

ANSWERS TO LIST OF ISSUES IN RELATION TO THE SEVENTH PERIODIC REPORT OF TURKEY

Constitutional and legislative framework

Question 1

1. The Government Program covers improving the efficiency of institutions in charge of human rights affairs including the National Human Rights Institution of Turkey. Works to be carried out in this regard are included in the reforms and actions under the heading of democratisation in the 21st December 2015 – 21st June 2016 period of the Government Action Plan.

2. Article 34 of the Constitution regarding the right to hold meetings and demonstration marches states that *“Everyone has the right to hold unarmed and peaceful meetings and demonstration marches without prior permission. The right to hold meetings and demonstration marches shall be restricted only by law on the grounds of national security, public order, prevention of commission of crime, protection of public health and public morals or the rights and freedoms of others”*.

3. The Law no. 2911 on “Assembly and Demonstration Marches” and the “Regulations for the Implementation of the Law on Assembly and Demonstration Marches”, which are in force pursuant to the Article 34 of the Constitution, regulate the formalities, conditions, and procedures to be applied in the exercise of the right to hold meetings and demonstration marches and the time, place, method and conditions for the meetings and rallies to be organised by real persons and legal entities.

4. Provisions of the legislation regarding the right to hold meetings and demonstration marches apply to everyone equally.

5. With the Law no. 6459 on “*Amendments to Certain Laws in the Context of Human Rights and Freedom of Expression*” dated 11 April 2013, amendments were made to resolve problems in the field of human rights within the context of domestic law and resolve structural problems associated with the exercise of the freedom of expression. Amendments were made in the Articles 215, 220 and 318 of the Turkish Penal Code regarding the offenses of *“praising an offense or the person committing the offenses”*, *“making propaganda of an organized criminal group”* and *“discouraging people from enlisting in armed forces”* and in the Articles 6 and 7 of the Anti-Terror Law no. 3713 regarding the offenses of *“printing or publishing leaflets and declarations of terrorist organisations”* and *“making propaganda of terrorist organisations.”*

6. The Law no. 6529 on “*Amendments to Certain Laws to Enhance Fundamental Rights and Freedoms*” dated 2 March 2014, expands the scope of freedom of expression, freedom of assembly and association, the right to vote and stand for election. Some amendments were made to the Law no. 2820 on “Political Parties”, Law no. 2911 on “Assembly and Demonstration Marches”, Law no. 2923 on “Foreign Language Education and Education in

Other Languages and Dialects of the Turkish Citizens” and “Turkish Penal Code.” With these amendments, measures depicted in the question directed by the Committee were addressed in large part.

7. The Turkish Justice Academy and the Council of Europe have been carrying out a project named “*Strengthening the Capacity of the Turkish Judiciary on Freedom of Expression*” since 2014. The project aims to contribute to a better protection of human rights and fundamental freedoms, especially the right to freedom of expression and enhance the application of the case-law of the European Court of Human Rights in Turkey. Within the scope of the project, “Needs Analysis Report on Freedom of Expression and Media” and three training modules (“insult, hate speech and instigating violence”; “freedom of expression and the internet”; “positive obligations of the state and safety of journalists”) have been prepared in order to improve the curriculum and capacity of Turkish Justice Academy. Training of trainers and the works to improve the prosecutors’ and judges’ awareness and capacity to employ European Standards in freedom of expression are underway.

Access to justice and legal complaint mechanism

Question 2

8. The Union of Turkish Bar Associations has been carrying out a project named “*Support to the Improvement of Legal Aid Practices for Access to Justice for All in Turkey*” in partnership with UNDP, which identifies the problems of disadvantaged groups and women in access to justice and conducts activities in order to eliminate such problems. Project will last until September 2018.

9. “*Department of Victim Rights*” was established under the Directorate General for Penal Affairs so as to carry out necessary work in the field of victim rights, provide support and guidance to victims and to prevent unjust treatment after the act of crime. Amendments to the Organic Law in order to facilitate the establishment of “Judiciary Social Support Department” under Judiciary Administrations and efforts within the scope of “Victim Rights Draft Law” are underway. The goal of these units will be to approach juvenile victims, witnesses and juveniles pushed to crime in a holistic manner and to serve all victims including disadvantaged group members, especially women, who are victims of domestic violence and sexual crimes.

10. In service training regarding “*Violence Against Women and Gender Equality*” has been given to chief clerks and court clerks of the civil courts as well as judicial and administrative clerks in 2015.

11. “*Law Regarding Protection of Family and Prevention of Violence Against Women No. 6284*¹” course is given during the preparatory training of the civil judge and prosecutor candidates by the Turkish Justice Academy, and given to judges and prosecutors through service seminars.

¹ Hereinafter to be referred to as the Law No. 6284.

12. In addition to the trainings listed in the paragraphs 38, 39, 40, 41, 42 of the report, within the scope of the project depicted in the para 54, a five day trainer's training programme on gender and violence against women, their effects on women and children, interviewing a woman victim of violence, international and national regulations will be conducted for 500 police officers, 25 judges and prosecutors, 125 chief clerks and 150 family court experts. Those judges and prosecutors are planned to hold trainings at the Academy. Police officers, chief clerks and family court experts are also planned to hold trainings for their own colleagues at the provinces they work and the nearby provinces. As of 15 February 2016, a total of 200 healthcare personnel, 300 police officers, 25 family court experts and 125 chief clerks have attended the trainer trainings. Training programme is expected to be completed by April 2016.

13. Gender equality and prevention of violence against women are envisioned to be included in the curriculum of the Police Academy, and related training materials will be prepared accordingly.

14. Supreme Court General Assembly resolved on 11 November 2015 regarding the individual application by G.Ö. (B.No:2013/7979) that the non-discrimination clause provided by the Article 10 of the Constitution was breached. In the case, applicant wanted to have the surname of the child whose custody was given to them after a divorce changed however the request was denied during the proceedings. Judgement of dismissal as a result of the filing to that effect was assessed for appeal and finalised. Supreme Court, deliberating the applicant's request to change the child's surname to that of the applicant within the context of custody rights and use of rights within this scope emphasised that the case should be considered within the context of positive obligations regarding respect to family life and associated rights. Moreover, the Supreme Court stated that different treatments based on gender was a clear breach of the equality principle and reminding that the spouses have the same rights and responsibilities in matrimony and that the spouses are on the same legal position with respect to their rights and responsibilities during the marriage and in relation with divorce, The Supreme Court resolved that the non-discrimination provision of the Article 10 of the Constitution, when considered along with the Article 20 of the Constitution, was violated.

15. Supreme Court, for the individual application by S.A.E (B.No:2013/2187) dated 19 December 2013, resolved that the practice prevents a married woman from keeping her pre-marriage surname alone is a breach of the Article 17 of the Constitution protecting the preservation and development of moral integrity of a person. Supreme Court, reminding about Article 90 of the Constitution, stated that the international agreements and the internal legal practice have different provisions for the same issue and as a result, the present contradiction must be resolved taking UN Civil and Political Rights Act and CEDAW into account. Consequently, the Court resolved that the Article 17 of the Constitution protecting the preservation and development of moral integrity of a person was violated for the condition that the act must be legal is not satisfied.

