



**Türkiye**  
**Stakeholder Report for the United Nations Universal Periodic Review: Gender Based  
Violence against Women**

**Submitted by The Advocates for Human Rights,**  
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Founded in 1983, **The Advocates for Human Rights** (“The Advocates”) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence.

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# I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

## Violence Against Women

### Status of Implementation: Accepted / Partially Implemented

1. Türkiye received eighteen recommendations about violence against women and gender-based violence in the last cycle, excluding recommendations regarding domestic violence.<sup>1</sup> Türkiye supported sixteen of these recommendations.<sup>2</sup>

### *Withdrawal from the Istanbul Convention*

2. Türkiye withdrew from the Istanbul Convention, one of the most effective frameworks in combating violence, in March 2021. The Government announced the *IV. National Action Plan to Combat Violence Against Women (2021-2025)*<sup>3</sup> in June 2021 as a replacement for the Istanbul Convention, and subsequently the *National Parliament Research Commission on Determining the Causes of Violence Against Women* was established and published its report in March 2022.<sup>4</sup> While both the Action Plan and the Commission's report underscore the need to address the normalization of violence against women and advocate for a holistic approach, there have been no concrete measures that achieve structural transformation. Moreover, the Government has not introduced comprehensive mechanisms to monitor and evaluate their implementation, and did not consult women's organizations during their formulation.<sup>5</sup> Despite Türkiye's issuance of new strategic documents and action plans,<sup>6</sup> the withdrawal from the Istanbul Convention leaves a gap in the legal framework. Consequently, there is no comprehensive legal approach to address prevention, protection, punishment, and coordination in the fight against violence against women.
3. Nevertheless, the subsequent steps demonstrate that rather than establishing gender equality, preserving the unity of the family is prioritized. For example, while many proposed actions in the *IV. National Action Plan* are derived from the Istanbul Convention, the plan does not mention the Convention and does not use the term "gender equality."<sup>7</sup> A report by the *National Parliament Research Commission* also omits "gender equality" and does not mention the Convention nor the prior monitoring by the GREVIO.<sup>8</sup> Similarly, the *Women's Empowerment Strategy Document and Action Plan (2024-2028)* identifies women as "indispensable elements of the family and society that have a central role in the upbringing of future generations"<sup>9</sup> and the *Vision Document and Action Plan for the Protection and Strengthening of the Family* defines violence against women as a "threat against family"<sup>10</sup>, rather than a violation of women's rights, and identifies the main objective of the plan as "protecting the ... institution of family and marriage; strengthening the fight against violence, harmful trends and habits that threaten the family; increasing the effectiveness of studies aimed at protecting and strengthening the family."<sup>11</sup> According to the Istanbul Convention, violence against women derives from gender inequality.
4. Despite legislative developments, women lack adequate comprehensive legislation that explicitly criminalizes gender-based and domestic violence.<sup>12</sup> In 2021, amendments were

made in Criminal Code *Articles 82, 86, 96 and 109* that designate specific crimes as aggravated offenses when committed against a divorced spouse.<sup>13</sup> In 2022, *the Law on Amendments to the Turkish Penal Code and Certain Laws* introduced several changes in the Penal Code<sup>14</sup>, such as making the crimes of deliberate murder, intentional injury, threat, torture, and cruelty “committed against women” aggravated offenses with increased penalties. Measures were taken to limit mitigation on the ground of “good behavior.” The offense of intentional injury committed against women was included in the Criminal Procedure Code as a reason for arrest. Stalking was criminalized. Türkiye, however, has not adopted a law criminalizing gender-based and domestic violence.

5. In the absence of a law criminalizing gender-based and domestic violence, and without trainings to tackle judges’ biases, these amendments do not sufficiently address perpetrators’ impunity.<sup>15</sup> Since June 2022, judges have issued 220 judgments . In at least 48 decisions, judges mitigated the sentence because of unjust provocation and/or good behavior despite the amendment.<sup>16</sup> For example, the court used “unjust provocation” on a 23-year prison sentence given to a perpetrator who killed his 6-month pregnant wife. The Supreme Court of Appeals overturned the decision stating that “unjust provocation” mitigation should not be applied in this case. On rehearing, the Criminal Chamber of the Regional Court of Justice gave the defendant the same sentence, again applying mitigation on the grounds of “unjust provocation” and “good behavior”.<sup>17</sup>
6. While the current legislation addresses some forms of violence against a person, in the absence of a law that explicitly criminalizes gender-based and domestic violence, the provisions do not adequately address and punish different types of violence beyond physical violence, such as psychological violence. Law enforcement agencies frequently classify psychological violence as a minor offense. Even in cases where courts recognize such acts as crimes and impose sentences, these rulings are often overturned by the Court of Cassation because only if the offense is committed repeatedly against the victim is it considered a criminal offense.<sup>18</sup>
7. The lack of implementation of the existing laws that criminalize instances of domestic violence and impunity against unlawful practices by public officials is a barrier against the protection of women from violence. Investigations are not completed in reasonable time; arrest warrants are not implemented; mitigation is applied to sentences; sentences (for the offenses of bodily harm with intent, threat and insult) are frequently commuted to a fine; and the term served in prison by the perpetrator is short.<sup>19</sup>
8. Türkiye fails to hold accountable the public officials who resist implementing the laws and fails to exercise due diligence in crimes of violence against women. The State does not collect or share data on how many public officials are investigated for crimes of misconduct and neglect of duty in relation to the cases of violence against women.<sup>20</sup>
9. In a 2021 judgment,<sup>21</sup> the Constitutional Court decided that public officials violated a woman’s right to life when they failed in their obligations of protection and effective investigation.<sup>22</sup> In the judgment, the court noted that these officials' negligence prevented the perpetrators from being held accountable. The officers’ sentence was considerably short and mitigated due to “good behavior.” The court deferred the announcement of the verdict.<sup>23</sup>

### ***Protection and Support Mechanisms***

10. Türkiye has established a comprehensive legal framework to address violence against women, primarily through the *Law on the Protection of Family and the Prevention of Violence Against Women (Law No. 6284)*, along with the *Implementing Regulation Concerning Law No. 6284* of 2013 and the updated version of 2021.<sup>24</sup>
11. Türkiye has also implemented the *Women's Emergency Support Application (KADES)* enabling women to seek immediate assistance from law enforcement authorities with the press of a button. Additionally, there is a *Social Support Hotline (ALO 183)*, which is not specialize in violence against women. Instead, the hotline functions primarily as a referral service, which creates an additional barrier for women attempting to escape violence.<sup>25</sup>
12. Although the Violence Prevention and Monitoring Centers (ŞÖNİM) were initially established to provide holistic and specialized support, reports from women's organizations indicate that, in practice, law enforcement agencies have become the primary point of access for women seeking support mechanisms.<sup>26</sup> Women's organizations that offer direct support to women report significant violations in the conduct of law enforcement officials. These officials frequently misinform and dissuade women from applying for preventive and protective orders or seeking shelter support, often normalizing violence and engaging in reconciliatory behaviors.<sup>27</sup> Reports document instances where law enforcement officers discouraged women from seeking shelter, with one officer reportedly stating, "It's very crowded there, it's no good, your home would be safer."<sup>28</sup> Thus, law enforcement failures have undermined the effectiveness of the *Women's Emergency Support Application (KADES)*.<sup>29</sup>
13. Furthermore, significant issues exist concerning the implementation and enforcement of protective and preventive measures under the scope of Law No. 6284. Reports indicate that protective orders are often granted for short durations, insufficient to safeguard women's lives, or allow them to recover and establish independent lives free from violence. This forces women to reapply for protection every one or two months, imposing an additional burden on them to navigate the legal process, which is particularly challenging for those without access to free legal support. For example, one woman was only granted a one-month protection order after her husband had injured her and attempted to stab their daughter.<sup>30</sup>
14. Protective and preventive orders are frequently issued without due consideration of the specific circumstances and needs of women. These orders rarely incorporate provisions for economic and psychological support, which are critical to the long-term safety and empowerment of survivors.<sup>31</sup> In many cases, such orders are not extended to the children of the women, further jeopardizing both their safety.<sup>32</sup>
15. The lack of effective enforcement presents a significant risk to the safety of women. Despite being under "protection" or "restraining" orders, at least 46 women were killed by men in 2023; men killed at least 333 women during the same year.<sup>33</sup> Several cases highlight the failure of protective measures, such as a woman whom her husband attacked at her home despite having a restraining order against him, and instances of women being insulted by their husbands who violated the protection orders by coming to their residences, even when the orders explicitly prohibited insults.<sup>34</sup>

