the limits of the powers conferred by it upon the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex..."*

#### **European Convention on Human (ECHR) Art.14: Prohibition of Discrimination**

*"The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."*

#### **European Social Charter Art. E: Non-discrimination**

*"enjoyment of social rights should be secured without discrimination on grounds of race, colour, sex, religion, political opinion, national extraction or social origin."*

### 3. It is the Responsibility of States to Prevent Discrimination

*Responsibilities of States and commitments by States<sup>5</sup> Parties<sup>6</sup> under CEDAW and Beijing Declaration:*

#### **Commitments of States Parties under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

##### **Art. 2: Legal measures:**

"States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;
- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;
- (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;
- (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;"

##### **Art. 3: Measures in political, economic and cultural areas:**

"States Parties shall take all appropriate measures in all fields, in particular in the political, social, economic and cultural fields."

##### **Art. 7: Right to vote and be elected**

"States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- a) to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

##### **Art.8: Representing the Government**

"States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations. "

##### **Art. 9: Right to citizenship**

"States Parties shall grant women equal rights with men to acquire, change or retain their nationality."

5 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). <https://www.tbmm.gov.tr/komisyon/kefe/docs/cedaw.pdf>

6 Fourth World Conference on Women, United Nation, Beijing Declaration and Platform for Action, 4- 15 September 1995. <https://www.tbmm.gov.tr/komisyon/kefe/docs/pekin.pdf>

**Commitments that States Parties reaffirm in the Beijing Declaration:**

8. *The equal rights and inherent human dignity of women and men and other purposes and principles enshrined in the Charter of the United Nations, to the Universal Declaration of Human Rights and other international human rights instruments, in particular the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, as well as the Declaration on the Elimination of Violence against Women and the Declaration on the Right to Development;*
10. *Build on consensus and progress made at previous United Nations conferences and summits - on women in Nairobi in 1985, on children in New York in 1990, on environment and development in Rio de Janeiro in 1992, on human rights in Vienna in 1993, on population and development in Cairo in 1994 and on social development in Copenhagen in 1995 with the objective of achieving equality, development and peace;*
13. *Women's empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision-making process and access to power, are fundamental for the achievement of equality, development and peace;*
25. *Encourage men to participate fully in all actions towards equality;*
38. *We hereby adopt and commit ourselves as Governments to implement the following Platform for Action, ensuring that a gender perspectives reflected in all our policies and programmes. We urge the United Nations system, regional and international financial institutions, other relevant regional and international institutions and all women and men, as well as non-governmental organizations, with full respect for their autonomy, and all sectors of civil society, in cooperation with Governments, to fully commit themselves and contribute to the implementation of this Platform for Action.*



## C. IDENTIFICATION OF STANDARDS, CRITERIA AND GOOD PRACTICES

### 1. Standards and Criteria in United Nations Documents

#### Criteria in UN -Millennium Development Goals<sup>7</sup> 2000-2015:<sup>8</sup>

The third in 8 strategic goals is:

- To promote gender equality and empower women.

#### Criteria in UN-Sustainable Development Goals 2015-2030

In 17 goals, the 5<sup>th</sup> is about “gender equality and empowerment of all women and girls” which foresee the following criteria on equal participation in decision-making:<sup>9</sup>

- Guaranteeing that women have equal participation in all decision making,
- Ensuring full and active participation of women to decision-making at all levels in political, economic and public life and equal opportunities for leadership.

#### Standards and Criteria in the “Beijing Action Plan”<sup>10</sup>

Of all international documents the **Beijing Action Plan** (BPFA) is the one that provides the widest and most detailed criteria for realizing gender equality in participation in decision-making. Standards and criteria contained in this document can be summarized as follows:

#### Strategic objective G: Women in Power and Decision-Making:

*Strategic objective G.1. Take measures to ensure women’s equal access to and full participation in power structures and decision-making.*

*Strategic objective G.2. Increase women’s capacity to participate in decision-making and leadership.*

- *Identifying and developing support policies until the removal of barriers to women’s participation in decision-making processes and the proportion of women in decision making bodies reaches at least 33%,*
- *Encouraging governments, political parties, trade unions and associations to adopt relevant measures and apply positive discrimination when necessary,*
- *Going over factors in electoral systems that affect women’s representation negatively,*
- *Regularly collecting, analysing and disseminating quantitative and qualitative data on women and men in decision-making positions in public and private sectors and monitoring the progress in the representation of women,*
- *Supporting non-governmental organizations and research institutes that conduct*

7 <http://www.un.org/millenniumgoals/>

8 <http://www.tr.undp.org/content/turkey/tr/home/sustainable-development-goals/goal-5-gender-equality.html>

9 [http://www.un.org.tr/wp-content/uploads/5\\_Toplumsal\\_Cinsiyet\\_E%C5%9Fitli%C4%9Fi.pdf](http://www.un.org.tr/wp-content/uploads/5_Toplumsal_Cinsiyet_E%C5%9Fitli%C4%9Fi.pdf)

10 <https://www.tbmm.gov.tr/komisyon/kefe/docs/pekin.pdf>

*studies and surveys on women's participation in decision-making mechanisms, their impact on these mechanisms and decision-making environments,*

- *Ensuring that organizations funded by government adopt non-discriminatory policies and practices,*
- *Ensuring that political parties remove all barriers that discriminate against women and prevent their full participation directly or indirectly,*
- *Encouraging women's participation in processes of appointment and electoral nomination,*
- *Taking positive actions to ensure the communication and cooperation of women leaders, executives and managers in strategic decision-making positions,*
- *Encouraging non-governmental organizations, trade unions and private sector to ensure gender equality in participation in decision-making bodies,*
- *Encouraging governments, national bodies, private sector, political parties, trade unions, employers' organizations, non-governmental organizations, local bodies, international organizations and education institutions to support women, particularly women with disabilities and those belonging to racial or ethnic minorities, to reach decision-making positions.*

### ***Strategic Objective H: Institutional Mechanisms for the Advancement of Women***

***Strategic objective H.1. Create or strengthen national machineries and other governmental bodies.***

***Strategic objective H.2. Integrate gender perspectives in legislation, public policies, programmes and projects***

***Strategic objective H.3. Generate and disseminate gender disaggregated data and information for planning and evaluation.***

- *Creating a policy coordination centre within the government for making gender equality perspective a norm in all policy areas and ensuring that this national machinery is endowed with adequate resources in terms of budget and professional capacity to influence the development of government policies;*
- *Providing staff training in designing and analysing data from a gender perspective;*
- *Working with members of legislative bodies, as appropriate, to promote a gender perspective in all legislation and policies;*
- *Giving all ministries the mandate to review policies and programmes from a gender perspective and in the light of the Platform for Action; establishing an inter-ministerial coordination unit to monitor progress in implementation; and to network with relevant machineries;*
- *Involving centres for women's studies and research organizations in developing and testing appropriate indicators and research methodologies*

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## 2. Standards and Criteria in European Union, Council of Europe Documents and Action Plans

### EU- 2010 European Women's Charter (*Strengthening the Commitment to Equality between Women and Men: A Women's Charter*):<sup>11</sup>

One of the **five strategic fields of action** specified in the charter:

Equal participation/representation of women in decision-making and positions of power in both public and private sectors.

### *2001-2005 Community Framework Strategy on Gender Equality*<sup>12</sup>

The following are required to ensure equal participation and representation:

- Promoting balanced participation in decision-making,
- Assessing the impact of electoral systems, laws, quotas and other practices on gender balance in elected bodies,
- Building awareness to draw the attention of citizens to gender balance in elected bodies and political parties,
- Improving gender balance in economic and social decisions,
- Following and evaluating processes in which women climb up to higher management positions, in education and training, career building and appointments, and
- Monitoring women's position in participation in decision-making on the basis of regularly collected statistics.

### *A Roadmap for equality between women and men 2006-2010*<sup>13</sup>

One of the six strategic goals of the 2006-2010 Action Plan is to ensure "equal participation in processes of decision-making". Antecedents to this goal are defined as follows:

- Recognizing that short representation of women in civil society, upper decision-making positions in public administration and in politics is a gap in democracy,
- Recognizing that representation of women in economic decisions will contribute to creative and productive work,
- Targeting to have at least 25% women in management positions of public administration.

### *2010-2015 - Strategy for Equality between Women and Men*<sup>14</sup>

Starting from 2010 the European Union focused on equality of sexes in economic decision-making and began to take steps firstly to transform the phenomenon that excludes women from top managerial positions in big companies (glass ceiling).

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11 <http://eur-lex.europa.eu/legal-content/BG/ALL/?uri=URISERV:em0033>

12 <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Ac10932>

13 A Roadmap for equality between women and men 2006-2010 <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISUM:c10404&from=EN>

14 <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52010DC0491>

In the 2010-2015 Strategy, observations related to equality in decision making are as follows:

- Proportion of each sex in management bodies and among authorized managers of big companies quoted in stock exchange (issuing equity shares) should be at least 25%, and 40% among administrative members h-not with managing authority. The target should be increase the proportion of women in managements of joint-stock companies to 30% by 2015 and to 40% by 2020.
- The proportion of women in top positions of research institutes should be raised to 25%.

### *2016-2019- Strategic Engagement for Gender Equality<sup>15</sup>*

The target 3.3 on “ensuring equal participation in decision-making in the 2016-2019 Action Plan briefly states the following:

- Ensuring better gender balance in economic leadership positions, in particular at least 40 % representation of the under-represented sex among non-executive directors of companies listed on stock exchanges,
- Supporting these efforts by collecting relevant data,
- Raising the proportion of women at medium level management positions to 40% by the end of 2019.

### *Council of Europe Gender Equality Strategy 2014-2017<sup>16</sup>*

The Council of Europe standards<sup>17</sup> for Ensuring Balanced Participation of Women and Men to Political and Public Decision-Making Mechanisms under Strategic Goal 4 included in the Council’s 2014-2017 Action Plan can be summarized as follows:

- No matter which decision-making body, the representation of women and men should not be below 40% to ensure their balanced participation in political and public life.
- Women’s participation in decision-making should be followed and there should be focus on ensuring the visibility of data and good practices by member states.
- There is need for measures to empower candidate and elected women to facilitate and encourage women’s participation in elections at national, regional and local levels.
- Equal participation should be observed through various means including in electoral systems, quotas for equality, allocation of public funds to political parties and working environments of elected representatives.

