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**The Human Rights and Equality Institution of Türkiye’s Contribution (Input) to the Report on “Human Security of Women and Girls in the Context of Poverty and Inequality”**

Established in 2016 with the Law No:6701, the Human Rights and Equality Institution of Türkiye (HREIT) as the National Human Rights Institution (NHRI), Equality Body and National Preventive Mechanism (NPM) of Türkiye, have conducted various works about women and girls, up to now, within the context of its duties and powers.

1. **Our Institution’s responses to undermentioned questions of the Questionnaire***;*
* **As response to fourth question of Questionnaire;**

Despite the important developments in the field of child rights, early and forced marriages which prevent children from using their fundamental rights and freedoms, unfortunately continue to exist as an important problem area[[1]](#footnote-1). Although the age of marriage is increasing day by day, **early and forced marriages**, **especially affecting girls**, are still a problem in our country. Moreover, schools closed due to the Covid-19 pandemic, isolation from friends and support networks, and rising poverty have increased the risk of early and forced marriages around the world.[[2]](#footnote-2) According to the information conveyed by Ministry of Family and Social Services, the rate of those who married at the age of 16-17 in total marriages in our country in 2020 is 0.15% for boys and 2.6% **for girls**, while the rate of those who got married at the age of 16-17 in 2021 in total marriages is 0,14% for boys and 2.3% **for girls**. Pursuant to data retrieved from HREIT 2021 Report on Protection and Promotion of Human Rights[[3]](#footnote-3) there is a regular decrease in the number of girls who are married at a young age.

In the context of combating early and forced marriages, by Ministry of Family and Social Services, studies such as researching the reasons for early marriages, preparing visual and written materials, **meeting girls** with **role model women** are carried out [[4]](#footnote-4) (HREIT 2021 Report).

Poverty brings about many victimizations directly or indirectly related to itself. One of these indirect consequences is victimization of human trafficking. 321 of the 402 victims of human trafficking detected in our country in 2021 **are women** (HREIT 2021 Report).

Studies show that poverty is an important determinant of the increase in **domestic violence and violence against women**. The state of poverty increases the risk of violence for **many women and girls**, and causes additional grievances in seeking help or seeking their rights. As included in the HREIT 2021 Report, some of the data on **violence against women** in Türkiye are as follows:

According to the “The Survey of Domestic Violence Against Women in Türkiye” conducted by Ministry of Family and Social Services in 2014 and planned to be conducted again in 2022, **the rate of women who have been exposed to physical violence by their spouse or ex-husband** at any point in their life in our country is 36%; **the rate of women who have experienced emotional violence** at any point in their life is 44%.[[5]](#footnote-5) According to the data of the Ministry of Interior, 268 **women** died in 2020 and 307 **women** in 2021 due to **violence against women**.[[6]](#footnote-6)

* **As response to fifth, sixth and eighth questions of Questionnaire**:

HREIT which effectively fights against torture and ill-treatment and acts as National Preventive Mechanism, was established with the Law No: 6701. According to the second paragraph of Article 3 of the aforementioned Law; *“It is prohibited under this Law to discriminate against persons based* ***on the grounds of******sex****, race, colour, language, religion, belief, sect, philosophical or political opinion, ethnical origin, wealth, birth, marital status, health status, disability and age.”* HREIT is authorized with *“Inquiring into, examining, taking a final decision on and monitoring the violations of non-discrimination principle – ex officio or upon an application.”* by the subparagraph (g) of the first paragraph of Article 9 of the Law.

According to the first paragraph of Article 25 of the Law, titled “Administrative Sanctions”; *“In case of violation of non-discrimination principle,* ***an administrative fine*** *ranging from one thousand Turkish lira to fifteen thousand Turkish lira depending on the gravity of the effects and consequences of such violation, financial situation of the perpetrator and aggravating effect of the multiple discrimination,* ***shall be imposed******on*** *the relevant public institutions and agencies, professional organizations with public institution status, natural persons and legal persons established under private law responsible for the violation.”* Within the scope of the first paragraph of Article 25, as a result of the revaluation rate applied as of 2022, the lower fine limit has been updated as 2,673.61 TL and the upper fine limit as 40,179.00 TL.

