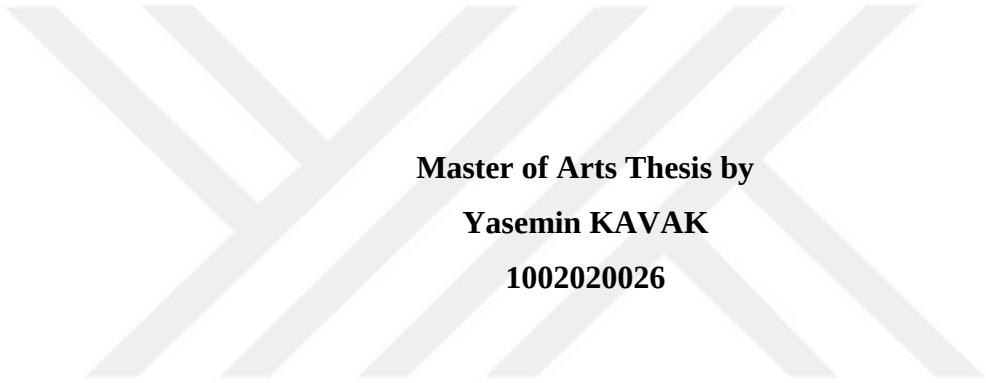


T.C
ISTANBUL KULTUR UNIVERSITY
INSTITUTE OF GRADUATE STUDIES

THE EUROPEAN UNION'S IMPACT ON WOMEN'S RIGHTS IN TURKEY



Master of Arts Thesis by
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NOVEMBER 2020

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NOVEMBER 2020

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LIST OF ABBREVIATIONS

ABIGEM	: Turkey and EU Business Development Centre
AKP	: Justice and Development Party
BIANET	: Independent Women's Organizations
CEDAW	: Convention on the Elimination of All Forms of Discrimination against Women
CKD	: Republican Women's Association
DGMM	: Directorate General of Migration Management
EC	: European Commission
ECC	: The European Consumer Centres
EEC	: European Economic Community
EU	: European Union
ECJ	: European Court of Justice
FEMM	: The Committee on Women's Rights and Gender Equality
GAP-GIDEM	: The Small and Medium Enterprise Development in Southeast Anatolia
GDP	: Gross Domestic Product
GFW	: Global Fund for Women Foundation
GREVIO	: Group of Experts on Action against Violence against Women and Domestic Violence
HAZAR	: The Peace, Education, Culture, and Solidarity Association
IPA	: The Instrument for Pre-accession Assistance
ISKUR	: The Turkish Employment Agency
KADAV	: The Foundation of Women's Solidarity
KADEM	: The Foundation of Women and Democracy
KA-DER	: Association for the Support and Training of Women Candidates
KAGİDER	: Association of Women Entrepreneurs
KAMER	: Women Center
KEFEK	: Grand National Assembly of Turkey-Committee on Equality of Opportunity for Women and Men
KSGM	: Directorate General on the status of women
MEDA	: Euro-Mediterranean Partnership's (MEDA) Education
MP	: Member of Parliament
MUSIAD	: The Independent Industrialist and Businessmen Association
NATO	: North Atlantic Treaty Organization
NGO	: Non-governmental Organization
OECD	: The Organisation for Economic Co-operation and Development
OEEC	: The Organisation for European Economic Cooperation
SIAD	: The Regional and Provincial Industrialist and Businessmen Association
ŞÖNİM	: Violence Prevention and Monitoring Centers
TUSIAD	: Association of Turkish Industrialists and Businessmen
UNFPA	: United Nations Population Fund
UNICEF	: United Nations Children's Fund
WES	: Women Entrepreneurship Support Network

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ABSTRACT

THE EUROPEAN UNION'S IMPACT ON WOMEN'S RIGHTS IN TURKEY

Yasemin Kavak

The relations of Turkey and the European Union (EU) has begun when Turkey has applied to be a member in 1959. Yet, the literature on this matter began to be important place in international relations since Turkey's official candidacy was declared in 1999. Since then, Turkey has gone through a transformation process with regards to the women's rights. The EU has been working on enhancing gender equality through its founding institutional structures and treaties. Besides, the Turkish Civil Code and Constitution have adopted and introduced essential reforms in civil rights which affects the rights of women. Furthermore, the process of integration has been endorsed with the two leading NGOs; KA-DER and KAGIDER. They have been effective instruments in encouraging women to participate in the work force and decision-making mechanisms. The aim of this thesis is to scrutinize Turkey's position in the light of women's rights through literature review. It also reflects both the developments and deficiencies during the pre-accession of Turkey to European Union. It also explores how the EU and Turkey relations has been during the AKP period and have impacted on the women's rights. This thesis aims to analyze the European Union's impact on women's rights in Turkey. Therefore, this study is based on the questions of "how Turkey's integration to the EU has affected women's rights and what are the driving forces behind women's rights in Turkey?" The thesis draws heavy attention to the ruling party AKP government's and President Erdoğan's traditional patriarchal attitude towards gender equality. This situation has paved the way for effecting the Turkey and the EU relations in a negative way. Finally, this study tries to examine and to evaluate European Commission Progress Reports on Turkey (1999-2019), the important drawbacks and improvements regarding the women's rights.

Keywords: Turkey, the European Union, Women's Rights, NGOs, AKP, International Treaties, Turkish Civil Code, Progress Reports (1999-2019)

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KISA ÖZET

AVRUPA BİRLİĞİ’NİN TÜRKİYE’DEKİ KADIN HAKLARI ÜZERİNDEKİ ETKİSİ

Yasemin Kavak

Türkiye ve Avrupa Birliği (AB) ilişkileri, Türkiye’nin tam üyelik başvurusu yapmasıyla 1959 yılında başlamıştır. Türkiye’nin resmi adaylığı açıklandığından beri, bu konudaki literatür önemli bir yer edinmiştir. Bu süre zarfında, Türkiye de kadın hakları hususunda bir dönüşüm sürecine girmiştir. Bir başka deyişle, Avrupa Birliği, AB Kurumları ve de anlaşmaları ile cinsiyet eşitliğini teşvik etmeye çalışmıştır. Bunun yanı sıra, Türk Medeni Kanunu ve Anayasası kadın haklarını önemli bir şekilde etkileyen bir takım gelişmeler gerçekleştirmiştir. Ayrıca, Avrupa Birliği entegrasyon süreci önde gelen iki önemli sivil toplum kuruluşu ile desteklenmiştir. Bunlardan biri KA-DER; Kadın Adayları Destekleme Derneği ve diğeri ise KAGİDER; Kadın Girişimcileri Derneği. Bahsedilen her iki sivil toplum kuruluşları kadınları karar alma mekanizmalarına ve kadın istihdamına teşvik etmek açısından etkili araçlar olmuşlardır. Bu çalışma, Avrupa Birliği katılım öncesi süreçte kadın hakları ışığı altında literatür incelemesiyle hem gelişmeleri hem de eksiklikleri yansıtmayı hedeflemektedir. Aynı zamanda, AKP yönetimi boyunca, Türkiye ve AB ilişkileri ve kadın hakları üzerindeki etkisine değinmiştir. Bu tezin amacı Avrupa Birliğinin Türkiye’deki kadın haklarına etkilerini incelemeyi amaçlamaktadır. Bu nedenle, bu çalışma, Türkiye’nin Avrupa Birliği entegrasyonu kadın haklarını nasıl etkilediği ve Türkiye’deki kadın haklarını destekleyen faktörlerin neler olduğu sorusu üzerine kurulmuştur. Bu çalışma Adalet ve Kalkınma Partisi Cumhurbaşkanı Erdoğan’ın cinsiyet eşitliğine karşı geleneksel ataerkil tutumuna değinmektedir ve bu durumun Avrupa ve Türkiye ilişkilerini olumsuz yönde etkilemesine zemin hazırlamıştır. Son olarak, bu çalışma Avrupa Birliği Komisyonu tarafından 1999-2019 yıllarında düzenlenen İlerleme Raporlarını inceleyerek kadın hakları hususunda gerçekleşen önemli gelişmeleri ve de sorunları değerlendirmeye çalışmıştır.