### **Gender Equality Criterion of the Council of Europe as a Norm for Democracy**

In the System of the Council of Europe, besides relevant articles of the ECHR, there are many recommendations, strategy documents and reports produced particularly by the Parliamentary

15 <https://ec.europa.eu/anti-trafficking/eu-policy/strategic-engagement-gender-equality-2016-2019>

16 Council of Europe (COE). (2013). *Gender Equality Strategy 2014-2017*. <https://rm.coe.int/1680590177>

17 Parliamentary Assembly Recommendation No. 1899 (2010) 1 on Increasing Women’s (Representation in Politics through the Electoral System; Parliamentary Assembly Recommendation No. 1413 (1999) 1 on Women’s Equal Representation in Political Life; Parliamentary Assembly Recommendation No. 288 (2010) on Sustainable Gender Equality in Local and Regional Political Life.

Assembly of the Council of Europe (PACE) on ensuring equality between women and men in participation in political life.<sup>18</sup> In all these documents it is underlined inequality of sexes in political participation, first of all, is a threat to the legitimacy of democracy and it means a violation of the principle of equality of sexes as a human right.

Women are exposed not only to rigidly framed roles that are attributed within the traditional family structure but also stereotype prejudices in both education institutions and in the media. Also underlined is the importance of policies geared to the elimination of such factors. As to recently issued or adopted documents, the Council of Europe recommends countries:

- To make arrangements in Constitution and electoral legislation to ensure equality of sexes and prohibit discrimination in this regard,
- To reform their electoral legislation so as to encourage women's presence in parliaments,
- To call on political parties to adopt gender quotas and other measures of positive discrimination.

Besides PACE, the Committee of Ministers of the Council of Europe (CMCE) has also taken decisions and adopted action plans to ensure not only de jure but de facto equality as well.

The adoption of the declaration "Making gender equality a reality" in 2009 by the countries of the Council of Europe also signifies that the issue as its priority in the agenda of the Council of Europe.<sup>19</sup>

In the report "The Impact of Electoral Systems on Women's Representation in Politics" by the **Venice Commission** conducting studies on constitutional laws of member states<sup>20</sup> some criteria for implementation are identified. The Commission made observations on practices of gender quota and the impact of electoral systems. Following this report the PACE made a recommendation reiterating its call for the most advantageous electoral system with respect to women's political participation in particular by adopting suggestions in the report of the **Venice Commission**.<sup>21</sup>

In the Council Recommendation 1996 on Balanced Participation of Women and Men to Decision-Making Mechanisms it is first stated that such balanced participation is a requirement of democracy. For ensuring balanced participation, member states were invited to develop

18 See, [http://www.coe.int/t/dghJ/standardsetting/equality/03themes/women-decisionmaking/index\\_en.asp](http://www.coe.int/t/dghJ/standardsetting/equality/03themes/women-decisionmaking/index_en.asp)  
Relevant documents:

- *Declaration on Equality of Women and Men in Political and Public Life* (1986),
- *Declaration on Equality of Women and Men as Fundamental Criterion in Democracy* (1997),
- *Parliamentary Assembly Recommendation No. 1229 on Equality of Rights between Men and Women* (1994),
- *Parliamentary Assembly Recommendation No. 1413 on Equal Representation in Political Life* (1999),
- *Parliamentary Assembly Resolution No. 1676 on Women's Participation to Elections* (2004),
- *Parliamentary Assembly Resolution No. 1489 on Mechanisms to Ensure Women's Participation in Decision-Making* (2006).

19 *Declaration: Making gender equality a reality, 119th Session of the Committee of Ministers, Madrid, 12 May 2009*, <https://wcd.coe.int/ViewDoc.jsp?id=l441675&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383>.

20 *Report on The Impact of Electoral Systems on Women's Representation in Politics*, European Commission For Democracy Through Law (Venice Commission), <http://www.venice.coe.int/docs/2009/CDL-AD%282009%29029-e.asp>.

21 *Increasing Women's Representation in Politics Through the Electoral System, Pace Recommendation 1899* (2010), <http://www.venice.coe.int/docs/2010/CDL%282010%29031-e.asp>.

comprehensive, integrated and encouraging strategies and to introduce necessary legislative arrangements and regulations.

### 3. Good Practices

#### Special Legal Measures for Equality and Gender Equality Quotas:

As far as candidates to and members of political decision-making bodies are concerned, it can be said that the presence of “gender quotas” is the most effective way of ensuring balance. It is indeed very effective to pass special legislation of equality that envisages quotas for equal gender distribution in all election processes in both candidate lists and elected bodies and defines sanctions to be applied in case of non-compliance.

**Table 1:** Examples of Quota Application for Equal Participation to Political Decision Making

Standard	Regulated by	Basis
Women holding seats by at least 30% in governments, political parties, trade unions, professional organizations and other representative entities	UN	UN economic and Social Council Resolution 1990/15 based on Beijing Action Plan Strategic Goal G2
Raising the share of women up to 25% in top decision-making bodies of research institutions	EU	EU, 2006-2010 Roadmap for Equality between Women and Men
Raising the share of women up to 25% in top decision-making bodies in the research sector	EU	EU, 2010-2015 Strategy for Equality of Women and Men
Women’s representation by 40% in committees and expertise groups formed by the EU Commission	EU	EU, 2010-2015 Strategy for Equality of Women and Men
Ensuring that the underrepresented gender holds at least 40% of seats in economic decision-making bodies, management and leadership posts and particularly among non-executive directors of companies quoted in stock exchange, <ul style="list-style-type: none"> <li>- Ensuring gender balance at executive director level in major listed companies and in career promotion (talent pipeline),</li> <li>- Improving data collection and ensuring gender balance in decision-making bodies of scientific institutions,</li> <li>- Promoting gender equality in decision-making and in public sphere including in sports,</li> <li>- The target of having 40% women at top and medium level management positions of the EU Commission.</li> </ul>	EU	EU, 2016-2019 Strategic Engagement for Gender Equality
Ensuring that women’s and Men’s representation never falls below 40% in political and public decision-making whatever organ may it be.	EC	Council of Europe Gender Equality Strategy 2014-2017’nde (Strategic Objective 4)

Since 2000s, the European Union determines the minimum proportion that each sex must be present at all management levels through action plans announced in every five years. The application of these proportions is widened so as to cover institutions of political representation, public organizations, academic research institutes and companies quoted in stock exchange. Participation to political, academic and economic decision-making processes is envisaged to be by 25%-40% for each sex.

France amended her Law on Political Parties in 2000 and introduced the arrangement known as "Parity Law." This legislation makes it obligatory to nominate equal numbers of women and men in all elections and candidate lists with the exception of general elections where it is optional. Accordingly, in elections where "lists based on proportional representation" is applied political parties have to observe 50% rule with respect to women and men candidates and nominate equal number of women and men.

In 2004, Slovenia passed a law making it obligatory to apply gender quota in lists of candidates for national and local elections. According to this law, each list should be arranged in a way to have a woman following each man and vice versa. As a result, the proportion of women in elections for the national parliament increased to 13.3% in 2008, 32.2% in 2011, and to 35.6% in 2014.

The law adopted by Portugal in 2006 introduced the obligation to represent each sex by 33.3% in candidate lists. The law envisages practice of "zipper system"<sup>22</sup> elections including penal fines to parties not fulfilling this obligation. Similarly, Spain passed an equality law in 2007 stipulating that election candidate lists not containing each sex by at least 40% will not be accepted. Poland and Ireland tried to ensure women's equal political representation by introducing mandatory gender quotas of 30% (Poland in 2011 and Ireland in 2012).<sup>23</sup>

With an amendment made in election law in May 2015, Italy introduced the provision that the proportion of each sex in election candidate lists cannot be under 60%. This arrangement coined as "*Italicum Reform*" was successfully implemented in the elections of July 2016.

### *Gender quota in companies listed in stock exchanges*

Italy, France, Belgium and Germany are the countries that adopted legislative measures to strike gender balance in managements of companies quoted in stock exchange. As a result, the average proportion of women in company managements in mentioned countries increased from 11.9% in October 2010 to 22.7% in 2015.<sup>24</sup>

22 Zipper system is a method of drawing up party lists in proportional representation electoral systems where more than one candidate is to be elected. It requires candidates on the list to alternate between men and women in order to secure equal representation in candidacy and potentially elected members.

23 European Commission, 2016, *The EU Mutual Learning Programme in Gender Equality, Women in political decision-making*, Slovenia, 15-16 June 2016, Summary Report. [http://ec.europa.eu/justice/gender-equality/files/exchange\\_of\\_good\\_practice\\_si/summary\\_report\\_si\\_2016\\_final\\_en.pdf](http://ec.europa.eu/justice/gender-equality/files/exchange_of_good_practice_si/summary_report_si_2016_final_en.pdf)

24 European Commission Directorate-General for Justice and Consumers. (2017). *2017 Report on equality between women and men in the EU*. Luxembourg: Publications Office of the European Union. [http://ec.europa.eu/newsroom/document.cfm?doc\\_id=43416](http://ec.europa.eu/newsroom/document.cfm?doc_id=43416)

### III. Analysis of Existing Situation in Turkey: Normative Political Structure

#### 1. Turkey's Position in the World

The **Global Gender Gap Index**<sup>25</sup> which is the most important tool in comparing the status of countries with respect to gender equality suggests that Turkey is going back in the course of time. Then four fundamental variables the Index considers are "Economic Participation and Opportunities", "Achievements in Education", "Health and Survival", and "Political Empowerment". While Turkey's status is relatively positive with respect to education and health, these are negatively balanced by very low index values in benefitting economic opportunities and political empowerment. This negative position of Turkey in terms of women's political empowerment creates an effect bringing her international index value down and discrimination that women face in economy and politics shows us combat work in these fields is not so effective. As index results demonstrate, while Turkey stood 105th among 115 countries in 2006, she ranked as 131st among 144 countries in 2017. This means Turkey falls behind 9 countries more out of 10.