In this framework, an application can be made to HREIT **with the allegation that the prohibition of discrimination** on the **ground of sex** is violated, **or an** **ex officio inquires** can be initiated by the Human Rights and Equality Board of Türkiye. In this context, between January 2022 and September 2022, 1408 applications were made to the Institution and **177 of these were from female applicants**. The number of applications made within the scope of *anti-discrimination and equality* is **34**, the number of applications made within the scope of *protection and promotion of human rights* is **16**, the number of applications made within the scope of *National Preventive Mechanism* is **59**, the number of applications made within the scope of *other various applications and requests* is **58** (these 58 applications’ sub-topics are as follows: social assistance request: 4, financial assistance request: 11, opinion request: 1, information document request: 1, other: 43).

At the same time, within the scope of the Institution's National Preventive Mechanism mandate; **visits are made to various centres[[7]](#footnote-7) where women are present, especially penitentiary institutions and removal centres according to Article 9 of HREIT Law No: 6701.** In aforementioned Article 9;*“undertaking* ***regular visits****, with or without prior notice, to places where those deprived of their liberties or those under protection are held …”* is stated among the duties of the Institution. A total of 181 centers were visited, including institutions reserved for **female prisoners. Among the visits made since 2017, there were** **4 woman penitentiary institutions.[[8]](#footnote-8)**

As for all detainees, the brochures and guides[[9]](#footnote-9) have been implemented by the NPM of HREIT in order to raise awareness **of women and girls deprived of their liberty[[10]](#footnote-10)** in accessing their rights. In addition, within the scope of our fact sheet activities, a fact sheet titled “Work in Prison”, in which the issues related to female prisoners was also shared, and a fact sheet titled “Climate Change and Human Rights” in which the issues related to women was also shared, were published.[[11]](#footnote-11)

Additionally, the situation regarding employment and working life was discussed in the Presidential Annual Program for 2022[[12]](#footnote-12). In the period, especially after the outbreak of the pandemic; in addition to other supports, employers were also supported to increase the employment of registered insured and **disadvantaged groups such as women, youth** and the disabled (HREIT 2020 Report)[[13]](#footnote-13).

* **As response to twelfth question of Questionnaire**;

In Article 22 of Law No: 6701, there is a provision regarding the establishment of a Consultative Commission with the participation of various stakeholders. In the selection of the representatives of non-governmental organizations determined as members for Consultative Commission, importance was given to the **pluralistic representation** of organizations specializing in non-discrimination and different subjects (for example; associations/foundations working in the field of Roma rights, mobbing, **women's rights**). In this context, two meetings were held on 19.11.2021 and 13.05.2022. Opinions were exchanged on the **problems experienced by women in the field of employment**, **under the heading of problems and solutions in the fight against mobbing**, which is one of the agenda items of the meeting.

Another important duty of HREIT is to prepare annual reports on the protection and promotion of human rights, the fight against torture and ill-treatment and the fight against discrimination. Within the scope of the Anti-Discrimination 2021 Report, opinions, suggestions and data were requested from public institutions and organizations, non-governmental organizations, trade unions, social and professional organizations. It is envisaged that a separate chapter will be opened **on the ground of** **sex** and **an assessment will be made specifically for** **women and girls.**

Guides and handbooks are prepared in order to both raise awareness and contribute to the literature regarding the Institution’s duty to combat discrimination. In this context, **"Handbook on Discrimination on the Basis of Sex"[[14]](#footnote-14)** was prepared under the title of the series on the basis of discrimination and shared with the public on the Institution's website.

In the Law No: 6701, actions taken deliberately with the aim of alienating, excluding and making people tired of their job based on discrimination grounds listed in the Law are defined as “mobbing” and this concept is regulated as a type of discrimination. Within in this scope, **a public opinion survey[[15]](#footnote-15)** was conducted between 1-13 March 2022 on the subject of mobbing in public institutions. In this context, the questionnaire was prepared online and sent to the public institutions and organizations determined to be implemented throughout Türkiye. The most comprehensive survey in the field of mobbing, specific to public institutions, was carried out on this occasion, and **approximately 140 thousand people** participated in the survey. In the report to be prepared as a result of the aforementioned survey, **statistical results specific to women will also be obtained.**

HREIT signs cooperation protocols with non-governmental organizations in the context of its duties and powers. In this context, between HREIT and the Women and Democracy Association (KADEM), it is planned to sign a cooperation protocol for various purposes including sharing experience, making studies in the fields of **combating all forms of violence to women and women's human rights**.

