**REPUBLIC OF TÜRKİYE**

**MINISTRY OF FAMILY AND SOCIAL SERVICES**

**General Evaluation**

The Ministry of Family and Social Services supports our citizens who are in the lowest income group of the society and have different disadvantages with social assistance programs in different categories. Positive discrimination, especially for women and girls, has a special place in developing social assistance due to social, structural and cyclical barriers. Social policies aimed at eliminating imbalances in income distribution and supporting the poor are of great importance in terms of strengthening social solidarity and maintaining social peace. However, issues such as risks faced by disadvantaged groups, income distribution, economic inequality, and gender-based socioeconomic discrimination are not only related to social assistance but also to the economy as a whole, and are also related to other social policy tools such as social security, tax policies, macroeconomic policies such as monetary and fiscal policies. On the other hand, since poverty, like welfare, is a shared phenomenon in the household, it is considered that concepts such as child poverty or women's poverty are open to discussion and also considering the fact that women and children feel more the effects of poverty, social assistance programs specific to women and children are developed and implemented in addition to household assistance. It would be appropriate to make the evaluations with a holistic approach, taking into account all these issues.

**1. What are the general levels of poverty in your country and those specifically of women and girls?**

Women and men experience poverty differently. This difference arises as a result of women's unequal access to rights and opportunities in all areas of social life, such as education, health services and employment. Women are more affected by poverty and face the risk of poverty more.

According to TURKSTAT data, in 2021, the total poverty rate for men is 17.4 percent; while for women, it is 18.6 percent. As the level of education increases, the poverty rate decreases. While the poverty rate for illiterate women is 33.2 percent; it is 4.9 percent for higher education graduates.

**2. Which are the levels of economic inequality in your country? Could your present disaggregated data concerning women and gilrs?**

The low participation of women in the workforce is one of the factors that increase women's poverty. The labor force participation rate of women is 34.9% as of July 2022; female employment rate is 30.1%.

**5. What is the legal and policy framework in your country to adress such risks and prevent human rights violations affecting women and girls in poverty?**

In Türkiye, important regulations have been made in order to guarantee equality between men and women in all laws, especially in the Constitution. Article 5 of the Constitution, which determines the basic aims and duties of the State, states that “to ensure the welfare, peace and happiness of individuals and society, to remove the political, economic and social obstacles that limit the fundamental rights and freedoms of the person in a way that is incompatible with the social state of law and principles of justice, to prepare the necessary conditions for the development of its existence” has been counted among the basic duties of the state.

The principle of equality between men and women was strengthened in Türkiye with the amendments made to Articles 41 and 66 of the Constitution in 2001, Articles 10 and 90 in 2004, and in Article 10 in 2010.

• “Women and men have equal rights. The state is obliged to ensure the realization of this equality” provision added to the Article 10 in 2004.

• In 2010, the phrase "…measures to be taken for this purpose cannot be interpreted as contrary to the principle of equality" was added to the end of the second paragraph of Article 10.

With these amendments, the state has been obliged to make regulations and take the necessary measures to ensure that men and women have equal rights and opportunities in all fields, beyond not making any discrimination based on gender, and it is stipulated that these regulations will not violate the principle of equality.

• Article 41; The phrase “and is based on equality between spouses” was added after the expression “Family is the foundation of Turkish society”.

• In 2010, the Constitution was amended and the provision “Everyone can apply to the Constitutional Court with the claim that any of the fundamental rights and freedoms guaranteed in the Constitution, within the scope of the European Convention on Human Rights, has been violated by the public force” added. As a result of these regulations, individual applications can be made to the Constitutional Court in case of gender discrimination.

While the General Directorate on the Status of Women, which is the national mechanism for women's empowerment and gender equality, carries out its activities under the Ministry of State Responsible for Women and Family, it was restructured as the main service unit under the Ministry of Family and Social Services in 2011. With the establishment of the Ministry, there has been an increase in the budget and the number of personnel of the General Directorate, which was also organized in the provinces.

The Turkish Grand National Assembly Committee on Equal Opportunities for Women and Men (KEFEK) is another mechanism to prevent discrimination and ensure equality. KEFEK; since its establishment, has been scanning legislation within the framework of its duties, preparing opinions for legislative activities, discussing proposals and drafts, carrying out transactions related to petitions from citizens and preparing reports by establishing research commissions on various issues.

Another institution operating in the field of human rights is Human Rights and Equality Institution of Türkiye which aims to protect and develop human rights on the basis of human dignity, to guarantee the right of individuals to be treated equally, to prevent discrimination in the enjoyment of legally recognized rights and freedoms, to operate in line with these principles, to effectively fight against torture and ill-treatment.

Another important institution operating in this field is the Ombudsman's Office with a private budget, which is a public legal entity affiliated to the Grand National Assembly of Türkiye, in order to examine, research and make suggestions in terms of compliance with the law and fairness within the understanding of justice based on human rights.