**Table 2:** Turkey's Score in Global Gender Gap Index

	Ranking	2006	Ranking	2017
Global Gender Gap value	105	0.585	131	0.625
Economic Participation and Opportunities Sub-Index	106	0.434	128	0.471
Educational Achievements Sub-Index	92	0.885	101	0.965
Health and Survival Sub-Index	85	0.969	59	0.977
Political Empowerment Sub-Index	96	0.052	118	0.088
Total Number of Countries	115		144	

25 Turkey's score in Global Gender Gap Index (Global Gender Gap-2017) <https://www.weforum.org/reports/the-global-gender-gap-report-2017>



**Table 3:** Turkey's Place in Global Gender Gap Index

First fifteen countries		Last fifteen countries	
1	Iceland	130	Qatar
2	Norway	131	Turkey
3	Finland	132	Mauritania
4	Ruanda	133	Ivory Coast
5	Sweden	134	Egypt
6	Nicaragua	135	Jordan
7	Slovenia	136	Morocco
8	Ireland	137	Lebanon
9	New Zealand	138	Saudi Arabia
10	Philippines	139	Mali
11	France	140	Islamic Republic of Iran
12	Germany	141	Chad
13	Namibia	142	Syria
14	Denmark	143	Pakistan
15	United Kingdom	144	Yemen

## 2. Gender Equality Sensitiveness of Fundamental Laws Governing Political Life in Turkey

### 2.1. Fundamental Norms in National Policies Related to Gender Equality

Fundamental norms underlying gender equality policies in Turkey can be summarized as follows:

- It is the responsibility of the state to ensure gender equality.
- Measures adopted by the State for this purpose (i.e. support, quota, etc.) shall not be considered as against equality.
- Gender equality is an issue associated with fundamental rights and freedoms. In this context, provisions of fundamental domestic law and those of international agreements have to be in parallel. Provisions of domestic legislation and regulations in contrast with international conventions are deemed unconstitutional.

#### Gender Equality in the Constitution

Article 10: *“Men and women have equal rights. 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.”*

Article 90: *“In the case of a conflict between international agreements, duly put into effect, concerning fundamental rights and freedoms and the laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail.”*

## 2.2. Legislation Sensitive to Gender Equality

- Constitution (Art. 10)
- Law No. 5251 on the Organization and Duties of General Directorate on the Status of Women (2004)
- Women’s Status Advisory Board (Law no. 5251 / Art. 15)
- Law no. 5840 on the Commission for Equal Opportunities for Women and Men (2009)
- Law No. 6328 on the Institution of Ombudsman (2012)

## 2.3. Legislation Devoid of Gender Equality

- Law No. 298 on Electoral Rules and electoral Register (1961)
- Law No. 2839 on the election of Deputies to TBMM (1983)
- Law No. 2820 on Political Parties (1983)
- Law No. 6271 on Presidential Elections (2012)
- Law No. 2972 on Local Administrations and Election of Neighbourhood Heads and Elderly Committees (1984)
- Law No. 3376 on Going to Referendum in Constitutional Amendments (1987)
- Law No. 5302 on Provincial Private Administrations (2005)
- Law No. 5216 on Metropolitan Municipalities (2004)
- Law No. 5393 on Municipalities (2005)
- Law No. 6253 on the Administrative Organization of the Grand National Assembly of Turkey (2011)
- Law No. 657 on Public Servants (1965)
- Law No. 979 on the Organization and Duties of the Ministry of Family and social Policies (arranged by KHK (Government Decree in Force of Law) (2011)
- Law No. 6701 on Human Rights Institution of Turkey (2016)
- KHK No. 217 on the Establishment and Duties of State Personnel Department (1984)

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## 3. Documents on National Policies of Gender Equality

### 3.1. Action Plans

Gender Equality National Action Plan (1996)  
Ninth Development Plan (2007-2013)  
Tenth Development Plan (2014-2018) -Gender Equality Working Group  
Gender Equality National Action Plan (2008-2013)  
Strategy and Action Plan for the Empowerment of Women (2018-2023)<sup>26</sup>

<sup>26</sup> Published after the completion of the present study.

### 3.2. Other Documents of National Legislation

**Prime Ministerial Circular:** Observation of the Principle Equality in Recruitment of Personnel (Circular No. 2004/7 (Official Gazette No. 25354 dated 22/01/2004)

**Ministry of Interior Circular:** Human Rights of Women and Female Children (development of local action plans in provinces) Circular No: 2010/10 dated 19/02/2010)

**Prime Ministerial Circular:** Increasing Women's Employment and Ensuring Equal Opportunities (Circular No.2010/14, Official Gazette No. 27591 dated 25/05/ 2010)

### 3.3. (AÇSHB-KSGM) Gender Equality National Action Plans

- ▶ **1995 Gender Equality National Action Plan;** developed along with the Fourth World Conference on Women.
- ▶ **Gender Equality National Action Plan (2008-2013)**

#### Higher Level Policy Documents taken as basis:

- Ninth Development Plan covering the period 2007-2013
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- UN-Millennium Development Goals
- UN- IV World Conference on Women, Beijing Action Plan and Beijing Declaration
- EU-European Social Charter
- EU directives and policies related to the equality of women and men
- EU acquis and the Resolution 2002/73/EC of the European Parliament and Council for the establishment of a *Gender Equality Institution*
- Conventions, decisions and recommendations by organizations including ILO, OECD and OSCE

#### I. Approach in the Gender Equality National Action Plan (2008-2013):

- Gender Equality Approach
- Imparting Gender Equality Sensitiveness in All Major Plans and Programmes (Gender Mainstreaming)

#### I. Gender Equality National Action Plan (2008-2013) objectives and Strategies:

The objectives and strategies in the Action Plan related to equal participation in decisions are summarized below:

#### **Equal Participation to Political Decision-Making**

*Objective 1: Creation of institutional mechanisms to ensure the advancement of women and strengthening of already existing mechanisms.*

*1.8. Gender equality indicators are to be regularly followed.*

### **Objectives and Strategies Related to Mechanisms of Authority and Decision-Making**

**Objective 1:** Building awareness to increase women's representation in mechanisms of authority and decision-making.

**Objective 2:** Making arrangements necessary for contributing to women's participation in political life and decision-making processes.

**Objective 3:** Modification of public policies so as to ensure the equality of women and men.

**3.1.** Adoption of approaches to observe the equality of women and men in appointment of medium and top-level managers in public organizations,

**3.2.** Extension of necessary support to increase the number of women in management positions in working life.

#### **3.4. TBMM-Commission on Equal Opportunities for Women and Men-KEFEK Reports**<sup>27</sup>

Since its first establishment of TBMM the Commission on Equal Opportunities for Women and Men has been engaged in many works and produced reports on gender equality and women's human rights. The following two are the reports that are directly related to our subject:

- 2012. *The Commission Report "Constitution from a Gender Perspective."*<sup>28</sup>
- 2012. *Needs Assessment and Self-Evaluation Practices with Respect to a Gender Sensitive Parliament.*<sup>29</sup>

Some important strategic objectives included in the report prepared by the TBMM Commission on Equal Opportunities for Women and Men are as follows:

- *Advocating for the institutionalization of gender units at local level,*
- *Imparting gender dimension in strategic planning, internal policies and procedures of the Parliament,*
- *Examining electoral law from a gender perspective,*
- *Having political parties to nominate more women to electable positions.*

<sup>27</sup> KEFEK- TBMM Commission on Equal Opportunities for Women and Men. Reports, [https://www.tbmm.gov.tr/komisyon/kefe/kom\\_rapor.htm](https://www.tbmm.gov.tr/komisyon/kefe/kom_rapor.htm)(accessed: 02.10.2017)

<sup>28</sup> [https://www.tbmm.gov.tr/komisyon/kefe/docs/komisyon\\_yay%C4%B1n\\_no\\_9.pdf](https://www.tbmm.gov.tr/komisyon/kefe/docs/komisyon_yay%C4%B1n_no_9.pdf)

<sup>29</sup> [https://www.tbmm.gov.tr/komisyon/kefe/belge/KEFEK\\_Ihtiyac%20Analizi%20Raporu\\_Aral%C4%B1k%202012.pdf](https://www.tbmm.gov.tr/komisyon/kefe/belge/KEFEK_Ihtiyac%20Analizi%20Raporu_Aral%C4%B1k%202012.pdf)

## IV. Mapping Gender Equality in Turkey

While identifying obstacles to women’s and men’s equal participation in political decisions in Turkey in the context of their citizenship rights, there must be mention of gender-based discrimination in seven distinct areas. In this section, we shall try to demonstrate these by using some data.

### 1. Discrimination: Gender Differences at Central and Local Levels in Politics

While the presence of women in central bodies of political parties is increasing and becoming more visible, women are still absent at local-level political organizations (i.e. province and district level branches of political parties). (Table 4)

**Table 4:** Gender Inequality in Participation to Political Decision Making in Turkey

Participation to political parties			National-level representation				Local-level representation/ participation			
	Proportion of women in top executive board (April 2018) %	Proportion of women at province and district level party leadership %	Proportion of women candidates (general elections of 2007) %	Proportion of women candidates (general elections of 1 November 2015) %	Proportion of elected women deputies (general elections of 1 November 2015) %	Number of elected women deputies (1 November 2015)	Proportion of women mayor candidates (2014 local elections) %	Number of women mayor candidates (2014 local elections)	Number of elected women mayors (2014 local elections )	Proportion of elected women mayors (2014 local elections) %
<b>AK Party</b>	18	---	11	18	10	34	1.1	1378 M, 16 W	656 M, 6 W	0.09
<b>CHP</b>	33	----	9	19	14	19	4.3	1129 M, 51 W	179 M, 7 W	0.37
<b>HDP (BDP)</b>	48	----	15.7	45	35	19 (except those removed from office)	13.8	193 M, 31 W 93 W co-mayor	60 M, 23 W 53 W co-mayor	27.7
<b>MHP</b>	21	----	7.8	12	8	3	2.5	1359 M, 35 W	120 M, 1 W	0.08

#### 1.1. Factors Affecting Gender Equality in Participation to Political Decision-Making

**Effect of the type of political party:** The most basic factor affecting women’s equal participation in political decisions is the will of political parties to uphold the principle of equality in nominating and supporting women candidates and the power of policies pursued to this end.