16. There are 146 women-only shelters with a total capacity of 3,534 beds. However, Türkiye does not meet the standards set forth by the Istanbul Convention regarding the provision of women's shelters, as 58% of the required beds are lacking.<sup>35</sup> Reports indicate a lack of standardized policies and practices across different shelters.<sup>36</sup> There are discriminatory policies implemented in the shelters, including not admitting cisgender women with sons over the age of 12, cisgender women over the age of 60, and trans women. Additionally, shelters impose restrictive policies, such as confiscating women's phones and enforcing strict entry and exit hours, which inhibit women's ability to maintain full-time employment.<sup>37</sup>
17. Despite the existence of legal frameworks designed to protect children from domestic violence and provide necessary support mechanisms in cases of such violence, these laws are not being effectively implemented. Protective and preventive measures issued to women under Law No. 6284 frequently do not extend to their children. The impact of domestic violence on children is often overlooked, and as a result, appropriate measures are not taken.<sup>38</sup> In custody cases, visitation rights are frequently granted to perpetrators, even when there is evidence of violence against the child, as indicated in the child's testimony. In such cases, judges refrain from applying protective orders available under the *Child Protection Law*, such as requiring supervised visitation with the presence of an expert. The experts themselves often lack the requisite training on violence against women and its effects on children, resulting in insufficient reports that fail to adequately convey the impact of the violence on the child or provide the necessary recommendations for judges to make decisions in the best interest of the child.<sup>39</sup>
18. According to the Regulation on Judicial Support and Victim Services, visitation may take place at Judicial Support Centers.<sup>40</sup> While the establishment of such centers is a positive step towards ensuring the safety of women and children, significant issues persist in the implementation of this regulation. Notably, there is a shortage of Judicial Support Centers. In Istanbul, a city with a population of 15,655,924<sup>41</sup>, only two centers exist.<sup>42</sup> Besides, for women living in poverty, covering transportation costs to bring their children to these centers is often not feasible. Lastly, although the law mandates that child psychologists and social workers oversee these procedures, the lack of sufficient personnel has led to the appointment of teachers and other public officials who lack the necessary training. Similarly, while the law requires police officers from Children's Units to be present during visitations to ensure the safety and security of women and children, due to the shortage of officers in these units, police officers from other units, who are similarly untrained, are often assigned. In one instance, as recounted by a lawyer during an interview, police officers from an Anti-Terror Unit arrived at a visitation center in a military vehicle, armed and in full tactical gear, which created a sense of fear and insecurity for the children involved.<sup>43</sup>

### **Domestic violence; Migrants; Refugees & Asylum Seekers**

#### **Status of Implementation: Accepted, Partially Implemented**

19. In the third cycle, Türkiye supported all fifteen recommendations regarding improving conditions for migrants and already implemented five.<sup>44</sup> Türkiye also received and

supported nine recommendations about measures to prevent domestic violence and protect survivors.<sup>45</sup>

### ***Domestic Violence***

20. Whether migrant women experience abuse at home or in their workplace, their status as migrants limits their access to resources. Language barriers are an obstacle when seeking support.<sup>46</sup> For example, a Syrian woman who had been living in Türkiye for six years sought help when her husband started making threats to her and their newborn child.<sup>47</sup> On February 22, 2022, using an interpreter, she asked a hospital for help, and they directed her to the police.<sup>48</sup> The police did not have an interpreter to explain a preventive order to her, so she was forced to find her own interpreter.<sup>49</sup> Authorities did not issue the order until March 5, nor did they inform the woman what to do if her husband violated the order.<sup>50</sup>
21. Migrant women are also vulnerable to deportation when seeking help for domestic violence. Women hesitate to report their husbands, fearing that they would be deported.<sup>51</sup> The deportation of a partner can leave migrant women isolated and facing greater economic hardships.<sup>52</sup> Alternatively, as a form of retaliation, their partner can counter-report them, so the women can also face deportation.<sup>53</sup>
22. Migrant women are required to register and obtain documentation from migration authorities before entry into domestic violence shelters.<sup>54</sup> Women who lack the proper documents are denied access to the shelters.<sup>55</sup> Unregistered migrant women cannot access these shelters at all.<sup>56</sup> The shelters also lack appropriate interpreters who speak relevant languages, meaning migrant women cannot express their needs nor share their experiences easily.<sup>57</sup>
23. Although the Alo 183 Social Support Line provides support in Arabic, there is no emergency hotline service dedicated to specialized support for women who experience violence. When migrant women apply for protective and preventive orders at the police stations, they often face police officers who deter reporting and attempt mediation with the perpetrator.<sup>58</sup>

**Cooperation with civil society; Liberty & security of the person; Right to peaceful assembly; Freedom of opinion and expression association; Human rights defenders**

**Status of Implementation: Accepted, Partially Implemented**

24. In the third cycle, Türkiye received eighteen recommendations concerning the various civil and political rights regarding civil society and human rights defenders.<sup>59</sup> Türkiye supported and already implemented sixteen.<sup>60</sup>

### ***Legislative Framework***

25. Türkiye restricts the freedoms of association and expression by creating legislation that violates these rights. Türkiye's Constitution recognizes the right to “unarmed and peaceful meetings and demonstration marches without prior permission.” The Constitution also

prescribes the possibility of restricting such rights by law “protection of public health and public morals or the rights and freedoms of others.”<sup>61</sup> Yet, Türkiye has passed legislation that highly restricts such rights.<sup>62</sup>

26. The Law No. 2911 on *the Regulation on the Implementation of Law on Meetings and Demonstrations* hinders the right to peaceful assembly. According to Article 10, any assembly will be considered illegal unless all organizing committee members sign a declaration 48 hours before the assembly and submit it to the district governor’s office during working hours. If considered illegal, the administration has the right to take all measures to disperse the assembly. According to Article 6 of Law No. 2911 provincial governors have the authority to decide on the venue and the route of gatherings to ensure they “do not make the daily life of citizens excessively and unbearably difficult.” Likewise, Article 19 of Law No. 2911 allows the administration to postpone and ban all meetings in cities and districts for up to one month.
27. Legislation such as Anti-Terror Law No. 3713 represents a severe risk to the rights to freedom of association and expression as it equates the exercise of these rights with terrorist activities. Articles 6 and 7 of the Anti-Terror Law prescribe that those who join demonstrations can be accused of being terrorists or committing terror crimes for their slogans and placards in the demonstrations.<sup>63</sup> Authorities have often used such provisions to investigate and sentence individuals without sufficient evidence and on the basis of real or perceived political opinions, as “it has become a routine judicial practice to prosecute and convict people for broad and undefined terrorism-related offenses without credible and sufficient evidence and on the sole basis of their real or perceived political opinions.”<sup>64</sup>
28. In 2020, the Government passed Law No. 7262 on *the Prevention of the Financing of the Proliferation of Weapons of Mass Destruction*<sup>65</sup> under the guise of counter terrorism.<sup>66</sup> Law No. 7262 poses a further risk to the rights of expression and association. By aggregating the NGO sector into one broadly defined category, the law makes organizations with little to no likelihood of ties to terrorist activities subject to the legal procedures and sanctions as organizations deemed dangerous by the Financial Action Task Force (FAFT).<sup>67</sup> Therefore, civil society organizations face high fines, intense scrutiny, and the threat of persecution which interferes with their ability to provide services and advocate for rights.<sup>68</sup> Further, individuals who are under investigation cannot serve on the board of their organization nor become members of another organization.<sup>69</sup>

### ***Civil Society and Demonstrations***

29. There has been a longstanding pattern of Turkish authorities restricting and using excessive force to disperse protesters and demonstrations.<sup>70</sup> Authorities have targeted feminist demonstrations commemorating women’s rights and denouncing violence against women. In 2021, riot police “fired the gas and scuffled with the protesters” to disperse demonstrations as part of the commemoration of 25 November, the day against gender-based violence.<sup>71</sup> Mor Çatı Women’s Shelter Foundation reports that Türkiye frequently restricts individuals from joining protests by cordoning off the areas and arbitrarily detaining activists before they assemble for the demonstrations. Additionally, police reportedly target and detain activists in their homes, with reports of strip searches being used as a form of torture during detention.<sup>72</sup> The most common place where women (58.6%) and LGBTI+ (92.5%) are subjected to torture during the detention process is the

street or an open area.<sup>73</sup> Detentions are reportedly to be a reprisal tactic by police as judges do not charge most activists due to the constitutional protection of freedom of assembly.<sup>74</sup>