* **As response to eighteenth question of Questionnaire;**

In the Eleventh Development Plan (2019-2023)[[16]](#footnote-16) prepared by the Strategy and Budget Presidency, the main purpose is **to prevent all kinds of discrimination against women**, to ensure that **women** **benefit from rights, opportunities and opportunities equally in all areas of social life and are empowered**. In order to achieve the main purpose on **women's rights** in the Development Plan a lots of measures were determined under following policy headings:

1. **Active participation of women in economic, social, cultural life** and all levels of decision-making mechanisms will be encouraged, especially starting from the local level.

2. **Full access and active participation of girls and women** at all levels of education will be ensured.

3. Public awareness-raising activities will be accelerated for **the prevention of violence against women, early forced marriages and all kinds of abuse**, and the efficiency and capacity of protective and preventive services will be increased.

4. **Health services offered to women** will be improved and health awareness will be raised through awareness activities.

5. **The representation of women in the media** will be improved and the media literacy of women will be increased.

 The "**Third National Action Plan to Combat Violence Against Women**"[[17]](#footnote-17) which was prepared for the purpose of combating violence against women, covered the years 2016-2020. The **"Fourth National Action Plan for Combating Violence Against Women"**[[18]](#footnote-18) covering the years **2021-2025** has been prepared with the contribution and participation of public institutions and organizations, NGOs and universities, taking into account the international conventions and national legislation provisions, as well as the social needs and developments that have emerged recently. With the Action Plan, it is aimed to make improvements in five basic areas: “legislation regulations, awareness raising and mentality transformation, protective and preventive service provision, empowerment of victims of violence, regulation and implementation of health services, cooperation between institutions and organizations and policy”. Also in this context, the **"Coordination Plan for Combating Violence Against Women"** (2020-2021) was carried out under the leadership of Ministry of Family and Social Services (HREIT 2020 Report).

1. **Other activities of the Institution such as symposium, conference, workshop, etc. directly related women and girls:**
* **A** [**Symposium on Women’s Rights**](https://www.tihek.gov.tr/en/the-womens-rights-symposium-was-held/)**[[19]](#footnote-19)** was held by HREIT on the occasion of March 8, International Women’s Day. Expert guests who are studying women’s rights, made presentations in the sessions titled "Discrimination Against Women", "The Obligations of the State in Protecting Women’s Rights", "Women in Criminal Law and Penal Execution System Applications", "Women in Working Life" and "Women in the Digital World and Different Dimensions of Women’s Rights".
* Our Board members attended the 15th Meeting of the Violence Against Women Monitoring Committee in 2021.
* The opening ceremony of the Strengthening Women’s Access to Justice Project, carried out jointly by the United Nations (UN) Women and the Department of Legal Support and Victim Services of the Ministry of Justice, was held on 02 March 2022. With the project, it is aimed to effectively implement the Law No. 6284 on the Protection of Family and Prevention of Violence Against Women, strengthening the approach of the justice system to cases of violence against women, and strengthening the capacity of the legal support and victim services directorates to intervene against women who are victims of violence.[[20]](#footnote-20)
* Reem Alsalem, UN Special Rapporteur on Violence Against Women Its Causes and Consequences paid an official visit to our Institution on 20 July 2022.[[21]](#footnote-21)
* Analysis Report of Physical Violence Against Women in Türkiye prepared by the Protection and Promotion of Human Rights Unit and will be made public soon.
* The HREIT contributed[[22]](#footnote-22) to the preparation of the Report on “The Impact of the COVID-19 Pandemic on the Realization of the Equal Enjoyment of the Right to Education by **Every Girl**” of the United Nations High Commissioner for Human Rights.
* Institutional contributions to the preparation of the CEDAW 8th Periodic Country Report were shared with the General Directorate of Women's Status, Ministry of Family and Social Services.
* Besides all these, in our Institution 10 of the 15 experts and 28 of the 51 assistant experts are women. The coordinators of 4 out of 7 main service units are women.