The conditions of success for women politicians by types of political parties and electoral systems can be assessed as follows:

In case political parties are “centrally strong and rule-bound” the level of political participation of women depends on to what extent central cadres and policy makers include gender equality as one of the major political goals of the party. In the world, significant transformations have taken place towards gender equality with the support of central cadres mostly in left-wing, but occasionally also in some right-wing parties. These parties can be even more effective if they apply special measures such as quota that are intended to increase women’s participation. CHP and HDP are the parties in Turkey that apply gender quota in determining the composition of their governing bodies and candidate lists in elections.

In “locally-focussed flexible parties”<sup>30</sup> the success of women candidates depends on support they can mobilize in local politics and whether quota is applied in lists. In Turkey, however, there are no such parties and “leader parties” constitute an established pattern.

**Effect of electoral system:** The electoral system adopted by the country is an important factor either facilitating women’s participation in political decisions or making it more difficult. According to the conclusion derived from different electoral systems in the world, the “system of list-based proportional representation” yields results more favourable to women than the “system of narrow constituency-single candidate-majority”. The latter is the most obstructive one for women candidates. In such an electoral system, a party may find it too risky to prefer a woman as a single candidate. In case a constituency has 5 representatives to be elected, on the other hand, it will be much easier to include women candidates with respect to different categories of representation.<sup>31</sup>

**Effect of political party ideologies:** One of the most important factors affecting the level of women’s participation in political decisions is the level of commitment to gender equality of political parties that women candidates are running for and to what extent they internalized this commitment to their political philosophy and actions. The firmer the commitment of a political party to gender equality more it acts in compliance with relevant international norms and standards. Such party implements policies required by gender equality seriously and also follows its outcomes to engage in transformative interventions when necessary.

### *Characteristics of provinces where women deputies are elected*

In 2015 elections, women deputies were elected in only 38 out of 81 provinces.

The outcomes of the general elections of 2015 suggest that election of women deputies is not associated with the level of economic development of provinces. There was no woman deputy elected from economically advanced provinces such as Tekirdağ, Antalya, Eskişehir, Muğla, Kayseri, Hatay, Manisa, Mersin, Sakarya, Yalova and Zonguldak. This shows that women’s

30 For these distinctions see, Serpil Sancar Üşür, *Siyasal Yaşam ve Kadınlara Destek Politikaları (Political Life and Policies of Support to Women)*, Publication by the General Directorate on the Status of Women 1997, <http://www.politics.ankara.edu.tr/serpilsancar/07.pdf>

31 Sancar, S. (1997). *Siyasal Yaşam ve Kadınlara Destek Politikaları*. Ankara: Publication by the General Directorate of Women’s Status; p.31- 40.

political representation is associated not with the level of economic development but the will of political parties to nominate women.

### Proportion of women deputies in the TBMM by years

It was only in the 1930s that women gained their rights to elect and be elected. Women voted in local elections in 1934 and in general elections in 1935. They were represented with 18 women deputies in the fifth legislative term of the TBMM. In the parliamentary history of Turkey there are 10,781 elected deputies and only 494 of these deputies are women (4.58%).

There were 98 elected women deputies after the general elections of 7 June 2015 and women had the highest rate of parliamentary representation in the history of the republic with 17.8%. After the general elections of 1 November 2015, however, these figures dropped to 81 and 14.7%, respectively.

Proportion of women deputies elected to the TBMM since 1935:

- 1935'de (first general elections participated by women) 4.6%
- 1950 (first general elections participated by more than one political party) 0.6%
- 2007 (first general elections where the share of elected women deputies exceeded 5%) 9.1%
- 2011 14.4%
- 2015 (7 June) 17.8%
- 2015 (1 November) 14.7%

Some information on general elections of 24 June 2018:

- The proportion of women candidates was lower in these elections relative to the general elections of 2015 which was 23.78%. In 2018 elections 2018 996 of 4,851 candidates were women (20.53%)
- The proportion of women deputies in the TBMM, however, increased from 14.7% to 17.1%.
- There was no women deputy from 33 provinces.
- Compared to the general elections of 2015, the proportion of women candidates increased in AKP and CHP while decreasing in HDP. The İYİ Party applied 25% women's quota to its candidate lists.
- Compared to general elections of 2015, the proportion of women deputies increased in AKP, HDP and MHP while decreasing in CHP.

More detailed information on women's opportunities of nomination and election in the TBMM elections held on 24 June 2018 are given in the table below.

**Table 5:** Women's Participation and Representation in 24 June 2018 Elections and After

Political party participating to elections	Number of Candidates	Number of women candidates among the top three <sup>32</sup>	Number of provinces where no woman candidate is nominated <sup>33</sup>	Woman at the top of the list	Proportion of women candidates %	Elected women MP	Proportion of elected women MP %	Proportion of women in top executive board before June 24 elections % <sup>34</sup>	Proportion of women in MYK after June 24 elections % <sup>35</sup>
AKP	126	33	29	4	21	52	17.6	21.74	24 (6 out of 25 members are women)
CHP <sup>36</sup>	137	30	33	5	22.7	18	12.3	25	22 (4 out of 18 members are women)
HDP <sup>37</sup>	229	x	x	18	38.17	26	38.8	48.28	48 (2 out of 14 members are women)
MHP	76	x	x	2	12.67	5	10.2	6.94	12 (9 out of 75 members are women)
İYİP <sup>38</sup>	159	x	x	7	26.50	3	6.9	23.08	26 (21 out of 80 members are women)
Total	996		33		20.53	104	17.3	x	x

Data source: <http://m.bianet.org/bianet/toplumsal-cinsiyet/198576-497-erkek-103-kadin-vekil-meclis>; <https://www.evrensel.net/haber/353075/milletvekili-aday-listelerinde-kadin-dagilimi-en-cok-aday-hdpde>  
<http://t24.com.tr/haber/akp-29-chp-33-ilde-kadin-aday-gostermedi-kadinlar-yalnizca-secmen-olarak-goruluyor,635676> <http://ka-der.org.tr/secim-listesinde-kadinin-adi-yok/>; KA-DER. 2018. Gender Equality in General Elections for the 27th Term, Eksen Ofset, İstanbul, 2018

### Average Representation of Women in World Parliaments

According to Inter-parliamentary Union (IPU) data, the average share of women deputies in parliaments of the world is 23.6%. Regional averages are given below:

32 Not included since it is not meaningful for parties other than AKP and CHP.

33 Not included since it is not meaningful for parties other than AKP and CHP.

34 Compiled by the author from websites of political parties. Accessed: 12.09.2017

35 Compiled by the author on the basis of data available in websites of political parties. Accessed: 17.10.2018

36 Women's quota by 33%.

37 Women's quota by 50%.

38 Women's quota by 25%.



- Northern Countries 41.7%
- America 28.1%
- European and OSCE Countries 27.2%
- Sub-Saharan Africa 23.8%
- Asia 19.3%
- Arabic Countries 17.5%
- Pacific Countries 17.2%
- Turkey 14.7 %

### **Proportion of Women Deputies in TBMM Commissions**

The number of women representatives in 18 parliamentary commissions set up during the 26<sup>th</sup> Legislative Term of the TBMM is 62 which correspond to 13.69% of total commission membership. Commission bringing the average up are the Commission on Equal Opportunities for Women and Men (66.67% women) and the Commission on European Union Alignment (24% women). There is either only one or no woman representative in commissions on Public Economic Enterprises, Security and Intelligence, internal Affairs, National Defence, Industry, Trade, Energy and Natural resources and Information and Technology.

### **Women Ministers**

Türkan Akyol, the first woman minister in Turkey was not an elected deputy but appointed to this post in 1971.<sup>39</sup> The first woman minister coming to this post after having been elected to the TBMM is İmren Aykut.

The first woman co-speaker for the TBMM was Nermin Neftçi elected to that post in 1973 with 269 votes.

Appointed by the president to form the Council of Ministers on 14 June 1993, the first woman Prime Minister in Turkey was Tansu Çiller.

### **Participation of Women Deputies to Legislative Activities in the TBMM**

Besides the mere number of women in the TBMM, it is also necessary to examine their level of participation in legislative processes including relevant parliamentary commissions and their level of activism in general assembly meetings. According to information related to women deputies' participation in legislative activities in the 24<sup>th</sup> and 25<sup>th</sup> terms, women deputies from opposition parties are more active than women deputies from the ruling party in forwarding oral and written questions, bringing draft bills and asking for parliamentary investigation. When it comes to motion of censure and proposals for the establishment of parliamentary commission and general parliamentary discussion all women deputies seem to be passive regardless of

39 Sancar, 2008; 221

their party affiliation. Taking a look at women deputies' taking the floor on out-of-agenda issues we see that these speeches are related mostly to gender, children and local issues.

## 1.2. Gender Equality and Women's Participation in Political Parties in Turkey

Looking at the recent history of Turkey we see that forms of women's participation in political parties did not change much until the 2010s and developed essentially in line with the model we described briefly above in party structures where males formed the majority. It is observed that women are boxed in an allocated area not going beyond few and assistive positions without being able to reach those levels where political decisions are taken. Social campaign, propaganda and support seeking activities of parties are generally carried out by women. And it is this political party model turns into leading obstacle to women's equal participation in political decisions in Turkey. According to this model that seems to be firmly established in mainstream political parties, women's branches of parties are merely "side organizations."

