



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
16 July 2024

Original: English
English, French and Spanish only

**Committee on the Elimination of Discrimination
against Women**

**Information received from Türkiye on follow-up to the
concluding observations on its eighth periodic report***

[Date received: 12 July 2024]

* The present document is being issued without formal editing.



Follow-up information

1. Reference is made to the Concluding observations ([CEDAW/C/TUR/CO/8](#)) from the CEDAW Committee from 4 July 2022 on the eight periodic report of Republic of Türkiye. In paragraph 62 Türkiye is requested to provide written information on the steps taken to implement the recommendations contained in paragraphs 31(a), 38(a) and 40(a) of the concluding observations. Under follows the Turkish Government's answers.

A. Follow-up information relating to paragraph 31 (a) of the concluding observations

2. Article 29 of the Turkish Penal Code regulates unjust provocation. The law does not consider committing a crime with the motive of "custom" or "honour" as a reason for reduction.

3. Unjust provocation provisions are evaluated by the judicial authorities according to the characteristics of the concrete case and it is decided whether or not to apply them.

4. In the event that a discount is applied due to unjust provocation, the grounds for such a discount must be shown in the decision.

5. Unjust provocation is regulated in Turkish criminal law system as a reason affecting culpability, not as a reason for compliance with the law.

6. In the legal justification of the article 29, it is stated that "...the rage or violent anguish must arise as a result of an unjust act. The purpose of inclusion of this phrase to the article is to prevent the wrongful application of the unjust provocation discount in our country, especially in the crimes of killing within relatives, which are called 'honour killings'". It is clearly stated that the crime of killing for the motive of honour and the provisions of unjust provocation cannot coexist.

7. In addition, motives arising from such notions as culture, customs, traditions, and honour are not considered as mitigating circumstances for any type of offence in the Law.

8. Article 82 of the Turkish Penal Code lists the "commission of the offence on customary grounds" as a qualified form of the offence and in response, sets forth the "aggravated life imprisonment", the heaviest form of criminal sanction in our criminal justice system.

9. The phrase "on customary grounds" provides a broad definition that also covers the acts considered under the definition of "honour killings". The legislator has aimed to prevent crimes committed with these motives by enacting the said article.

10. In various decisions of the Assembly of Criminal Chamber under the Court of Cassation, it has been pointed out that the concept of custom also covers the concept of honour and the qualified form will apply and provisions concerning unjust provocation will not apply (i.e. the punishment of the perpetrator will not be reduced) in cases where the perpetrator has acted almost in a sense of mission.

11. On the other hand, various activities regarding legal improvements were carried out under the 4th National Action Plan on Combating Violence against Women (2021–2025) and the Human Rights Action Plan (2021–2023).

12. To more effectively combat violence against women and strengthen deterrence, amendments were made to the Turkish Penal Code Articles 82, 86, 96 and 109 in 2021. These amendments designate specific crimes – deliberate murder, intentional

injury, cruelty, and deprivation of liberty – as aggravated offenses when committed against a divorced spouse.

13. In 2022, the Law on Amendments to the Turkish Penal Code and Certain Laws introduced several changes to combat violence against women:

- The crimes of deliberate murder, intentional injury, threat, torture and cruelty “committed against women” have been regulated as aggravated offences with increased penalties;
- The offense of intentional injury committed against women was included in the Criminal Procedure Code as a reason for arrest;
- The scope of catalogue crimes has been expanded and the scope of women victims of violence who will benefit from the practice of assigning a lawyer free of charge has been expanded;
- The wording in the second paragraph of Article 62 of the Law has been amended as follows: *“As a reason for discretionary reduction, the perpetrator’s past, social relations, behaviours showing remorse after the act and during the trial process, or the possible effects of the punishment on the future of the perpetrator may be taken into consideration. However, the perpetrator’s formal attitudes and behaviours aimed at influencing the court in the trial are not taken into consideration as a reason for discretionary mitigation. The reasons for discretionary mitigation shall be shown in the decision with their justifications.”*

14. Nine experience-sharing workshops were held in 2022 and 2023 for judges of cautionary courts (family courts) responsible for issuing decisions under Law No. 6284 on the Protection of the Family and Prevention of Violence against Women. Public prosecutors working in domestic violence investigation bureaus also participated. As a result of these workshops, a comprehensive guide titled “Law No. 6284 Implementation Guide” was prepared for the judges and prosecutors. Additionally, a “Violence against Women Legislation Booklet” was compiled, providing a reference source on domestic violence legislation, including national and international instruments like CEDAW.