16. In many resolutions of the State Council regarding administrative cases, referring to the CEDAW, discrimination against women were prevented. Within this context, there are a

series of cases under the heading of “Personnel Hiring Ads- Cases of Gender Inequality in Public Hiring.” For example, State Council resolved for one of these cases that the condition listed under the engineering positions for the “Turkish Anthracite Organisation” public in official hiring guide was “being a male” and Council, referring to CEDAW, resolved that this was in breach of the Articles 10 and 70 of the Constitution.

17. Another type of cases processed by the State Council that can be an example of measures against discrimination against women is “Cases against Administrative Penalty Resolutions for Broadcasts Promoting Violence and Discrimination against Women in Radio and Television Broadcasting”. During these cases, it was emphasised that the broadcast services shall not include programmes against gender equality, promoting oppression of women and abusing women.

18. In cases filed with the State Council regarding regulatory clauses for residential building annotation, again CEDAW was referred and discrimination against women was prevented by resolving that the other spouses’ consent cannot be sought. When the professional environment harassment cases processed by the State Council are examined, it was seen that in order to protect the women who are victims of harassment, transfer of alleged perpetrators to other organisations were approved.

Question 3

19. The Ombudsman Institution (KDK) consists of Chief Ombudsman and five Ombudsmen appointed by the Parliament. Filing a complaint to the institution is free of charge and can be done electronically, via postal service, via governor’s office or district governors’ offices. Without seeking mutuality, foreign nationals’ complaints are accepted and filing in other languages is allowed. As of November 2015, the institution had 18,503 complaints filed. KDK has its headquarters in Ankara and an office in Istanbul. The purpose of the Institution is to establish an independent and efficient complaint mechanism regarding the delivery of public services and investigate, research and make recommendations about the conformity of all kinds of actions, acts, attitudes and behaviors of the administration with law and fairness under the respect for human rights. Independence and impartiality of the institution is ensured by law. Annual report of recommendations and actions of KDK submitted to Parliament Joint Committee and discussed by Parliamentary General Assembly. If necessary, special reports are submitted as well.

20. As of November 2015, KDK has received a total of 23 complaints regarding women’s rights (8 in 2013, 6 in 2014 and 9 in 2015).

21. There are applications made to KDK regarding divorces, alimony and extension of the protection resolution, mandatory day care facilities to all public and private businesses where women work, elimination of the victimisation after rape, travel times not being included in breast-feeding leaves, alleged gender discrimination in hiring for some of the organisations, alleged insults and forced custody of children by personnel of the women’s shelters controlled

by the Ministry of Family and Social Policies (ASPB) and alleged discrimination for use of maternal leave.

22. One of the example to these complaints: application included a request to remove “applicants must be male” from the hiring condition for ARFF officials by the State Airports General Directorate. The application was assessed under gender discrimination clauses and a recommendation was made to the State Airports General Directorate to remove the condition for applicants “to be male” as stated under the heading of Requirements for the ARFF Personnel in Part 11, of the Aircraft Accident and Incident Rescue and Fire Fighting Regulations.

23. KDK organises various promotional activity in order to increase public awareness as to the function of the institution as well as contributing towards understanding of human rights. Within this scope, television and radio programmes, visits to NGOs, regional conferences are conducted as well as regularly booklets, brochures and other printed material are sent to related organisations, provincial and district governor offices.

24. KDK has been in collaboration with NGOs engaged in women’s rights and organised meetings. “Women studies centres” at universities, and related units are visited such as women’s shelters in Ankara.

25. In order to accredit the National Human Rights Institution of Turkey (TİHK) as per Paris Principles, files including TİHK legislation and regulations, latest activity report (2014), detailed declaration depicting compliance with Paris Principles as well as annual budget and personnel information were sent on 11 January 2016 via postal service as well as electronic means to the ICC (International Coordination Committee). On the other side, in order to strengthen the capacity of TİHK in anti-discrimination and equality and to restructure it as the Institution of Human Rights and Equality of Turkey, preparation and submission of a new law draft to the Parliament is underway.

National machinery for the advancement of women

Question 4

26. National mechanism for women’s advancement ASPB General Directorate on the Status of Women’s (KSGM) responsibilities as depicted in Statutory Decree number 633 Articles 9 and 22 are listed as: implementing and coordinating protective, preventative, educational, improving, guiding and rehabilitating social service activities of the Ministry geared towards women; coordinating the effort to determine national policy and strategies geared towards preventing discrimination against women, protection and improvement of the women’s human rights and status in the community, facilitating presence of women in all areas of the public life, and implementing the policies and strategies, monitoring and assessing the practice of the same; determining principles, methods and standards for the social services carried out by public organisations, institutes, volunteer institutions as well as other legal entities and real persons, enforcing the same; carrying out projects and activities geared towards preventing all kinds of discrimination against women improving women’s human

rights as well as supporting similar activities; improving public awareness by informing public about women's human rights; working towards prevention of all types of violence, abuse and harassment towards women and providing support for resolving women's problems originating from family and social life; carrying out activities geared towards advancement of women and increasing participation of decision making bodies in all areas but especially in health, education, culture, professional and social security areas; organising national and international scientific activities, panels, seminars, forums; preparing publications geared towards raising awareness in public; carrying out educational activities and project; facilitating collaboration and coordination between public organisations, universities, local administrations, social foundations, societies and other non-governmental organisation as well as private sector; preparing and implementing joint projects; monitoring and assessing the implementation of the international decrees and acts our country is party to regarding women at a national level; assessing information from research areas and sharing the same with the organisations so as to facilitate improving of existing services and creating new service models; monitoring legislation and their implementation within the scope; participating in legislation improvement efforts within the scope; monitoring, updating and utilising in activities the data regarding the issues and social service activities in connection with the domain of responsibility; providing secretariat services to national monitoring and consultancy committees to be made up of ministry representatives, other ministries, public organisations, non-governmental organisations and other experts as per international agreements about women's rights to which our country is a party; organising activities, projects and campaigns geared towards strengthening social awareness and collaboration specifically for women in need of protection; carrying out other tasks within the scope as defined by legislation; carrying out similar tasks to be assigned by the minister.

27. ASPB KSGM as of 2016 January employed 104 personnel at the headquarters and 1900 personnel at the provinces. 2015 budget of the ASPB KSGM headquarters and provincial units is TL 118,355,000.00. Budget for the year 2016 is currently draft and proposed to be TL 137,425,000.00.

28. ASPB KSGM currently collaborates with other units in the Ministry engaged in advancement of women via collaboration protocols, meetings, and educational activities.

29. As mentioned in the paragraph 23 of the report, TBMM Committee on Equality of Opportunity for Women and Men (KEFEK) and ASPB KSGM carry out projects in collaboration. The results of survey of legislation within the scope of the project were shared with the related public organisations during the meeting held on 02 February 2016. Awareness rising efforts are underway in collaboration while expert support is provided for KEFEK activities by ASPB KSGM.

30. In 2016, local action plans will be furnished in parallel with the Combating Violence Against Women National Action Plan (NAP) 2016-2019 within the scope of the project as described in the paragraph 54 for the 26 provinces. In accordance with the action plans, provincial coordination and monitoring mechanisms will be established in the provinces or the existing ones will be strengthened.

Stereotypes and harmful practices

Question 5

31. ASPB carries out awareness raising activities aimed at establishing gender equality and elimination of all forms of discrimination against women. Within this context, educational activities as depicted in the paragraphs 54, 75, 76 and 85 of this report were carried out. Ministry of National Education (MEB) Religious Education General Directorate ensures measures are taken in order to protect disadvantaged groups by educating families with the project “Closing the Gap between the Home and the School and Changing Roles of Mothers and Fathers”.