Starting from the 1990s, women's low rate of participation in political parties had its important place in criticisms raised by flourishing women's movements.<sup>40</sup> As a result of these political developments the number, position and significance of women in political parties started to change with the general elections of 2007. We can summarize these changes as follows:

- Of existing political parties, women's quota (gender in minority) is applied as 33% by CHP and as 40% by HDP.
- With the general elections of 2007, the number of women in both political party leaderships and in the TBMM started to increase slowly. This increase was much higher in the HOP which had women's quota.
- Women's participation and representation did not proceed at the same pace in local governments.
- Starting from 2007 elections, women deputies were elected to the TBMM from underdeveloped provinces that had never elected women deputies before. Besides, the fact that women deputies are not elected from economically advanced provinces indicates that women's political representation is actually not related to the level of economic development.
- Parallel to these developments, there was increase in the number of women candidates in general elections.

### Gender Equality in Executive Board of Political Parties having their Groups in the TBMM

An indicator to what extent political parties having their parliamentary groups translate gender equality into life is to look at women's participation in managing bodies of parties. Starting with

40 For a wider evaluation on this issue see, Sancar, 2008, "Siyasal Katılım", in **Türkiye'de Gender Eşitsizliği: Sorunlar, Öncelikler ve Çözüm Önerileri**, (with M. Tan, Y. Ecevit and S. Acuner) TÜSİAD and KAGİDER Publication, İstanbul. (Publication No:TÜSİAD-T/2008-07/468;KAGİDER-001)  
<http://www.tusiad.org.tr/FileArchive/KADINRAPOR.pdf>

2010 we see a regular increase in the proportion of women in central organizations of political parties. As of 2017, women's participation in central executive bodies (CEB) of political parties is as follows:

- AK Party- CEB 21.7%
- CHP- CEB 25%
- HDP-CEB 48.3%
- MHP -CEB 6.9%

Meanwhile, as women can find places more in central management bodies of political parties they remain still invisible at local level party leadership.

### **Sensitivity of Political Parties to Gender Equality**

There is need to examine in comparative terms the political texts of political parties having their parliamentary groups in order to see their compliance with international norms and standards related to gender equality and to the extent to which they adopt related strategic goals and policies. Political text in this context include bylaws of political parties, regulations relating to women's inner party organization, declarations released in election periods and public statements by party leaders. The criteria used and outcomes of our examination on mentioned texts can be summarized as follows:

Criteria in comparing political party documents:

- To what extent they are in compliance with national and international norms related to gender equality? (the level at which concepts, definitions and content in norm setting documents are adopted)
- Are gender equality related standards set?
- Which strategic objectives are set to achieve gender equality?
- Is there a mechanism to monitor and supervise gender equality related practices?
- Is there a fund for women's branches to ensure access to budget and resources?
- What is the power of women's branches/units in the party in terms of representation and politics?
  - ▶ Election legitimacy of women's branches/units
  - ▶ Duty security of women's branches/units (legality in removal from duty)
  - ▶ Right of women's branches/units to speak in party decision-making bodies
  - ▶ Right of women's branches/units to decision-making in the party
  - ▶ Transparency of processes of nomination of women in party election lists
  - ▶ Is there positive discrimination/quota in determining candidates in party's election lists?
  - ▶ What is the function of women's branches/units in determining party policies related to women?

## Gender Equality Card of AK Party-Party for Justice and Development

**Compliance with international norms:** The content in AK Party's political texts can be summarized as follows:

- Equality is not adequately stressed as a norm though the equality of sexes is stated to be necessary.
- The "empowerment of women" is preferred to women's rights.
- The discourse "woman is the foundation of family" is dominant.
- "Women, children, elderly and persons with disabilities" are listed together and addressed in the same context and status.

**Standard observation:** No standard set for participation

**Setting Strategic Objective:** No strategic objectives defined in detail; instead the general objective of "increasing women's participation" is repeated.

**Implementation:** There is no monitoring and evaluation mechanism on how policies find echo in practice.

**Access to budget and resources:** There is no budget allocated to women's organizations.

**Women's power in politics and representation:**

**Power to participate to/vote in decision-making bodies:** There is the organization of "women's branches" to facilitate women's participation. This organization is characterized by rigid and hierarchical relations of appointment-supervision.

**Legitimacy from being elected:** Leaders of women's branches must be elected to these positions.

**Security in duty (legality in removal from duty):** Leaders of women's duties can be removed from office by party leaders from an equivalent or next higher organ. There is no need for legal decision to do this.

**Right to speak:** Leaders of women's branches can participate and speak out their opinion in equivalent and next higher boards.

**Right to participation in decision making:** Leaders of women's branches have no right to vote in party's governing bodies that they may participate. Also, it is explicitly stated that leaders of women's branches have no right/authority to speak on behalf of the party.

**Transparency in processes of women's nomination:** There is no procedure and transparency in processes where candidates are determined.

**Positive discrimination-quota:** No clear and specific practice in this regard.

**Duty and authority of women's branches to identify gender policies:** No duty/authority/right as determining women policies is defined in the party. Women's branches are expected to work in accord with the party leadership and help in implementing party policies.

### **Gender Equality Card of CHP- Republican People's Party**

**Compliance with international norms:** Party's political texts are in compliance with national and international norms related to gender equality in general terms. Some examples to terms used are as follows:

"Equality of women and men", "women's rights", "right to equal participation", "equality in family", "liberating the woman", "equal opportunities to sexes as a precondition for laic and democratic republic", "women's human rights", "women as free and equal citizens" "women's equal participation in political life" and "positive discrimination for women."

**Standard observation:** Quota is applied in for women in list of candidates (33%).

**Setting Strategic Objective:** There are strategic goals specified in detail to achieve gender equality.

**Implementation:** Policies find weak echo in practice; there is no evaluation and monitoring mechanism.

**Access to budget and resources:** it is stipulated that organizations at each level should allocate 105 of its budget to women's branches.

### **Women's power in politics and representation:**

**Power to participate to/vote in decision-making bodies:** There are women's branches as subsidiary organs to facilitate women's participation. Characteristics are:

**Legitimacy from being elected:** Leaders of women's branches have to be elected. But these elections have not been held for a long time.

**Security in duty (legality in removal from duty):** Leaders of women's branches may be removed from office by party leaders in organs at the same level or next higher. There is no need for legal decision in this disposal.

**Right to speak (participation in decision-making bodies):** Leaders of women's branches can participate and speak out their opinion in equal level and next higher management boards.

**Right to participation in decision making:** Leaders of women's branches have no right to vote in party organ meetings they participate.

**Openness to political demands coming from below (transparency of processes of nomination):** There is neither any specific process nor transparency in processes where candidates are identified.

**Positive discrimination-quota:** There is women's quota in all party organs and election lists.

**Duty and authority of women's branches to identify gender policies:** There are advisory boards/organs to formulate specific policies related to women. The duty of women's branches is defined as including women in politics and developing women's policies rather than supporting overall party policies.

### **Gender Equality Card of HDP- Democratic Party of Peoples**

**Compliance with international norms:** Concepts and definition in political documents of the party are in compliance with national and international norms. Beyond this, the party adopts feminist principles and policies. Gender equality policies are formulated as follows:

- Combating inequality between sexes and male dominant system
- Achieving a democratic people's power where equality of sexes is ensured
- Standing against all forms of discrimination and exploitation on the basis of gender, sexual orientation and identity
- Adopting attitudes supportive of women
- Combating sexism
- Committing to women's organization as the major driving force in the struggle of women for emancipation and freedom
- Maintaining connections with women's liberation movement
- Struggling for the achievement of de jure and de facto equality
- Applying the principle of positive discrimination
- Putting an end to sexist division of labour
- Not dependency but solidarity between women and men
- Ensuring social security for all women as independent citizens.

**Standard observation:** There is equal participation/representation quota and policy of co-presidency.

**Setting Strategic Objective:** There are strategic objectives defined in detail. Broadly, they are described advocating not speaking “on behalf of” women but women’s “speaking in their own language”.

**Implementation:** There is need for data evaluating HDP’s local government policies to say something about how policies find echo in practice.

**Access to budget and resources:** No specific budget.

**Women’s power in politics and representation:**

**Power to participate to/vote in decision-making bodies:** To facilitate women’s participation, it has its unique organizations Women’s Assemblies instead of women’s branches which are subsidiary organs. Their characteristics are:

**Legitimacy from being elected:** Not only elections; it has an open-ended organization model making it possible for members and citizens to participate.

**Security in duty (legality in removal from duty):** No specific provisions on removal from duty.

**Right to speak (participation in decision-making bodies):** Women’s Assemblies can participate and speak out their opinion in equal level and next higher management boards. It is stated that their decisions are binding.

**Right to participation in decision making:** Assemblies seem to be authorized to decide in issues related to women.

**Openness to political demands coming from below (transparency of processes of nomination):** It is stated that candidates are identified through demands coming from below.

**Positive discrimination-quota:** There is women’s quota in each party management body.

**Duty and authority of women’s branches to identify gender policies:** To what extent they are active in and participating to the identification and implementation of policies geared to defending women’s rights and combating gender-based discrimination.

### **Gender Equality Card of MHP- Nationalist Movement Party**

**Compliance with international norms:** Limited compliance.

- Standing against all forms of de facto and de jure discrimination
- Protecting women’s dignity
- Putting an end to practices restricting fundamental rights and freedoms of women

- Protection of national and moral values and family as the basis of society
- Women's rights are not specified as a separate and independent norm. The approach is to develop policies taking women together with family, children, the disabled and elderly.
- It is said that gender equality will be imparted into policies, but without a concrete step.

**Standard observation:** None.

**Setting Strategic Objective:** None.

**Access to budget and resources:** None.

**Women's power in politics and representation:**

**Power to participate to/vote in decision-making bodies:**

**Legitimacy from being elected:** Women's branches are appointed.

**Security in duty (legality in removal from duty):** Can be removed from duty upon political decision.

**Right to speak (participation in decision-making bodies):** Leaders of women's branches may participate and speak out their opinion in equal level and next higher body.