30. Local governments systematically ban peaceful demonstrations. Since 2018, the Beyoğlu District Governorship has banned peaceful vigils by the group The Saturday Mothers/People (*Cumartesi Anneleri/İnsanları*), which gathers every Saturday to demand justice for enforced disappeared family members.<sup>75</sup> Authorities engage in arbitrary arrests and detentions of The Saturday Mothers/People, using excessive force and tactics like “security encirclements” and the unnecessary handcuffing of protesters.<sup>76</sup> Authorities have also attempted to criminalize the movement’s members and allies for participating in a 2023 vigil on the charge of “attending illegal demonstrations and marches without arms and failing to disperse despite the warning.”<sup>77</sup> Charges are likely not to result in a sentence.
31. The Government misuses the legal system by criminalizing women human rights defenders as a way to discourage dissent. For example, the Government charged an NGO, We Will Stop Femicide, with “activity against law and morals.” According to reports, the persecution was motivated by the organization's work on women’s rights and its criticisms of the Government’s response to violence against women.<sup>78</sup> The prosecutors appear to have filed the case on the grounds that the NGO disregarded the concept of family “while pretending women’s rights.”<sup>79</sup>
32. Türkiye has increasingly criminalized Kurdish women’s organizations and defenders in recent years because of their activism against violence against women.<sup>80</sup> In 2022, authorities arbitrarily detained defenders from the Kurdish women’s movement in multiple cities through house raids, including members from the Rosa Women's Association and Free Women's Movement (TJA), following their participation in the 25 November demonstrations related to women's rights.<sup>81</sup>

**Rights related to name, identity, nationality; Rights related to marriage & family; Discrimination against women; Rights related to marriage & family; Advancement of women**

**Status of Implementation: Partially Accepted, Partially Implemented**

33. In 2020, Türkiye received fourteen recommendations regarding discrimination against women unrelated to gender-based or domestic violence.<sup>82</sup> Türkiye supported thirteen.<sup>83</sup>

***Surnames***

34. Article 187 of Türkiye’s Civil Code states “Married women shall bear their husband’s name. However, they can make a written declaration to the Registrar of Births, Marriages and Deaths on signing the marriage deed, or at the Registry of Births, Marriages and Deaths after the marriage, if they wish to keep their maiden name in front of their surname.”<sup>84</sup>
35. Despite several judicial orders to change the current legislation, Türkiye still fails to guarantee the right of married women to use their own surname. The European Court of Human Rights (ECHR) found Article 187 unconstitutional in *Ünal Tekeli v. Türkiye* (2005).<sup>85</sup> The Turkish Civil Court found it unconstitutional in 2015, and the Turkish Constitutional Court found it unconstitutional in 2023, but the law has not been changed.<sup>86</sup>



36. As early as 2008, there have been efforts to change such legislation, but none of the bills have passed the legislature.<sup>87</sup> To date, there are efforts to include a new law regarding married women's surnames in the forthcoming judicial package, but there are no indications whether it will be successful. Currently, the only remedy available to married women who wish to retain their maiden name is individual lawsuits.<sup>88</sup>
37. The Justice and Development Party (AKP) introduced an omnibus bill, which included the issue of surnames. The proposed law is similar to the previous policy, which was ruled unconstitutional.<sup>89</sup> Further, this proposed legislation would allow married women to use their maiden names along with their husbands' surnames, which is not in line with the Constitutional Court ruling.<sup>90</sup> Other credible information indicates that the proposed regulation would grant certain women, like artists, politicians, and public figures, the privilege to use only their own surnames because they are publicly known by them.<sup>91</sup> There are reports that the issue may be removed from the bill, but the judicial reform package is set to be finalized in October 2024.<sup>92</sup>

### *Alimony*

38. Article 175 of the Turkish Civil Code asserts that regardless of gender, either spouse can file for poverty alimony if required by their economic situation after divorce.<sup>93</sup> Due to the traditional gender roles and pay gap, women are generally reliant on men after divorce.<sup>94</sup> Article 169 of the Turkish Civil Code requires judges to determine which measures to take during the process of filing for divorce as well as the duration of the court case<sup>95</sup> This decision often takes a long time, creating significant hardships for recipients of alimony who rely on the money received for childcare, housing, and other basic needs.<sup>96</sup> Even if the decision is reached quickly, there is no guarantee that the judge has the correct and necessary information to make an informed and accurate decision.<sup>97</sup>
39. Article 174 of the Turkish Civil Code states that a monetary amount must be paid from the party-at-fault to the individual less-at-fault during a divorce.<sup>98</sup> However, there are no clear mechanisms or guidelines for determining who is or is not at fault, leaving this decision to the discretion of the judges who do not receive any training on gender equality and who predominantly use employ-male-centered understanding in their judgments either finding women at fault or granting very low amount of alimony that is in contradiction with the inflation rate.<sup>99</sup> However, there are no clear mechanisms or guidelines for determining who is or is not at fault, leaving this decision to the discretion of the judges who do not receive any trainings on gender equality and who predominantly employ-male-centered patriarchal understanding in their judgments either finding women at fault or granting very low amount of alimony that is in contradiction with the inflation rate.<sup>100</sup> According to a Women's Solidarity Foundation's report, the average poverty alimony awarded is 1,179.40 TL and the average alimony for the child awarded is 1,422.59 TL, which is insufficient.<sup>101</sup>
40. Article 176 of the Turkish Civil Code allows the court to rule whether alimony is to be paid in a one-time payment or periodically.<sup>102</sup> There is no law that enables courts to monitor and collect alimony payments. Sixty-six percent of all types of alimony - including interim, poverty, child support, and maintenance support – are not paid at all.<sup>103</sup> It is the woman's responsibility to pursue legal action if her former spouse does not pay, which causes her to incur more fees.<sup>104</sup> Furthermore, domestic violence is involved in 82.9% of divorce cases,

so some women may choose to isolate themselves from their abuser instead of pursuing enforcement of alimony payments.<sup>105</sup>

41. In an attempt to lower the divorce rate, President Erdogan proposed an amendment limiting the duration of alimony payments in 2019.<sup>106</sup> Coupled with the existing legal obstacles to receiving alimony, this amendment has the potential to force more women to stay in marriages for financial reasons, even if the relationship is abusive.<sup>107</sup>

## **Access to sexual and reproductive health and services; Health awareness raising, access to information**

### **Status of Implementation: Not Accepted**

42. Türkiye received and noted one recommendation about women's access to sexual and reproductive in the third cycle, specifically in rural areas and for Kurdish women.<sup>108</sup> Türkiye also noted another which encouraged comprehensive sexuality education in schools.<sup>109</sup>
43. Under Turkish law, women may receive abortions at public hospitals since 1983.<sup>110</sup> In 2005, Türkiye established a ten-year national action plan for expanding reproductive and sexual healthcare.<sup>111</sup> However, Türkiye has several shortcomings in reproductive health legislation and its implementation, which prevent women from receiving the care they need. For example, the national action plan was halted in the 2010s, and the Government announced a plan to address the recent decline in population growth.<sup>112</sup> The emphasis on population regulation has further reduced the number of policies designed to improve reproductive and sexual rights.<sup>113</sup>
44. Access to reproductive care and education has been restricted in part due to Türkiye's population goals.<sup>114</sup> There is a lack of education on the subject in the school system, so youth have limited knowledge about STI transmission and contraceptives.<sup>115</sup> Additionally, physicians are known to skip questions about sexual health when caring for unmarried women.<sup>116</sup> A lack of information leads to more unwanted pregnancies and negative health outcomes.<sup>117</sup>
45. Turkish law allows the termination of pregnancy up to the tenth week of pregnancy or longer in the case of rape.<sup>118</sup> This provision is early by standard health guidelines since pregnancy frequently cannot be identified until the fourth or fifth week, and women need time to decide beyond that timeframe.<sup>119</sup> A majority of the jurisdictions which allow abortion, permit it through at least the twelfth week.<sup>120</sup>
46. In Türkiye, a person must obtain the consent of their spouse before receiving an abortion.<sup>121</sup> Technically, there are no legal ramifications if an individual does not obtain consent. However, the spouse is permitted to claim compensation from the pregnant person and anyone who assisted them in ending the pregnancy.<sup>122</sup>
47. Although abortion remains legal, further restrictions from medical and governmental bodies result in a de facto ban on the procedure. By law, doctors cannot tell a pregnant person not to have an abortion, but many doctors refuse to perform the procedure.<sup>123</sup> One study found that of 295 public hospitals contacted, only 3 percent provided voluntary abortion without restrictions in 2020.<sup>124</sup> Furthermore, 19 percent of the hospitals did not

have a doctor or department to perform the procedure, compared to 2016 when all hospitals surveyed had relevant personnel.<sup>125</sup> Private hospitals are not viable alternatives, as they can be prohibitively expensive for many women.<sup>126</sup> Those who can afford private care report stigmatization on the part of practitioners and unsolicited advice urging them to reconsider.<sup>127</sup>