15. To examine the Turkish Penal Code and related legislation for improvements in preventing violence against women, the Ministry of Justice established a Scientific Commission within its General Directorate of Legislation in 2020. This ongoing commission conducts research, makes recommendations, and prepares legislative proposals.

B. Follow-up information relating to paragraph 38 (a) of the concluding observations

16. Türkiye’s Twelfth Development Plan (2024–2028), effective since November 2023, prioritizes increased female participation in decision making mechanisms. The plan outlines strategies to:

- Implement quotas and support programs: These “temporary special measures” aim to boost women’s representation in education, employment, and decision-making roles;
- Increase female leadership: The plan encourages a gradual rise in women’s participation in all levels of governance, including public and private sectors, and politics.

17. The plan sets a target of 5 per cent women mayors by 2028 and 25 per cent women representation in parliament.

18. The Strategy Paper and Action Plan on Women's Empowerment (2018–2023) addressed the representation of women in decision-making mechanisms through a multifaceted approach. It included legal and administrative reforms, initiatives to boost women's participation in decision-making, and awareness-raising activities targeting both women and society as a whole. Additionally, the plan assigned clear responsibilities to relevant public institutions and organizations.

19. In the new Strategy Paper and Action Plan on Women's Empowerment (2024–2028), Participation in Leadership and Decision-Making Mechanisms is also a separate heading. The plan outlines strategies to increase women's participation in these processes, including capacity building for institutions, public awareness activities, research, and regulations.

20. The number of women deputies and their representation rate have been increasing over the years.

<i>Year</i>	<i>Women Deputies</i>	<i>Representation (%)</i>
2002	24	4.40
2018	104	17.45
2023	119	19.83

21. Policy measures are in place to promote the participation of women and men in politics on equal terms. These policies and measures are stipulated in the internal regulations and by-laws of political parties.

22. Some political parties may voluntarily implement measures such as quotas, no application fees or discounts for women candidates.

23. The Women's Leadership in Politics and Business in Türkiye Project is implemented in partnership with UN Women and the Grand National Assembly of Türkiye- Commission on Equal Opportunities for Women and Men (KEFEK). Its main objective is to support women's leadership in decision-making positions and to ensure equal opportunities for women and men in politics and the private sector. The project started on May 1, 2021 and will last until July 31, 2024. This project is an important contribution to Türkiye's efforts to increase women's participation in decision-making roles.

24. The March 2024 local elections in Türkiye saw a significant rise in women holding local government positions. The table below shows unofficial results:

<i>Position</i>	<i>Elected Women</i>	<i>Percentage of Women</i>	<i>Elected Men</i>	<i>Percentage of Men</i>	<i>Total</i>
Metropolitan Municipality Mayor	5	16,67	25	83,33	30
Municipality Mayor	73	5,38	1.283	94,62	1.356
Municipal Council Member	2.567	12,25	18.385	87,75	20.952
Provincial Council Member	63	4,91	1.219	95,09	1.282
Neighbourhood Head (mukhtar)	1.442	3,12	44.760	96,88	46.202

25. As of today, women hold one position in the Cabinet, representing 5.88 per cent of ministerial roles. Among the 70 Deputy Ministers, 6 are women, accounting for 8.57 per cent of these positions.

26. Looking at leadership positions in public sector (December 2023 data), women hold 13.76 per cent of general manager roles and 13.57 per cent of deputy general

manager positions. Data from May 2024 reveals that women comprise 42.66 per cent of all public employees. Encouragingly, there is a positive trend across different ministries, including Interior, Foreign Affairs and Justice.

27. The number of women working in the Ministry of Interior has been increasing over the years:

<i>Department</i>	<i>Female Personnel in 2016</i>	<i>Female Personnel in 2022–24</i>
District Governors & Candidates	32	93 (2023)
Security Services	15,038	31,238 (2024)
Gendarmerie Services	709	2,229 (2022)
Coast Guard Services	16	101 (2022)
Presidency of Migration Management	422	3,266 (2024)
Disaster and Emergency Management Authority (AFAD)	967	1,057 (2022)
General Directorate of Population & Citizenship Affairs	3,614	4,993 (2024)

28. In the Ministry of Foreign Affairs, 38 per cent of career diplomats, 16 out of 32 directors general and 19 out of 50 deputy directors general are women. The proportion of female Directors-General/Deputy Directors-General in the Ministry has increased from 29.6 per cent to 42.7 per cent since 2020.