Anahtar Kelimeler: Türkiye, Avrupa Birliği, Kadın Hakları, Sivil Toplumlar, Adalet ve Kalkınma Partisi, Uluslararası Anlaşmalar, Türk Medeni Kanunu, İlerleme Raporları (1999-2019)

PREAMBLE

This thesis became possible with the guidance and assistance of many individuals. They have contributed their valuable knowledge during the period of this study. I would like to start by thanking Asst. Prof. Dr. Ahmet Cemal Ertürk, my supervisor. He supported and encouraged me with a patient and shared his academic knowledge endlessly all the time. His guidance and feedbacks were crucial and valuable for this thesis. I am also indebted to Asst. Prof. Dr. Bora Bayraktar for his eternal moral and emotional support. He has motivated me to follow my dreams and complete this study.

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1. INTRODUCTION

Instruments for International Human Rights aim to enhance, promote and protect the fundamental rights of all human beings. Everyone can enjoy their rights without any kind of gender-based discrimination. However, women experience gender inequality in various forms. There is currently a serious gender gap which does stem from both biological differences between the sexes and the patriarchal culture prevailing in the society. There are other triggering factors preventing women from accessing the equal rights including traditions, customs, religious beliefs and practices, and laws.

The disparity between the sexes has affected people's way of thinking and attitudes all around the world. The wide gender gap initiated various discussions in Turkey to enhance the position and situation of women. The domestic violence against women, honour killings, and torture have been increasingly occupying Turkish media. The victims are generally children and women, as stated in one of the government publications: "Regardless of their culture, race, class, education, most of the women have been subjected to all kinds of violence in all spheres of social life including schools, private and public places, within the family, even in the streets both verbally and physically."¹

The gender inequality has only recently become a common problem to address. During the 1980s-90s, the prominence of the issue was acknowledged in the international publications and regarded as an one of the key social problems.² In 1992,

¹ Ekin Bozkurt Şener, *Kadına Yönelik Aile İçi Şiddeti Önlemede 4320 Sayılı Ailenin Korunmasına Dair Kanun ve Değerlendirilmesi*, T.C. Başbakanlık Kadının Statüsü Genel Müdürlüğü Yayını, Ankara, 2011, s.3

² Şener 2011, p.3

the CEDAW Committee adopted general recommendation 19. It mandates the state parties to implement related measures including legislative measures for women to protect them from violence.³ The Family Protection Law No 4320 entered into force in January 1998 to protect women against domestic violence. After a decade of cooperation with women's organization for change in the Turkish Civil Code, in 2000, the government finally drafted a new civil code in accordance with women's demands to fully achieve gender equality.⁴ The Law No 4320 is expanded and informed legislations and directives to be implemented for raising awareness about the women's rights and violence.⁵ Due to the deficiencies in the Constitution and the lack of protection mechanism against violence, the President enacted the Law on Protection of Family and Prevention of Violence numbered 6284.⁶ The Government aimed to ensure that the institutions take an active role in fighting all kinds of violence. In doing so, it tries to protect the fundamental right to life, and puts an end to violence against women.⁷

The CEDAW had a major role in taking the women's rights issue into public attention in Turkey. It recommended to eliminate all discrimination that women face and took precautions concerning affirmative action on behalf of women for the implementation of formal legal equality.⁸ The European Parliament adopted a resolution in 2011, entitled "Priorities and Outline of a new EU Policy Framework to Fight Violence against Women." The resolution emphasizes that Violence Against Women embodies several violations of human rights. It also offers an extensive and new policy approach against gender based violence.⁹ The Article 90 of the Turkish Constitution stipulates that if the international treaties, which are signed and ratified by Turkey, and the national laws and the constitution conflicts, the international norms shall be practised. Furthermore, Turkey is compelled to apply the international human

³ Eray Karınca, *Kız Doğursun Analar-Kadının Eş Şiddetinden Korunması*, Bilgi Yayıncılık, Ankara, 2011, s.21

⁴ P. Ilkcaracan, 'Democratization In Turkey from a Gender Perspective', in C. Rodriguez, A. Avalos, H. Yilmaz and A. I. Planet (ed.) *Turkey's Democratization Process*, London: Routledge, 2013, p. 158.

⁵ Özlem Bozkurt Gevrek, "Türkiye'de Aile İçi Şiddetle Mücadele konusunda Disiplinler Arası Yaklaşım", *İdarecinin Sesi Dergisi*, 2011, S.149, s.15-16.

⁶ 181 Sayılı TBMM Esas Komisyon Raporu, 24.02.2012, s.7

⁷ 181 Sayılı TBMM Esas Komisyon Raporu, 24.02.2012, s.7

⁸ Bayraktar, Damla. 2009. "Crossing the Bridge: The Europeanization of Women's NGO's in Turkey." Ph. D. Dissertation, Institut d' Etudes Politiques de Paris.

⁹ European Parliament, European Parliament Resolution 2010/2209(INI), 5 April 2011.

rights norms mentioned above, regardless of the national legal norms.¹⁰

The research question of this thesis is that how the EU has been affecting women's rights in Turkey. The European Union has worked on consolidating the women's rights and improving their situation through its international human rights instruments. Turkey shares similar features with the Southern European and Middle Eastern countries due to its geographic location. However, "while its starting point and early development was closer to its Middle Eastern counterparts, the influence of the EU and recent reforms in the social policy domain mark an inclination towards the Southern European cluster."¹¹ Since Turkey has historical and cultural background that designates women a primary role as mother, it bears heavy emphasis on the concept of "family." For this reason, women in Turkey encounter many difficulties with regards to participation in work force, in politics, and even in education. The research question of this thesis is: how does the integration of Turkey's into the EU affect women's rights? The thesis will also analyze the key driving factors that has helped promote women's rights in Turkey. In accordance with these discussions, in this study the focus is on how EU accession process effect Turkey's laws and regulations related to women rights.

This thesis is divided into six main parts. Chapter 2 maps out the EU and Turkey's relations until AKP era. It includes the convergence and divergence namely; the ebbs and flows between the EU and Turkey. It further discusses the nature of the EU and Turkey relations: they are seen as romantic partners that are "Forever Engaged, Never to be Married"¹², but need each other. The chapter also briefly touches upon the women's rights in Europe and the developments and strategies adopted by the EU bodies and governments in furthering the cause.

Chapter 3 embodies a literature review and information in detail about the situation of women in Turkey and to what extent women in Turkey enjoy their rights. It also analyzes the bilateral relations in light of the women's rights.

¹⁰Constitution of the Republic of Turkey (Türkiye Cumhuriyeti Anayasası), Article 90, Para [5].

¹¹ Aybars, A. I., & Tsarouhas, D. (2010). Straddling two continents: Social policy and welfare politics in Turkey. *Social Policy & Administration*, 44(6), 746-763.

¹² Amanda, Paul. "Turkey-EU Relations: Forever Engaged, Never to be Married?" (Accessed on July 8, 2020.)

Chapter 4 commences with the brief explanation of the notion of women's rights and then it provides historical background of women's rights beginning from the Ottoman Empire period to the proclamation of the Turkish Republic. It covers all the reforms and developments concerning the rights of women.

Chapter 5 provides a comprehensive knowledge about the EU enforcement mechanisms and the mechanisms directly related to improving women's access and exercise of their rights. The member countries have been particularly effective in abolishing the laws that block women's empowerment and adding those that improve women's lives. The section also encompasses the founding treaties of the EU such as Treaty of Rome, Treaty of Maastricht, Treaty of Amsterdam and Treaty of Lisbon. These treaties aim to provide equal rights and opportunities to both genders.

In Chapter 6, the thesis focuses on the Turkey's journey through European Union accession process including the necessary amendments to the regulations and legislations to ensure their alignment with the *acquis communautaire*. The chapter examines these processes in detail by providing extensive information about the specific treaties and their role in the strengthening the situation of women vis-a-vis men. With the contribution of the UN Conferences on Women, Turkey is not indifferent to these international developments and becomes a party to two significant treaties, which are CEDAW and Istanbul Convention. Also, The Optional Protocol to the Women's Convention and CEDAW Committee Reviews on Status of Women in Turkey have been supporting measures to analyze the current situation of the women. Turkey's EU relations has been more active in recent years through NGO-led work. This chapter analyzes the work of two NGOs; KA-DER and KAGIDER. They could be regarded as a driving force behind the effort of transforming and developing the position of women in the society through their active encouraging their involvement in politics and work force. This chapter also discusses the Turkey and the EU Business Development Projects through KADAV, ABİGEM and GAP-GİDEM

Chapter 7 discusses Turkey's patriarchal culture and its effect on the EU and Turkey relations during 1999-2019 in AKP era. Although there are some shortcomings, Turkey has made some progress through KEFEK, ISKUR and Civil

Law considering EU Acquis. This chapter further analyzes the EC Progress Reports on Turkey (1999-2019) to complement the previous analysis. Finally, this chapter provides the evaluation of the Progress Reports for the period of 1999-2019 and the Progress Report prepared by Turkey. The chapter, wherever possible, explore major setbacks and achievements with regards to the women's rights in various aspects, including employment, education, politics, social participation. Chapter 8 summarizes the main findings and arguments of the thesis.