**Right to participation in decision making:** Leaders of women's branches have no right to vote in party organs they participate.

**Openness to political demands coming from below (transparency of processes of nomination):** There is no procedure and transparency in processes of nomination.

**Positive discrimination-quota:** None.

**Duty and authority of women's branches to identify gender policies:** There is no mention of any distinct gender policy.

### 1.3. Gender Equality in Participation to Local Decision Making in Turkey

Women gained the right to vote in municipal elections for the first time in 1930 upon an amendment made in the Law on Municipalities and they could vote in local elections held in 1934. Unfortunately, we have no quantitative information as to how many women were so far elected as mayors and municipal council members.

So far women's presence in local elections as runners for mayorship remained much lower than in general elections and women mayors elected did not exceed 1%. This reality is specific to Turkey and runs counter to worldwide trends. It is so since the proportion of women elected to local governments is higher than the proportion of women elected to national assemblies in the world in general. The reason behind this world situation is that local-level conduct of such



services as hygiene and sanitation, education and health are regarded as “women’s”.

### **Women candidates and those elected in local elections**

Taking a comparative look at the last four local elections held in Turkey we see that since 1999 there has been some increase in the proportion of women elected to municipal councils.

According to the results of the latest local elections held on 30 March 2014, 3 out of 30 metropolitan mayors (10%), 40 out of 1,381 city mayors (0.02%); 2,198 out of 20,498 municipal council members (10.7%) and 60 out of 1,251 provincial council members (4.8%) are women.

Comparing the number of candidates and those elected as mayors, the two parties applying women/gender quotas in their lists do not seem to be very successful. The CHP, for example, has been applying gender quota since 1989 and this quota was recently increased from 25% to 33%; yet, the share of women mayor candidates remained only at 2.3%. In HDP with its quota by 40%, the proportion of women mayors was only 11.9%. (For comparative picture of women candidates and elected women in local elections of 2014 see Table 4).

Parallel to the number of women elected, the proportion of women in candidate lists also remained low in elections of 30 March 2014. Only 35 out of 433 candidates nominated for metropolitan municipalities (7.5%) were women and only 3 of them were elected. Only 3.3% of all mayors are women. The share of women in the lists of political parties in local elections is as follows:

- 16 out of 1,394 AK Party candidates running for mayorship (1.1%);
- 51 out of 1,180 CHP candidates running for mayorship (4.3%);
- 35 out of 1,394 MHP candidates running for mayorship (2.5%);
- 31 out of 224 HDP candidates running for mayorship (13.8%) (in addition there are 93 women candidates running for co-mayorship).

The number of women elected as mayors in Local Elections of 30 March 2014 by province and district centres:

- 4 out of 81 provincial mayors;
- 3 out of 30 metropolitan mayors;
- Only 1 out of 51 provincial mayors;
- Only 1 out of 49 central district mayors;
- Only 33 out of 912 district mayors;
- Only 3 out of 390 township mayors;
- Only 60 out of 1,251 provincial council members;
- Only 2,100 out of 16,950 district municipal council members;

- Only 98 out of 3,548 township municipal council members.

The distribution of mayors by political parties is as follows:

- HDP- 23 mayors +54 co-mayors;
- CHP- 7 mayors;
- AK Party - 6 mayors.
- 3 Women as Mayors of Metropolitan Municipalities: Gaziantep/AK Party, Aydın/CHP, Diyarbakır/HDP
- Woman Mayor in one province: Hakkari/ HDP
- Women Co-Mayors in 9 provinces (HDP)
- Women Co-Mayors in 46 districts (HDP).

**Table 6:** Number of Elected Women Mayors in the Local Elections of 30 March 2014

Elected	AK Party	CHP	HDP	MHP	TOTAL
Metropolitan Municipality	1 (Gaziantep)	1 (Aydın)	1 Diyarbakır		3
Metropolitan Municipality Co-Mayor			2 Mardin, Van		2
Provincial Mayor			1 Hakkari		1
Provincial Co-Mayor			6 Batman, Bingöl, Siirt, Iğdır, Şırnak, Tunceli	1	6
District Mayor	5	6	21		33
District Co-Mayor			46		46
TOTAL	6	7	77	1	91

Men and women from political parties elected as metropolitan, provincial and township mayors in local elections of 2014:

**AK Party:** In total 662 men and 6 women mayors were elected. Proportion of women: 009%

- ▶ Metropolitan municipality mayorship: 21 men, 1 woman
- ▶ Provincial mayorship: 32 men, 0 woman
- ▶ District mayorship: 609 men 5 women

**CHP:** In total 186 men and 7 women mayors were elected. Proportion of women: 037%

Metropolitan municipality mayorship: 5 men 1 woman,

- ▶ Provincial mayorship: 7 men /0 woman
- ▶ District mayorship: 174 men, 6 women

**MHP:** In total 121 men and 1 woman mayors were elected. Proportion of women: 008%

- ▶ Metropolitan municipality mayorship: 2 men, 0 woman,
- ▶ Provincial mayorship: 6 men, 0 woman

- ▶ District mayorship: 113 men, 1 woman

**HDP:** In total 83 men and 23 women mayors were elected. Proportion of women: 27.7%

- ▶ Metropolitan municipality mayorship: 2 men, 1 woman (+2 women co-mayor)
- ▶ Provincial mayorship: 6 men, 1 women (+6 women co-mayor)
- ▶ District mayorship: 75 men, 21 women (+75 women co-mayor)

#### Means of Women's Participation to Local Politics

Women's branches of political parties constitute one of the most important means for women's participation in local politics in Turkey. However, due to insufficient authority and resources, they do not seem to have the power to ensure equal participation in decision-making. It appears that women's presence in candidate lists and their active role in political party organizations at local level is possible only with support policies like women's/gender quota and system of co-chairing.

It is observed that there is rising tendency for women to be nominated to and elected as neighbourhood heads and this becomes possible mostly by independence from political parties.

An effective local channel to increase women's participation in decision-making at local level is **City Council Women's Assemblies**. It is, however, the fact that these assemblies are not spread throughout the country albeit being quite effective in some provinces and they are not particularly supported by political decision makers.

#### Participation to Balloting Committees in Local Elections

Another important channel for women to take part in local level political activities is the possibility of their election/appointment to balloting committees during elections. The High Electoral Board (YSK), however, does not provide any data on this.

According to a local monitoring report by a civil organization on the elections of 30 March 2014<sup>41</sup> the heads of balloting committees observed in 17 provinces are distributed as follow by gender:

Only 17.3% of heads of balloting committees in 1,483 ballot boxes were women. By provinces, the number of balloting committees with no woman member is higher in Diyarbakır, Eskişehir and Manisa.

41 Monitoring for Equal Rights Association (2014). *30 Mart 2014 Mahalli İdareler İle Mahalle Muhtarlıkları ve İhtiyar Heyetleri Seçimi Gözlem Raporu*. <http://www.esithaklar.org/bagimsiz-secim-gozlem-raporu-yayinlandi/>

## **Woman-Friendly Local Government, Local Equality Units and Equality Action Plans**

Extremely limited participation of women to local political decision-making indicates how urgent the need is to develop “action plans to ensure equal gender participation in local political decisions” that define specially developed strategic goals, policies and implementers. This also entails the re-definition of fundamental principles envisaging equal participation in local governments and emphasizing of and commitment to these principles.

The development of **Women-Friendly Local Government** practices is one of the leading recent initiatives to increase women’s participation in local governments. Women-Friendly Local Government can be described as a norm, a strategic goal or a pack of policies geared to equal participation in local level political decisions by sexes. This concept of government embraces policies of equality in local life where women are safe and free from violence, benefit equally from all urban services (i.e. urban infrastructure, housing, transportation, health, education, safety, etc.), effectively participate to urban decision-making mechanisms and are also represented equally.

To give effect to local equality policies, it is suggested to establish Local Equality Units/ Commissions in governing bodies and to develop Local Equality Action Plans (LEAP). This type of work was conducted for the first time in Turkey within the framework of a project between the Ministry of Interior and United Nations (Joint Programme for the Protection and Promotion of Human Rights of Women and Girls - Women-Friendly Cities Project)<sup>42</sup> in 13 pilot provinces. Some structures formed on the basis of this project maintained their functionality while they lost it in others. This fact indicates that local-level equality policies are not sufficiently supported by political power and commitment. Hence, more commitment is needed for policies targeting the promotion of gender equality at local level.

Suggestions for **Woman-Friendly Local Policies** can be summarized as follows:

- Achievement of equality of sexes must be inserted as a strategic goal in strategic plans of municipalities and provincial private administrations;
- Women related work in local governments must not be tucked in the heading “social services”;
- “Women’s Rights Coordination Boards” and “Local Equality Action Plan (LEAP) Monitoring and Evaluation Commission” must be established at local level;
- Equality Units must be established in Governorates, provincial private administrations and municipalities;
- Women-Men Equality Commissions must be established in Municipal Councils and Provincial Councils;
- There must be Equality Desks in local units of public organizations;

<sup>42</sup> <http://www.kadindostukentler.com/>

- Equality of women and men must be included as a principle in the work of Development Boards of Development Agencies<sup>43</sup>;
- Development of City Council Women's Assemblies must be supported;

## 2. Discrimination: Difference between Running and Elected Women in Politics

It is an important sign of gender discrimination in politics that the number of women running and elected in elections rapidly decline although women take part intensively in political party activities and campaigns (Table 4).

26.6% of all candidates were women in the General Elections of 2015.<sup>44</sup> This share is smaller as 23.78% if we take the parties with possibility of their candidates elected only.

The most important factor related to the possibility of election of women candidates is their ranking in lists. This, in turn, depends upon whether the political party concerned applies a method to observe gender balance in its election lists. In 2015 General Elections, 25.2% of total of 523 women candidates occupied 1st and 2nd places in their lists. The number of women candidates occupying the first place in lists was 3 for AK Party, 14 for CHP, 2 for MHP, and 25 for HDP.