29. The proportion of female Ambassadors has steadily increased since 2000, from 4.6 per cent in 2000 to 27.3 per cent as of May 2024 (83 out of 304 Ambassadors are women). In 2016, this rate was recorded as 17.6 per cent, rising to 25 per cent in 2020.

30. The central and provincial organization of the Ministry of Justice employs 184,193 personnel (excluding the Forensic Medicine Institution), with 60,344 women and 123,849 men. The central organization employs 638 judges and prosecutors (including the Turkish Justice Academy), including 153 women and 485 men.

31. Between 2018 and 2023, the data shows a 22 per cent increase in the number of female judges and prosecutors, compared to a 17 per cent increase for all judges and prosecutors.

32. According to the data of the Council of Judges and Prosecutors (HSK) dated May 2024, 7,583 out of 16,191 judges and 1320 out of 7,596 prosecutors serving in the judicial and administrative judiciary are women. Regarding the status of women in higher judicial bodies, 613 out of 1105 judges and prosecutors serving in the Court of Cassation, 919 out of 2,730 judges and prosecutors serving in the Regional Courts of Justice, 248 out of 489 judges and prosecutors serving in the Council of State, 146 out of 449 judges serving in the Regional Administrative Courts, and 26 out of 270 examining judges and board inspectors serving in the HSK are women.

33. Beyond leadership positions in government ministries, advancements are also evident in the academic sphere. The rate of female faculty members in universities is 46.43 per cent. This breakdown reveals a higher concentration of women in certain positions: 51.65 per cent of lecturers and 53.84 per cent of research assistants are women. Among senior faculty, 47.39 per cent of doctoral faculty members are women, followed by 41.21 per cent of associate professors.

34. The Capital Markets Board's Corporate Governance Communiqué (II-17.1) includes Principle 4.3.9, which establishes a voluntary "comply or explain" principle. This principle encourages companies to set a minimum target of 25 per cent for female representation on their boards of directors, along with a corresponding timeframe for

achieving this goal. Companies are also expected to establish policies to support this target and annually evaluate their progress.

35. In order to empower women in local politics, many associations and NGOs also work to increase women's representation. The Union of Municipalities of Türkiye, for example, works to increase women's representation in local governments by organizing training and awareness programs for female local politicians. They also lobby KEFEK and the central administration to advocate for greater female representation at the local level.

36. Besides, sub-commissions established under the KEFEK made important recommendations to strengthen women's participation in STEM fields, promote women entrepreneurship and cooperatives and balance work and family life which paved the way for increasing women's participation in decision making mechanisms.

37. During the 27th Legislative Term (2018–2019), KEFEK established a Sub-Commission on “Orientation of Youth, especially Girls, to STEM”. The Sub-Commission recommended joint ministerial action plans, improved university infrastructure for STEM programs, and incorporating STEM courses into primary schools. During the 27th Legislative Term (2020–2021), KEFEK established a Sub-Commission focused on “Increasing Women's Employment, Strengthening and Supporting Women Entrepreneurship and Cooperatives.” The Sub-Commission addressed women's economic empowerment by recommending: identifying barriers to women's participation across sectors, strengthening equality in government initiatives, increasing women's representation in elected bodies, and developing targeted employment policies for disadvantaged women. During 27th Legislative Term (2020–2021), KEFEK established a Sub-Commission on “Balancing Women's Work and Family Lives.” The Sub-Commission proposed measures to improve work-life balance for women, including legal reforms, expanded childcare, eldercare, flexible work arrangements, and aligning work hours with schools. These recommendations are considered in legislative proposals and works by the relevant institutions.

38. Building on the 2021 Barrier-Free Vision Document, the National Action Plan on the Rights of Person with Disabilities (published February 2nd, 2023) outlines concrete steps for achieving accessibility goals between 2023 and 2025. The first year's progress report highlights a focus on laying the groundwork for future initiatives. While most activities are in the initial stages, some key achievements have already been made:

- Accessibility Awareness: Training programs were held for various groups, particularly public institutions, fostering greater understanding and commitment to accessibility;
- Home Care Support: A pilot program was launched to provide much-needed assistance to disabled individuals requiring care, primarily benefiting their caregivers who are often women;
- Improved Care in Residential Institutions: New Care Services Quality Standards were established, along with training for staff, to ensure better service quality for residents.

