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The role of women in Turkey

European Parliament resolution on the role of women in Turkey in social, economic and political life (2004/2215(INI))

The European Parliament,

- having regard to the 2004 regular report and the recommendation of the European Commission on Turkey's progress towards accession of 6 October 2004 (COM(2004)0656) and its resolution¹ of 15 December 2004 on that report,
 - having regard to the decision of the European Council of 17 December 2004 to open negotiations with Turkey concerning accession to the European Union,
 - having regard to the Community acquis in the field of women's rights and gender equality,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report by the Committee on Women's Rights and Gender Equality (A6-0175/2005),
- A. whereas Turkey is set to open negotiations concerning accession to the European Union as of 3 October 2005, in accordance with the decisions of the European Council of December 2004,
- B. whereas the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)² forms a part of international law and takes precedence over Turkish national law, as recognised by Article 90 of the Turkish Constitution; and whereas Turkey has been a party since 1985 to CEDAW, and the Optional Protocol thereof, since 2002,
- C. whereas adoption of the Community acquis is obligatory for candidates wishing to join the European Union,
- D. whereas women's rights and gender equality are part of the Community acquis,
- E. whereas the recent legal reforms in Turkey in the area of women's rights go a long way in implementing the acquis, though translating those reforms and changes into practice and achieving practical results remains a major problem,
- F. whereas the new Penal Code entered into force on 1 June 2005 and whereas this example of legislative progress now needs to be implemented in practice,

¹ *Texts Adopted*, P6_TA(2004)0096.

² <http://www.un.org/womenwatch/daw/cedaw/>.

- G. whereas the abovementioned regular report identifies, as regards the situation of women, the following main areas of concern, among others: violence against women, particularly domestic violence and crimes of honour and tradition, a high illiteracy rate, a low level of participation by women in parliament as well as in local representative bodies, and the low level of participation by women and the prevailing discrimination in the labour market,
- H. whereas economic and social underdevelopment in some urban and rural areas in general and in disadvantaged regions of Turkey, migration and its related problems such as poverty, and inner-city deprivation, aggravate the problems of women in those regions and undermine their position, which is also hampered by prevailing patriarchal social structures,
- I. whereas in some regions in Turkey newborn children are not registered immediately, and whereas, by means of the practice of later registration, the age of young women can be arbitrarily fixed and under-age girls can be declared to have reached majority, thereby providing 'de facto' legitimation for forced marriages,
- J. whereas hundreds of cases of torture were referred to Turkish government bodies and human rights organisations during 2003 and 2004 and whereas more than 2,000 applications for asylum from Turkish citizens (among them many women) were accepted by Member States in 2003,
- K. whereas, owing to the lack of an integrated strategy for the development of their economic, social and cultural needs, Kurdish women are suffering a long-standing accumulation of problems (illiteracy, poor health, poverty, exclusion, etc.),
- L. whereas negative discrimination against women can sometimes best be remedied by temporary measures of positive discrimination as provided for in, among others, CEDAW, and there is an absolute need for women role models in positions of power and decision-making, including at the highest level,
- M. whereas the Turkish government has not yet concluded negotiations with the Commission concerning participation in the Daphne II programme¹ on combating violence against women, and seems unwilling to make any financial contributions of its own,
- N. whereas UNICEF estimates that each year between 600 000 and 800 000 girls who have attained the mandatory age for going to school are either prevented by their families from doing so or do not have the infrastructure available to enable them to attend the available rural schools,
- O. whereas there is a serious lack of accurate data on the situation of women in Turkey, especially concerning violence against women, and existing data does not yet cover all problems relating to women's rights,

¹ OJ L 143, 30.4.2004, p. 1.

- P. whereas fewer and fewer women are participating in the Turkish labour market,
- Q. whereas political participation by women in Turkey's decision-making bodies is disconcertingly low, with women constituting only 4.4% of the parliament and around 1% of representatives in local assemblies, with few women taking part in economic and political centres of decision making,
- R. whereas the economic independence of women is crucial to their ability to assert their rights,
- S. whereas the 14 shelters for women who have been victims of violence that exist in Turkey do not meet the needs of a population of approximately 70 million, while even the modest possibilities offered by the law in force, i.e. a shelter in all municipalities with over 50 000 inhabitants, are not being sufficiently realised,
- T. whereas on 6 March 2005 the police violently disrupted a demonstration in Istanbul linked to International Women's Day and arrested the women demonstrators,
1. Emphasises that respecting human rights, including women's rights, is a sine qua non for membership of the European Union and calls on the Commission to make the issue of human rights, including women's rights, central to the agenda for the negotiations with Turkey;
 2. Emphasises that the Turkish government should carefully maintain and establish where needed its country-wide legal registration of marriages and births to guarantee every man and woman a full entitlement to citizenship and the possibility fully to enjoy their human rights, e.g. access to education and to health care;
 3. Calls on the Commission, in the accession negotiations with Turkey, to press for steps to be taken to ensure that newborn children are registered immediately, thereby putting a stop to any illegal practices, in particular that of applying to Turkish family courts to have girls' ages increased so that they can officially be declared to have reached majority, with a view to avoiding prosecution for forcing girls into marriage;
 4. Commends the Turkish government and parliament on the recent legislative reforms, inter alia in the fields of the Constitution, the Civil and the Penal Code and the Labour Code, relating to the situation of women; expresses its concern over the lack of sufficient progress regarding application and implementation of legislation in the field of women's rights, and therefore expects concrete gender-sensitive measures, programmes and projects for implementation, and continuous monitoring of the implementation of the legislation, e.g. by carrying out gender-impact assessments on a regular basis;
 5. Commends the Turkish government on recent legal changes which make honour killings punishable by lifelong imprisonment and allow for the punishment of accomplices and accessories to honour killings; commends and approves the recognition of marital rape as a crime, and calls on the governments of the Member States to follow this example;