## II. RECOMMENDATIONS

48. This stakeholder report suggests the following recommendations for the Government of Türkiye:

- Refrain from the persecution, intimidation, harassment, or imprisonment of civil society representatives who peacefully exercise, among other rights, their freedom of expression in Türkiye.
- Cease all criminalization practices against women human rights defenders and organizations.
- Amend Law No. 2911 and the Anti-Terror Law No. 3713 to bring them fully into line with internal human rights standards.
- Revise Law No. 2911 and amend all articles restricting freedom of expression and association.
- Revise the Anti-Terror Law No. 3713 in order to strictly define an act of terrorism and ensure that counter-terrorism legislation is not used to limit the rights of freedom and association of human rights defenders.
- Refrain from revoking the legal personalities of civil society organizations, including women human rights organizations.
- Ensure the provision of effective assistance and protection to human rights defenders and journalists who are subjected to threats, violence and intimidation, and ensure that they can carry out their work in appropriate conditions, including by recognizing the right of individuals, organizations, and groups to defend human rights, by adopting special legislative measures for their protection.
- Take immediate steps to ensure that all women can exercise their rights to freedom of expression and peaceful assembly and association without interference.
- Investigate, prosecute and appropriately punish, all acts of human rights violations against women human rights defenders, including when committed by police officers or other public officials, and provide victims with effective remedies.
- Amend Article 187 of the Civil Code to ensure that all women can exercise their freedom to keep their maiden name without any substantive or procedural errors in fulfillment of the ECHR judgment *Ünal Tekeli v. Türkiye* (2005) and other related judgments.
- Ensure adherence to international non-refoulement standards and domestic laws regarding deportation appeals.
- Implement measurable steps to dismantle the set of legislation, policies and practices that foster the current anti-refugee rhetoric.
- Avoid placing asylum seekers, especially women and children, in administrative detention and provide alternatives to detention for adult asylum seekers, so that detention is used only as a last resort and for as short a period as possible.

- Promote equal access to work permits for women migrants and discontinue the practice of tying work permits to specific employers.
- Ensure sufficient translators are available for migrant women seeking assistance regarding domestic violence in police stations, shelters, and other relevant institutions.
- Review entry criteria for domestic violence shelters to ensure shelters are accessible to all women regardless of their immigration status, and alternative options are available for migrant women who do not meet the existing criteria.
- Ensure migrant women are treated equally to Turkish women in terms of access to shelters and other social support mechanisms and care within them.
- Refrain from restricting the duration of alimony payments to a set period of time.
- Ensure alimony payments are sufficient to support women and their children, accounting for geographical location and economic conditions.
- Establish a mechanism to enforce the payment of alimony which does not burden the party seeking payment with emotional or financial stress.
- Adopt legislation that expands abortion access to at least the twelfth week.
- Ensure that women have the right to make their own informed choices regarding sexual and reproductive health rights, to ensure the right to bodily integrity and personal autonomy.
- Ensure the right of every woman and girl to have full control over and decide freely and responsibly on matters related to their sexuality and sexual and reproductive rights, free from discrimination, coercion, and violence.
- Ensure the enforcement of the laws on abortion and eliminate all legal barriers to accessing abortion, including the requirement for spousal consent.
- Integrate comprehensive sexual and reproductive health education into school curriculums to inform young people about their rights and health.
- Implement mandatory training programs for healthcare providers on safe abortion practices and reproductive rights to ensure non-judgmental and professional care.
- Conduct public awareness campaigns to educate the community about reproductive rights and the legal aspects of abortion.
- Strengthen awareness-raising campaigns for society as a whole, in order to address social and cultural patterns and stereotypes that facilitate tolerance of gender-based violence.
- Allocate sufficient public funds to support abortion services, making them accessible to all women regardless of their economic status.
- Implement mandatory training programs for healthcare providers on safe abortion practices and reproductive rights to ensure non-judgmental and professional care.

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<sup>1</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Turkey – Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, (Jun 24, 2020), U.N. Doc. A/HRC/44/14/Add.1. ¶45.228 Create safe and efficient mechanisms for women, particularly refugees, to report cases of gender-based violence, including sexual violence, as well as launching campaigns to encourage them to do so (Costa Rica); ¶45.251 Continue to ensure that all relevant personnel

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providing support services through women’s shelters and violence prevention and monitoring centres receive adequate training and capacity-building to more effectively assist the women in their care (Singapore); ¶ 45.52 Explicitly criminalize gender-based and domestic violence (Estonia); ¶ 45.68 Take further steps to expand national and local resources to respond to all forms of gender-based violence (Canada); ¶ 45.217 Address the root causes of the pervasive underreporting of gender-based violence and undertake concrete efforts to encourage reporting, including through the provision of adequate resources for this purpose (Bahamas); ¶ 45.218 Adopt measures to combat violence against women in order to protect women’s rights (China); ¶ 45.219 Continue to combat violence against women (Albania); ¶ 45.220 Strengthen the fight against all forms of violence against women (Comoros); ¶ 45.221 Continue efforts to combat and prosecute violence against women (Tunisia); ¶ 45.222 Continue to enhance efforts to eliminate violence against women (Cambodia); ¶ 45.224 Increase the number of women’s shelters, ensure unrestricted access for all women, including physically disabled women, and strictly prohibit contact between women and their perpetrators in these institutions (Austria); ¶ 45.226 Redouble efforts to combat violence against women, including by ensuring that so-called “honour” crimes are effectively punished (Brazil); ¶ 45.233 Continue to strengthen and ensure women’s rights by combating violence against women and fully implementing the Istanbul Convention (Norway); ¶ 45.235 Introduce comprehensive frameworks for the protection of women and children from violence, including domestic violence (Poland); ¶ 45.236 Hold to account perpetrators of violence against women, including so-called honour crimes and domestic violence (Republic of Korea); ¶ 45.36 Repeal “honour” crimes in article 29 of the Criminal Code and criminalize gender-based violence (Spain); ¶ 45.230 Eliminate references to so-called honour crimes in the Criminal Code, and strengthen measures to eradicate discriminatory stereotypes regarding women, and their role in the family and society (Ecuador); ¶ 45.225 Increase the institutional support services for victims of violence against women and to the women’s shelters (Jordan).

<sup>2</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Turkey – Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, (Jun 24, 2020), U.N. Doc. A/HRC/44/14/Add.1.

<sup>3</sup> Republic of Türkiye Ministry of Family, Labour and Social Services. (2021). *IV. National Action Plan to Combat Violence Against Women (2021-2025)*, available <https://www.aile.gov.tr/ksgm/ulusal-eylem-planlari/kadina-yonelik-siddetle-mucadele-iv-ulusal-eylem-plani-2021-2025/>

<sup>4</sup> Türkiye National Parliament Research Commission on Determining the Causes of Violence Against Women. (2021). *Report by the National Parliament Research Commission on Determining the Causes of Violence Against Women*.

<https://acikerisim.tbmm.gov.tr/items/cd5f3c1f-64fd-4163-935b-6725ff0a0165>

<sup>5</sup> Türkiye CEDAW Civil Society Executive Board, *Follow-up Information submitted to the CEDAW Committee*, Sept. 2024

<sup>6</sup> See Republic of Türkiye Ministry of Family, Labour and Social Services. (2024). *The Women's Empowerment Strategy Document and Action Plan (2024-2028)*, <https://www.aile.gov.tr/media/158302/kadinin-guclenmesi-strateji-belgesi-ve-eylem-plani-2024-2028.pdf>.

<sup>7</sup> Women for Women’s Human Rights (2021) *Combating Violence Against Women IV. National Action Plan Information Note*

<https://kih.betik.dev/brief-note-on-the-4th-national-action-plan-on-combatting-violence-against-women/>

<sup>8</sup> Türkiye National Parliament Research Commission on Determining the Causes of Violence Against Women. (2022). *Report by the National Parliament Research Commission on Determining the Causes of Violence Against Women*.

<sup>9</sup> Republic of Türkiye Ministry of Family, Labour and Social Services. (2024). *The Women's Empowerment Strategy Document and Action Plan (2024-2028)*, pg. 21.