***References:***

[*https://www.unicef.org/turkey/%C3%A7ocuk-ya%C5%9Fta-evlilik*](https://www.unicef.org/turkey/%C3%A7ocuk-ya%C5%9Fta-evlilik)

[*https://www.unicef.org/turkiye/bas%C4%B1n-b%C3%BCltenleri/unicef-Covid-19-nedeniyle-10-milyon-k%C4%B1z-%C3%A7ocu%C4%9Fu-daha-%C3%A7ocuk-ya%C5%9Fta-evlilik-riski*](https://www.unicef.org/turkiye/bas%C4%B1n-b%C3%BCltenleri/unicef-Covid-19-nedeniyle-10-milyon-k%C4%B1z-%C3%A7ocu%C4%9Fu-daha-%C3%A7ocuk-ya%C5%9Fta-evlilik-riski)

*Reply letter of Ministry of Family and Social Services dated 20.04.2022*

*Ministry of Family and Social Services Directorate-General for Status of Woman, Woman in Türkiye, January 2022, p.67*

[*https://www.aile.gov.tr/ksgm/haberler/aile-ve-sosyal-hizmetler-bakanimiz-derya-yanik-baskanliginda-kadina-yonelik-siddetle-mucadelede-2022-yol-haritasi-konulu-basin-toplantisi-gerceklestirildi/*](https://www.aile.gov.tr/ksgm/haberler/aile-ve-sosyal-hizmetler-bakanimiz-derya-yanik-baskanliginda-kadina-yonelik-siddetle-mucadelede-2022-yol-haritasi-konulu-basin-toplantisi-gerceklestirildi/)

[*https://www.tihek.gov.tr/upload/file\_editor/2022/08/1659529759.pdf*](https://www.tihek.gov.tr/upload/file_editor/2022/08/1659529759.pdf)

[*https://www.tihek.gov.tr/upload/file\_editor/2021/11/1637840250.pdf*](https://www.tihek.gov.tr/upload/file_editor/2021/11/1637840250.pdf)

[*https://www.tihek.gov.tr/upload/file\_editor/2021/07/1625491487.pdf*](https://www.tihek.gov.tr/upload/file_editor/2021/07/1625491487.pdf)

[*https://www.tihek.gov.tr/upload/file\_editor/2019/11/1573134906.pdf*](https://www.tihek.gov.tr/upload/file_editor/2019/11/1573134906.pdf)

[*https://www.tihek.gov.tr/upload/file\_editor/2019/07/1562845586.pdf*](https://www.tihek.gov.tr/upload/file_editor/2019/07/1562845586.pdf)

[*https://www.tihek.gov.tr/en/what-is-npm/*](https://www.tihek.gov.tr/en/what-is-npm/)

[*https://www.tihek.gov.tr/en/duties-of-the-npm/*](https://www.tihek.gov.tr/en/duties-of-the-npm/)

[*https://www.tihek.gov.tr/en/the-national-preventive-mechanism-in-20-questions-guide-has-been-published/*](https://www.tihek.gov.tr/en/the-national-preventive-mechanism-in-20-questions-guide-has-been-published/)

[*https://www.tihek.gov.tr/mahpus-haklari-rehberi/*](https://www.tihek.gov.tr/mahpus-haklari-rehberi/)

[*https://www.sbb.gov.tr/wp-content/uploads/2019/07/OnbirinciKalkinmaPlani.pdf*](https://www.sbb.gov.tr/wp-content/uploads/2019/07/OnbirinciKalkinmaPlani.pdf)

[*https://www.tihek.gov.tr/upload/file\_editor/2022/09/1663077972.pdf*](https://www.tihek.gov.tr/upload/file_editor/2022/09/1663077972.pdf)

[*https://www.sbb.gov.tr/wp-content/uploads/2022/07/2022\_Yili\_Cumhurbaskanligi\_Yillik\_Programi.pdf*](https://www.sbb.gov.tr/wp-content/uploads/2022/07/2022_Yili_Cumhurbaskanligi_Yillik_Programi.pdf)