1.1. Methodology of the Study

In order to analyze the impacts of the EU on women's rights in Turkey, I used literature survey method in this thesis. Primary and secondary sources concerning the women's rights in Turkey considering the EU relations have been collected and consulted. These sources include national legislations, conventions, international treaties, reports prepared by NGOs, UN Conferences on Women, articles, books, research reports, government's publications and documents published by political parties. The thesis will analyze the Istanbul Convention and CEDAW which both aim to highlight the violence against women. As it is stated in the forthcoming chapters, due to the ruling' party AKP's patriarchal attitude towards gender equality, the conventions are not put into practice effectively. In this regard, it is crucial to state that once the government persists in his strict and critical tone towards women's position in the society and gender role, it will definitely result in inequality. The Law No:6284 and Istanbul Convention are significant and should be implemented in Turkey because according to the EU Commission Progress Reports, the number of women exposed to the domestic violence are increasing. Thus, the Law No. 6284 makes women be aware about the law and the implementation of the law.¹³

I also used qualitative research method to discover the impact of AKP government on the studied phenomenon. Hence, this thesis will examine both democratic development and backsliding by dividing the section into four periods. It

¹³ Kıymaz Bahçeci, Şehnaz. "Evaluation of Istanbul Convention: Its Contributions and Constraints for Elimination of Violence Against Women in Turkey." Master's thesis, Middle East Technical University, 2012.

will reveal the situation of women in Turkey in light of the EU effect. Through these studies, it has been found that prominent reason of low number of women in the labor market is low education and politics stem from the governments' patriarchal stance toward gender equality. This cultural patriarchal approach may harm the bilateral the EU and Turkey relations.

The thesis tried to evaluate the European Union Commission Progress Reports on Turkey. It explored that women are exposed to violence not only in their domestic environment including their family but also in almost all areas of the society including the workplace, education, and in public places. The EU supports that gender equality must be realized and women must be empowered. Turkey's European Union integration process will be consolidated through promoting equal opportunities and gender equality.

2. GENERAL OVERVIEW ABOUT EU-TURKEY RELATIONS

Turkey and EU have been in a close partnership for centuries. “The importance of Turkey for Europe is rooted in the historic ties between the two sides, dating back to Ottoman times”.¹⁴ Since then, Turkey has served a bridge between Europe, the Middle East and Asia. Turkey has similar features with the Middle Eastern and Southern European countries. Turkey’s early development and where it began was closer to its Middle Eastern counterparts, the influence of the EU and the late changes in the social policy area show a tendency close to the Southern European cluster.¹⁵ Turkey as an aspirant EU member has a significant role between the West and the East. Turkey currently hosts many Syrian refugees and migrants. It also “halts the influx of refugees, particularly from Syria, into Europe and as an incentive Europe grants economic aid and a promise to grant visa-free travel to Turkish citizens within the Schengen zone. With around 3.7 million refugees living within the Turkish borders, Turkey prevents a potential influx of refugees that would put an immense pressure on Europe’s resources. Hence, the EU Commission’s insistence on maintaining the engagement with Turkey should be no surprise¹⁶.

In his speech, Erdogan, President of Turkey, declares that Turkey should be accepted into the European Union. If not, we will change the name of the Copenhagen criteria to the Ankara criteria and continue with the reforms.There’s no turning back on the road that Turkey’s been taking to

¹⁴ Tocci, Nathalie. Turkey and the European Union: A Journey in the Unknown. Brookings: Center on the United States and Europe, 2014.

¹⁵ Aybars, A. I., & Tsarouhas, D. (2010). Straddling two continents: Social policy and welfare politics in Turkey. *Social Policy & Administration*, 44(6), 761.

¹⁶ Broomfield M. (2016) Picture of Life for Turkey’s 2.5 million Syrian refugees, *The Independent*.

integrate with Europe, and there are no other alternatives.”¹⁷ In this context, Turkey aims to enhance the women’s situation and supports the activities related to gender equality. “Scope of Turkish Gender Equality includes strengthening women’s social statute, working life, social security, legal protection, political participation, culture and education subjects.”¹⁸

This thesis focuses on the so-called long-termed Turkey and the European Union relations considering the women’s rights and how it effected the Turkey’s application to enter the EU. Thus, it is quite significant to comprehend the background of Turkish-European relations prior to going through history of women’s rights in Turkey. Turkey’s geopolitically and geostrategically important location between Asia and Europe has helped Turkey cultivate a strong bond with Europe. Turkey, due to its fast-growing economy and its membership of NATO and the G20, is considered a pivotal partner by the EU. As Nathalie Tocci has put it: “Be it through war, diplomacy, commerce, art, cuisine, or intermarriage, Turkey has always been an integral part of Europe’s history. Over centuries, relations between the two were characterized by cooperation and convergence.”¹⁹ Despite the strong ties forged between the two, the evolution of the relationship has not been without its challenges. Nevertheless, Turkey has continued to acknowledge the benefits of establishing a favourable relationship with the EU in terms of trade, political and economic cooperation, commerce, and cooperation in the fields of education and health. Thus, after EEC was created in 1958, Turkey applied to be member of the EEC immediately on 31 July 1959.

Following confirmation of Turkey’s application and the subsequent negotiations with Council of Ministers of EEC, Ankara Agreement on forming and association between EEC and Turkey on 12 September 1963. On 1st December, it came into force.”²⁰ An association was established with this agreement to remain until

¹⁷ Recep Tayyip Erdoğan: “Copenhagen criteria would become Ankara criteria.” *Journal of Turkish Weekly*, Friday, 1 July 2005. Available at: <http://www.turkishweekly.net/news/14088>.

¹⁸ Senem Aydın, “Avrupa Birliği’nde Kadın Hakları ve Türkiye”, *İktisadi Kalkınma Vakfı*, No.175, İstanbul: İktisadi Kalkınma Vakfı, July 2003, p.1-30.

¹⁹ N. Tocci, Turkey and the European Union, *A Journey into the Unknown*, Center on the United States and Europe at Brookings, November 2014, pp 1& pp 5.

²⁰ *Commission opinion on Turkey’s request for accession to the Community*, Commission of the European Communities, SEC (89) 2290 final, Brussels:20.12.1989.

political, economic and social circumstances in Turkey allowed the accession.²¹ The agreement was accepted as the foremost preparatory step towards Turkey's full membership. The agreement embodies three stages;

Preparatory stage was the first stage. Turkey should consolidate its economy with the help of the ECC, so that it can meet the requirements that would occur over the course of the forthcoming two stages. The preparatory stage ended up when the Additional Protocol entered into force in 1973. Based on the Ankara Agreement, the transitional stage of Association was launched in 1973. The Additional Protocol set up circumstances and process for Turkey and EEC to be taken into account throughout the transitional stage and also, in the course of the ongoing constitution of the Customs Union in trade of industrial goods.²²

Turkey-EU relations was turbulent from the outset through till the second half of 1980s owing to the economic and political reasons. Once military coup of 12 September 1980 happened, Turkey and the EU relations were officially suspended. Prime Minister of Turkey Turgut Özal made an official request for full membership in 1987. In 1989, EC declined the request due to the Turkey's failure for on finding a solution for the problems associated with democratization. Yet, there was still open gate for Turkey to gain admission from the EU. The Commission was in the opinion that Turkey still meet the requirements to be eligible to be a member.²³

The prospects for Turkey's EU membership brightened in 1996, when Turkey entered the EU Customs Union, marking the beginning of higher levels of economic integration and, in Ankara's eyes, the prelude to full EU membership."²⁴

Tezcan asserts that, ever since the Helsinki European Council was conducted in 1999, Turkey had been acknowledged as a candidate country in the presence of the EU. Since then, Turkey has undergone significant judicial transformation with regards to amendments in human rights and various legal regulations and articles in the

²¹ The article 28 of the Ankara Agreement stipulating the conditions of Turkey's accession to the EC.