<https://www.aile.gov.tr/media/158302/kadinin-guclenmesi-strateji-belgesi-ve-eylem-plani-2024-2028.pdf>

<sup>10</sup> Republic of Türkiye Ministry of Family, Labour and Social Services. (2024). *Vision Document and Action Plan for the Protection and Strengthening of the Family (2024-2028)*, pg. 20.

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<https://www.aile.gov.tr/media/165130/ailenin-korunmasi-ve-gu-c-lendirilmesi-vizyon-belgesi-ve-eylem-plani.pdf>

<sup>11</sup> Republic of Türkiye Ministry of Family, Labour and Social Services. (2024). *Vision Document and Action Plan for the Protection and Strengthening of the Family (2024-2028)*, pg. 20.

<https://www.aile.gov.tr/media/165130/ailenin-korunmasi-ve-gu-c-lendirilmesi-vizyon-belgesi-ve-eylem-plani.pdf>

<sup>12</sup> Current legal provisions in the Penal Code of Türkiye criminalizes instances of gender-based and domestic violence through other offenses including *Article 81, 82 and 83* that regulate the crime of intentional killing, *Article 86* that criminalizes intentional injury, *Article 96* that criminalizes torment, *Article 102* that criminalizes sexual assault, *Article 105* that criminalizes sexual harassment, *Article 106* that criminalizes threat, *Article 107* that criminalizes blackmail, *Article 109* that protects individuals against deprivation of liberty, *Article 125* that criminalizes insult and *Article 134* that protects the right to privacy. Penal Code of Türkiye, 2004 [Official Gazette, 2004, No. 25611]

<https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=5237&MevzuatTur=1&MevzuatTertip=5>

<sup>13</sup> Such include – deliberate murder, intentional injury, cruelty, and deprivation of liberty – Penal Code of Türkiye, 2004 [Official Gazette, 2004, No. 25611]

<https://www.mevzuat.gov.tr/mevzuat?MevzuatNo=5237&MevzuatTur=1&MevzuatTertip=5>

<sup>14</sup> *Amendments in The Turkish Penal Code and Some Laws Regarding Implementation* [Official Gazette, 2022, No. 31848], <https://www.resmigazete.gov.tr/eskiler/2022/05/20220527-7.htm>

<sup>15</sup> Women for Women’s Human Rights (2022) *Information Note Containing Our Evaluations Regarding the Amendments Made in the Turkish Penal Code and the Code of Criminal Procedure*.

<https://kadinininsanhaklari.org/wp-content/uploads/2022/05/TURK-CEZA-KANUNU-ILE-CEZA-MUHAKEMELERI-KANUNUNDA-translation-Final-1.pdf>

<sup>16</sup> This information is prepared based on data collected by news outlet Bianet.

Bianet, *Monitoring Male Violence*, <https://bianet.org/proje/erkek-siddeti-cetelesi-285345>

<sup>17</sup> Salih Büyüksamancı, Same sentence, again reduced, for the defendant who killed his 6 months pregnant wife,” Demirören News Agency, Feb. 14, 2024

<https://www.dha.com.tr/gundem/6-aylik-hamile-esini-olduren-saniga-yine-indirimli-ayni-ceza-2392086>

<sup>18</sup> Interview with human rights attorney conducted on 26.09.2024

<sup>19</sup> Mor Çatı Women’s Shelter Foundation (2022). *Shadow Report for Opuz Group Cases (no. 33401/02)*

[https://morcati.org.tr/wp-content/uploads/2022/12/Opuz\\_Golge\\_Rapor.pdf](https://morcati.org.tr/wp-content/uploads/2022/12/Opuz_Golge_Rapor.pdf)

<sup>20</sup> Republic of Türkiye Ministry of Justice, Justice Statistics 2023

[https://adlisicil.adalet.gov.tr/Resimler/SayfaDokuman/22042024115644ADalet\\_ist-2023CALISMALARI59.pdf](https://adlisicil.adalet.gov.tr/Resimler/SayfaDokuman/22042024115644ADalet_ist-2023CALISMALARI59.pdf)

<sup>21</sup> Republic of Türkiye Constitutional Court Judgment, Application by TA, Application number: 2017/32972, Sept. 29, 2021, <https://kararlarbilgibankasi.anayasa.gov.tr/BB/2017/32972>

<sup>22</sup> Human Rights Watch, Turkey Fails to Enforce Court Orders Leaving Women Vulnerable to Abuse

HRW Submission - CEDAW 82nd Session, <https://www.hrw.org/news/2022/06/10/turkey-fails-enforce-court-orders-leaving-women-vulnerable-abuse>

<sup>23</sup> Evrim Kepenek, Elif Yilmazli,, Bianet, *Women are struggling, male violence is being prosecuted*, June 6 2024

<https://bianet.org/haber/kadinlar-mucadele-ediyor-erkek-siddeti-yargilaniyor-296159>

<sup>24</sup> These legal provisions are aimed at ensuring the protection and support of victims and survivors of violence against women (VAW). The law and its accompanying regulations focus on safeguarding women from violence through a range of specific measures, including the establishment of women’s shelters, the issuance of preventive and protective orders including restraining and confidentiality orders. In accordance with Law no. 6284, *Violence Prevention and Monitoring Centers (ŞÖNİM)* are established in 2012 and the *Regulation for the Operation of ŞÖNİMs* entered into force in 2016. Law No. 6284 mandates that law enforcement officers, Violence Prevention and Monitoring Centers (ŞÖNİM), prosecutors, and Family Courts enforce these measures based on the victim’s statements. While law enforcement officers are empowered to temporarily enforce certain protective and preventive orders, the Family Courts are vested with the ultimate authority to grant such measures under this law. Additionally,

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specialized Family Courts, prosecutor's offices, and police stations have been established to monitor the effective implementation of protection and prevention orders as set forth by Law No. 6284. Further, sanctions for violating these protective orders include electronic bracelet and preventive detention, thus ensuring compliance with the law and safeguarding victims of violence. Law No. 6284 also extends the right to protective and preventive measures to children affected by violence. Additionally, there are further legal safeguards in place for the protection of children against violence. The Child Protection Law (Law No. 5395) also provides for comprehensive protection measures, including those addressing domestic violence. Moreover, two distinct regulations, Regulation on the Judicial Support and Victim Services and Regulation on Changes in The Regulation on Judicial Support and Victim Services, govern matters related to custody and visitation rights. Türkiye is also a party to both the United Nations Convention on the Rights of the Child and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention). See Law No. 6284 on Protection of Family and Prevention of Violence Against Women,” Mar. 8, 2012, <https://www.resmigazete.gov.tr/eskiler/2012/03/20120320-16.htm> Implementing Regulation Concerning the Law No. 6284, Jan. 18, 2013, <https://www.resmigazete.gov.tr/eskiler/2013/01/20130118-2.htm> Regulation on the Use of Technical Methods and Tracking Systems Under Law Number 6284, Sep. 4, 2021 <https://www.resmigazete.gov.tr/eskiler/2021/09/20210904-13.htm>.

<sup>25</sup> Written communication from a Turkish women human rights defender. On file with the authors.

<sup>26</sup> Mor Çatı Women’s Shelter Foundation (2021) *Monitoring Report on Coordination in Combating Against Male Violence in Turkey* <https://en.morcati.org.tr/wp-content/uploads/2022/05/The-Monitoring-Report-on-Coordination-in-Combating-Against-Male-Violence-in-Turkey.pdf>

<sup>27</sup> Mor Çatı Women’s Shelter Foundation (2023) *Law Enforcement Practices In Turkey To Combat Male Violence*, <https://en.morcati.org.tr/wp-content/uploads/2023/10/law-enforcement-practices-in-turkey-combat-male-violence.pdf>

<sup>28</sup> Women’s Solidarity Foundation (2024). *Mechanisms for Combating VAW Monitoring Report (2013-2022)*, pg.16, <https://www.kadindayanismavakfi.org.tr/yayinlar/mechanisms-for-combating-vaw-monitoring-report/>

<sup>29</sup> Mor Çatı Women’s Shelter Foundation (2023) *Law Enforcement Practices In Turkey To Combat Male Violence*, <https://en.morcati.org.tr/wp-content/uploads/2023/10/law-enforcement-practices-in-turkey-combat-male-violence.pdf>

<sup>30</sup> Elif Yilmazli, Bianet, *Monitoring Male Violence*, July 2024, <https://bianet.org/haber/erkek-siddeti-temmuz-2024-298212>

<sup>31</sup> Women’s Solidarity Foundation (2024). *Mechanisms for Combating VAW Monitoring Report (2013-2022)*, pg.16, <https://www.kadindayanismavakfi.org.tr/yayinlar/mechanisms-for-combating-vaw-monitoring-report/>