In Türkiye, social assistance programs targeting people in need are basically carried out in accordance with the provisions of the following legislation:

**1986: Law No. 3294 on Social Assistance and Solidarity Encouragement**

* With the Law No. 3294 on Social Assistance and Solidarity Encouragement dated 29/05/1986, helping the citizens in need and those who have been accepted or have come to Türkiye for whatever reason, and ensuring that the income distribution is made fairly by taking measures to reinforce social justice. It is aimed to promote social assistance and solidarity.

**1976: Law No. 2022 on Pensions for Turkish Citizens Over 65, Needy, Weak and Lonely**

* With the Law No. 2022, dated 1/7/1976, on Pensions for Turkish Citizens Over 65, Needy, Weak and Lonely, it was aimed to meet their basic needs by providing social assistance to Turkish citizens who are in poor condition and over the age of 65 as long as their state of need continues.

**National Plan and Policies**

**11th Development Plan (2019-2023)**

* In the 11th Development Plan, the main purpose of social assistance and the fight against poverty is determined as “Increasing participation in economic and social life and increasing the quality of life, improving income distribution and reducing poverty by facilitating the access of those who are at risk of poverty and social exclusion to opportunities”. The basic policy is “ensuring that those who are able to work among social assistance beneficiaries are directed to employment” and “ increasing the effectiveness of social assistance programs ” .

**Presidential Strategy and Budget Department, Presidential Annual Program (2022)**

* In the Presidential Annual Program for the Year 2022, “Social services will be made more effective by expanding them, and the quality and quantity of social service programs for vulnerable groups will be increased.” measure is included.

##### Ministry of Family and Social Services, Strategic Plan of the Ministry of Family and Social Services (2022-2026)

* The Strategic Plan of the Ministry of Family and Social Services has been prepared with the vision of “to be the leading institution in the social development of our country by reaching every member of the society and providing effective social services”. The strategic plan includes following targets;
* To contribute to the reduction of social vulnerabilities with inclusive social assistance and solidarity services,
* To support the participation of people with special needs in social life due to their physical, mental, social or economic conditions,
* To increase the quality and quantity of the services provided by working to prevent all kinds of discrimination and violence against women,
* To develop and expand specialized accommodation and care services for women, children, the disabled and the elderly,
* social services and social assistance with a holistic, multi -stakeholder and participatory approach,
* Enabling social assistance by strengthening the social assistance-employment link

**General Directorate on the Status of Women, Women's Empowerment Strategy Document and Action Plan (2018-2023)**

* In the Women's Empowerment Strategy Document and Action Plan (2018-2023) carried out under the coordination of the General Directorate on the Status of Women , services related to the access of women in need to the labor market will be developed under the strategy of "increasing the participation of women who require special policies in economic life". activity has been determined. In this context, within the scope of the policy of establishing social assistance and employment linkage, it is aimed to ensure that women who are able to work are directed to suitable jobs, vocational training, Community Benefit Work Program and other active labor programs that will enable them to earn sustainable income.

**6. Are there any particular groups of women and girls most at risk or conditions that especially determine barriers for women and girls to access such rights and why.**

The Ministry of Family and Social Services develops and maintains its social assistance programs on the basis of neediness, with a household approach, without any gender discrimination, within the framework of the principle of social justice. From this point of view, the social assistance programs implemented by Directorate General of Social Assistance are provided as "public service" in accordance with the social state principle expressed in our Constitution within the framework of objective criteria. Since 2003, “regular-inclusive” social assistance programs with certain basic principles, benefit criteria and amounts have been established and services have been developed. In this context, although there is no obstacle in front of women and girls' access to social assistance, thematic assistance programs aiming to protect disadvantaged women and girls from risks are carried out.

**7. Are there laws and/or practices in your country which differentiate between persons on the basis of sex or gender, i.e., between girls and boys to access education, ability for men and women, both inside and outside marriage, to enter into contracts, own/administer property, purchase land and/or housing, own/administer business, and gain access to credit? If so, what are they?**

In Türkiye, all laws and other legal regulations, especially the Constitution, observe the norms of equality, non-discrimination, justice and fairness. Fundamental human rights, which are the basis of the current legal framework, include the right of everyone to a dignified and adequate life and the right to social security and protection.

**8. How would you say that structural obstacles, and ongoing phenomens or threats in your country impact on risks for women and girls, particularly in the way women and girls access economic and social rights?**

The COVID-19 Crisis has affected men and women differently, depending on the industry in which they work, employment vulnerability, access to labor and social protection, and care responsibilities. Women's jobs are relatively more at risk than men's, and women lose their jobs faster than men. Greater care responsibilities force women who continue to work to reduce their paid hours and increase their total working hours (whether paid or unpaid). According to the researches, women have lost more employment, their working hours have decreased, the rate of unpaid leave is higher among women, and women's housework and care responsibilities have increased. Studies also reveal how urgent the need for policies based on gender equality is in the fight against the pandemic.