²² Nas, Ç. And Ozer, Y. (2017) . "Turkey and EU Integration Achievements and Obstacles Introduction." *Turkey and EU Integration: Achievements and Obstacles*, pp.1-33.

²³ *Commission opinion on Turkey's request for accession to the Community*, Commission of the European Communities, SEC (89) 2290 final, Brussels:20.12.1989.

²⁴ Heinz Kramer, "The EU-Turkey Customs Union: Economic Integration Amidst Political Turmoil," *Mediterranean Politics*, Vol. 1, Issue 1, (1996): 60-75.

Turkish Constitution.²⁵ Ziya Onis stated that

The European Council had put forward its suggestion on October 6, 2004 concluding that the Copenhagen Political Criteria was fulfilled by Turkey. Eventually, Turkey's advancement and evolution in reforms has paved the way for accession talks in October 2005 and still keep going.²⁶

The period between 1999 and 2005 was regarded as "Golden Age Period" in which Turkey was not only improving the position of women but also embarking on the Europeanization process. So far, in Turkey's EU accession negotiations, only one chapter was temporarily closed but other 35 chapters have been opened.²⁷ The Commission also launched a Communication about the civil-society dialogue between candidate countries and the EU and to create a framework in general "on how to create and reinforce links between civil society and candidate countries."²⁸

According to the accession partnership document offered by the EU Council on 14 April 2003, there is an article under "Financial Assistance" which states that civil society organizations can benefit from the support for their initiatives aiming at improving the supremacy of law, democratic rights, human rights, protection of the minorities, and gender equality. This article states that initiatives furthering gender equality will be supported financially.²⁹ The dialogue covered the Turkey and the EU's activities, and envisaged the improvement of long term partnership with non-governmental bodies to "strengthen the position and participation of women in all

²⁵ Ercüment Tezcan, "Helsinki' den 3 Ekim'e: Müzakerelere Giden Sürecin Dünü, Bugünü, Yarını, Türkiye- Avrupa Birliği İlişkileri", Avrasya Dosyası, **International Relations and Strategic Research Journal**, Eurasia Strategic Research Center, Vol. 11, No. 1, 2005, p.15.

²⁶ Ziya Öniş, "Domestic Politics, International Norms and Challenges to the State: Turkey-EU Relations in the Post-Helsinki Era," *Turkish Studies*, Vol.4, No. 1, (2010):9-34 and Paul Kubicek, "Political Conditionality and the EU's Cultivation of Democracy in Turkey," *Democratization*, Vol. 18, No 4, (2011): 910-931.

²⁷ Republic of Turkey, Ministry for EU Affairs, TR-EU Relations, <https://www.ab.gov.tr/brief-history-111-en.html>, (14.10.2019)

²⁸ "COM [2005] 290." Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: Civil Society Dialogue between the EU and Candidate Countries. June 29, 2005.

²⁹ T.C. Dışişleri Bakanlığı, Türkiye Katılım Ortaklığı Belgesi 2003 https://www.ab.gov.tr/files/AB_Iliskileri/AdaylikSureci/Kob/Turkiye_Kat_Ort_Belg_2003.pdf, 15 Nisan 2020, 3., 9., 13. Ve 15.

aspects of Turkish society.”³⁰ The EU provisionally closed the chapter on Science and Research (June 2006) and has opened new negotiations on seven chapters. However, the EU suspended eight chapters (Free movement of Goods, Financial Services, Right of Establishment and Freedom to Provide Services, Agriculture and Rural Development, Fisheries, Transport Policy, Customs Union, and External Relations) due to the failure of implementation of the Additional Protocol to the Ankara Agreement relating to disagreements with Cyprus.³¹

Ziya Onis claims that Turkey does not understand the EU transformation in the last years, particularly in advancing human rights.³² Onis states that Turkish elites are highly unlikely to realize all reforms. Therefore being a full membership will be “slow and protracted.”³³ Moreover, Turkey’s democracy can be actualized only if Turkey resolves the bilateral conflicts with Greece and settles the long-standing disagreements with Cyprus.

Despite the progress achieved since the Word War I, the Turkish culture can still be regarded as traditional, authoritarian and patriarchal.³⁴ However, women’s rights and gender equality are one of the *sine qua nons* conditions for making the EU integration possible. Women’s rights issue has always been and will likely remain one of the most sensitive topic due to the government’s patriarchal approach in Turkey. As Alparslan Nas mentions, AKP has conservative, anti-feminist political ideology and pro-islamist and has been a single-party government since 2002.³⁵ AKP has made clear its authoritarian approach towards women’s rights especially following AKP was elected third time in 2011.³⁶ AKP has reflected its own perspective on gender equality focusing on women’s role as mothers and standard bearers of “family values.” Despite

³⁰ T.C. Dışişleri Bakanlığı, Türkiye Katılım Ortaklığı Belgesi 2003 https://www.ab.gov.tr/files/AB_Iliskileri/AdaylikSureci/Kob/Turkiye_Kat_Ort_Belg_2003.pdf, 15 Nisan 2020, 3., 9., 13. Ve 15.

³¹ European Commission. (2009). "European Commission Enlargement." EU-Turkey relations.

³² Ziya Onis, “Luxembourg, Helsinki and Beyond: Towards an Interpretation of Recent Turkey-EU Relations,” *Government and Opposition*, Vol.35, no.4, pp. 463-483, at 465.

³³ Onis, Ziya. Pp. 463-483-465.

³⁴ D. Sunar, G. O. Fişek, ‘Contemporary Turkish Families’, in U. Gielen & J. Roopnarine (ed.) *Families in Global Perspective*, Boston: Allyn & Bacon/Pearson, 2005, pp. 169-183.

³⁵ Alparslan Nas, “Familialization of women: Gender ideology in Turkey’s public service advertisements” *Fe Dergi* 8, no. 1 (2016), 168-182.

³⁶ Nas, *Familialization of women: Gender ideology in Turkey’s public service advertisements*, 168-182.

the setbacks due to the AKP's different interpretation of gender equality issue, there has still been some progress in line with the EU Acquis.³⁷

2.1. The Roots of Stagnation in EU-Turkey Relations

Obviously, from the outset, Turkey and the EU have experienced ambivalent and non-linear relations. The cyclical and ambiguous nature of the EU-Turkey relations lies at the heart of a relationship.³⁸ However, many EU countries constantly expressed their unwillingness for the Turkey's accession.³⁹ First of all, the EU and the other member states claim that Turkey is a dominantly Muslim country and they are afraid of having such a big community. In this context, they argue that Turkey should not be member for the reason that "they lack a Christian identity."⁴⁰ It is clear that Turkey's bid is rejected due to the noticeable cultural and religious differences between the two.⁴¹ Moreover, the former European Commissioner Frits Bolkestein said that "Turkey is too poor, too big, too Muslim, and too different to join the European Union."⁴² There are also many other critical reasons why the EU states are averse to Turkey's membership. The deficiencies of human rights, the treatment of minorities, the rise of political Islam, the treatment of Kurdish people, the Armenian issue, Cyprus problem, and multiple coup attempts. In addition, Lewis states that Turkey has reached the upmost level in populist rhetoric.⁴³

The period of President Recep Tayyip Erdoğan's is blurred in terms of what

³⁷ Aybars, A. İ., Copeland, P., & Tsarouhas, D. (2018). Europeanization without substance? EU–Turkey relations and gender equality in employment. *Comparative European Politics*, 1-19.

³⁸ Lagro, E. and Jorgensen, K.E. (2007) *Turkey and the European Union: Prospects of a Difficult Encounter* (Basingstoke: Palgrave Macmillan).

³⁹ Eurobarometer, *Eurobarometer 64*, Brussels: European Commission, June 2006, pp. 137-140 and Eurobarometer, *Special Eurobarometer 225*, Attitudes Towards European Union Enlargement, Brussels: European Commission, July 2006, pp. 69-71.

⁴⁰ Cameron, Fraser. 2004. *The Future of Europe: Integration and Enlargement*. New York: Routledge.

⁴¹ Redmond, J. (2007). Turkey and the European Union: Troubled European or European Trouble? *International Affairs (Royal Institute of International Affairs 1944-)*, 83(2), 305-317. Retrieved March 16, 2020, from www.jstor.org/stable/4541700.