6. Underlines the need for full and effective implementation of the new legislation and calls on the Turkish government to ensure that the Directorate-General for the status of women has a clear mandate and sufficient funding and staff;
7. Calls on the Turkish government to proceed with the necessary reforms, and their due implementation, relating to the protection and dignity of minorities in the country, in particular the Kurdish communities in the south-east of Turkey, where the situation concerning the rights of women remains a matter of concern (illiteracy, social and occupational exclusion, poverty, etc.), and calls on the Turkish government to cooperate with mayors in these regions in drawing up and promoting targeted equal opportunities and women's rights programmes;
8. Stresses that the government, with the aid of the Directorate-General and in cooperation with women's NGOs, needs to provide for a holistic approach with qualitative and quantitative targets to ensure women's rights, which fully respects and recognises women's human rights as rights of individuals, irrespective of their traditional roles as wives and mothers, with full political commitment, and stresses that the government needs to implement gender mainstreaming in line with Article 10 of the Constitution, to raise awareness on women's issues and to protect women's rights, and needs to create a gender budget at national and local level and to initiate and develop projects concerning women's rights on a regular basis;
9. Acknowledges the positive role played by civil society in accomplishing the recent legislative reforms and recognises that, for democratic changes to be realised, information and mobilisation of the whole political class, civil society, religious communities and the media is needed;
10. Calls on the Commission, and on the Turkish government, to acknowledge the role of women's rights organisations as partners of the government and to support them and provide them with sufficient funding and to ensure their independence, in line with European Union practice;
11. Calls on the Turkish government to continue a meaningful dialogue with civil society, to cooperate where possible, to consolidate this cooperation through official and stable structures and institutions, and to involve NGOs in the process of negotiating EU accession;
12. Underlines the importance of structured cooperation between social partners and between Turkish NGOs and NGOs in the European Union, for instance by exchange programmes and 'twinning' such organisations;
13. States that sufficient funds for NGOs in Turkey, within the framework of the European Initiative for Democracy and Human Rights, must be provided for in the EU Financial Perspective for 2007–2013;
14. Calls on the Commission, in the light of the third pillar of its accession strategy, to initiate and support, in cooperation with the Turkish government, debates within Turkish society on women's rights, and particularly on violence, illiteracy and the right to education, especially in rural and disadvantaged areas;

15. Condemns the excessive use of force by members of the police force during demonstrations, and welcomes the recent pledge by the government to uphold the Circular of the Ministry of the Interior of 17 August 2004 on the prevention and punishment of possible disproportionate use of force by the security forces; urges the government to raise awareness on women's rights and to provide training, as called for in the following paragraph;
16. Finds that the protection of women's rights is still insufficient in practice, especially as regards violence against women, and urges the government to direct more attention to the implementation of legislation, among other things by urgently setting up shelters, supporting initiatives by civil society and providing adequate funds from national and municipal budgets for both government and NGO shelters, as well as mandatory gender- and violence-sensitivity training for public administrators, the police, the judiciary and health and educational personnel;
17. Calls on the Turkish government to change Municipality Law No 5215 on shelters so as to make the establishment of multiple shelters in all municipalities with over 50 000 inhabitants mandatory, to ensure all shelters are built and maintained in accordance with international standards and to facilitate and support NGOs' providing such shelters and similar facilities;
18. Recognises that Turkey has already made a start with implementing legislation and acknowledges individual projects that have already been set up; also recognises the positive role the Commission has played with regard to these projects;
19. Calls on the government of Turkey to set up more nurseries in order to boost women's participation in the workforce;
20. Welcomes as a first step the recent announcement by the government that before the end of 2005 about five additional shelters will be opened;
21. Urges the Turkish government to give serious consideration to participating in the Daphne II programme on combating violence against women;
22. Condemns instances of polygamy, forced marriage, crimes of tradition, honour crimes and violence against women in general, including sexual harassment at work, and requests the Turkish government as a whole and individual members of the cabinet and members of parliament to do the same, to seek ways to prevent these crimes and to put a stop to them, to punish crimes of custom and crimes of honour equally severely and to participate in and organise campaigns for raising public awareness of these issues and to support NGOs' campaigns on these issues financially;
23. Urges the government to take measures to ensure the safety of victims of violence and witnesses during judicial proceedings in cases of violence against women;
24. Welcomes the criminalisation of non-voluntary virginity tests and genital examinations, notes the exception made in cases of a court order, but stresses that even where there is such an order the consent of the women concerned should be an absolute necessity;