Especially due to the COVID-19 pandemic, which has been affecting the whole world and creating structural threats, an emergency situation has been declared in Türkiye and the the scope has been expanded for the access of households living in periodic poverty to social assistance, and social assistance has been delivered to all segments of society affected by the pandemic in a fast and effective manner. The Pandemic Social Support Program, which was implemented within the scope of the Economic Stability Shield Package, which was put into practice within the framework of the fight against COVID-19, was implemented in phases. In addition to the assistance programs especially provided to the women and girls during the pandemic, the unit amounts of many assistance programs were increased, thus protecting all segments of the society, especially women and girls, from the negative effects of the epidemic.

In this context, many serious measures have been taken in our country within the scope of the fight against the pandemic, and measures continue to be taken within the framework of diversified needs. The measures taken to empower women economically and to provide job security during the COVID-19 pandemic can be summarized as follows;

* Within the framework of the Economic Stability Shield Package announced by the Presidency; The processes required to benefit from the short-time working allowance have been simplified and accelerated. Thus, while providing a temporary income support to the workers in the workplaces that have suspended their activities, the cost of the employers has also been reduced.
* Within the scope of the “Social Support Programme” implemented within the framework of the Economic Stability Shield Package announced by the Presidency, 1000 TL cash payments are made to the households in need.
* Implemented within the scope of combating women's poverty; The amounts paid within the framework of the Conditional Health Assistance, Conditional Pregnancy Assistance, Conditional Birth Assistance and Aid for Widowed Women were increased.
* Within the scope of the Presidency 180-Day Executive Programs; “Financial Literacy and Women's Economic Empowerment Seminars” provided in online environments.
* In order to support women's cooperatives, which had to stop their activities due to the COVID-19 epidemic, during and after the epidemic;
* Provincial Directorates of Family and Social Services were directed to cooperate with and support women's cooperatives.
* Information regarding the orientation of the Cooperatives to the COVID-19 Combat and Resilience Program conducted by the Development Agencies was shared.

**10. Is there any legal framework or policy, program or part of your work, that focuses on the role of men in preventing economic risk sor vulnerabilities of women and girls and/or ensuring the human rights of women in the context of poverty and inequality? Is there any that makes visible or emphasizes the benefits fort he whole of society of a gender-equal and inclusive economy?**

Considering the fact that our female citizens may be more affected by the poverty, women have been prioritized in the field of social assistance with the arrangements made in the legislation and targeting of assistance programs. In this direction, 65% of the social assistance beneficiaries in 2021 were female beneficiaries. Regular assistances such as Conditional Education and Health Assistance Programs, Assistance Program for Women Whose Husbands are Dead, and Assistance Program for Families of Soldiers, in which the beneficiaries are women, have important parts among all assistance programs provided by the Directorate General of Social Assistance. In these assistance programs, it is prioritized to make payments to women. Thus, it is aimed to strengthen the economic and social status of women and to increase their participation in social life. In addition, quota and grant applications targeting women in project supports and implementations such as Family Support Center (ADEM) Projects, which increase women's participation in economic and social life, were implemented.

**11. What are the concrete ways in which the State – at the executive, legislative or judicial branch – addresses the situation of women’s and girls structural disadvantage in relation to economic and social rights? Are there any particular issues and platforms in which the State protects them from the systemic threats they face due to poverty and inequality?**

The Ministry of Family and Social Services implements many programs in order to find solutions to the disadvantages that many needy segments of the society, especially disadvantageous women and girls, will face due to poverty.

The Family Support Center (ADEM) Project, which was mentioned earlier, tries to improve the psychosocial, socio-cultural, professional and personal development of women and their social integration in order to ensure the integration of the state and the nation.

Considering the fact that women are much more affected by the poverty, the “Research Project on Developing a Cash Donation Program for Women Whose Husbands are Dead” was carried out. Subsequently, in line with the evidence-based social policy understanding, the Regular Cash Social Assistance Program for Women whose Husbands are Dead was initiated. In this context, it is aimed to protect disadvantaged women from the economic problems that they will encounter.

Assistance Program for Families of Soldiers in Need is carried out with the aim of supporting the families of soldiers who are doing their national duty, who do not have social security and who are in need, during their military service. Within the scope of this program, the beneficiary is paid for the spouses, mothers or fathers of soldiers who do not have any social security, during their military service, to families in need.

The Conditional Health Assistance Program, is carried out with the aim of supporting the nutritional needs of pregnant women in the poor households during their pregnancy, delivery and puerperium periods in order to minimize early child deaths and health problems encountered during pregnancy. Conditional Health Assistance, on the other hand, is provided to families in need who do not have social security, on the condition that they send their children for a health checkup, and that expectant mothers go to a health check during pregnancy and give birth in a hospital.