⁴² Lamb, Scott. 2004. "Turkey and the EU: The Pros and Cons". Spiegel Online International. Accessed November 25, 2014. <http://www.spiegel.de/international/turkeyand-the-eu-the-pros-and-cons-a-333126.html>.

⁴³ Lewis, P., C. Barr, S. Clarke, A. Voce, C. Levett, and P. Gutiérrez. 2019. "Revealed: The Rise and Rise of Populist Rhetoric." *The Guardian*, March 6.

Islamism, nationalism, and populism borders are.⁴⁴ Jenny White uses the term of “muslim nationalism” to describe the new national identity as a populist reflection by saying that an imperial Ottoman characterized Turkish Muslims’ subjectiveness and perception about the future and it is separated from the Kemalist Project.⁴⁵ It is a common public and academic view that authoritarian rule has expanded since the outbreak of 2013 Gezi Protests. Erdoğan sees that any disagreement is made by dark international elite force as the mastermind.⁴⁶ It is visible that AKP populism has become more anti-Western, nationalist, and communitarian afterwards.⁴⁷

2.2. The Key Factors of Rapprochement in EU-Turkey Relations

1999 Helsinki summit made the Turkey-EU relations flourished. Turkey became candidate country just after the Commission has recommended in the second Regular Report. Since then, Turkey has achieved significant progress due to the prospects of entering the EU. As such, the EU has acted as an anchor for the adoption of amendments that were extremely crucial for fulfilling the requirements of the Copenhagen Political Criteria.

The abolishment of death penalty, introduction of positive discrimination towards women, and progress in human rights, education, transportation and technological industry, trade, tourism and agriculture are considered positive aspects of the EU policies in Turkey. It was stipulated that Turkey would take advantage of full-membership like the new member of Central and Eastern European states.⁴⁸ This advantage is ensured by Turkey’s building democratic institutions; respecting minority rights within a more politically stable environment; achieving economic growth through economic reforms; providing better employment opportunities and delivering

⁴⁴ Lewis, P., C. Barr, S. Clarke, A. Voce, C. Levett, and P. Gutiérrez. 2019. “Revealed: The Rise and Rise of Populist Rhetoric.” *The Guardian*, March 6.

⁴⁵ White, J. 2014. *Muslim Nationalism and the New Turks*. New Jersey: Princeton University Press.

⁴⁶ Hakkı Taş (2020): The chronopolitics of national populism, *Identities*, DOI:<https://www.tandfonline.com/doi/full/10.1080/1070289X.2020.1735160>

⁴⁷ Taş, *The chronopolitics of national populism, Identities*, 2020.

⁴⁸ Avrupa Komisyonu Türkiye Delegasyonu, AB Türkiye Görünüm, No:1 http://www.deltur.cec.eu.int/_webpub/documents/ABTurkiye%20Gorunum_WEB.pdf (January 2006).

structural improvements through the EU financial aid.⁴⁹ Turkey's appeal to the EU is based on its relatively young population and growing economy compared to other the EU members such as Holland, Germany and Belgium. Turkey has become the 18th most powerful economy in the world with its \$786 Billion Gross Domestic Product 786 billion.”⁵⁰ Lots of European countries could not manage to overcome their economic challenges. However, the Turkish economy grew by 9.2 % and 8.5 % in 2010 and 2011 respectively. Thus, it distinguished itself in the world as it became the fastest growing economy.⁵¹ According to Rosenberg, once Turkey received approval for accession from the EU, it “would be the second largest country (and perhaps eventually the largest with its much higher growth rate) in the EU and would considerably alter the balance of power in the EU.”⁵² When Turkey integrated into the EU, it will double the size of the European internal market. Europe is likely to be more dynamic globally. Sixt largest trading partner of Europe is Turkey and largest with the EU.⁵³

Furthermore, since 2000, most civil society organizations have championed the reform process. Strong and reputed economic actors including the TUSIAD, the MUSIAD, and the SIAD encouraged Turkey to be a full member of the EU. They showed support for the achievement of more progress and launched lobbying activities for this purpose.⁵⁴

Finally, one of the focal points of energy became a significant factor in Turkey-EU relations. Turkey imports gas from the Caucasus, Eastern Mediterranean, and the Middle East and exports it to Europe. As such, it is a crucial transit country

⁴⁹ Avrupa Komisyonu Türkiye Delegasyonu, AB Türkiye Görünüm, No:1 http://www.deltur.cec.eu.int/_webpub/documents/ABTurkiye%20Gorunum_WEB.pdf (January 2006).

⁵⁰ World Bank. 2014. “Turkey Overview”. Accessed September 1, 2019.

⁵¹ OSEC. 2012. “Turkey is one of the fastest growing countries among the emerging economies.” Accessed October 25, 2019.

⁵² Rosenberg, Mat. 2014. “Turkey in the European Union: Will Turkey Be Accepted for Membership in the EU?” Accessed October 3, 2019.

⁵³ Kemal Kirişçi and Sinan Ekim, “EU-Turkey Visa Liberalization and Overcoming ‘the Fear of Turks’: The Security and Economic Dimensions”, in *GMF On Turkey Series*, 13 February 2015, <http://www.gmfus.org/node/7997>

⁵⁴ Keyman and Aydın, *European Integration and Transfer of Turkish Democracy*, p.11-15.

and source of energy hub.

Turkish President Erdoğan proclaimed that “EU membership, a strategic goal for Turkey, will be a source of stability and inspiration for the region” On May 9, 2016,⁵⁵ Turkey has a founding member status in the Council of Europe, became member of OEEC in 1948 and gained accession to NATO in 1952. Therefore, it has been integral part of Western bloc. It is obvious that this foreign policy objectives have induced Turkey’s integration to the EU in AKP era.

2.3. Women’s Rights in Europe and the Development Strategy for Gender Equality

This section focuses on the EU policies with regards to gender equality. The EU has been working to raise women’s employment and all these improvements have been realized through under the Social Policy Chapter in the EU. In other words, according to the social policy regime of the *acquis communautaire* of the European Union’s, it is highlighted that apart from “the Chapter 19: Social Policy and Employment”, there have been significant topics including gender equality, social and economic rights as well.⁵⁶ It is significant to mention that the area of social policy has greatly affected the process of the EU integration. The EU social policy is supposed to be institutionalized in the candidate country during the membership process.⁵⁷ For example, Turkey was required to submit an action plan for the adjustment of the EU and ILO standards with regard to the strike, lockout and collective agreement rights.⁵⁸

The EU bodies have a major role in the application of social policy decisions. Some of the EU bodies, such as the European Parliament, the Council of the EU, and the European Commission have a major role in the development of the social policy.

⁵⁵“Erdoğan Reaffirms Turkey’s EU accession goal”, *Reuters*, 9 May 2016, <https://www.reuters.com/article/us-europe-migrants-turkey-eu-idUSKCN0Y01D4>, (Accessed on 27 October 2019).

⁵⁶ Ayşe İdil Aybars. “Sosyal Politika”, *Yarım Asrın Ardından Türkiye-Avrupa Birliği İlişkileri*, Ed. Belgin Akçay, Sinem Akgül Açıkmeşe, Ankara, Turhan Kitabevi, 2013, s. 429.

⁵⁷ Aybars İdil, *Yarım Asrın Ardından Türkiye-Avrupa Birliği İlişkileri*, p. 436.

⁵⁸ Enver Bozkurt, Mehmet Özcan, Arif Köktaş, *Avrupa Birliği Hukuku*, 6. bs. Ankara, Yetkin Yayınları, 2012, s. 474.

The Council organizes a meeting on the social policy, employment, health, and consumer council four times a year.⁵⁹

There are supporting bodies of the EU like Court of Justice (CoJ) of the EU.⁶⁰ The CoJ of the EU handles the issues related to equal pay, equal treatment and social security. As such, Social Policy Chapter encompasses a comprehensive fields such as employment, social dialogue, poverty, workforce, education and social exclusion.⁶¹

EU made significant efforts to advance gender equality in various issues including social, economic rights and political rights. “The route map” has functioned as a significant measure in ensuring the gender equality. The route map 2006-2010 encouraged member states to abolish all sexist discourses and take necessary measures to eliminate gender inequality.⁶²

“Strategy for Equality between Women and Men 2010-2015” is another important policy document. It addresses the cross-cutting issues such as women’s participation in labour force, the rights of minority and refugee women, and support for childcare.⁶³ Other issues mentioned include violence, equal pay for equal work, and equal rights and opportunities in decision making.