<sup>32</sup> Mor Çatı Women’s Shelter Foundation, Communication in accordance with Rule 9.2. of the Rules of the Committee of Ministers concerning Opuz v. Turkey Group of Cases (no. 33401/02) (2023). <https://en.morcati.org.tr/wp-content/uploads/2024/05/Opuz-Group-Cases-2023-Mor-Cati-Submission.pdf>

<sup>33</sup> BIA News Desk, Bianet, *Men killed at least 333 women in 2023*, Jan. 22, 2024, <https://bianet.org/haber/men-killed-at-least-333-women-in-2023-290848>

<sup>34</sup> Elif Yilmazli, Bianet, *Monitoring Male Violence*, July 2024, <https://bianet.org/haber/erkek-siddeti-temmuz-2024-298212>

<sup>35</sup> Women Against Violence Europe (WAVE) (2023) *WAVE Country Report 2023* [https://wave-network.org/wp-content/uploads/WAVE\\_CountryReport2023.pdf](https://wave-network.org/wp-content/uploads/WAVE_CountryReport2023.pdf)

<sup>36</sup> Women’s Solidarity Foundation, (2023). *Women's Shelter Experiences and Specialized Shelters (Kadınların Sığınak Deneyimleri ve İhtisaslaşmış Sığınaklar)* <https://www.kadindayanismavakfi.org.tr/yayinlar/kadinlarin-siginak-deneyimleri-ve-ih-tisas-las-mis-siginak-lar-raporu/>

<sup>37</sup> Mor Çatı Women’s Shelter Foundation, *Report submitted to the Committee against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment*, July 17, 2024

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<https://en.morcati.org.tr/reports/report-submitted-to-the-committee-against-torture-and-other-cruel-inhuman-or-degrading-treatment-or-punishment/>

<sup>38</sup> Mor Çatı Women's Shelter Foundation, *The Effects of Male Violence and Mechanisms to Combat Male Violence on Children's Rights*, Dec. 28, 2021

<https://en.morcati.org.tr/reports/the-effects-of-male-violence-and-mechanisms-to-combat-male-violence-on-childrens-rights/>

<sup>39</sup> Interview with human rights attorney conducted on 26.09.2024

<sup>40</sup> Republic of Turkey Victim's Rights Department, *Regulation on the Judicial Support and Victim Services*, 24 January 2020, Document no: 8407

<sup>41</sup> Turkish Statistical Institute, *Address-Based Population Registration System Results 2023*, Feb. 6 2024

<https://data.tuik.gov.tr/Bulten/Index?p=Adrese-Dayali-Nufus-Kayit-Sistemi-Sonuclari-2023-49684>

<sup>42</sup> Interview with human rights attorney conducted on 26.09.2024

<sup>43</sup> Interview with human rights attorney conducted on 26.09.2024

<sup>44</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Turkey – Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, (Jun 24, 2020), U.N. Doc. A/HRC/44/14/Add.1. ¶445.136 Continue efforts to improve access to justice for vulnerable groups, including children, migrants, the elderly and persons with disabilities (Azerbaijan); ¶45.137 Take concrete steps to ensure access to justice for people in vulnerable situations, such as women, children, migrants, the elderly or persons with disabilities (Pakistan); ¶45.198 Increase actions targeted at preventing and combating trafficking in human beings and proactive identification of victims, especially in the context of the refugee and migrant crisis (Moldova); ¶45.2 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana); ¶45.296 Continue the provision of humanitarian aid, education and health services to refugees, migrants and asylum seekers (Sudan); ¶45.300 Ensure that the return of refugees is in accordance with international law (Albania); ¶45.291 Continue efforts to formulate the National Migration Action Plan with the participation of all stakeholders (Yemen); ¶45.292 Continue to review and assess its immigration laws and policies to ensure that the rights of migrants are safeguarded, in accordance with international human rights standards; ¶45.294 Continue to call international attention to the difficult situation of refugees, encouraging the allocation of more resources for their protection (Venezuela); ¶45.295 Ensure that all asylum seekers and migrants within the territory of Turkey enjoy their basic human rights (Afghanistan); ¶45.297 Continue drawing the attention of the international community to the plight of refugees and call for international burden sharing (Libya); ¶45.299 Continue to play its humanitarian role in hosting refugees and providing them with the necessary services (Qatar); ¶45.301 Strengthen access to legal assistance and interpretation for asylum seekers at border points and migration centres (Mexico).

<sup>45</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Turkey – Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, (Jun 24, 2020), U.N. Doc. A/HRC/44/14/Add.1. ¶ 45.37 Explicitly criminalize domestic violence, prosecute and punish perpetrators (Zambia); ¶ 45.51 Take further measures to ensure a zero-tolerance policy towards domestic violence (Azerbaijan); ¶ 45.52 Explicitly criminalize gender-based and domestic violence (Estonia); ¶ 45.57 Criminalize domestic violence, enabling the prosecution and punishment of perpetrators (North Macedonia); ¶ 45.58 Further strengthen measures to address and prevent domestic violence (Philippines); ¶ 45.231 Increase efforts to promote and protect women's rights, including prevention of domestic violence against women (Japan); ¶ 45.235 Introduce comprehensive frameworks for the protection of women and children from violence, including domestic violence (Poland); ¶ 45.236 Hold to account perpetrators of violence against women, including so-called honour crimes and domestic violence (Republic of Korea); ¶ 45.223 Continue its efforts to combat unemployment among women, discrimination against women and domestic violence (Gabon);



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<sup>46</sup> Human Rights Watch, “Combatting Domestic Violence in Türkiye: The Deadly Impact of Failure to Protect,” 2022, available at <https://www.hrw.org/report/2022/05/26/combatting-domestic-violence-Türkiye/deadly-impact-failure-protect>

<sup>47</sup> Human Rights Watch, “Combatting Domestic Violence in Türkiye: The Deadly Impact of Failure to Protect,” 2022, available at <https://www.hrw.org/report/2022/05/26/combatting-domestic-violence-Türkiye/deadly-impact-failure-protect>

<sup>48</sup> Human Rights Watch, “Combatting Domestic Violence in Türkiye: The Deadly Impact of Failure to Protect,” 2022, available at <https://www.hrw.org/report/2022/05/26/combatting-domestic-violence-Türkiye/deadly-impact-failure-protect>

<sup>49</sup> Human Rights Watch, “Combatting Domestic Violence in Türkiye: The Deadly Impact of Failure to Protect,” 2022, available at <https://www.hrw.org/report/2022/05/26/combatting-domestic-violence-Türkiye/deadly-impact-failure-protect>

<sup>50</sup> Human Rights Watch, “Combatting Domestic Violence in Türkiye: The Deadly Impact of Failure to Protect,” 2022, available at <https://www.hrw.org/report/2022/05/26/combatting-domestic-violence-Türkiye/deadly-impact-failure-protect>

<sup>51</sup> Human Rights Watch, “Combatting Domestic Violence in Türkiye: The Deadly Impact of Failure to Protect,” 2022, available at <https://www.hrw.org/report/2022/05/26/combatting-domestic-violence-Türkiye/deadly-impact-failure-protect>

<sup>52</sup> Refugee Rights Türkiye, “Securing Pathways: Access to Justice for Refugee and Migrant Women in Türkiye,” 2023, available at [https://mhd.org.tr/images/yayinlar/HBS\\_AccessToJustice\\_Final\\_Public.pdf](https://mhd.org.tr/images/yayinlar/HBS_AccessToJustice_Final_Public.pdf)

<sup>53</sup> Refugee Rights Türkiye, “Securing Pathways: Access to Justice for Refugee and Migrant Women in Türkiye,” 2023, available at [https://mhd.org.tr/images/yayinlar/HBS\\_AccessToJustice\\_Final\\_Public.pdf](https://mhd.org.tr/images/yayinlar/HBS_AccessToJustice_Final_Public.pdf)

<sup>54</sup> Refugee Rights Türkiye, “Securing Pathways: Access to Justice for Refugee and Migrant Women in Türkiye,” 2023, available at [https://mhd.org.tr/images/yayinlar/HBS\\_AccessToJustice\\_Final\\_Public.pdf](https://mhd.org.tr/images/yayinlar/HBS_AccessToJustice_Final_Public.pdf)

<sup>55</sup> Refugee Rights Türkiye, “Securing Pathways: Access to Justice for Refugee and Migrant Women in Türkiye,” 2023, available at [https://mhd.org.tr/images/yayinlar/HBS\\_AccessToJustice\\_Final\\_Public.pdf](https://mhd.org.tr/images/yayinlar/HBS_AccessToJustice_Final_Public.pdf)