32. During the preparation stage of the course books and educational material used in primary and secondary education organisations under MEB necessary precautions are taken to eliminate stereotypes included especially women suffering from multi-discrimination based on their ethnicity, age, disabilities, religion, sexual orientation. Moreover, the number of female and male students in visuals and texts in the course books are kept equal. In parts about family life, democratic structure of family and the roles of parents are expressed carefully with an emphasis gender equality of men and women. Maximum care is given to exclude any type of elements that disregard, ignore or damage equality of men and women in the books.

33. Radio and Television Supreme Council (RTÜK) in collaboration with the MEB prepared a “Book of Media Literacy”. This book contains recommendations as to how a person should view publications and programmes with elements in opposition of gender equality, promoting oppression of women and abusing women, and including stereotypical gender roles and definitions, stereotypical view of any group and even hate speech.

34. Within the scope of “Combating Discrimination against Disability in Turkey” Project, “Research for Measuring Discrimination against Disability” (2010) was carried out. According to the research, for the sample group of disabled people, highest discrimination was observed in employment which was followed by education, participation in communal life, free time and recreation activities, access to information, access to healthcare and justice. Perception of the sample group regarding the participation of the disabled in political life was that the discrimination in that areas was very little. Frequency of experiencing discrimination was found to be relatively higher for women.

35. Within the scope of fight against early/forced marriage efforts, various activities were carried out in addition to the work as depicted in the paragraphs 220 and 221. In Turkish Penal Code, punishments for crimes of statutory rape and sexual abuse of children were increased. In addition, it is considered that the compulsory education period increased to 12 years in 2012 would have a positive effect on prevention of early marriages.

36. ASPB KSGM prepared a public service announcement on the subject of “Early and Forced Marriages” and this was broadcasted in television channels. “Combating Violence

against Women NAP 2016-2019” includes activities to be carried out nationally and locally to prevent early marriages.

37. Children’s Rights Strategy Paper and Action Plan 2013-2017 prepared by ASPB has “Efficient legal and administrative measures shall be taken in order to prevent early marriages” as a target. Within this scope, scientific studies shall be carried out regarding the reasons and effects of early and forced marriages, necessary measures will be taken to include children whose vital records were never registered in the system, to keep especially girls in the education system and determine, monitor and return to the education system those girls who are not included in the education system, to include children work in seasonal farm labour to find and report girls who were married early and gave birth, and legal proceedings regarding early marriages will be prioritised and expedited.

38. In services and promotion of such services provided by the Agency of Disaster and Emergency Relief (AFAD) at temporary shelters special care is taken with regard to gender. In visual materials, gender stereotypes are avoided. Awareness raising activities in order to teach related laws in Turkey to Syrians and have them comply with them are carried out. In order to promote marriages in compliance with the Civil Code, small gifts were given. As a result of these efforts a decrease in the number of early marriages was observed.

39. 600 AFAD personnel were given training about legislation regarding international protection, early and forced marriages in sponsorship by UNHCR. AFAD coordinates monthly meetings and efforts are being monitored by participation of related organisations and local NGOs.

40. Family education seminars are given to village headmen, women and men at the shelter centres. All shelter centres have women committees. Participation of women in the decision making process is prioritised.

41. Special needs of women are always considered. As an example, special nutrition menus are available to pregnant and nursing women.

42. Refugee children who were provided access to education at the public schools, camps and temporary education centres by MEB reached 251,000 as of October 2015. This number is anticipated to reach 450,000 by the end of the academic year (June 2016).

43. A workshop on education needs of the Syrian children was held by MEB in collaboration with UNICEF and with participation of Turkish and Syrian teachers, pupils, their families, academicians, NGO and public organisation representatives. The action will be taken in relation with the problem areas identified in the workshop analysis report upon its publication.

44. 10th Development Plan focuses on women’s rights along with family rather than focussing on family instead women’s rights. Under the heading of Family and Women in the Plan, the statement that “within the scope of equal opportunities for women and men, the necessity to improve especially active participation in employment and decision making processes, prevention of violence, maintaining improvements in education and healthcare, and generally increasing the effectiveness of implementation continues to exist” was included.

Section states “strengthening the role of women in social, cultural and economic life, protection of the family and improving its status, and strengthening social integration” as its goal. In the policies section targets stated as: “necessary precautions will be taken in order to increase women’s participation in decision making mechanisms, women’s employment, and women’s education and skill levels. Public awareness shall be raised especially starting from early ages via formal education in order to eliminate violence and discrimination against women. Awareness regarding gender sensitive budgeting will be established and best practice applications will be implemented.”

Violence against women

Question 6

45. As of February 2016, 101 shelters with a capacity of 2,656 in 79 provinces serving under the coordination of ASPB. Work is underway to open shelters at the last two provinces. In addition, there are 32 shelters operated by local administrations with a capacity of 741 as well as 4 operated by NGOs with a capacity of 45 coming to a total of 137 with a total capacity of 3,442.

46. Changes to the Municipalities Law No. 5393 Article 14/(a) “Responsibilities of Municipalities” now make it obligatory for municipalities with a population of over 100,000 citizens to open shelters for women and children. Municipalities with less than 100,000 populations, based on their financial status and service priorities, are allowed to open shelters for women and children and based on need and independent of the population limit were given to these municipalities.

47. Necessary collaboration and promotion effort between ASPB and related units of the Ministry of Internal Affairs regarding the opening of women’s shelters by municipalities are currently underway.

48. First Step Stations operate as per the paragraph 34 of the report are in service in 24 provinces (a total of 25 first step stations) as of January 2016. First step stations are units where the violence victim women are admitted for first observations, their psychological, social and economic status are determined and allowed to stay for up to two weeks. First step stations were designed to determine the appropriate service model for the women and the dependent children in provinces where the violence against women is prominent. There are no women who have to go back to their partners/spouses perpetrator of violence against them due to lack of sufficient support and/or sheltering. In 2015, number of women who left the women’s guest houses in order to willingly go back to their spouses or partners is 816.

Question 7

49. The “Impact Analysis in Implementation of the Law No. 6284” as depicted in the paragraph 55 of the report has been completed. The study aims to profile both the victims and perpetrators of violence demographically, socially and economically. The study developed recommendations regarding the text of the Law, roles of the law enforcement units and coordination between institutions, institutional capacity, implementation processes of the

Law; trainings and awareness activities. It is planned that the efforts aimed at eliminating problems identified as a result of the study shall be carried out with a comprehensive roadmap in collaboration with related organisations and NGOs.