The most recent Strategic Engagement for Gender Equality 2016-2019 emphasizes on areas including increasing economic independence of women and female workforce participation, fighting with gender-based violence, and protecting victims, and reducing the inequal payment.⁶⁴ The Daphne Programme was also set up

⁵⁹ Gürol Özcüre, *Avrupa Birliği’nin İstihdam ve Sosyal Politikası*, İstanbul, Derin Yayınları, 2014, s. 119.

⁶⁰ Özcüre, *Avrupa Birliği’nin İstihdam ve Sosyal Politikası*, p.41.

⁶¹ Roberta Guerrina, *Mothering the Union: Gender Politics in the EU*, Manchester and New York, Manchester University Press, 2005, s. 89.

⁶² Oktay Yılmaz, “Feminizm ve Uluslararası Örgütler: Kadın Hareketinin Bir Kazanımı Olarak Birleşmiş Milletler Kadınlara Karşı Her Türlü Ayrımcılığın Önlenmesi Sözleşmesi (CEDAW)”, a.g.e. , s. 369

⁶³ European Commission, Strategy for Equality Between Women and Men 2010-2015, COM (2010) 491, Brussels, 2010, (Çevrimiçi) http://ec.europa.eu/justice/genderequality/files/documents/strategy_equality_women_men_en.pdf, 29 Kasım 2016, s. 12.

⁶⁴ European Commission, Strategic Engagement for Gender Equality 2016-2019, SWD (2015) 278, Brussels, 2015, (Çevrimiçi) http://ec.europa.eu/justice/genderequality/document/files/strategic_engagement_en.pdf, 29 Kasım 2016, s. 9.

to combat and prevent all forms of violence against women and it was regarded as the most effective and extensive mechanism in the EU.⁶⁵

There are also noteworthy organizations which have been established under the auspices of the EU. For instance, the European Women's Lobby (EWL) is one of the significant women's associations in the EU. It is mentioned that the EWL supports the women in all aspects of life including economic independence, equal pay for equal work, preventing violence against women, and women's equal participation and leadership in decision-making processes, and issues concerning migrant and refugee women.⁶⁶ Finally, it is crucial to mention that the Women Entrepreneurship Strategy (WES) which assists and encourages women to start and grow their professions by improving access to financing, talent, and network.⁶⁷

The issue of women's rights has been analyzed under the scope of the Women's Human Rights in the EU through the developments and strategies to enhance the situation of women. In addition to these strategies, The EU is primary actor in developing the rights of women through organizations, such as WES and EWL.

⁶⁵ Senem Aydın, Avrupa Birliği'nde Kadın Hakları ve Türkiye, İstanbul, İktisadi Kalkınma Vakfı No: 175, 2003, s. 21.

⁶⁶ European Women's Lobby, Our Work, (Çevrimiçi) <http://www.womenlobby.org/-Our-work-langen-?lang=en>, 30 Mayıs 2020.

⁶⁷ Senem Aydın, Avrupa Birliği'nde Kadın Hakları ve Türkiye, İstanbul, İktisadi Kalkınma Vakfı No: 175, 2003, s. 1.

3. LITERATURE REVIEW

The process of Turkey's modernization is considered to proceed hand in hand with the Westernization. It has recently been replaced by the process of Europeanization and championed after Turkey made an offer to become the member the EU. The negotiations for the accession has opened on October 3, 2005 and it epitomized an important step for fulfilling protracted European dream of Turkey. However, Turkey's journey through the phase of modernization is full of tensions, as echoed in its troubled relationship with the EU. This section provides insights from the literature on various approaches to the women's rights issues throughout the period of candidacy.

The EU wishes to promote human rights, democracy, minority's and women's rights and rule of law,. This renders the EU a *sui generis* experiment in procuring equal rights for all. It also represents an alternative way to initiate change in advancing the status of women in society by supporting women-based NGOs financially.

It is reported "the glass ceiling syndrome" is faced by women as one of the psychological barriers when women are trying to move to higher roles in the professional life. According to Wirth, this concept has emerged in America in 1970, and it is the organizational behavior prejudices which hinder women from being promoted to the top level within the workplaces.⁶⁸ The glass ceiling syndrome is the main reflection of the social gender inequality especially in professional life, politics, social and economic. Over time, women's education level has increased, and reached

⁶⁸ Linda Wirth, *Breaking Through the Glass Ceiling: Women in Management*, Geneva: International Labour Office Publications, 2001, 4.

a level almost equal to the men, positively affecting the social attitude and behaviors towards the women.

Nevertheless, the male dominance persists. Even though women have made a great progress in their career, they are still not represented equally in the managerial positions as men. The number of men remains higher than that of women at the top management level.⁶⁹

Parlaktuna asserts that women constitute nearly half of a country's population. Therefore, it is impossible to talk about equal and sustainable progress without promoting the women's labour force participation.⁷⁰ Moreover, it is claimed that man is the primary subject of the patriarchal status quo, whereas, woman is the major agent of the transformation of the gender inequality.⁷¹

The current social expectation in Turkey that women should play the role of a mother and a wife primarily and work on the career plan secondarily.⁷² This expectation has been on the rise especially in family-centred societies, like Turkey, which encourages the reproduction and holds pronatalist cultural values defining woman only as a mother. The main emphasis on motherhood negatively affect the women's possibility to participate in the labour force, and once participate, remain in the labour force.⁷³

The Turkish Women's Movement, which is portrayed by Fatmagül Berktaş as part of a global effort for liberation of women,⁷⁴ in the 1980s. It is a basically ambitious target which puts women on the top and gives each women a place in the movement.

⁶⁹ Wirth, *Breaking Through the Glass Ceiling: Women in Management*, p.4.

⁷⁰ İnci Parlaktuna, Türkiye'de Cinsiyete Dayalı Mesleki Ayrımcılığın Analizi, *Ege Akademik Bakış*, Cilt 10, Sayı 4, 2010, 1217.

⁷¹ Gizem Çelik, "Erkekler (de) ağlar!" Toplumsal Cinsiyet Rollerini Bağlamında Erkeklik İnşası ve Şiddet Döngüsü, *Fe Dergi*, Yıl 8, Sayı 2, 2016, 8.

⁷² Serpil Aytaç, Çalışma Yaşamında Kadın ve Kariyer Sorunu, **TUHIŞ Yayınları**, Sayı 6, 2000, 905.

⁷³ Meral Salman Yıkılmış, Pronatalist Kültürde Anne Olmamak, **Fe Dergi**, Yıl 10, Sayı 2, 2018, 86.

⁷⁴ Berktaş, Fatmagül (2004). Forward and introduction: Building bridges to raise mutual understanding and collaboration. In Fatmagül Berktaş (Ed.), *The position of women in Turkey in the European Union: Achievement, problems, prospects*. İstanbul: KA-DER Press.

Turkey's own movement formed a part of the international women's rights movements. Particularly, the International Women's Year in 1975 together with the United Nations Decade for Women from 1975 to 1985 made a major contribution to progress achieved with regards to women's issues in Turkey.

Lister reports that gender equality reforms in Turkey are not satisfactory and they have to be aligned with the EU membership criteria.⁷⁵ In this context, it can be stated that "Article 119 of the 1957 Treaty of Rome mandates that men and women should receive equal pay for equal work. However, it was not until forty years later that the EU elaborated the concept of gender equality in the 1997 Treaty of Amsterdam Article 2 and 3, which aims to promote equality, and eliminate inequalities between men and women in all matters of employment and social protection."⁷⁶ Gerber indicates that despite this situation, there is little evidence that the gender equality regime has been practised fully within the EU."⁷⁷

Göle states that "women are regarded as a pivotal sign in the making and representation of the public sphere in a Muslim context of modernity."⁷⁸ Since the constitution of the Turkish Republic was made in 1923, secularist elites attempted to break down the power of Islamic authority. The state has played a role in supporting the women's emancipation. Hence, today, the women including those veiled have attained the right to take part in political realm and the public sphere.

Though it is claimed that Turkey has granted certain rights for women and it has accomplished the EU's criteria on this topic, it has not sufficiently fulfilled its responsibilities and put them into practice. This argument is supported by Müftüler Baç, who asserts that women in Turkey has rights on paper which are comparable with European democracies, but women cannot exercise of these rights without being

⁷⁵ Lister, Marjorie R. (2006). Gender and European Union development policy. In Marjorie Lister, & Maurizio Carbone (Eds.), *New pathways in international development: Gender and civil society in EU policy*. Burlington: Ashgate.