On the other hand, Conditional Education Assistance, which has been scientifically proven effective in preventing child labor, and has been implemented since the early 2000s in Türkiye, is being provided to the most disadvantageous families in Turkish society, on the condition that they send their children to school regularly. The assistance provided under the CCTE program are conditional assistances, and families must send their children to school regularly (80% or more of the number of days the school is open) in order to receive regular payments within the scope of the program. With this feature, the CCTE program aims not only to overcome the problem of poverty, but also to eliminate the social norms that prevent poorer or marginalized families from sending their children to school. With the payments made as long as the conditions are met, direct contributions are made to the incomes of the poor families and it is tried to help the parents develop positive behavior changes in order to complete the basic education of their children. Payments made under this assistance program are made for children's educational expenses. Payments are deposited into the mother's account, and it aims to cover the school expenses of the child who is a student and contributes to the family budget. Girls are paid more than boys. Thus, more contribution is made to the participation of girls in education.

In addition, Birth Assistance Program, Multiple Birth Assistance, Aid Program for Widowed Women are carried out. In these aid programsmaking payments to women is prioritized.Thus, it is aimed to strengthen the economic and social status of women and to increase their participation in social life.

On the other hand; in order to encourage women's entrepreneurship and to prevent poverty, micro-credit practices are carried out in cooperation with public non-governmental organizations and by the private sector, in a way that includes positive discrimination for women. The Microfinance Program continues its activities with 64 provinces and 92 branches within the framework of the protocols signed by the Governorships with the Turkish Foundation for Waste Prevention.

**12.How does your Government contribute to ensuring girls’ and women’s access to their basic economic and social rights in your national context? Are there particular issues, platform sor leves in which the State/your institution encourage their participation, inclusion and engagement and what role does it play?**

Supporting women's participation in the labor market, increasing their access to good and qualified jobs and making their employment sustainable are among the priority policies of the Ministry of Family and Social Services.

* In the women's section of the 11th Development Plan (2019-2023), which is the basic roadmap to meet the basic values and expectations of our nation, to raise the international position of our country and to increase the welfare of our people, by putting forward the development vision of our country with a long-term perspective, it is necessary to prevent all kinds of discrimination against women. It has been determined as the main objective to ensure that women benefit equally from rights, opportunities and opportunities in all areas of social life and are empowered.

**In the Medium Term Program (2023-2025)** ;

* Efforts to improve financial literacy among women will be continued by facilitating and supporting women's business establishment and development processes, encouraging them to take more part in decision-making mechanisms and e-commerce platforms, providing supportive services by strengthening women's cooperatives.
* Accessible, community-based day care services for children, disabled and elderly people will be expanded in order to harmonize work and family life and to encourage labor force participation.
* It will be ensured that young people, women and social assistance beneficiaries benefit from active labor market programs effectively in order to employ them.

policies and measures have been determined.

* **Presidential Annual Program of 2021** , the main purpose of "preventing all kinds of discrimination against women, ensuring that women benefit equally from rights, opportunities and opportunities in all areas of social life and that they are empowered" was emphasized.
* Under the title of "Increasing Employment of Groups Requiring Special Policy", which is one of the main policy axes of the **National Employment Strategy (2014-2023),** within the framework of the main objective of removing the barriers to women's participation in the labor force and employment; policies to increase women's labor force participation and employment and to combat their informal employment were determined.

**"Women's Empowerment Strategy Document and Action Plan",** which was put into practice by the Ministry of Family and Social Services and covers the years 2018-2023, within the framework of the main objective of ensuring women's full and effective participation in all areas of working life, they have a say in economic life in line with the changing labor market dynamics. ;

* Employment of women in the information and communication sector,
* Fight against unregistered female employment,
* Dissemination of quality and accessible care services,
* Supporting women's entrepreneurship

targets are included.

The activities carried out by General Directorate on the Status of Women on the economic empowerment of women in order to realize the above-mentioned policy objectives are as follows;

**Efforts to Strengthen Women's Cooperatives**

The Cooperation Protocol for Strengthening Women's Cooperatives” was signed on 30 October 2018 in cooperation with the Ministry of Agriculture and Forestry and the Ministry of Commerce, with the aim of strengthening women's cooperatives, ensuring their sustainability, improving their institutional capacities and increasing their visibility, which are included in the Presidential I. 100-Day Action Program . The said Protocol was renewed on 12 July 2021 for a period of 2 years.

In order to ensure the local applicability of the protocol and to guide the practitioners, Implementation Principles for Provincial Directorates of Ministries were created and shared with 81 provinces. In this context, the “Women's Cooperatives Working Group” was formed under the coordination of the Provincial Directorates of our Ministry and annual business plans were prepared. **With the coordination of our Provincial Directorates in 81 provinces, 856 workshops, training, information meetings and 398 women's cooperative visits have reached 40,165 people and supported the establishment of 868 new women's cooperatives.**

In addition, "Women's Cooperatives Regional Meetings" were held with the presence of our Minister, with the participation of the relevant provincial governors, deputies, public institutions and representatives of women's cooperatives, in order to develop cooperation and dialogue in the field of women's cooperatives, to raise awareness and to disseminate good practices. 3,522 people were reached by holding “Women's Cooperatives Regional Meetings” covering the provinces of Mediterranean, Aegean, Eastern Black Sea, Western Black Sea, Marmara, Southeastern Anatolia, Eastern Anatolia, Central Anatolia and Istanbul .