50. Recommendations and findings of the study are as follows: Law no. 6284 is in compliance with the international responsibilities in prevention of the violence against women and has great potential in preventing and eliminating violence. However, some issues associated with the implementation process and some weak aspects of the Law text would diminish the effectiveness of the Law. In order to enable effective implementation of the law, legislation frameworks of all organisations such as Security General Directorate, Gendarmerie General Command, Ministry of Justice, Ministry of Health, Civil Registry and Citizenship Affairs, MEB must be brought in line with the Law no 6284. Establishment of Centres for Monitoring and Prevention of Violence (ŞÖNİM) as per the Law no. 6284 and a centralised system being introduced via ŞÖNİMs is an important development and as such the number and capacity of ŞÖNİMs must be increased in order to make it possible that they serve the purpose they are assigned in the law. (As of February 2016 there are ŞÖNİMs in 41 provinces and the effort to establish them in 81 provinces is underway). It is imperative to improve shelters to match the need and support the organisational capacity. Establishment of family courts in all provinces as well as establishment of domestic violence departments in Provincial and District Police Headquarters are important in terms of increasing organisational capacity. (There are “domestic violence and violence against women departments” in 81 provincial police headquarters as well as “children and women department” in 37 provincial gendarmerie commands whereas these will be established in 81 provinces by the end of 2019). It is of utmost importance to inform and raise awareness among the victims of violence as well as the enforcers as to the contents of the law and the legal consequences of breaking the said law. All law enforcers should be provided with regular training regarding the women’s human rights, gender equality, violence and law no. 6284 while expert units should be allotted to facilitate institutionalisation of the trainings. Women’s human rights as well as gender equality and similar concepts must be integrated into the formal education curricula at various stages.

51. “Research on Domestic Violence against Women in Turkey” as depicted in the paragraph 53 of the report was completed and shared with the public on 30 December 2014 with the participation of public organisations, universities and non-governmental organisations. In addition, results of the research are shared with public on the ASPB KSGM web page.

52. Some of the findings of the research are as follows. In Turkey, 36% of the women were victims of violence from their partners or spouses at any point in their lives. This number is 8% within the last 12 months. In Turkey, 44% of the women were victims of psychological/emotional abuse/violence from their partners or spouses at any point in their lives. This number is 26% for the last 12 months. In Turkey, 12% of the women were victims of sexual violence from their partners or spouses at any point in their lives. This number is 5% for the last 12 months. In Turkey, 38% of the women were victims of sexual and/or physical violence from their partners or spouses at any point in their lives. This number is 11% for the last 12 months. In Turkey, 30% of the women were victims of at least one of economic

abuse/violence at any point in their lives. This number is 15% for the last 12 months. 44% of the women who were the victims of physical and/or sexual violence from their spouses or partners kept their experience secret.

53. Table 1 (see annex) shows the number of preventative and protective measures in legal capacity and the number of coercive imprisonment as a result of breach of such preventative resolutions is 1318 in 2015.

54. "Combating Violence against Women NAP 2012-2015" has been monitored in 6 month periods and results of these monitoring activities were published on ASPB KSGM web site. Within the scope of the preparation work for the "Combating Domestic Violence Against Women NAP (2016-2019)" international conventions, especially the Istanbul Convention, national legislative provisions, monitoring and assessment reports from Combating Domestic Violence Against Women NAP 2012-2015, results of the Research on Domestic Violence Against Women in Turkey and Impact Analysis Research for the Implementation of the Law Number 6284, as well as the report from the "Parliamentary Investigation Commission for Determination of the Reasons for the Violence Against Women and Necessary Measures for Prevention" were all reviewed and goals and actions were determined taking also the recent public need and developments into account.

55. During the preparation of the NAP, meetings with participation from public organisation representatives as well as NGO and women's study centre representatives from universities were organised. With the NAP, improvements in five basic areas are targeted to be achieved: establishment of legal arrangements and increasing their effectiveness; raising awareness and facilitating a paradigm shift; provision of preventative and protective services while empowering victims of violence; and inter-organisational collaboration, and policy development.

Question 8

56. See paragraph 50. These units are carrying out the investigations and persecution of cases of violence against women within the scope of the existing laws.

57. Article 82-k of the Turkish Penal Code, "committing an offense with the motive of custom" is listed as major crime and its punishment is foreseen as the "aggravated life sentence" which is the highest sanction provided by our legal system. The "custom reasons" listed in the article is a comprehensive definition including the acts of violence known as "honour killing."

58. Actions resulting in death are among the crimes considered under principle of ex-officio examination by chief prosecutors. When the fact that our penal system does not have any sanction more severe and dissuasive than aggravated life sentence foreseen for the offense in the legislation is considered, it is clear that the law-making authorities are placing a special importance to investigation, persecution and punishment of such crimes.

59. Crime statistics as per Article 82-k of the Turkish Penal Code, for the years 2009-2014 and tabulated for provinces are provided in the Annex herein.

Participation in political and public life

Question 9

60. Examples including the practices in question are depicted in the paragraphs 65, 66 and 193 of the report and the special measures are gradually increasing.

61. Support programmes conducted by the ASPB Social Support Department (SYGM) have been supporting women. Approximately 61% of the social support beneficiaries, 75% of the regular support beneficiaries and 50% of the permanent support beneficiaries were women in 2015. In addition to such efforts, one of the ASPB SYGM programmes, “Income Generating Project Support” provides up to TL 15,000 per person for establishing businesses in urban areas and for localized sustainable activities in rural areas. For projects undertaken by women, if the instalments as depicted in the repayment plan are followed regularly and in a timely manner, last instalment is granted to them. In addition, within the “Support of Rural Development Investments” programme by the Ministry of Food, Agriculture and Husbandry (GTHB), projects with 50% grants are awarded more for women farmers and for women members of agricultural cooperative venture or society.

62. Participation of women in politics is constantly increasing (see annexed tables of the report, 5, 6, 7 and 8). After the 1 November 2015 elections, parliament reached a 14.73% women’s representation with 81 women being elected as MPs. Around 10% increase in these numbers since the year 2002 is a significant development. These numbers shows us that the political parties and the public have increased awareness regarding women being represented in the parliament in Turkey.

63. Within the last decade, in order to facilitate higher participation of women in economic, social and political aspects of life in Turkey, very important amendments to the Constitution, civil law, penal law and labour law were made. These amendments are testimony of our commitment to increasing the participation of women in all aspects of life as well as ensuring the women take their deserved place in the society.

Education

Question 10

64. Regarding anti stereotyping in educational material (see answer 5) and also (see paragraphs 127-128 of the report).

65. Within the scope of guidance education provided at schools, awareness raising activities are carried out on gender, domestic violence, gender inequality. As part of the “Strategy and Action Plan for Prevention and Elimination of Violence in Educational Platforms” various activities will be carried out regarding prevention of violence against children and women for the students, their parents and teachers. In the sub elements of the “Project for Prevention of Violence against Children” carried out by the MEB, subjects such as domestic violence, gender inequality and similar issues are examined.

66. Establishment of Girls Imam Hatip (religious vocational) High Schools and dormitories in some of the areas in order to prevent prejudices keeping girls away from enrolment are contributing towards enrolment rates of girls in these areas.

67. In the Science Education Program given to primary and secondary education institutes such subjects as human reproduction, growth and development as well as health in puberty and related measures are included.

68. Even though there are no current efforts regarding education in minority languages nor teaching of minority languages at schools within the structure of Directorate General for Basic Education, within the scope of an elective course in secondary education, “Living Languages and Dialects” Kurmanc, Zaza, Adige, Abaza, Laz and Gurcu language courses are included. In addition to these, with the implementation of the Law no. 6529 regarding Amendments to Certain Laws in Context of Improvement of Basic Rights and Freedoms in 2014, it was made possible for citizens to establish private schools in order to provide education in different languages and dialects traditionally used in their daily lives.