**The change in the proportion of women candidates from general elections of 2007 to 2015 is as follows:**

- AK Party from 11.3% to 18%;
- CHP from 9.4% to 19.4%;
- DTP/HDP from 15.7% to 45.2%;
- MHP from 7.8% to 12.1%.

**Change in number of elected women deputies (MP) from 2007 to 2015:**

AK Party from 8.7% (30 women MP) to 10.7% (34 women MP);

CHP from 8.9% (10 women MP) to 14.5% (19 women MP);

HDP from 30.7% (8 independent women MP) to 35.2% (19 women MP);

MHP from 2.8% (2 women MP) to 8.3% (3 women MP).

43 According to Article 8 in the Law No. 5449 on the Establishment, Coordination and Duties of Development Agencies, development agencies are mandated to promote cooperation between public organizations, private sector, civil society organizations, universities and local governments in their respective regions.

44 Distribution of Women Candidates in 2015 General Elections <http://www.kadinkoalisyonu.org/yeni/2015-genel-secimleri-kadin-adaylarin-dagilimi/>  
Also see: <http://www.5harfililer.com/kadin-adaylarin-dagilimi/>, 28 May 2015. <http://www.aljazeera.com.tr/haber/listelerde-kadin-agirligi>

### 3. Discrimination: Gender Discrimination in Employees and Managers in Public Services

While it is true that women’s participation in public services *en masse* with the republican regime was politically supported, it is also true that they could not climb to upper levels of public administration as much as they were in public services as employees.

Although women’s participation in upper public administration positions is very limited, it is quite high in professions requiring expertise. According to 2017 data shown in Table 7, although the proportion of women in professional jobs is above world averages, they are almost absent in management boards of professional chambers of public nature that regulate their respective fields of profession. As an exception, the Turkish Medical Association took an important step ahead in this respect by applying gender quota for women physicians.

**Table 7:** Proportion of Women in Specialized Professions-Management Boards of Professional Organizations

Profession	Experts %	Managers %	Regulatory professional public organization
Architect	43 per cent	4 in thousand (23 M, 1 W)	Turkish Union of Chambers of Architects and Engineers TMMOB-GB (Governing Body)
Engineer	21 per cent	4 in thousand (23 M, 1 W)	TMMOB-GB
Lawyer	42 per cent	20 per cent (8 M, 2 W)	Union of Turkish Bar Associations-TBB-GB
Doctor	62 per cent	36 per cent (7 M, 4 W)	Turkish Medical Association-TTB-GB
Bank official	51 per cent	7 per cent (12 M, 1 W)	Turkish Union of Banks-GB
Academic	43 per cent	10 per cent (17 M, 2 W)	Board for Higher Education (YÖK)- GB
Academic	43 per cent	3 per cent (108 M, 3 W)	Presidents of state universities
Judiciary (judge, prosecutor)	32 per cent	7 per cent (12 M, 1 W)	Board of Judges and Prosecutors (HSK)

### 4. Discrimination: Women cannot participate to Government

In Turkey women are still represented short in such posts as prosecutor, security director, police chief, police, province or district governor, ambassador and top levels in bureaucracy. Moreover, there are barriers in front of women when it comes to services related to religion and national defence. The status of district governorship was opened to women only in 1989 and the first women district governor could be appointed only in 1995. The number of women district governors is still very limited. The first woman provincial governor took office in Muğla in 1991 and presently there are only two women provincial governors.

**Table 8:** Low Proportion of Women with State Authority and Participating to Government

Official exercising authority in the name of State	Percentage of women	Number of personnel employed
Prosecutor	9%	4406 M, 448 W
Security officer	Chief 8%, commissioner 7%, police 6 %	
Ambassador	17%	201 M, 43 W
Provincial Governor	0.2%	79 M, 2 W
District Governor	014 %	943 M, 14 W
TSK (Turkish Armed Forces)-General	0 %	
Top level bureaucracy	11%	
Civil servant	37.8%	

## 5. Discrimination: Uneducated Women in Public Sector Suffer More from Discrimination

Looking at gender distribution of personnel in public organizations with respect to types of employment we see that proportion of women is quite high in jobs that require professional education and career jobs (white-collar) (31.52% of judges and prosecutors, 43% of teaching staff and 35.57% of contracted personnel). On the other hand, only 8.05% of permanent workers in the public sector and 11.67% of temporary employees are women. These data tell us the following: Women can compete with men only by building career and finding opportunities of employment in the public sector. Examining uneducated/unqualified (blue-collar) status we find that women are disadvantaged in gender competition and they lag far behind men. This is a situation in Turkey standing opposite to worldwide trends. In other words, while the proportion of women rises as status in employment falls, the reverse happens in Turkey. The presence in Turkey systems that are based on diploma, tests and appointment on the basis of merit in entry into career jobs prevents the early elimination of women through preconceived ideas. This shows the importance how important the presence of professional education and objective career rules is with respect to gender equality. The disproportional situation between participation in the delivery of public services and participation in the planning and management of these services is an important indicator of gender-based discrimination in this field.

**Table 9:** Difference between Educated and Uneducated Women Employed in Public Organizations<sup>45</sup>

Form of Employment	Number of Women	Women %	Number of Men	Men %	Total
Public employees	996,470	40.68	1,453,068	59.32	2,449,538
Judges and prosecutors	5,484	31.52	11,916	68.48	17,400
Teachers	55,173	43.01	73,104	56.99	128,277
On-contract personnel	58,256	35.57	105,544	64.43	163,800
Temporary personnel	4,169	20.47	16,194	79.53	20,363
Permanent worker	18,511	8.05	211,450	91.95	229,961
Permanent worker-out of coverage	831	23.26	2,741	76.74	3,572
Temporary worker	2,904	11.67	21,971	88.33	24,875
Personnel subject to special provisions	30,018	48.27	32,165	51.73	62,183
TOTAL	1,171,816	37.80	1,928,153	62.20	3,099,969

## 6. Discrimination: Gender Inequality in Top Management Positions in Public Administration

Members of “supreme boards” that play critical roles in major decision taken in public administration are generally appointed by the government. There are only few women on these executive boards.

<sup>45</sup> State Personnel Department, September 2017 data



**Table 10:** Proportion of Women in Supreme Boards in Turkey<sup>46</sup>

<b>Competition Authority</b>			
<b>TITLE</b>	<b>TOTAL NUMBER</b>	<b>NO. OF WOMEN</b>	<b>PROP. OF WOMEN %</b>
President	1	0	0.00%
Vice-President	1	0	0.00%
Members	3	1	33.33%

<b>Capital Market Authority</b>			
<b>TITLE</b>	<b>TOTAL NUMBER</b>	<b>NO. OF WOMEN</b>	<b>PROP. OF WOMEN %</b>
President	1	0	0.00%
Vice-President	1	0	0.00%
Deputy President	1	0	0.00%
Members	4	0	0.00%

<b>Information Technologies and Communication Authority</b>			
<b>TITLE</b>	<b>TOTAL NUMBER</b>	<b>NO. OF WOMEN</b>	<b>PROP. OF WOMEN %</b>
President	1	0	0.00%
Vice-President	3	0	0.00%
Deputy President	1	0	0.00%
Department Heads	28	4	14.29%

<b>Supreme Board for Radio and Television</b>			
<b>TITLE</b>	<b>TOTAL NUMBER</b>	<b>NO. OF WOMEN</b>	<b>PROP. OF WOMEN %</b>
Supreme Board President	1	0	0.00%
Deputy President	1	0	0.00%
Members	7	0	0.00%

<b>Energy Market Regulation Authority</b>			
<b>TITLE</b>	<b>TOTAL NUMBER</b>	<b>NO. OF WOMEN</b>	<b>PROP. OF WOMEN %</b>
President	1	0	0.00%
Deputy President	2	0	0.00%
Directors	4	1	25.00%
Department Heads	10	2	20.00%

46 Compiled from websites of related institutions (Accessed: 15.09.2017)

Public Tendering Authority			
TITLE	TOTAL NUMBER	NO. OF WOMEN	PROP. OF WOMEN %
President	1	0	0.00%
Vice-President	1	0	0.00%
Members	7	0	0.00%

Supreme Board for Banking and Auditing			
TITLE	TOTAL NUMBER	NO. OF WOMEN	PROP. OF WOMEN %
President	1	0	0.00%
Vice-President	1	0	0.00%
Members	5	0	0.00%

Supreme Board for Religious Affairs	Men	Women	Proportion of women
President	1	0	%0
Deputy President	3	1	%25
Board members	14	0	%0
Board Specialists	30	1	%3.33
Assistant Specialists	3	0	%0

## 7. Discrimination: Gender Inequality in Participation to Economic Decision Making in Turkey

Proportion of women in management positions of employers' unions and such state agencies as Central Bank that play a role in economic decisions is accepted as an important national and international indicator is assessing compliance with gender equality norm.

There is no woman in the management of the Central Bank in Turkey.

There is no woman at chair and deputy-chair levels in the management of organizations of industrialists and employers (i.e. TÜSİAD, TOBB, TESK and MÜSİAD).

To start in 2014, the Capital Markets Board imposed upon managements of listed companies to have at least 25% of executive board members as women. As a result the average share of women in executive boards in **BIST** companies increased to 12% in 2016.

## V. Sources of Indicator and Data in Assessing Gender Equality

The following are the most important sources that provide indicators and indexes by which we can trace gender equality data at international level and in a comparative way:

- WEF- World Economic Forum Global Gender Gap Index
- EIGE- European Institute for Gender Equality Gender Indicators and Index
- UNDP- GII- Gender Inequality Index
- IPU-Inter-parliamentary Union - (Women in Parliaments Index)
- IDEA- Gender Quota Database - "*Gender Quotas Database*" showing the outcomes of women's quota applications in political institutions of different countries.

National data sources where we can reach data related to gender equality are as follows:

- Turkish Statistical Institute (TÜİK)- Gender Indicators /Data related to women's presence in political life and specialized jobs.
- General Directorate on the Status of Women (KSGM)- "Women in Turkey" data published annually.
- Proportion of women in staff positions, faculty members and students/graduates in higher education institutions published by the Board for Higher Education (YÖK).
- Proportion of women deputies in the parliament and women ministers published by the Grand National Assembly of Turkey (TBMM).
- Proportion of women in public personnel by types of employment published by the State Personnel Department (DPB).