39. These initial steps pave the way for further progress in the coming years of the National Action Plan.

40. To ensure equal access and opportunity for all, the Plan prioritizes equality between men and women, a core principle of the plan. With this in mind, the development and delivery of services will be designed with particular attention to the needs of disabled women and girls.

41. In the policy area of “Protection of Rights and Justice,” the goal of strengthening the participation of disabled individuals in decision-making mechanisms has been set, activities have been identified to carry out studies to strengthen the capacities of non-governmental organizations operating in the field of disability.

42. Established by Presidential Circular No. 2021/23, the Disability Rights Monitoring and Evaluation Board brings together high-level representatives from relevant government agencies, organizations, and the two most influential disability NGOs. This board convenes twice a year to ensure strong collaboration and coordination in safeguarding and promoting the rights of people with disabilities. Their most recent meeting, held on May 21, 2024, under the leadership of the MoFSS, focused on evaluating the first year of the National Action Plan on Disability Rights and web accessibility for public institutions. Deputy ministers from member ministries and NGO representatives also participated in this productive session.

C. Follow-up information relating to paragraph 40 (a) of the concluding observations

43. The Turkish Constitution guarantees the right of individuals to form associations and engage in peaceful activities (Article 33). This allows citizens to come together for various purposes and participate in civil society. Under Article 34, everyone can exercise the right to lawful assembly and demonstration.

44. Freedom of expression, including press freedom and journalism, is also enshrined in the Constitution. These rights, along with the right to legal defence, are essential for a functioning democracy and ensure access to other fundamental rights.

45. In Türkiye, Law No. 5253 on Associations ensures proper governance by authorizing inspections to verify associations operate within their stated goals and maintain accurate financial records. While audits are only conducted when necessary, it is encouraging to see a low prevalence of irregularities among women associations. In 2021, only 0.84 per cent of audited associations were women-led, with similar figures in 2022 and 2023.

46. The Ministry of Interior General Directorate of Civil Society Relations actively supported initiatives to empower women by funding 234 projects focused on combating violence against women and women’s rights between 2014 and 2023.

47. The Ministry of Family and Social Services (MoFSS) recognizes women-focused non-governmental organizations (NGOs) as critical partners in advancing women’s status. This collaboration takes form through joint participation in policy development, information exchange via consultation meetings, and incorporating NGO expertise in monitoring and evaluating implemented policies.

48. MoFSS coordinated the development of an inclusive “Women’s Empowerment Strategy Document and Action Plan” (2024–2028). This plan integrates valuable insights from public institutions, local governments, universities, NGOs, and professional associations. Recognizing the vital role of civil society, “Cooperation with NGOs” is a designated cross-cutting area within the action plan. Through this collaborative approach, the Ministry actively works with diverse stakeholders to empower women.

49. To strengthen the capacities of NGOs in social services and social assistance aligned with MoFSS’s work, and to streamline civil society relations, the 2022–2023 Civil Society Vision Document and Action Plan was developed and implemented.

50. On October 7, 2021, the Ministry of Family and Social Services (MoFSS) hosted the “Civil Society Meetings” event as part of the preparations for the “Civil Society

Vision Document and Action Plan.” The event, chaired by the MoFSS Minister, was organized with the participation of representatives from 43 civil society organizations.

51. The “Academy Meetings: Women” event, chaired by the MoFSS, took place on July 4, 2022. Representatives from 26 university-based Women’s Problems and Research Centres participated in the event.

52. The Ministry of Interior convenes regular meetings with a diverse group of stakeholders to address violence against women. These include experts, academics, professional organizations, women’s NGOs, international organizations, and media representatives.

53. To raise awareness about combating violence against women, the Ministry of Justice organizes dialogue meetings. These meetings bring together various stakeholders working at the local level, including representatives of public institutions and organizations, judges and public prosecutors, bar associations, and NGOs.

54. To promote human rights awareness, the Human Rights and Equality Institution of Türkiye (HREIT) features interviews with academics on its YouTube channel, HREIT Academy.

55. HREIT organizes Anti-Discrimination Advisory Commission Meetings to address challenges and solutions related to non-discrimination. These meetings foster an enabling environment for women human rights defenders, lawyers, and journalists to advocate for women’s rights freely.

56. HREIT regularly convenes regional consultation meetings with women’s associations and civil society organizations for discussions on various issues.