Employment

Question 11

69. As per the basic employment indicators (seasonal effects are also covered) issued by the Turkish Institute of Statistics (TUIK) in 15 December 2015, labour force participation of women between the ages 15-64, is 35.9%, employment is 31% and unemployment is 13.6%. Since 2000, women’s participation in the labour force has increased as well as their unemployment rate. Provisional special measures taken in order to increase participation while decrease unemployment are depicted in the paragraphs 65, 66, 192, 193 and 194 of the report. Insurance premium employer share incentive as depicted in the paragraph 65 has been extended to the year 2020.

70. Ministry of Labour and Social Security (ÇSGB) prepared National Employment Strategy (2014-2023) (UİS) and it came into force on 30 May 2014. One of the base policy vectors of the UİS, “Increasing Employment of the Groups Requiring Special Policies” aims to circumvent obstacles in front of employment of groups requiring special policies such as women, disabled, young people and those who have been in unemployment for extended periods of time. UİS targets increase women’s labour force participation to 41% while decreasing informal employment to 30% until 2023. The UİS in question has 15 different items in relation to the employment of women. A Monitoring and Assessment Committee was established and charged to meet every six months in order to implement the UİS and make necessary changes to the activities based on current developments. Latest meeting of the committee was held on 25 December 2015.

71. One of the goals of Turkish Employment Agency (İŞKUR) in the 2013-2017 Strategic Plan is to increase the percentage of women employed in the private sector to 35% by the year 2017. By the end of 2014 this number was 32% and it is estimated that the goal of 35% will be achieved by the end of 2017.

72. Preparation for the action plan as depicted in the paragraph 154 of the report are underway within the scope of İŞKUR activities and project.

73. According to the Income Structure Questionnaire issued by TÜİK in 2010, gender based income difference was defined as the difference between the income of women and men as a percentage of the men's income and calculated as an average of hourly, monthly or annual pay. This study was carried out using annual gross pay. Gender based income difference is in total (- 1.1%) in favour of women's pay. Most important factor affecting this outcome is the average education level of women in the work force being high.

74. A provision that came into force on 01 April 2015 and added to the Law no. 5510, women providing housekeeping are included in the mandatory health insurance. Birth debt as mentioned in the paragraph 167 of the report has been revised to include three children. Early retirement was made available to women with serious handicaps. Child Care at home project was started in March 2015. With the project, labour force participation of women is supported and a decrease in the informal employment of babysitters is anticipated. With the project to be expected to reach completion in 2017, financial support to around 5000 mothers in 3 provinces is envisioned.

Health

Question 12

75. Turkish Population Health Survey (TNSA) 2013 results were published in December 2014. In accordance with the results, 5 % of the adolescent women (15-19 years of age) in Turkey are either mothers or are currently pregnant with their first child. Adolescent motherhood tends to decrease over the years. As per the survey conducted in 1993, for the years 1988-1993 this number was 10.2 % while it was 4.6 % as per the 2013 results (TNSA 2008 number is 5.9). Family planning methods are known to almost all of the women (99%). Almost all of the women interviewed stated that they know of at least one modern method. Use of modern methods increased from 35 % in 1993 to 47 % in 2013 (2008 TNSA number is 46%). Main source for the family planning methods in Turkey is the public sector. 56% of those who currently utilise any of the methods are sourcing their methods from public sector. Unmet Family Planning Need according to TNSA 1998 was 14%; TNSA 2008, 8% and as per TNSA 2013, decreased to 6%. As per the TNSA 2013 results, 5 of every 100 pregnancy is voluntary abortion. Voluntary abortion rate of 18% as per 1993 survey receded to 5% as per the 2013 survey. Majority of the women who had a voluntary abortion in the last five years (62%) have had the abortion at private clinics in private doctor supervision whereas those who employed public sector services were 34%.

76. As per TNSA 2013, 97% of the women received their prenatal care from a healthcare professional. (TNSA 1998 numbers were 68% while TNSA 2008 reported 92%). 95% was from a medical doctor. 97% of the women were at a healthcare facility for their labour with public sector in the lead (TNSA 1998 numbers were 73 % while TNSA 2008 reported 90%). 93% of the women received post-natal care from a healthcare professional (TNSA 2008 reports this at 82%).

Question 13

77. There are no barriers for women's and girls' access to information and reproductive healthcare services. In provinces, Mother-Child Healthcare and Planned Parenthood Centres as well as Family Health Centres provide information regarding reproductive health. Services provided within the scope of Planned Parenthood used to be given between 15-49 years of age married women monitoring form but now they are provided between 15-49 years of age women information form.

78. "Regulations for Uterine Evacuation and Sterilisation Services and their Supervision" no. 510 based on the Planned Parenthood Law no. 2827 dated 18 December 1983 are still in force. There are no limitations to voluntary abortion until the end of the 10th week of the pregnancy as per the current legislation. In Article 13 of the current regulations, it is stated that "for uterine evacuation to be carried out during pregnancy no further than ten weeks, consent is sought from the pregnant woman if the woman is of full legal age, if not, the pregnant woman and their guardian, if under custody but not of age, from the pregnant woman and guardian (as well as magistrate), if the woman is married, from the spouse."

79. In case the woman's spouse/guardian does not consent to abortion, she may individually apply to the Supreme Court.

Rural women

Question 14

80. Regarding the healthcare services and employment of the women living in rural areas, see the paragraphs 186, 188, 206, 207 and 208 of the report. Law enforcement unit to seek support for women subjected to violence in rural areas is the gendarmerie. The efforts undertaken by the Gendarmerie General Command regarding violence against women please see paragraph 40 of the report and answer to Question 8.

81. "Programme for Strengthening Women Entrepreneurship in Agriculture" aims to promote, support, and enhance investment opportunities for women entrepreneurship in rural areas. Started in 2014, the programme provided female farmers with certificate training programmes for entrepreneurship in 9 provinces and support for their own business ideas as projects. Programme will be continued in 10 more provinces in 2016. Within the scope of "Developments for the Farmer Women Programme" providing farmer women with methods and information for more efficient farming, better resource management, knowledge and application of new technologies was the aim of trainings provided in 13 provinces in 2015. Programme will continue in 10 more provinces in 2016. In addition, to support regional, specific production, programmes targeting women farmers about fishery, sericulture, fertiliser production and similar subjects were provided with trainings and travel to foreign countries for professional visits by the farmer women. Similar projects will be undertaken in 2016.

82. GTHB and FAO are jointly carrying out the project for "Improving Gender Outlook and Socio-economic Capacity of Women in Rural Areas for Sustainable Rural Development". Within the scope of the project, experts assigned to pilot provinces were given trainers'

trainings for gender issues. In addition, trainings on “entrepreneurship, product development and marketing” were provided to women farmers. Project efforts are still underway.

83. As per the Social Insurance and General Health Insurance Law no. 5510, if the people under protective measure resolution as per the Law no. 6284 are not included in the general health insurance, without any kind of income evaluation, they are included in general health insurance and their premiums are paid by the state.

Question 15

84. Seasonal agricultural workers are the largest portion of the informal employment. Seasonal agricultural workers may have voluntary insurance, but, since the nature of the work is seasonal, voluntary insurance is at low percentages. Efforts are underway to facilitate inclusion of the seasonal agricultural workers in the system.

85. Within the scope of the project “Improvement of the Professional and Social Aspects of the Lives of Seasonal Agricultural Workers” as depicted in the paragraph 210 of the report, 65 local projects were supported between 2010 and 2014. Service infrastructures were established by the project and as of 2014 they have been carried out by provincial governorships, district governorships, municipalities, social support and collaboration foundation organisations etc.