⁷⁶ Marjorie R, eds. *New pathways in international development: Gender and civil society in EU policy*

⁷⁷ Gerber, Alexandra (2010). The Letter versus the spirit: Barriers to meaningful implementation of gender equality policy in Poland. *Women's Studies International Forum*, 33. (pp. 30-37): no. 1 January/February.

⁷⁸ Göle, Nilüfer (2002). Islam in Public: New visibilities and new imaginaries. *Public Culture*, 14(1), 173-190.

contrained due to the conservative pressures from society⁷⁹.

Although women are welcomed in professional life in Turkey, either their duty or their participation in the workforce is limited. As Marshall Aldıkaçtı argues that:

The prevailing of interpretations of Islam may be explicitly discouraged women's work because this interpretations anticipates women's primary duty as wives and mothers⁸⁰. Women are supposed to spend their time in a more confined areas such as home and they are expected to engage in agricultural works, housework and/or child-care.⁸¹ Thus, they are less welcomed in the labor force and they are also encouraged to pursue certain careers and jobs only. While men mostly study science and engineering, women mostly work part-time, or maintain their domestic duty at home.”

In Turkey, only 22.2% of the workforce are represented by women, and only 40% of lawyers and doctors are women⁸². Due to the low female labour force participation rate, there is also as similarly significant gender income gap and poverty.

Dayıoğlu and Başlevend noted that there is no equal income distribution: people at the bottom of the income pyramid 20% gets 5.8% of the total income, and those at the top 20% gets %48.4.⁸³ They also claim women are not in the labor market so they are more inclined to poverty. Furthermore, they affirm that 62.5% of women do not have their own income and they became behind men in their participation in the labour market.⁸⁴ This proves that although AKP government has developed a sensitive

⁷⁹ Müftüler-Baç, Meltem (1999). Turkish women's predicament. *Women Studies International Forum*, 22(3),303-315.

⁸⁰ Aldıkaçtı-Marshall, Gül (2005). Ideology, progress, and dialogue: A comparison of feminist and Islamist women's approaches to issues of head covering and work in Turkey. *Gender&Society*, 19(1), 104-120.

⁸¹ Gül, “*Ideology, progress, and dialogue: A comparison of feminist and Islamist women's approaches to issues of head covering and work in Turkey*,” 2005.

⁸² European Parliament (2005). *European parliament resolution on the role of women in society*.

Available

at:

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P6-TA-2005-0287>.

⁸³ Dayıoğlu, Meltem, & Başlevend, Cem (2012). Gender aspect of income distribution and poverty in Turkey. In Saniye Dedeoğlu, & Adem Yavuz Elveren (Eds), *Gender and society in Turkey: The impact of neoliberal policies, Political Islam and EU accession*. London and New York: IB Tauris.

⁸⁴ Dayıoğlu et al., *The impact of neoliberal policies, Political Islam and EU accession*, 2012.

attitude towards dealing with gender issues and granting women's real and legal rights, the exercise of these rights have been with challenges.

Of all 25,000 households, the percentage of married women exposed to domestic violence is 15% - 30%, and %10 of pregnant women are beaten..⁸⁵ The 2004 Penal Code, in compliance with the EU requirements, led to significant changes in relation to life imprisonment for honor killings, longer prison terms for polygamy, unofficial religious marriage, and criminalizing sexual assault within marriage. In addition to legal amendments, campaigns were started to prevent domestic violence and enhance women's political representation in 2007. Programs were initiated to create gender awareness amongst health workers, the civil force, and actors within the judiciary in 2008. In the past, if the person who raped a women get married his victim, the law exempted a rapist from punishment, thereby restoring his victim's honour.⁸⁶ It is believed by the authorities that such an option would prohibit honor killings since, "there are many forced marriages in Anatolia anyway... They may marry reluctantly after a rape, but time is a great healer."⁸⁷ Hakki Koylu argued against this argument: "The mandate of the law is not to alleviate the negative consequences of unacceptable social practices. It is to change them and prevent them with disincentives⁸⁸." Various campaigns are organized in addition to the pressure from the EU by a coalition consisting of women's groups, resulting in the improvements of women situation.

Gunduz Hosgor and Smits think that:

There is a positive correlation between workforce participation of women and their educational status. They also claim that Turkey has undergone a significant social transformation and achieved compliant with the EU policies.⁸⁹

⁸⁵ National research on domestic violence against women in Turkey (2008). Available at: <https://ailevecalism.gov.tr/ksgm>.

⁸⁶ European Security Initiative (ESI) (2007). *Sex and Power in Turkey: Feminism, Islam, and the maturing of Turkish democracy*. June 2 Available at https://www.esiweb.org/pdf/esi_document_id_90.pdf.

⁸⁷ European Security Initiative (ESI) (2007). *Sex and Power in Turkey: Feminism, Islam, and the maturing of Turkish democracy*. June 2 Available at https://www.esiweb.org/pdf/esi_document_id_90.pdf.

⁸⁸ European Security Initiative (ESI) (2007). *Sex and Power in Turkey: Feminism, Islam, and the maturing of Turkish democracy*. June 2 Available at https://www.esiweb.org/pdf/esi_document_id_90.pdf.

⁸⁹ Gunduz-Hosgor, Ayse, & Smits, Jeroen (2008). Variation in labor market participation of married women in Turkey. *Women's Studies International Forum*, 31. (pp. 104): no 2 March/April.

Women's participation in higher education and getting high-status, high paying jobs has increased. Thus, women's economic and social standing has improved.⁹⁰

Once the women receive a good education, they can establish their own businesses. In this sense, education not only increases wages, but it also boosts the productivity. The economic power eventually translates into social and political power accompanied by changes in attitudes towards women. Moreover, when women are educated, it affects the attainment of better education of their children.

Naz Sunay argues that it is quite possible to explore deficits and setbacks in the historical review of gender equality policies in Turkey. She mentions that the EU has mandatory provisions and regulations for the economic facets of gender policy in the Social Policy and Employment chapter of the *acquis*.⁹¹ However, the EU over time is diminished to non-economic issues, including violence against women and women's political representation.⁹²

Turkey adopted the new Civic Code in 1926 which was imported from Sweden, granting women equal rights and opportunities including elect, be elected, having child custody, and having inheritance and divorce. It also abolishes the polygamy. In addition, women could attend in municipal and general elections in 1930 and 1934. As Kandiyoti states that these reforms eased the "women's emancipation" in Turkey.⁹³ Today, women have more freedom and rights than the past.

The 1990s' Turkey reached the peak of political liberalism; an environment in which the civil society had access to the international movements.⁹⁴ The civil society

⁹⁰ Hosgor et al., *Variation in labor market participation of married women in Turkey*, pp.104.

⁹¹ Sunay, Naz. "The Perceived (il)Legitimacy of the EU Conditionality: The Role of Uncertainty and Asymmetry of Power." ECPR Standing Group on the European Union, Fourth Pan-European Conference on EU Politics. Riga: University of Latvia, 2008.

⁹² Naz, *The Role of Uncertainty and Asymmetry of Power*, 2008.

⁹³ Kandiyoti, Deniz. "Emancipated but unliberated? Reflections on the Turkish case." *Feminist Studies* 13, no. 1 (1987): 317-338.

⁹⁴ Coşar, Simten, and Funda Gençoğlu Onbaşı. "Women's Movement in Turkey at a Crossroads: From Women's Rights Advocacy to Feminism." *South European Society & Politics* 13, no. 3 (2008): 325-344.

was not considered an enemy of the state, on the contrary, it was a natural outcome of the liberalization that had to be negotiated so as to establish an open communication between the state and the public.⁹⁵ What is more, consequently, women's associations benefited from a new field of interactions covering them, states and the international actors including interest groups, the United Nations, and the EU institutions.

Nüket Kardam states that the gender issues, especially violence against women and women's human rights, was on the national agenda during the whole 1990s. (...) the education programmes for women's human rights in whole country were conducted across the country with the effort of women's NGOs and government agencies rather than Turkey's responses to external incentives.⁹⁶

She states that women's advocacy groups had started drafting a new Civil Code in Turkey before Turkey's candidacy to the EU in cooperation with the Directorate General of Women's Status and Problems (KSGM).