There is no gender equality index in Turkey constructed by using gender equality data. Existing gender related data in Turkey are not in accord with variables considered by the **EIGE** in calculating **Gender Equality Index**. These variables need to be adapted to indicator and data types used in Turkey by the **TÜİK**.

## VI. Indicators for Monitoring Gender Equality in Participation to Decision Making

### I. TABLE OF ESTABLISHED INDICATORS OR INDICATORS WITH RELEVANT DATA

PARTICIPATION TO POLITICAL ORGANIZATIONS AND POLITICAL REPRESENTATION					
Theme	Related human rights	Indicator	Institution using/ suggesting indicator	Data collection method	Data collection frequency
Participation to political decision-making	Equal participation in political decision-making	Proportion women/men in deputies elected to the national parliament	EIGE, UN-genderstats, TÜİK, KSGM, TCEUEP, KEFEK, KA+KK	Election data	Election periods
		Proportion women/men in membership to municipal and provincial councils	EIGE, TÜİK, KSGM, TCEUEP, KA+KK	Election data	Election periods
Equal participation in government and other political organs	Right to participate to public administration	Participation to national government: Proportion women/men in presidents, prime ministers, state ministers and other ministers	EIGE, UN-genderstats, TÜİK, KSGM, TCEUEP	Data from Prime Ministry	Appointment and election periods
Compliance of political parties with gender equality norms and legislation	Gender equality in political decision making Proportion women/ men in local leadership of political parties KA+KK	Proportion women/men in top level leaders of major political parties	EIGE KA+KK	Collecting data from headquarters of political parties	Yearly
		Proportion women/men in top level leaders of major political parties	EIGE KA+KK	Collecting data from headquarters of political parties	Yearly

<b>PARTICIPATION TO POLITICAL ORGANIZATIONS AND POLITICAL REPRESENTATION</b>					
<b>Theme</b>	<b>Related human rights</b>	<b>Indicator</b>	<b>Institution using/ suggesting indicator</b>	<b>Data collection method</b>	<b>Data collection frequency</b>
Equal participation in national and local elections	Right to equal participation in local elections	Proportion of women nominated/ elected from the lists of political parties participating to elections	TCEUEP, KA+KK	Going over lists of candidates and winners in election periods	Election periods
<b>INDICATORS OF EQUALITY IN PARTICIPATION TO PUBLIC SERVICE</b>					
<b>Theme</b>	<b>Related human rights</b>	<b>Indicator</b>	<b>Institution using/ suggesting indicator</b>	<b>Data collection method</b>	<b>Data collection frequency</b>
Participation to public administration	Right to equal participation in public administration	Proportion women/ men in public employees and top level public administration	EIGE, UN genderstats, TÜİK, KSGM, TCEUEP, DPD, KA+KK	State Personnel Department data	Yearly
Participation to supervision of public administration-government	Right to equal participation in public administration	Proportion women/ men in specialized professions in public administration (architect, engineer, doctor, lawyer, inspector, supervisor, banking, etc.)	EIGE, UN genderstats, TÜİK, KSGM, KA+KK	State Personnel Department data	Yearly
Participation to government	Right to equal participation in government	Proportion women/ men in officials exercising state authority (police, general, diplomat, magistrate, governor, etc.)	TÜİK, KSGM	State Personnel Department data	Yearly
		Proportion women/ men appointed <sup>47</sup> to policy boards under the Presidency	---	Decrees of appointment published in Official Gazette	Appointment and election periods
Equality of women and men in the judiciary	Right to equal participation in government	Proportion women/men in national courts and supreme judiciary organs	EIGE, UN genderstats, TÜİK, KSGM, HSK	Data from State Personnel Department and Council of Judges and Prosecutors (HSK)	Yearly

EQUALITY IN PARTICIPATION TO SCIENTIFIC, EDUCATION AND RESEARCH INSTITUTIONS					
Theme	Related human rights	Indicator	Institution using/ suggesting indicator	Data collection method	Data collection frequency
Equality of women and men in academic posts	Right to equal participation in scientific studies and management of academic institutions	Proportion women/men in presidents of state and foundation universities active under the YÖK	UN genderstats, TÜİK, KSGM, TCEUEP, YÖK	YÖK statistics	Yearly
		Proportion women/men in presidents of state and foundation universities active under the YÖK	UN genderstats, TÜİK, KSGM, TCEUEP, YÖK	YÖK statistics	Yearly
EQUALITY IN PARTICIPATION TO ECONOMIC DECISION MAKING					
Theme	Related human rights	Indicator	Institution using/ suggesting indicator	Data collection method	Data collection frequency
Participation to business decisions	Right to equal participation in economic decision making	Proportion women/men in top level management boards of workers' and employees' unions, federations and confederations	EIGE, TÜİK, TCEUEP Ministry of Labour and Social Services (AÇSHB)	Ministry of Labour and Social Services (AÇSHB) data	Yearly
Right to equal participation in economic decision making	Right to equal participation in economic decision making	Proportion women/men in Central Bank management and in companies marketing equities in BİSK (Istanbul Stock Exchange)		BİST and Central Bank data	Yearly

47 Boards established under Article 20 in the first Presidential Decree, <http://www.resmigazete.gov.tr/eskiler/2018/07/20180710-1.pdf>

## II. TABLE OF INDICATORS SUGGESTED FOR USE

PARTICIPATION TO POLITICAL ORGANIZATIONS AND POLITICAL REPRESENTATION					
Theme	Related human rights	Indicator Suggested	Suggested	Data collection method	Data collection frequency
Equal participation in parliament, local assemblies and local governments	Equal participation in parliament, local assemblies and local governments	Equal participation in parliament, local assemblies and local governments	Ministry of Interior General Directorate of Local Administrations and Federation of Neighbourhood Heads	Institution statistics	Election periods
		Proportion of women nominated by/elected as representatives by political parties using or not using women/gender quota	Data from political parties	Research	In periods of party congresses and elections
Compliance of political parties with gender equality norms and legislation	Gender equality in participation in political decision making	Proportion women/men in youth branches and leaders of political parties	Data from headquarters of political parties	Research	In periods of party congresses, elections/ appointment
		Do women's branches/units have the duty and authority to determine gender policies?	Data from headquarters of political parties	Research	Yearly
		Do women's branches/units have the duty and authority to determine gender policies?	Data from headquarters of political parties	Research	Yearly

INDICATORS OF EQUALITY IN PARTICIPATION TO PUBLIC SERVICE					
Theme	Related human rights	Indicator Suggested	Data source	Data collection method	Data collection frequency
Equality of women and men at top management levels of public administration	Right to equal participation in public administration	Proportion of women/men in managements of institutions and professional organizations delivering services of public character: <ul style="list-style-type: none"> <li>▪ TMMOB (Unions of Chambers of Turkish Architects and Engineers) and affiliated chambers</li> <li>▪ Union of Turkish Bar Associations</li> <li>▪ Turkish Medical Association</li> <li>▪ Union of Turkish Banks</li> <li>▪ Turkish Union of Pharmacists</li> <li>▪ TÜRMOB (Turkish Union of Chambers of Independent Accountants and Financial Advisors)</li> <li>▪ Association of Turkish Journalists</li> </ul>	Data from DPB and relevant institutions	Compilation of institutional data by DPB and KSGM	Yearly



INDICATORS OF EQUALITY IN PARTICIPATION TO PUBLIC SERVICE					
Theme	Related human rights	Indicator Suggested	Data source	Data collection method	Data collection frequency
Equality of women and men at top management levels of public administration	Right to equal participation in public administration	Proportion of women/men at top management levels of the following: <ul style="list-style-type: none"> <li>▪ Competition Board</li> <li>▪ Capital Market Board</li> <li>▪ Information Technologies and Communication Authority</li> <li>▪ Supreme Board for Radio and Television</li> <li>▪ Energy Market Regulatory Authority</li> <li>▪ Public Tendering Authority</li> <li>▪ Supreme Board for Banking and Auditing</li> <li>▪ Supreme Board for Religious Affairs</li> <li>▪ Board for Higher Education</li> <li>▪ Press Advertisement Institution</li> </ul>	Data from DPB and relevant institutions	Compilation of institutional data by DPB and KSGM	Yearly
Proportion of women/men in academic posts	Right to equal participation in academic life and management of academic institutions	Proportion of women/men in state and foundation universities active under the YÖK: Presidents and deputy presidents; general secretaries, deans and deputy deans; science branch and department heads; directors of research institutes; members of senate and ethical boards, and laboratory managers.	YÖK	To be compiled from YÖK data	Yearly

EQUALITY IN PARTICIPATION TO ECONOMIC DECISION MAKING					
Theme	Related human rights	Indicator	Data source	Data collection method	Data collection frequency
In the Management of Industrial and Professional Organizations	Right to equal participation in economic decision making	Proportion of women/men in relevant organizations: <ul style="list-style-type: none"> <li>■ Proportion of Women in TÜSIAD Management</li> <li>■ Proportion of Women in TOBB Management</li> <li>■ Proportion of Women in TESK Management</li> <li>■ Proportion of Women in TISK Management</li> <li>■ Proportion of Women in İTO/İSO Management</li> <li>■ Proportion of Women in ATO/ASO Management</li> <li>■ Proportion of Women in MÜSİAD Management</li> <li>■ Proportion of women/men in the Management of TIM</li> </ul>	Institutional data from professional organizations	Data collected by AÇSHP and KSGM	Yearly
Equality of women and men business and financial management	Equality of women and men business and financial management	Women/men among Central Bank experts	Women/men in the management of İstanbul Stock Exchange	Data compiled by Central Bank and KSGM	Yearly
		Women/men in the management of İstanbul Stock Exchange (BİST)	BİST data	Data compiled by BİST and KSGM	Yearly

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