Disadvantaged groups of women

Question 16

86. ASPB KSGM service units provide services to women who are actual and potential victims of violence without discrimination as also depicted in the Constitution, in the Law no. 6284 and the Article 4(d), General Principles, of the Social Services Law 2828. Anti-Violence Against Women NAP 2016-2019 foresees various activities considering the needs of disadvantaged women groups more vulnerable to violence.

87. As per legislation, all patients coming to the emergency services, regardless of whether they are citizens or not and in the country legally or illegally, are provided with healthcare without discrimination. Additionally, efforts are underway to make hospitals more disabled-friendly and elderly-friendly. No language problems are experienced while providing services to our citizens speaking only Kurdish since the hospital personnel are employed locally.

88. The Project “Promoting Social Integration of the Disabled” aims to enhance NGOs’ capacities and attaches special importance to disabled women. In the design of that project, activities and grant projects in the context of gender equality was particularly supported. Project was launched in 2009 and will be completed in 2016.

89. “National Life Long Learning Strategy (2014-2018)” aims to improve the access of the disadvantaged groups to lifelong learning.

90. The Project on “Promoting Primary School Attendance” (see the report para. 140) was completed in 2015. Within the project, “Turkish Language Plan, Teacher’s Handbook and

Study Book” were developed specifically for educating the pupils lacking Turkish language skills compared to their peers. Moreover, a brochure was prepared in four languages (Turkish, Arabic, Syrian and Kurdish) to inform parents about support programmes of different institutions to facilitate their children’s attendance. Activities were conducted for applying the program at schools where the children of refugees and families under temporary protection are enrolled and teachers were trained accordingly.

91. İŞKUR, provides vocational trainings to disadvantaged groups, especially women, the long-term unemployed, ex-convicts and those with a history of drug abuse within the scope of Active Labour Market Programmes. İŞKUR had 222,596 women employed in 2014 whereas this number increased by 17% in 2015. The rate of women benefiting from programmes is over 50 %. Public Benefit Programmes had legislative adjustments to facilitate adaptation of women and other disadvantaged groups to labour market. Consequently, female participants in the public benefit programmes increased to 44% in 2015 from 28 % in 2013. Vocation Consultants identify suitable jobs-vocations for the disadvantaged during individual or group interviews and refer them to the appropriate active labour programmes. Of those İŞKUR interviewed in 2015, 40 % were women.

Women in detention

Question 17

92. Training and rehabilitation activities for women convicts and prisoners differ from that of male convicts due to their socio-cultural circumstances. One of the main reasons for difference is that the women are allowed to serve their time with their children. Accordingly, the activities in the imprisonment period of women convicts and prisoners are conducted with regard to needs of their children. Our country has 8 detached women prisons whereas women convicts and prisoners are held in 100 prisons nationwide, including the mixed facilities.

93. Training are provided in prisons for women convicts to prevent future crimes and re-integrate them into society, to develop their vocational skills and rehabilitation programmes are available for alcohol and substance abuse, anger management etc.

94. The foremost of the post-release efforts for prevention of women’s criminality is the economic support system activation, social services and healthcare services. Upon amendments to the Law on Execution of Sentences, training and vocational courses at open and closed prisons has become prominent in promoting women convicts’ reintegration. In addition to these programs, psycho-social support programs are run in prisons by psychologists and social workers.

95. The Project on “Improving Addiction Treatment and Mental Health Services in Prisons” was developed for early diagnosis of mental problems in prisons and to provide training to psycho-social support and healthcare personnel. In scope of this project, “Investigation Assessment Form” and “Structured Mental Assessment and Individual Response Programme” were developed. Response Programmes are aimed at prevention, rehabilitation or treatment of mental health or addiction problems.

96. Article 65 of the Law on Execution of Sentences and Security Measures No. 5275 stipulates that the “0-6 year-old children of convict mothers, without guardians outside may stay in prison with their mothers” As per the Article 72, likewise, the state shall supply food needs of those children (milk, baby food etc.). All the women’s prisons have nursery schools. 3-5 year-old children in prisons with their mothers have priority access to MEB pre-schools free of charge. Activities for women prisoners with accompanying children are conducted together with NGOs.

97. The Article 105/A added to the Law No. 5275 in 2012 introduced a special privilege to women who stay in prison with their children of 0-6 ages and have two years or less left before conditional discharge, allowing them to serve the part of their punishment up to the conditional release date under probation.

98. In scope of the Project on Career Planning Centres for Women Convicts financed under Leonardo Da Vinci programme by the National Agency, a model was developed using the “Assessment of Preliminary Learning” (APL) system to manage the careers of the women in prisons appropriately and facilitate their labour force participation after release. For sustainability of the model, ASPB KSGM and Ministry of Justice General Directorate of Prisons and Detention Houses signed a protocol, a software integrated into the National Judiciary Network Information System was developed and trainer trainings were delivered. Project implementation was completed in 2015 and the system was integrated into the software used by the General Directorate of Prisons and Detention Houses.

Refugees, asylum-seeking and IDPs

Question 18

99. Law No. 6458 on Foreigners and International Protection describes the person with special need as “out of those applicants and international protection beneficiaries, an un-accompanied minor; a disabled person; an elderly person; a pregnant woman; a single mother or a single father with an accompanying child; or a person who has been subjected to torture, rape or other serious psychological, physical or sexual violence”. Those with special needs are prioritised in formal rights and procedures in the international protection area. People subjected to torture, sexual assault or other psychological, physical or sexual violence are provided with adequate treatment. Deportation is not ruled for those with travel risk for serious health problems, age or pregnancy.

100. The total capacity of repatriation centres available in Turkey is 2980 people, with 567-people capacity only for women. However, for irregular migrants found, capacities can be changed based on gender composition. It is planned to extend the capacity to 2700 upon completion of the repatriation centres planned especially in scope of EU projects.

101. Reception and accommodation centres in Turkey are also gender-sensitive. The reception and accommodation centre for sheltering girl children with no guardians with capacity for 100 people is under renovation in Konya and will be completed in 2016. Psychologists, social workers, doctors, nurses and sociologists work in these centres. Family rooms are available

for parents and children to stay together. In many of them, separate worship rooms for men and women and playgrounds for children are available. All new and planned buildings alongside 4 of existing centres have separate sports areas for men and women.

102. Gender sensitivity is considered in the construction and the operation of the centres to minimise the possibility of violence. In the location of toilets, showers and lights, safety of women and children is taken into consideration.

103. Staff of Accommodation Centres are recruited at equal number in terms of gender; especially translators employed at healthcare units are women. With the training provided, women are given information about hygiene and reproductive health. In collaboration with UNFPA and the Ministry of Health, AFAD distributed brochures about pregnancy and nursing in Arabic as well as hygiene kits. Moreover, the healthcare personnel providing services to the Syrians were given trainings in 2015 on anger management, stress management, intercultural communication, healthcare processes etc. These trainings are also planned for 2016.