<sup>56</sup> Mor Çatı Women’s Shelter Foundation, Shadow Report to be submitted to the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families for review during the 38th General Session (July 29, 2024)

<sup>57</sup> Refugee Rights Türkiye, “Securing Pathways: Access to Justice for Refugee and Migrant Women in Türkiye,” 2023, available at [https://mhd.org.tr/images/yayinlar/HBS\\_AccessToJustice\\_Final\\_Public.pdf](https://mhd.org.tr/images/yayinlar/HBS_AccessToJustice_Final_Public.pdf)

<sup>58</sup> Mor Çatı Women’s Shelter Foundation, Shadow Report to be submitted to the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families for review during the 38th General Session (July 29, 2024)

<sup>59</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Turkey – Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, (Jun 24, 2020), U.N. Doc. A/HRC/44/14/Add.1. ¶45.18 Take prompt measures to ensure compliance with international obligations under international human rights law, and to guarantee the full enjoyment of human rights to all without distinction, respect international standards for fair trial, amend laws restricting the exercise of the right to freedom of opinion and expression and the right to peaceful assembly and association (Egypt); ¶45.139 Cease the excessive use of pretrial detention, ensure human rights defenders and critics alleged to have committed an offence are guaranteed due process and fair trial rights, and strengthen the capacity of the judiciary to operate independently (Australia); ¶45.147 Guarantee the freedom of thought and religion, and the rights to freedom of information and freedom of expression, and ensure that human rights defenders and journalists can carry out their legitimate and peaceful activities without fear of attack or reprisal (Iceland); ¶45.150 Guarantee the right to freedom of assembly of all citizens by ensuring that the restrictions provided by law are not applied in an extensive manner (Austria); ¶45.151 End arbitrary arrests of media professionals, civil society activists, academics, and so many others for exercising their human rights and fundamental freedoms. End discrimination against members of religious minority groups (United States of America); ¶45.154 Take appropriate measures to protect freedom of expression, assembly and association, as well as to guarantee a safe and enabling environment for civil society organizations, human

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rights defenders and journalists, including by defining the limitations to fundamental freedoms in compliance with international obligations (Italy); ¶45.156 Take steps to encourage freedom of expression, including freedom of the press, association and peaceful assembly, and to align its legislation in this respect with its obligations and commitments under relevant international law (New Zealand); ¶45.163 Protect the exercise of the right to freedom of expression of journalists, human rights defenders and all non-governmental organizations (Timor-Leste); ¶45.168 Ensure the existence of spaces to exercise the rights to freedom of peaceful assembly, expression and association (Costa Rica); ¶45.169 Ensure full respect for the rights to freedom of expression and association (Uruguay); ¶45.172 Ensure full enjoyment of the freedoms of expression and assembly and allow the free functioning of civil society and the media (Czechia); ¶45.173 Ensure that its freedom of assembly, expression and association laws fully meet human rights obligations and are fully implemented (Finland); ¶45.174 Ensure free and safe space for civil society, including human rights defenders, in full accordance with international human rights obligations (Finland); ¶45.175 Ensure the creation of a safe, enabling environment for journalists, human rights defenders and civil society, both online and offline (Ireland); ¶45.177 Ensure that human rights defenders, lawyers and journalists are not subjected to intimidation or arbitrary arrest in undertaking their work (New Zealand); ¶45.178 Fully respect the right to assembly and create a safe and enabling environment for human rights defenders (Norway); ¶45.180 Adopt all measures aimed at guaranteeing the freedom of expression of journalists and human rights defenders (Argentina); ¶45.181 Allow journalists, human rights defenders and all non-governmental organizations to freely exercise their right to freedom of expression and opinion (Portugal)/

<sup>60</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Turkey – Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, (Jun 24, 2020), U.N. Doc. A/HRC/44/14/Add.1.

<sup>61</sup> Article 34 of the 1982 Constitution of Türkiye

<sup>62</sup> See INCL, [https://www.icnl.org/wp-content/uploads/cfr\\_FoA-in-Türkiye.pdf](https://www.icnl.org/wp-content/uploads/cfr_FoA-in-Türkiye.pdf)

<sup>63</sup> Türkiye, Anti-Terror Law No. 3713.

<sup>64</sup> Amnesty International, *Türkiye: Weaponizing Counterterrorism: Türkiye Exploits Terrorism Financing Assessment to Target Civil Society, 2021*, available at <https://www.amnesty.org/en/wp-content/uploads/2021/07/EUR4442692021ENGLISH.pdf>

<sup>65</sup> Türkiye, Law No. 7262

<sup>66</sup> Amnesty International, “Türkiye: Weaponizing Counterterrorism: Türkiye Exploits Terrorism Financing Assessment to Target Civil Society”, available at <https://www.amnesty.org/en/wp-content/uploads/2021/07/EUR4442692021ENGLISH.pdf>

<sup>67</sup> Amnesty International, “Türkiye: Weaponizing Counterterrorism: Türkiye Exploits Terrorism Financing Assessment to Target Civil Society”, available at <https://www.amnesty.org/en/wp-content/uploads/2021/07/EUR4442692021ENGLISH.pdf>

<sup>68</sup> Interview with Lawyer and Activist conducted on 20.09.2024

<sup>69</sup> Interview with Lawyer and Activist conducted on 20.09.2024

<sup>70</sup> Freedom house, “Freedom in the world 2024, Türkiye”, accessed August 29, 2024, <https://freedomhouse.org/country/Türkiye/freedom-world/2024>

<sup>71</sup> Reuters. “Turkish police break up 'violence against women' protest”, (November 25, 2021), available at <https://www.reuters.com/world/middle-east/turkish-police-break-up-violence-against-women-protest-2021-11-25/>

<sup>72</sup> Mor Çatı Women’s Shelter Foundation, *Shadow Report to be submitted to the Committee against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment for review during the 80th General Session*, 20 (July 17, 2024)

<sup>73</sup> Human Rights Foundation of Turkey, *Treatment and Rehabilitation Centres Report 2022* (August 2023), 148, [https://en.tihv.org.tr/wp-content/uploads/2023/12/HRFT\\_Treatment\\_and\\_Rehabilitation\\_Centers\\_report\\_2022.pdf](https://en.tihv.org.tr/wp-content/uploads/2023/12/HRFT_Treatment_and_Rehabilitation_Centers_report_2022.pdf)

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<sup>74</sup> Mor Çatı Women's Shelter Foundation, Shadow Report to be submitted to the Committee against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment for review during the 80th General Session, 20 (July 17, 2024)

<sup>75</sup> International Federation for Human Rights, "Türkiye: First hearing in latest trial against Saturday Mothers/People", accessed September 2, 2024, <https://www.fidh.org/en/region/europe-central-asia/Türkiye/Türkiye-first-hearing-in-latest-trial-against-saturday-mothers-people#>

<sup>76</sup> International Federation for Human Rights, "Türkiye: First hearing in latest trial against Saturday Mothers/People", accessed September 2, 2024, <https://www.fidh.org/en/region/europe-central-asia/Türkiye/Türkiye-first-hearing-in-latest-trial-against-saturday-mothers-people#>

<sup>77</sup> International Federation for Human Rights, "Türkiye: First hearing in latest trial against Saturday Mothers/People", accessed September 2, 2024, <https://www.fidh.org/en/region/europe-central-asia/Türkiye/Türkiye-first-hearing-in-latest-trial-against-saturday-mothers-people#>

<sup>78</sup> United States, Department of State Bureau of Democracy, Human Rights, and Labor, Türkiye (Türkiye) 2023 Human Rights Report (2024) 41. accessed Aug. 29, 2024, [https://www.state.gov/wp-content/uploads/2024/02/528267\\_TU%CC%88RKIYE-2023-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2024/02/528267_TU%CC%88RKIYE-2023-HUMAN-RIGHTS-REPORT.pdf)

<sup>79</sup> Çiçek Tahaoğlu, *We Will Stop Femicide Platform closure case rejected*, Media and Law Studies Association, Sept. 13, 2023, <https://www.mlsaturkey.com/en/we-will-stop-femicide-platform-closure-case-rejected>

<sup>80</sup> Feride Eralp & Selin Top, *Agendas and current areas of action of the feminist movement in Türkiye Information Note*, Association for Gender Equality Policies, 2022, <https://cinsiyetesitligipolitikalari.org/turkiyede-feminist-hareketin-gundemleri-ve-guncel-eylem-alanlari/#bolum2>