**Women's Empowerment Through Cooperatives Project**

With the aim of strengthening women's cooperatives, ensuring their sustainability, developing their institutional capacity, increasing their visibility and expanding them, the **“Women Empowerment through Cooperatives Project”** is carried out in cooperation with the Ministry of Agriculture and Forestry / Department of Education and Publication.The project implementation period started as of September 15, 2021. On 14 December 2021, Women's Cooperatives Working Groups Consultation Meeting and Project Opening Meeting were held in Ankara.

A total of 30 provinces (Istanbul, Kırklareli, Çanakkale, İzmir, Muğla, Afyonkarahisar, Bursa, Kocaeli, Ankara, Konya, Antalya, Adana, Hatay, Aksaray, Sivas, Karabük), which are planned to last for 30 months and where there is at least one or no cooperatives. , Sinop, Çorum, Artvin, Erzurum, Kars, Malatya, Van, Gaziantep, Diyarbakır, Mardin, Bitlis, Batman, Isparta and Eskişehir) within the scope of the determined Project; Studies will be carried out to inform, raise awareness and develop cooperation for women who have the potential to establish cooperatives, to become partners in cooperatives, and to women and men who are already involved in these activities, and women's cooperatives will be encouraged through studies in this direction.

Project; It consists of 5 Components and 20 main activities, namely Services and Trainings for the Target Group, Institutional Capacity Building, Awareness Raising, Scientific and Technical Studies, Coordination and Cooperation.

Within the scope of the project so far; Along with the Training Needs Analysis Study, Adana, Ankara, Isparta and Çorum Local Stakeholder Meetings and Bursa Awareness Raising Meeting were held. In addition, 5 short films were produced to introduce successful women's cooperatives and to focus on the establishment and functioning of cooperatives. With this; In Ankara, Erzurum and Kars provinces, trainings were organized for women who are co-operative partners, men who are co-operative partners, and women who want to become co-operative partners.

**Financial Literacy and Women's Economic Empowerment Seminars**

The scope of the objective of "women's knowledge and awareness of financial literacy will be increased" included in the "Presidential Executive Programs" and "Women's Empowerment Strategy Document and Action Plan" ; **“Financial Literacy and Women's Economic Empowerment Seminars** ” are held under the coordination of the Provincial Directorates of our Ministry. The seminars aim to raise women's awareness on issues such as money management, income, expenditure, savings, assets, debt, savings, investment, investment instruments, and the private pension system, while providing information on supports, incentives and application mechanisms for women's economic empowerment. **We have reached 744,491 people with 235 events we have held in 81 provinces since 2017.**

**Türkiye's Engineer Girls Project**

Türkiye's Engineer Girls Project is carried out in cooperation with Ministry of Family and Social Services, Ministry of National Education, United Nations Development Program (UNDP) and Limak Foundation.

With the project, it is aimed to support female students who want to become engineers in every field and to become examples of the profession. The project started in 2016 and the first phase ended as of 31.12.2021. As of 01.01.2022, the “Engineer Girls of Türkiye Project Phase II” studies continue for 2 years, covering the years 2022-2024.The project is a university program for female students studying at the university; consists of different programs, including the high school program for high school students.

**Within the scope of the university program of the project,** along with the scholarship opportunity to the students; internship and employment opportunities, English language training, “Leadership in Engineering” and “Social Engineering” certificate program trainings and mentoring -coaching support are provided. **While a total of 710 female students have been supported so far,** 150 female students will continue to be provided with scholarships, English language training, “Leadership in Engineering” certificate program trainings and mentoring -coaching support for the year 2022-2023.

**Within the scope of the high school program, a total of 54 thousand people were reached by carrying out** awareness and information activities on engineering fields for students, teachers, school administrators and parents in 125 schools in 40 provinces. As part of the Project High School Program, role model videos will continue to be published on social media and other activities will continue on online platforms.

**The Project of Implementing Gender Responsive Planning and Budgeting in Türkiye**

UN Women is the implementing partner of the **Project of Implementing Gender Responsive Planning and Budgeting in Türkiye**, of which our Ministry is the main beneficiary and the Presidency of the Presidency of Budget and Strategy is the co-beneficiary. The opening meeting of the Project, which was put into practice in order to create a model that will systematically and sustainably develop the planning and budgeting sensitive to gender equality in our country, was held in Ankara on 17 August 2021.

Within the scope of the project, advocacy visits were made to the institutions and organizations to be cooperated, and awareness seminars were held for public officials in managerial positions at both central and local levels. With this; Seminars were held for the Senior Executives of the Presidency's Strategy and Budget Department, and the members of the GNAT Equal Opportunity for Women and Men and the Plan Budget Committee. Moreover; Technical trainings were held in Istanbul, Trabzon and Antalya with the participation of the personnel of the relevant public institutions and organizations. Within the scope of the project, a total of 703 people have been reached through the seminars and trainings held so far.