104. See answers to questions 2- 5 for awareness-raising activities for law enforcement forces.

105. Women's guest houses admit also foreign women victims or potential victims of violence. In 2015, a number of foreign national women benefiting from our Ministry's shelters was 81 and the number of accompanying children was 47. See paragraph 57 of the report for "Combating and Response to Gender Violence and Humanitarian Aid" Programme run jointly with UNFPA, ASPB KSGM between 2013-2015

106. ASPB General Directorate of Family and Community Services, UNICEF Turkey Office and AFAD collaborated in an effort to translate 19 subjects among the Family Training Programme (see paragraph 85) modules considered best fitting to Syrian citizens' needs in present circumstances into Arabic and arranged in the form of a presentation. Trainings are provided by Syrian trainers. Trainings currently provided at 12 temporary accommodation centres are planned to be provided at 10 more.

107. Healthcare services for foreigners under temporary protection are delivered pursuant to Regulation no. 9648 and dated 4 November 2015, on Principles of Healthcare Services for Foreigners under Temporary Protection, issued by the Ministry of Health. In scope of the first stage healthcare services for those under temporary protection, services of ambulatory diagnosis and treatment, immunisation, prevention of contagious diseases and epidemics, anti-tuberculosis services, environmental health services, women and reproductive health services, and children and adolescent health services are available. These services are provided at the same standards as citizens at temporary accommodation centres, public health centres and related units, refugee health centres (49 units in 13 provinces), and family health centres.

108. Interviews with the foreigners under temporary protection as well as other international protection applicants are carried out with utmost care in Turkey. Foreigners identified as victims of human trafficking are directed to support services such as NGO-operated shelters in Istanbul, Ankara and Antalya.

109. Regarding the citizens who had to migrate from their land due to concerns of terror and security in 14 provinces in Eastern and Southeastern Turkey (Adıyaman, Ağrı, Batman, Bingöl, Bitlis, Diyarbakır, Elazığ, Hakkari, Mardin, Muş, Siirt, Şırnak, Tunceli and Van), “Return to Village and Rehabilitation Program” was carried out to facilitate the return of those who volunteer to return to their hometowns as well as establishment of the necessary social and economic infrastructure, or facilitating the integration into the city life and improving the present economic and social status of those not choosing to go back. From 14 provinces covered by the project, a total of 386,360 of our citizens from 62,448 homes left their villages due to security concerns. The Project facilitated the return of 187,861 citizens to 28,384 homes. Between 1999 and 2015, 206 million TL was given for the project. A great deal of projects were realized such as rehabilitation, establishment of public, youth, sports, women and children education centres, employment and vocational courses, student dormitories, infrastructure projects for roads, water, power, sewage etc., repairing and restoring damaged schools, healthcare centres and other facilities, supporting citizens rebuild their houses as well as agriculture and livestock projects.

110. The Project “Economic and Social Integration of the Internally Displaced Persons into City Life” is being financed by EU and Turkey. Total project budget is 3.8 million Euro. Goal of the project is to facilitate access to basic services and integration into the society for the internally displaced to improve their social conditions. The Project provides trainings of entrepreneurship to 500 women, occupation to 2000 people in 25 different fields, literacy programs to 500 women and computer training to 300 young people. Trainings are expected to be completed by October 2016. In addition, workshops will be organised to develop policies for displaced people. In scope of grant component of the project, grants ranging from 5,000 to 15,000 Euro were provided for 83 women with projects approved.

111. “Social Support Programme” (SSP) was launched in 2008 with a view towards improving the human capital of the provinces in our Eastern and South-eastern Anatolian Regions as well as providing for the social necessities created by migration, poverty and unemployment in these regions. SSP was mainly aimed at providing education, employment, rehabilitation as well as cultural, artistic and sports activities to the disadvantages groups and to this end, 7,977 projects supported by SSP were given an approximate amount of TL 1,378,000 between the years 2008 and 2015.

112. In order to make it possible for our citizens who suffered losses due to terror and anti-terror activities to be recompensed by settlement in a fast, efficient and just manner without need to go through national and international proceedings, in the year 2004, “Law on Recompensing the Losses Caused by Terror and Anti-Terror Activities” number 5233 was introduced. Within the scope of the law, losses due to death, injuries and disablement; losses on the immovable and movable assets; losses related to agriculture and livestock; losses incurred due to displacement for security concerns and thus having no access to assets are recompensed. In order to facilitate recompense of the losses covered by the law, “loss assessment committees” under the management of vice provincial governors were established, and throughout the country, while 21 committees are still continuing their work, total of 64 committees completed their tasks. As of October 2015, there are 367.414 applications.

344.134 of these applications were concluded: 183.573 of them recompensed and 160.561 rejected. As of November 2015, from the total amount of TL 3.415.100.296 approved by the committees and requested to be paid to our citizens upon signing of settlement agreements, the amount of TL 3.413.822.640 were paid to the right holders.

Women, peace and security

Question 19

113. Deliberations and efforts are underway towards furnishing a NAP for the implementation of the Security Council Resolution No 1325. For efforts towards women affected by conflicts, see the answer to question 18.

114. ASPB National Level Psychosocial Support Service Group Plan describes the scope of psychosocial support for the Syrians forced to migrate from their countries due to conditions of war such as: the multidiscipline collection of services provided at every stage of disasters and emergencies, including prevention of psychological disorders and maladjustments that may arise after war and migration, reestablishment of human relations at individual, group, family and community levels, facilitating recognition of own capacity and empowerment of the affected in the process of returning to normal life, improving the emergency response/recovery/rehabilitation skills for the potential future disaster and emergencies and supporting the assisting staff. Within this scope, ASPB provides all psychosocial support services on equal basis in coordination with provincial directorates.

Marriage and family relations

Question 20

115. Supreme Court, in its remarks for the related resolution, states that “pursuant to the principle of respect to privacy, while the choice of individuals to live together and to have children without any religious ceremony or marriage is not considered an offense and not penalised within the scope of laws, criminalization of the choice of individuals to carry out religious ceremonies to marry due to their preferences and beliefs is disproportionate”. Within this scope, in relation with prevention of early marriages, activities depicted under the paragraphs 220-223 are currently underway.

116. According to Turkish Civil Law, all men and women at the age of 17 are licensed to marry. However, those individuals who are over 17 but not 18 which is the legal age, can only marry with the consent of their legal guardians. In parallel, individuals under legal constraints can marry upon consent of their legal representative as well. Again, under extraordinary conditions or in case of an important reason, a man and a woman can marry past the age of 16 by judge resolution. In case an individual was forced into marriage with a person who they never have considered marriage or did not want to marry, or an illness that may prove dangerous to the spouses or the next generation was kept secret, the individual was blackmailed etc. with the threat directed toward the individual or one of their relatives, public prosecutors or anyone involved may file an annulment case to end the marriage considered null and void. Marriage process starts with an application to the mayor or an official

authorised by the mayor in municipal boundaries or the headman in other places. In case the application is approved, marriage union starts by the ceremony to be conducted by the registrar of marriages and in the presence of two witnesses. Both of the spouses, while the matrimony is maintained, are authorised to represent the union for the continuous requirements of the family. Both of the spouses can choose a vocation or job without needing consent of his/her spouse. In the case that the responsibilities of a marriage union are not fulfilled or a dispute regarding an issue central or important to the continuation of the marriage union is present, or with regards to determination of the each spouse's monetary contribution to the household, arbitration of a judge may be sought. In case of separation, monetary responsibilities of the parties as well as personal relations with children under legal age and such other issues are settled by a judge. Judge may rule that the claims and assets of the spouse who failed at fulfilling their responsibility to contribute towards the expenses of the household are to be paid to the other spouse. Judge may also rule for the spouse failing or continuously failing to fulfil their responsibilities that all sorts of disposal rights on their own assets will be subject to consent of the other spouse.