[*https://www.tihek.gov.tr/upload/file\_editor/2022/08/1660143259.pdf*](https://www.tihek.gov.tr/upload/file_editor/2022/08/1660143259.pdf)

[*https://www.tihek.gov.tr/upload/pdf/cinsiyet-temelinde-ayrimcilik-el-kitabi/*](https://www.tihek.gov.tr/upload/pdf/cinsiyet-temelinde-ayrimcilik-el-kitabi/)

[*https://www.tihek.gov.tr/kurumumuz-kamu-kurumlarinda-mobbing-farkindaligi-konulu-bir-kamuoyu-arastirmasi-gerceklestirecek/*](https://www.tihek.gov.tr/kurumumuz-kamu-kurumlarinda-mobbing-farkindaligi-konulu-bir-kamuoyu-arastirmasi-gerceklestirecek/)

[*https://www.sbb.gov.tr/wp-content/uploads/2022/07/On\_Birinci\_Kalkinma\_Plani-2019-2023.pdf*](https://www.sbb.gov.tr/wp-content/uploads/2022/07/On_Birinci_Kalkinma_Plani-2019-2023.pdf)

*https://www.aile.gov.tr/uploads/ksgm/uploads/pages/kadina-yonelik-siddetle-mucadele-ulusal-eylem-plani/kadina-yonelik-siddetle-mucadele-ulusal-eylem-plani-2016-2020-icin-tiklayiniz.pdf*

[*https://www.aile.gov.tr/media/82082/kadina-yonelik-siddetle-mucadele-iv-ulusal-eylem-plani-2021-2025.pdf*](https://www.aile.gov.tr/media/82082/kadina-yonelik-siddetle-mucadele-iv-ulusal-eylem-plani-2021-2025.pdf)

[*https://www.tihek.gov.tr/upload/file\_editor/2022/09/1664351063.pdf*](https://www.tihek.gov.tr/upload/file_editor/2022/09/1664351063.pdf)

[*https://www.tihek.gov.tr/en/reem-alsalem-un-special-rapporteur-on-violence-against-women-its-causes-and-consequences-paid-an-official-visit-to-our-institution/*](https://www.tihek.gov.tr/en/reem-alsalem-un-special-rapporteur-on-violence-against-women-its-causes-and-consequences-paid-an-official-visit-to-our-institution/)

[*https://www.tihek.gov.tr/en/participation-in-the-opening-ceremony-of-the-strengthening-womens-access-to-justice-project/*](https://www.tihek.gov.tr/en/participation-in-the-opening-ceremony-of-the-strengthening-womens-access-to-justice-project/)

[*https://www.tihek.gov.tr/en/hreits-contribution-to-the-report-on-the-impact-of-the-covid-19-pandemic-on-the-realization-of-the-equal-enjoyment-of-the-right-to-education-by-every-girl/*](https://www.tihek.gov.tr/en/hreits-contribution-to-the-report-on-the-impact-of-the-covid-19-pandemic-on-the-realization-of-the-equal-enjoyment-of-the-right-to-education-by-every-girl/)

1. <https://www.unicef.org/turkey/%C3%A7ocuk-ya%C5%9Fta-evlilik> [↑](#footnote-ref-1)
2. <https://www.unicef.org/turkiye/bas%C4%B1n-b%C3%BCltenleri/unicef-Covid-19-nedeniyle-10-milyon-k%C4%B1z-%C3%A7ocu%C4%9Fu-daha-%C3%A7ocuk-ya%C5%9Fta-evlilik-riski> [↑](#footnote-ref-2)
3. This report name will be mentioned as HREIT Report shortly after here. Also, this report has not yet been published on the website of HREIT, but it will be made public shortly. [↑](#footnote-ref-3)
4. Reply letter of Ministry of Family and Social Services dated 20.04.2022. [↑](#footnote-ref-4)
5. Ministry of Family and Social Services Directorate-General for Status of Woman, Woman in Türkiye, January 2022, p.67. [↑](#footnote-ref-5)
6. <https://www.aile.gov.tr/ksgm/haberler/aile-ve-sosyal-hizmetler-bakanimiz-derya-yanik-baskanliginda-kadina-yonelik-siddetle-mucadelede-2022-yol-haritasi-konulu-basin-toplantisi-gerceklestirildi/> [↑](#footnote-ref-6)
7. These centers include penitentiary institutions, detention centres, removal centers for foreigners under administrative detention, psychiatric centres, juvenile prisons, child care centres, social care centers for the disabled, nursing homes, removal centres, airport transit zones and pre-trial waiting areas. [↑](#footnote-ref-7)
8. Report of a penitentiary institutionvisited which included female prisoners, is accessible in English by following link: <https://www.tihek.gov.tr/upload/file_editor/2022/08/1659529759.pdf>. The other 4 reports mentioned which were directly reports of woman penitentiary institutions,are accessible in Turkish by following links:

<https://www.tihek.gov.tr/upload/file_editor/2021/11/1637840250.pdf>, <https://www.tihek.gov.tr/upload/file_editor/2021/07/1625491487.pdf>, <https://www.tihek.gov.tr/upload/file_editor/2019/11/1573134906.pdf>,

<https://www.tihek.gov.tr/upload/file_editor/2019/07/1562845586.pdf> [↑](#footnote-ref-8)
9. What is National Prevention Mechanism Poster: <https://www.tihek.gov.tr/en/what-is-npm/>, Duties of the National Prevention Mechanism Poster: <https://www.tihek.gov.tr/en/duties-of-the-npm/>, "The National Preventive Mechanism in 20 Questions" Guide: <https://www.tihek.gov.tr/en/the-national-preventive-mechanism-in-20-questions-guide-has-been-published/>,

Prisoner Rights Guide: <https://www.tihek.gov.tr/mahpus-haklari-rehberi/> [↑](#footnote-ref-9)
10. <https://www.tihek.gov.tr/upload/file_editor/2022/09/1663077972.pdf> [↑](#footnote-ref-10)
11. <https://www.tihek.gov.tr/upload/file_editor/2022/09/1663077972.pdf> [↑](#footnote-ref-11)
12. <https://www.sbb.gov.tr/wp-content/uploads/2022/07/2022_Yili_Cumhurbaskanligi_Yillik_Programi.pdf> [↑](#footnote-ref-12)
13. <https://www.tihek.gov.tr/upload/file_editor/2022/08/1660143259.pdf> [↑](#footnote-ref-13)
14. <https://www.tihek.gov.tr/upload/pdf/cinsiyet-temelinde-ayrimcilik-el-kitabi/> [↑](#footnote-ref-14)
15. <https://www.tihek.gov.tr/kurumumuz-kamu-kurumlarinda-mobbing-farkindaligi-konulu-bir-kamuoyu-arastirmasi-gerceklestirecek/> [↑](#footnote-ref-15)
16. <https://www.sbb.gov.tr/wp-content/uploads/2022/07/On_Birinci_Kalkinma_Plani-2019-2023.pdf> [↑](#footnote-ref-16)
17. <https://www.aile.gov.tr/uploads/ksgm/uploads/pages/kadina-yonelik-siddetle-mucadele-ulusal-eylem-plani/kadina-yonelik-siddetle-mucadele-ulusal-eylem-plani-2016-2020-icin-tiklayiniz.pdf> [↑](#footnote-ref-17)
18. <https://www.aile.gov.tr/media/82082/kadina-yonelik-siddetle-mucadele-iv-ulusal-eylem-plani-2021-2025.pdf> [↑](#footnote-ref-18)
19. Notice Book of the Symposium on Women’s Rights is accessible in the following link: <https://www.tihek.gov.tr/upload/file_editor/2022/09/1664351063.pdf> [↑](#footnote-ref-19)
20. <https://www.tihek.gov.tr/en/participation-in-the-opening-ceremony-of-the-strengthening-womens-access-to-justice-project/> [↑](#footnote-ref-20)
21. <https://www.tihek.gov.tr/en/reem-alsalem-un-special-rapporteur-on-violence-against-women-its-causes-and-consequences-paid-an-official-visit-to-our-institution/> [↑](#footnote-ref-21)
22. <https://www.tihek.gov.tr/en/hreits-contribution-to-the-report-on-the-impact-of-the-covid-19-pandemic-on-the-realization-of-the-equal-enjoyment-of-the-right-to-education-by-every-girl/> [↑](#footnote-ref-22)