25. Calls on the government to provide women who have been, or are at risk of becoming, victims of violence with proper, easily accessible healthcare and legal support and protection, and to establish telephone help lines for women to report violence and request support;
26. Commends the Turkish government on recent legal changes which make honour killings punishable by lifelong imprisonment and allow for the punishment of accomplices to such killings; commends the recognition of marital rape as a crime, and calls on the Turkish government to ensure that the penal sanctions envisaged are effectively applied; calls on the Member States to fight honour crimes on their territory;
27. Asks the Commission to support the drawing up of independent, comprehensive prevalence studies providing, inter alia, reliable data, especially with regard to the illiteracy rate among women, problems related to women's labour force participation, and the occurrence of violence against women, in particular domestic violence and honour killings, with a view to helping the authorities concerned to take the necessary measures;
28. Urges Turkey, being party to CEDAW and the Optional Protocol thereof, to ratify Additional Protocol No 12 to the European Convention on Human Rights¹, which deals with the prevention of discrimination;
29. Suggests that the political parties should review their party structures and adopt adequate strategies to reach a better balance of women and men in elected assemblies, including positive measures such as quotas;
30. Encourages the political parties in Turkey to extend the role of women in the party hierarchy beyond the women's branches, to give women leading roles in the party's organisational structure, to raise awareness of the importance of female political participation and to scout for, train and support female candidates for political office; believes that such policies could be reinforced by cooperation with European political parties, which would offer substantial mutual exchange of experiences and views;
31. Welcomes the proposal to establish a Committee on Women's Rights and Gender Equality with full legislative powers in the Turkish parliament, calls urgently for the necessary legislation be adopted as soon as possible, and invites that committee to liaise regularly with the European Parliament's Committee on Women's Rights and Gender Equality;
32. Calls on the Turkish parliament also to ensure the presence of women MPs in the Delegation to the EU-Turkey Joint Parliamentary Committee;
33. Reaffirms its call on the Turkish authorities to step up their efforts to guarantee women's right to education and that women whose free access to education is hindered by difficulties stemming from their family or their social or cultural environment are informed of their rights; suggests to the Turkish government that it guarantee the right to education at primary and secondary level and increase financial aid to parents, especially in rural and disadvantaged areas, with a view to encouraging them to educate

¹ <http://www1.umn.edu/humanrts/euro/z31prot12.html>.

their children, and above all their daughters, given the high illiteracy rate among women;

34. Calls on the Turkish government to take the necessary measures, especially in rural and disadvantaged regions, to combat illiteracy, notably by organising information and awareness campaigns on the importance of education and its potential contribution to the economy and society, with particular stress on educating girls;
35. Is of the opinion that promoting gender-sensitive education and compulsory participation of female pupils/students whose families live principally in decentralised regions would help to improve their standing in society and open up society to gender issues; encourages, therefore, the process of making education more gender-sensitive, for instance by reviewing educational materials in line with Article 5 of CEDAW, and calls on the government to ensure that girls and boys are taught about issues of women's rights and gender equality;
36. Calls on the Commission and the government of Turkey to launch media (TV, radio, etc.) campaigns drawing attention to the importance of respecting women's rights and the positive effects thereof on society and the workplace;
37. Stresses that Turkey needs to comply fully with the Community acquis in the field of equal pay, equal opportunities and equal treatment of men and women in working life and the labour market and needs to improve women's access to the labour market and lifelong learning, among other measures by fighting discrimination and ensuring the compatibility of working and family life;
38. Calls on the Turkish government to provide information on the situation regarding the rights of women working in family businesses, in agriculture or illegally;
39. Calls on the Turkish government to promote exchanges between schools, associations and other bodies bringing together young European and Turkish people of both sexes;
40. Calls on the Commission and the Turkish government to continue setting up and supporting women's labour and employment projects, including projects set up by NGOs, and calls on the Turkish government to implement national action plans on women and employment, as is currently the practice in the Member States;
41. Calls on trade unions and other social partners in the European Union and Turkey to cooperate in increasing the participation of women in the Turkish labour force and executive functions in the various sectors of the labour market;
42. Emphasises its intention to monitor closely the situation of women in Turkey, to report thereon on a yearly basis through its Committee on Women's Rights and Gender Equality and urges the Commission to do the same;
43. Calls on the Commission to cover, systematically and comprehensively, in its first report to the European Council in December 2005 on the pace of the reforms – which will also determine the progress of the negotiations – the progress achieved up to that point in changing and implementing legislation to promote women's rights;

44. Instructs its President to forward this resolution to the Council and the Commission, the governments of the Member States, the Secretary-General of the Council of Europe and the government and parliament of Turkey.