117. Within the Family Law module of the action plan depicted in the paragraph 85 of the report, regulations regarding matrimony laws are conveyed and detailed information is given to couples regarding their rights.

ANNEX

Table 1. Number of Preventative and Protective Resolutions

	2012	2013	2014	2015
Number of Protective Resolutions (Total)	5303	12636	17114	20568
Number of Preventative Resolutions (Total)	175290	324154	319823	307227

Table 2. Crime and Resolution numbers Resolved at Criminal Courts as per the Article 82/K of the Turkish Penal Code Nr 5237, Provinces (2009-2014)

Provinces	2009				2010				2011				2012				2013				2014			
	Crimes	Convictions	Acquittals	Other Resolutions	Crimes	Convictions	Acquittals	Other Resolutions	Crimes	Convictions	Acquittals	Other Resolutions	Crimes	Convictions	Acquittals	Other Resolutions	Crimes	Convictions	Acquittals	Other Resolutions	Crimes	Convictions	Acquittals	Other Resolutions
<i>Adana</i>					2	3			2	3			7	2	5		4	6	1		6	10	1	
<i>Ağrı</i>	1			1	1	1			1	1							5	2		3	9	6	2	1
<i>Aksaray</i>	1	2																						
<i>Ankara</i>					1	2											4	12						
<i>Aydın</i>					4	8															3	4	1	
<i>Batman</i>	10		9	1					1	1											2			2
<i>Bingöl</i>									1	3														
<i>Bülis</i>																					2	1	1	
<i>Burdur</i>									1	1														
<i>Bursa</i>	1	2																						
<i>Denizli</i>																	4		4					
<i>Diyarbakır</i>	3	2	1		16	16	8		1			1	4	4		2	6	6		3	1	1		
<i>Erzincan</i>	1	2															1	2						

<i>Aksaray</i>	1					
<i>Ankara</i>		1				
<i>Aydın</i>	7					
<i>Batman</i>	10	1				14
<i>Bitlis</i>			3			2
<i>Burdur</i>	1					
<i>Denizli</i>					4	
<i>Diyarbakır</i>	8	10	2	10	9	
<i>Elazığ</i>						6
<i>Erzincan</i>	1				1	
<i>Erzurum</i>				1		
<i>Gaziantep</i>	2	21	1	1	5	6
<i>Hatay</i>		4		7		
<i>Iğdır</i>				4		
<i>İstanbul</i>	14	11	1	3	12	28
<i>İzmir</i>		3	40			
<i>K.Maraş</i>				5		1
<i>Kars</i>		3				
<i>Kayseri</i>	2	2				
<i>Kırkkale</i>				10		5
<i>Kilis</i>			3			5
<i>Kocaeli</i>	3				2	
<i>Konya</i>		4		2		1
<i>Kütahya</i>	1					
<i>Manisa</i>	2					
<i>Mardin</i>	2				6	
<i>Mersin</i>	2		18	1	6	1
<i>Muğla</i>					2	
<i>Muş</i>		11	10	3		10
<i>Ordu</i>		1				
<i>Osmaniye</i>				2		

<i>Samsun</i>					<i>1</i>	
<i>Siirt</i>		<i>7</i>				
<i>Sinop</i>					<i>1</i>	
<i>Şanlıurfa</i>		<i>4</i>	<i>1</i>	<i>5</i>		<i>38</i>
<i>Van</i>		<i>1</i>	<i>1</i>	<i>1</i>	<i>8</i>	
<i>Yozgat</i>			<i>1</i>			<i>1</i>
<i>Zonguldak</i>		<i>3</i>				
Total	66	94	86	59	72	124

Table 4. Number of Suspects in Resolutions of Inquest as per the Article 82/K of the Turkish Penal Code Nr 5237 by Chief Prosecutor's Offices, Provinces (2009-2014)

<i>Provinces</i>	<i>2009</i>			<i>2010</i>			<i>2011</i>			<i>2012</i>			<i>2013</i>			<i>2014</i>		
	<i>Decision of Non-prosecution</i>	<i>Public Prosecution</i>	<i>Other Resolutions</i>	<i>Decision of Non-prosecution</i>	<i>Public Prosecution</i>	<i>Other Resolutions</i>	<i>Decision of Non-prosecution</i>	<i>Public Prosecution</i>	<i>Other Resolutions</i>	<i>Decision of Non-prosecution</i>	<i>Public Prosecution</i>	<i>Other Resolutions</i>	<i>Decision of Non-prosecution</i>	<i>Public Prosecution</i>	<i>Other Resolutions</i>	<i>Decision of Non-prosecution</i>	<i>Public Prosecution</i>	<i>Other Resolutions</i>
<i>Adana</i>	<i>1</i>				<i>6</i>		<i>1</i>	<i>7</i>		<i>4</i>		<i>1</i>		<i>3</i>				
<i>Ağrı</i>		<i>8</i>	<i>7</i>		<i>4</i>						<i>4</i>			<i>8</i>				
<i>Ankara</i>												<i>1</i>						
<i>Aydın</i>		<i>7</i>																
<i>Batman</i>		<i>10</i>			<i>1</i>												<i>13</i>	
<i>Bingöl</i>				<i>3</i>														
<i>Bitlis</i>								<i>3</i>	<i>1</i>								<i>2</i>	<i>2</i>
<i>Burdur</i>		<i>1</i>																
<i>Denizli</i>											<i>8</i>							
<i>Diyarbakır</i>		<i>11</i>	<i>2</i>		<i>3</i>	<i>1</i>		<i>5</i>	<i>4</i>		<i>4</i>	<i>6</i>	<i>7</i>	<i>1</i>	<i>1</i>			<i>3</i>
<i>Elazığ</i>											<i>1</i>						<i>6</i>	
<i>Erzurum</i>									<i>4</i>									
<i>Eskişehir</i>									<i>1</i>									

<i>Gaziantep</i>		1			18	9		1						4			2	
<i>Hakkari</i>															1	1		
<i>Hatay</i>									6		7							
<i>İğdir</i>								3										
<i>İstanbul</i>		9	10		8	5		3	5		1			11	20	4	18	6
<i>İzmir</i>					21		1	8	22					1				
<i>K.Maraş</i>		1	1						8		5						1	
<i>Kırkkale</i>											6	6						
<i>Kilis</i>	1		1					3									5	
<i>Şanlıurfa</i>					10						5	1	2	1		2	38	36
<i>Kocaeli</i>		4	7								1			2				
<i>Konya</i>											10						1	
<i>Malatya</i>			8										5					
<i>Manisa</i>		2	2													2		
<i>Mardin</i>		2							5					10	7			
<i>Mersin</i>		1						17	1					1	5		1	
<i>Ordu</i>														1				
<i>Osmaniye</i>											14					1		
<i>Sakarya</i>																		3
<i>Siirt</i>								2	3									
<i>Şırnak</i>	5																	
<i>Van</i>				6				1			4	22		11	13			
<i>Yozgat</i>								14	42						1			
<i>Tekirdağ</i>			1															
<i>Zonguldak</i>					2	3												
<i>Total</i>	7	57	39	9	73	18	2	67	102	4	70	37	16	57	46	7	87	50