During the project; it is planned to complete the review of the main strategic policy guide documents, to carry out technical training programs for public officials and pilot municipality personnel, to conduct study visits abroad for good practice examples, and to conduct a budget analysis related to a program carried out at the central level.

**Young Women Who Created Their Future Project**

**The “Young Women Who Create Their Future Project” is carried out** by the United Nations Development Program (UNDP) and the Sabancı Foundation in cooperation with our Ministry and the Ministry of Labor and Social Security. The project started on 3 December 2021 and will last for 3 years. The project opening meeting was held on February 23, 2022 in Istanbul.

The aim of the project is to make the problems and needs of young women in the NEET (neither in education nor in employment) group more visible, to consolidate their place on the local and national agenda, and to create mechanisms to identify these problems and meet their needs.

The target group of the project will be NEET women aged 18-29, with priority being the 18-24 age group in the selected pilot provinces. Pilot provinces of the project; There are 11 provinces in Adana, Ankara, Bursa, Diyarbakir, Erzurum, Istanbul, Izmir, Konya, Mardin, Trabzon and Van. In 2022, activities will be carried out in Diyarbakir, Izmir and Adana. In this context, governorship visits, study visits and consultation meetings were held in the provinces of İzmir, Diyarbakır and Adana, respectively, in April 2022 .

Within the scope of the project, the current situation and needs analysis study is carried out in the pilot provinces determined in 2022 and it is planned to be completed in October.

**LEGAL EVALUATION OF THE QUESTIONNAIRE**

**ANSWER 4,5,11:**

*Regarding whether there are restrictions on access to judicial services or remedies for violations of their rights;*

*In Article 36 of the 1982 Constitution;*

*“A. Right to legal remedies*

*Everyone has the right to a fair trial by claiming and defending as plaintiff or defendant before the judicial authorities by making use of legitimate means and means. No court can avoid looking at the case within its mandate and authority." ,*

*In Article 13 of the Administrative Procedure Law;*

*“Directly filing a full remedy action:*

*1. Before filing an administrative suit, those whose rights have been violated for administrative actions must ask that their rights should be granted starting from they learned these actions by written notice or in another way within one year and in any case in 5 years as of the action date by applying to the relevant administration.* *In case of partial or complete rejection of these requests, a lawsuit can be filed within the period of action, starting from the day following the notification of the transaction in this matter or starting from the date of expiry of this period if the request is not answered within thirty days.*

*2. In cases where the full remedy action brought against non-commissioned judicial (…) judicial authorities is rejected in terms of duty, the condition of applying to the administration stipulated in the first paragraph shall not be sought in the cases to be brought later to the administrative judicial authorities.”*

In article 49 of the Turkish Code of Obligations, it says:

“Anyone who causes harm to another with a faulty and unlawful act is obliged to compensate for this damage. Even if there is no rule of law prohibiting the harmful act, a person who intentionally harms another with an immoral act is also obliged to compensate for this damage.

With the Law No. 7331 dated 08.07.2021

With the regulation made in the TPC (Turkish Penal Code); The crime of willful killing regulated in Articles 81 and 82, the crime of willful injury in Article 86, the crime of torture in Article 96, and the crime of deprivation of liberty in Article 109 have been determined as "committed against the divorced spouse" and lead to an increase in the penalty.

With the "Law on Amending the Turkish Penal Code and Some Other Laws" numbered 7406, which was published in the Official Gazette dated 27.05.2022 and numbered 31848, a regulation has been added to aggravate the punishments for the crimes of willful killing, deliberate injury, torture and threat of which the woman is the victim. Through the same law, the persistent pursuit act defined in Article 1 of the Law No.6284 on Protection of Family and Prevention of Violence Against Women has been added as a crime to Article 123/A of the TPC (Turkish Penal Code) and it has been determined as an aggravating factor when the crime of persistent pursuit is committed against the child or the seperated or divorced spouse.

*In the second paragraph of Article 20 of the Law No. 6284 on the Protection of the Family and the Prevention of Violence Against Women, it says:*

*“If our Ministry deems it necessary, it can participate in all kinds of administrative, criminal, legal lawsuits and uncontested judgments filed due to violence or the danger of violence against*

In order for people not to be victims, to seek their rights equally between those who have a good economy and those who are not before justice, and in order to ensure equality in the use of freedom of seeking rights, legal aid services are regulated in Article 334 of the Code of Civil Procedure and Article 176 of the Attorneyship Law No. 1136. According to this, advocacy services are provided for persons who are partially or completely incapable of paying the required trial or follow-up expenses, provided that they meet the conditions specified in the Law.

As explained above, in case of violation of the rights of individuals in our country, their access to justice and the obligation to compensate are guaranteed by the Constitution and regulated by Laws.

Provisions regarding economic and social rights are included in our Constitution and these will be mentioned below.