<sup>81</sup> Feride Eralp & Selin Top, *Agendas and current areas of action of the feminist movement in Türkiye Information Note*, Association for Gender Equality Policies, 2022, <https://cinsiyetesitligipolitikalari.org/turkiyede-feminist-hareketin-gundemleri-ve-guncel-eylem-alanlari/#bolum2>

<sup>82</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Turkey – Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, (Jun 24, 2020), U.N. Doc. A/HRC/44/14/Add.1. ¶45.71 Continue to uphold the principles of gender equality in national legislation and policies and enhance the efforts to effectively implement it, especially in the areas of decision-making, employment, education and health, and ensure that all reports of gender-based violence are duly investigated (Lithuania); ¶45.62 Increase efforts to fulfil its obligation on gender equality under international conventions (Myanmar); ¶45.63 Adopt comprehensive reforms towards redressing gender injustice and inequalities (Sierra Leone); ¶45.67 Continue efforts to fight discrimination against women (Tunisia); ¶45.69 Adopt measures to address the inequalities suffered by Kurdish women, including in access to health and education services (Ecuador); ¶45.73 Take effective measures to improve gender equality, especially in decision-making, employment, education and health (Portugal); ¶45.216 Continue efforts to prevent discrimination against women and to create equal rights and opportunities for them, including through national strategic programmes and action plans (Uzbekistan); ¶45.223 Continue its efforts to combat unemployment among women, discrimination against women and domestic violence (Gabon); ¶45.237 Strengthen measures to combat discrimination and violence against women, including through the implementation of relevant laws, eliminating any loopholes in national legislation that might undermine the protection of women's rights and addressing discriminatory stereotypes that affect women (Rwanda); ¶45.227 Prevent and eradicate harmful traditional practices which discriminate against women and girls, in particular early marriage, across its territory (Burkina Faso); ¶45.234 Continue efforts to ensure equal rights and opportunities for women and implement effectively the action plans on the empowerment of women and combating violence against women (Bhutan); ¶45.240 Continue its efforts to improve the status of women in political, economic and social life, and to ensure equal representation in decision-making positions in the public and private sectors (State of Palestine); ¶45.244 Implement relevant policies and action plans to advance gender equality and promote women's empowerment and participation in political and economic decision-making processes (Thailand); ¶45.250 Continue

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the policy of combating all forms of discrimination against women and guarantee women's enjoyment of rights and equal opportunities in all domains (Oman)

<sup>83</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Turkey – Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, (Jun 24, 2020), U.N. Doc. A/HRC/44/14/Add.1.

<sup>84</sup> Turkish Civil Code, Law N. 4721.

<sup>85</sup> *Ünal Tekeli v. Türkiye*, 2005 ECHR §68 (Feb. 16); Daily Sabah, *Court Ruling a Victory for Maiden Name Usage in Türkiye*, Oct. 5, 2015, <https://www.dailysabah.com/Türkiye/2015/10/05/court-ruling-a-victory-for-maiden-name-usage-in-Türkiye>

<sup>86</sup> Daily Sabah, *Court Ruling a Victory for Maiden Name Usage in Türkiye*, Oct. 5, 2015, <https://www.dailysabah.com/Türkiye/2015/10/05/court-ruling-a-victory-for-maiden-name-usage-in-Türkiye>.

<sup>87</sup> Seda İrem Çakırca, *Evli Kadının Soyadına İlişkin Güncel Gelişmelerin Değerlendirilmesi*, 70 Istanbul University Faculty of Law Journal 145, 162 (2012).

<sup>88</sup> Seda İrem Çakırca, *Evli Kadının Soyadına İlişkin Güncel Gelişmelerin Değerlendirilmesi*, 70 Istanbul University Faculty of Law Journal 145, 162 (2012).

<sup>89</sup> Hurriyet Daily News, *AKP Submits New Omnibus Bill to Parliament*, Jul. 4, 2024, <https://www.hurriyetdailynews.com/akp-submits-new-omnibus-bill-to-parliament-198119>

<sup>90</sup> Hurriyet Daily News, *AKP Submits New Omnibus Bill to Parliament*, Jul. 4, 2024, <https://www.hurriyetdailynews.com/akp-submits-new-omnibus-bill-to-parliament-198119>.

<sup>91</sup> ArtıGerçek Newspaper, *Claim: AKP insists on surname regulation*, Aug. 28, 2024 <https://artigercek.com/kadin/iddia-akp-soyadi-duzenlemesinde-isararli-bu-kez-unlulere-ayricalik-kadinlar-315871h>

<sup>92</sup> Yeni Şafak, *Yargı Paketi Son Dakika Açıklamalar: 9. Yargı Paketi Ne Zaman Yürürlüğe Girecek, Meclis'te Onaylandı mı? 4-4 Ceza İndirimi, Genel Af...*, Aug. 17, 2024, <https://www.yenisafak.com/foto-galeri/ozgun/9-yargi-paketi-son-dakika-aciklamalar-9-yargi-paketi-ne-zaman-yururluge-girecek-mecliste-onaylandi-mi-4-4-ceza-indirimi-genel-af-4635381/>

<sup>93</sup> *Turkish Civil Code- Family Law Book*, 2001, [rm.coe.int/turkish-civil-code-family-law-book/1680a3bcd4](http://rm.coe.int/turkish-civil-code-family-law-book/1680a3bcd4).

<sup>94</sup> UN Women, *Research on Permanent Alimony* (New York; UN Women, 2020), 2 -3, <https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2020/04/Alimony%20report-ENG-Summary.pdf>

<sup>95</sup> *Turkish Civil Code- Family Law Book*, 2001, [rm.coe.int/turkish-civil-code-family-law-book/1680a3bcd4](http://rm.coe.int/turkish-civil-code-family-law-book/1680a3bcd4).

<sup>96</sup> *Divorce Alimony Issues in Turkey*, Alfalaw, [alfalawfirm.com/divorce-alimony-issues-in-turkey/](http://alfalawfirm.com/divorce-alimony-issues-in-turkey/).

<sup>97</sup> Interview with human rights lawyer conducted on 26.09.24

<sup>98</sup> *Turkish Civil Code - Family Law Book*, [rm.coe.int/turkish-civil-code-family-law-book/1680a3bcd4](http://rm.coe.int/turkish-civil-code-family-law-book/1680a3bcd4).

<sup>99</sup> Interview with human rights lawyer conducted on 26.09.24

<sup>100</sup> Interview with human rights lawyer conducted on 26.09.24

<sup>101</sup> *Turkish Civil Code- Family Law Book*, 2001, [rm.coe.int/turkish-civil-code-family-law-book/1680a3bcd4](http://rm.coe.int/turkish-civil-code-family-law-book/1680a3bcd4).

<sup>102</sup> *Turkish Civil Code- Family Law Book*, 2001, [rm.coe.int/turkish-civil-code-family-law-book/1680a3bcd4](http://rm.coe.int/turkish-civil-code-family-law-book/1680a3bcd4).

<sup>103</sup> Hurriyet Daily News, *Most Divorcees Fail to Pay Alimony, Show Data*, Feb. 9, 2022, available at <https://www.hurriyetdailynews.com/most-divorcees-fail-to-pay-alimony-show-data-171379>

<sup>104</sup> Interview with human rights lawyer conducted on 26.09.24

<sup>105</sup> UN Women, *Research on Permanent Alimony* (New York; UN Women, 2020), 2 -3, accessed by September 18, 2024, <https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2020/04/Alimony%20report-ENG-Summary.pdf>

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<sup>107</sup> F. Ceren Akcabay & Zekiye Karaca Boz, *Women's Solidarity Foundation Poverty Alimony Monitoring Report*, 2024 <https://www.kadindayanismavakfi.org.tr/yayinlar/yoksulluk-nafakasi-izleme-raporu-2024-uzun-versiyon/>

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- <sup>108</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Turkey – Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, (Jun 24, 2020), U.N. Doc. A/HRC/44/14/Add.1. ¶45.273 Improve access to sexual and reproductive health services, especially for Kurdish women and other minority women, and for women living in rural and remote areas, and avoid early and unwanted pregnancies (India).
- <sup>109</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Turkey – Addendum: Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review*, (Jun 24, 2020), U.N. Doc. A/HRC/44/14/Add.1. ¶45.208 Include evidence-based and age-appropriate comprehensive sexuality education in school curricula (Fiji).
- <sup>110</sup> Lara Villalon, *'It was my right, but they refused': Turkish women denied access to free and safe abortions*, The Guardian, July 5, 2022, available at <https://www.theguardian.com/global-development/2022/jul/05/legal-yet-virtually-banned-turkish-women-denied-right-to-free-safe-abortions>
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