**ANSWER 7,10,13**

In Article 2 of the 1982 Constitution;

“II. Characteristics of the Republic

Article 2 – The Republic of Türkiye , in the peace of the society, in the understanding of national solidarity and justice, is a democratic, secular and social state of law respectful of human rights, loyal to Atatürk's nationalism, based on the basic principles stated at the beginning.

In article 10;

Equality before the law

**Article 10 –** Everyone is equal before the law without any discrimination based on language, race, color, gender, political opinion, philosophical belief, religion, sect and similar reasons.

**(Additional paragraph: 7/5/2004-5170/1 art.)** Women and men have equal rights. The state is responsible for ensuring that this equality is realized. (Additional sentence: 7/5/2010-5982/1 art.) Measures to be taken for this purpose cannot be interpreted as contrary to the principle of equality.

**(Additional paragraph: 7/5/2010-5982/1 art.)** Measures to be taken for children, the elderly, the disabled, the widows and orphans of the martyrs of war and duty, the disabled and veterans shall not be considered contrary to the principle of equality. No one person, family, group or class shall be granted privilege. State organs and administrative authorities are obliged to act in accordance with the principle of equality before the law in all their actions (…).” , No person, family, group or class shall be granted privilege.

State organs and administrative authorities are obliged to act in accordance with the principle of equality before the law in all their actions (…).”

*In Article 42;*

*“II. The right and duty to education and training*

*Article 42 – No one can be deprived of the right to education and training.*

*The scope of the right to education shall be determined by law and regulation. Education and training are carried out under the supervision and control of the State, in line with Atatürk's principles and reforms, in accordance with the principles of modern science and education. Education and training places cannot be opened contrary to these principles.Freedom of education and training does not remove the duty of loyalty to the Constitution. Primary education is compulsory for all citizens including male and female, and is free in public schools. Principles of private primary and secondary schools are regulated by law in accordance with the level desired to be achieved with public schools.*

*(****Additional paragraph: 9/2/2008-5735/2 art.; Cancellation: With the Decision of the Constitutional Court dated 5/6/2008 and numbered E.: 2008/16, K.: 2008/116. )*** *The state provides the necessary assistance through scholarships and other means for successful students who lack financial means to continue their education. The state takes measures to make those who need special education due to their situation useful to the society. In education and training institutions, only activities related to education, training, research and examination are carried out. These activities can not be prevented, no matter whatever way. No language other than Turkish can be taught or taught as their mother tongue to Turkish citizens in education and training institutions. The foreign languages to be taught in education and training institutions and the principles to which the schools providing education and training in a foreign language will be subject are regulated by law. The provisions of the international treaty are reserved”,*

*“IV. Freedom of work and contract*

*Article 48 – Everyone has the freedom to work and contract in any field they wish. Private enterprises are free to establish. The State takes measures to ensure that private enterprises operate in accordance with the requirements of the national economy and social objectives, and work in safety and determination.*

*In article 49;*

*“The right and duty to work*

*Article 49 – Working is everyone's right and duty.*

*(Amended paragraph: 3/10/2001-4709/19 art.) The state takes the necessary measures to increase the living standards of the employees, to protect the workers and the unemployed, to support work, to create an economic environment suitable for preventing unemployment, and to ensure work peace in order to improve the working life. ”,*

In article 50, it says:

"B. The working conditions and the right to rest

Article 50 - No one can be employed in jobs that do not comply with their age, gender and strength.

Minors and women and those with physical and mental disabilities are specially protected in terms of working conditions.

Resting is the right of employees.

The rights and conditions of paid week and holidays and paid annual leave are regulated by law.

In the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), to which Türkiye has been a party since 1986, the state parties were given the duty to take various temporary or special measures and make legal arrangements by following a policy to eliminate discrimination against women; The regulations in our country's legislation aim at equality, not inequality.

There are even regulations in favor of women, some of which are considered positive discrimination.

According to this,

In accordance with the article 194 of Turkish Civil Code, one of the spouses cannot put a limit to the right of family housing, cancel the rental agreement for family housing or transfer the family residence without the consent of the other spouse. In addition, the spouse who is not owner of the immovable property designated as a family residence may request from the land registry directorate that the necessary annotation be given to the land registry. When the family residence isrented by one of the spouses, the spouse who is not a party to the contract may become a part to the contract by a notification to the tenant.

According to article 193 of the Turkish Civil Code, each spouse can make all kinds of legal transactions with the other and third parties, unless there is a contrary provision in the Law.

According to Article 652 of the Civil Code, in the spouse's death, the family may request that the residence and household goods be allocated to the surviving spouse.

According to the Social Security and General Health Insurance Law No. 5510, sons of the deceased with insurance, who are the under the age of 18, sons under the age of 20 if they have high school or equivalent education, or under 25 if they have higher education, are considered to be beneficiaries while there is no age or educational status requirement for girls to be accepted as beneficiaries.

Article 5 of the Labor Law No. 4857 includes "equal treatment principle" Accordingly, no discrimination can be made based on language, race, color, gender, disability in employment, political thought, philosophical belief, religion and sect, and similar reasons.

*In addition,*

*In article 72;*

*“Prohibition of working on the ground and under water*

*Article 72 - It is forbidden to employ men and women of all ages who have not completed the age of eighteen in underground or underwater works such as mines, cable laying, sewerage and tunnel construction.”*

*In Article 73;*

*“Night working ban*

*Article 73 - It is forbidden to employ children and young workers under the age of eighteen in industrial works at night. The procedures and principles regarding the employment of female workers who have completed the age of eighteen in night shifts are set forth in a regulation to be prepared by the Ministry of Labor and Social Security by taking the opinion of the Ministry of Health.*

*According to Article 74;*

*“Work and breastfeeding leave in case of maternity*

*Article 74 - It is essential that female workers are not employed for a total of sixteen weeks, eight weeks before and after delivery. In case of multiple pregnancy, two weeks is added to the eight-week period of not working before delivery. However, if the health condition is suitable, with the approval of the doctor, the female worker can work at the workplace up to three weeks before the birth if she wishes. In this case, the hours worked by the female worker are added to the postpartum period. (Additional sentence: 13/2/2011-6111/76 art.) In case the female worker gives birth prematurely, the non-working periods that she could not use before the birth are added to the postpartum periods. (Additional sentences: 29/1/2016-6663/22 art.) In case of death of the mother at birth or after birth, the periods that cannot be used after birth are made available to the father. One of the spouses or adopters of a child who has not completed the age of three is given maternity leave for eight weeks from the date the child is actually delivered to the family.*

*(Additional clause: 29/1/2016-6663/22 art.)*

*After the end of the postpartum maternity leave used pursuant to the first paragraph, for the purpose of caring for and raising her child, and on condition that the child is alive, female workers and female or male workers who adopt a child under the age of three, upon their request, may apply for sixty days for the first birth, one hundred and twenty days for the second birth, and for subsequent births. One hundred and eighty days of unpaid leave equal to half of the weekly working time. In case of multiple births, thirty days are added to these periods. In case the child is born with a disability, this period is applied as three hundred and sixty days. Provisions regarding milk leave shall not be applied within the period of benefiting from the provisions of this paragraph.*

*The above-mentioned periods may be increased before and after birth, if necessary, depending on the health status of the worker and the nature of the job. These periods are indicated by the doctor's report. During pregnancy, the female worker is given paid leave for periodic check-ups.*

*If deemed necessary with a doctor's report, pregnant women are employed in lighter jobs suitable for worker health.*

*A reduction in fees is not made in this case workers.*

*Upon her request, the female worker is given unpaid leave for up to six months after the completion of the sixteen-week period or after the eighteen-week period in case of multiple pregnancy. (Additional sentence: 29/1/2016- 6663/22 art.) This permission is given to one of the spouses or the adopter in case of adopting a child who has not completed the age of three. This period shall not be taken into account in the calculation of the entitlement to paid annual leave.*

*Female workers are given a total of one and a half hours of milk leave per day to breastfeed their children under the age of one. The worker himself determines between which hours and how many divisions this time will be used. T*

Article 104/A of the Civil Servants Law No. 657;

“To the female officer; maternity leave is given for a total of sixteen weeks, eight weeks before birth and eight weeks after birth. In the case of a multiple pregnancy, two weeks are added to the eight weeks of maternity leave before the birth. However, up to eight weeks before the expected delivery date, the female civil servant who certifies that her health status is suitable for work with a medical report can work in her institution up to three weeks before the birth, if she wishes. In this case, the periods of actual employment based on this report before the birth are added to the postpartum maternity leave period. The unused portion of the prenatal maternity leave due to early delivery is added to the postpartum maternity leave period. (Additional sentence: 29/1/2016 - 6663/6 art.) For births that occur before the date on which the prenatal maternity leave should start, the period between the date of birth and the date when the maternity leave should start is added to the postpartum maternity leave. In the event of the mother's death while using maternity leave during or after birth, the father, who is a civil servant, is granted leave for the period stipulated for the mother, upon her request. (Additional sentences: 29/1/2016 - 6663/6 art.)

Civil servants who adopt a child under the age of three together with their spouse or individually, and their spouses who are civil servants in case the non-official spouse adopts individually, are granted leave for eight weeks from the date of delivery of the child. This permission is also applied in cases where the child is actually delivered to the family before the adoption decision is made.”

In article 108/B;

“After the end of the postpartum maternity leave period given to the civil servant who gave birth pursuant to Article 104 or the leave period granted pursuant to paragraph (F) of the same article; On the other hand, civil servants whose spouse gives birth are granted unpaid leave for up to twenty-four months, upon their request, from the date of birth.” With this provision, regulations that will facilitate the working life of female civil servants are included.

As stated above, although there are provisions for ensuring equality in our legislation, especially in our Constitution, there are positive discrimination regulations to support women.