How gender mainstreaming is implemented in the European Union depends on sectors and Directorates General of the European Commission. Nora Fuhrmann highlights that politicians came up with strategies to project gender equality in more promising areas, such as development cooperation and women's rights, labour market policy, structural funds, education, foreign relations, job training and youth and staff and informal policy of the European Commission since 1997⁹⁷. To illustrate, in 2000 the EU expanded its activities in equality policy and the fight against violence against women.⁹⁸ Although it organized various conferences and programmes with regards to women's issues, the inequalities between male and female in the workplace continue to remain.⁹⁹

⁹⁵ Simten et al., *Women's Movement in Turkey at a Crossroads: From Women's Rights Advocacy to Feminism*, pp.325-344.

⁹⁶ Kardam, Nüket. *Turkey's engagement with global women's human rights*. Ashgate Publishing, 2005.

⁹⁷ Fuhrmann, Nora. "The impact of Europeanization on Engendering Politics and Policy in Europe." Paper Prepared for the Conference: The Impact of Europeanization on Policies and Policy in Europe- Trends and Trajectories. Munk Centre for International Studies, University of Toronto, 2004.

⁹⁸ Nora, "The Impact of Europeanization on Policies and Policy in Europe- Trends and Trajectories," 2004.

⁹⁹ Nora, "The Impact of Europeanization on Policies and Policy in Europe- Trends and Trajectories," 2004.

Özdemir argues that women's right NGOs profited from the European Commission's grants given to Turkey since 2004. This has begun with the pre-accession program called "Strengthening Freedom of Association for Further Development of Civil Society" in 2004. Women's organizations got some backup for establishing capacity for advocacy, fundraising, communication and networking. Another program called "NGO Grant Facility 2005" aimed to increase the capacity of local women's organizations, along with local administrations, in awareness increasing around violence and employment, and promoting gender equality and under-representation of women in political decision-making as well as gender mainstreaming at local and national policy levels.¹⁰⁰

Vicky Randal ruminates that during the recent years, the feminist movement does not only bring forward a new set of demands, it also insinuates into any political movements, struggling to raise a gender awareness and to make some changes to eliminate the gender inequalities.¹⁰¹ Although feminists come up with a sharp and dominant discourse about the women's participation in politics, Turkey's ruling party AKP tends to put emphasis on the role of a woman as a mother rather than their participation in public and political realms.¹⁰²

Şirin Tekeli emphasizes that women need to be active agents in politics in order to be more involved in decision-making mechanisms. She asserts that women's absence in political sphere derives from the three main reasons.¹⁰³ These are: (1) women's low interest in politics; (2) having children and being married; and (3) not being encouraged or allowed in some cases by the political party leaders to take up more senior roles. When women wants to be active in party management structure, they are generally directed to the lower status roles and assigned to women's

¹⁰⁰ Özdemir, Nalan. "Empowering Civil society in Turkey." *Görünüm*, 2007: 10-13.

¹⁰¹ Vicky Randal, "Gender and Power: Women Engage the State" , in V . Randal and G. Waylen (eds.) *Gender, Politics and the State* (London: Routledge, 1998).

¹⁰² Ayse Gunes Ayata & Fatma Tütüncü (2008) Party Politics of the AKP (2002-2007) and the Predicaments of Women at the Intersection of the Westernist, Islamist, and Feminist Discourses in Turkey, *British Journal of Middle Eastern Studies*, 35:3, 363-384, <https://www.tandfonline.com/doi/abs/10.1080/13530190802525130>

¹⁰³ Tekeli, Şirin, *Kadınlar ve Siyasal/Toplumsal Hayat*, Yerli Araştırmalar Dizisi, 1. Baskı, Birikim Yayınları, İstanbul 1982.

branches.¹⁰⁴

Nüket Kardam argues that the AKP government “has found itself in a quandary of contradictions” between Western human rights norms, European Union ideals, secularization, and feminists and Islamic community pressures and demands from their own members as well as between the Republican establishment and their own ideological supporters and roots.¹⁰⁵ Although the AKP is inclined to follow the EU ideal of Turkey, it is caught between these two contradicting paradigms when the gender issue came to surface.

The AKP portrays the women as the cultural core and essence of the society for the sake of protecting cultural and moral values. As a result, even though the ECHR has confirmed the headscarf ban on the public spheres, the President Erdoğan had not approved this decision because the headscarf is the symbol of Islam and part of the Muslim culture.¹⁰⁶ Saniye Dedeoğlu argues that:

The AKP government has adopted a decorative approach to gender issues, in which women’s legal and citizenship rights are well-placed but women’s actual position in society remains untouched, as there have been no affirmative policies to change women’s secondary position within society.¹⁰⁷

Similarly, Şirin Tekeli states that women in Turkey have generally suffered from being “the focal point of intense debate among groups with conflicting political interests” while they all agreed upon “the necessary continuation of the patriarchal domination of men over women.”¹⁰⁸ Müftüler-Bac claims that early Republican regime had a purpose of women’s emancipation as part of the modernization and secularization of Turkey. However conservative ideologies connected to Islamic

¹⁰⁴ Tekeli, “Kadınlar ve Siyasal/Toplumsal Hayat,” 1982.

¹⁰⁵ Nüket Kardam, *Turkey's Engagement with Global Women's Human Rights* (Ashgate: Aldershot, 2005).

¹⁰⁶ Ayşe Gunes Ayata & Fatma Tütüncü (2008) Party Politics of the AKP (2002-2007) and the Predicaments of Women at the Intersection of the Westernist, Islamist, and Feminist Discourses in Turkey, *British Journal of Middle Eastern Studies*, 35:3, 363-384,

¹⁰⁷ Dedeoğlu, Saniye. 2013. “Veiled Europeanisation of Welfare State in Turkey: Gender and Social Policy in the 2000s.” *Women's Studies International Forum* (41) 1: 7-13.

¹⁰⁸ Tekeli, Şirin. (Ed.). (1995). *Women in modern Turkish society*. London: Zed Books.

politics has inclination of separating public and private spheres by limiting women to their houses.¹⁰⁹

İlkkaracan similarly argues that gendered discourse stating that women's primary duty is being a mother and wife in the family structure under AKP's conservative ideology has increased. This led to economic underdevelopment of women and to put women under more pressure of patriarchal culture. The widest male-female employment gap throughout the world is in Turkey.¹¹⁰

Women's issues in Turkey are considered a pendulum between the EU legal directives and the AKP government's conservative discourse. Although Turkey has made progress (i.e, right to divorce, run for office, right to inheritance and custody, etc.) regarding the women's rights by adopting a new Civil Code in 1926, the women still do not enjoy the same rights the men do. Deniz Kandiyoti states that:

While appreciating the legal, political, cultural reforms of the Republic, it is important to note that Turkish women have become "emancipated but unliberated" because the reforms often failed to address the inequalities brought about by the internalized patriarchal system.¹¹¹

¹⁰⁹ Müftüler-Bac, Meltem. "Turkish Women's Predicament." *Women's Studies International Forum* 22, no. 3 (1999): 303-315.

¹¹⁰ İlkkaracan, İpek. "Why so Few Women in the Labor Market in Turkey?" *Feminist Economics* 18, no. 1 (2012): 1-37.

¹¹¹ Kandiyoti, Deniz (1987). Emancipated but unliberated? Reflections on the Turkish case. *Feminist Studies*, 13/2, 317-338

4. THE CONCEPT OF WOMEN RIGHTS IN TURKEY

The first uprising on rights of women in Turkey proceeded after Tanzimat Reforms which were enacted by the Ottoman Sultan in 1839 and the first women's associations were formed in 1908¹¹². Women's rights issue has been a long-lasting problem that remains on Turkey's agenda for decades. There are two approaches to analyzing rights of women within the human rights framework: (1) universal approach, and (2) cultural approach. Berktaş stated that

According to the universal approach, since human rights are universal and inalienable, women's rights are also the fundamental human rights. Hence, all the women are expected to benefit from those rights and opportunities. This approach further stipulates that all women have the right to benefit from the rights stated in the international agreements of the United Nations.¹¹³

The cultural relativists, on the other hand, argue that it is nearly impossible to identify a commonly shared value in the context of human rights. No one can be judgemental or critical on cultural practices belonging to another society. They also assert that when Middle Eastern women are exposed to the criticism of West on unequal treatment, it has been rested on the own values of the West rather than universal norms."¹¹⁴ Cultural relativist objects the "selective labeling" which will be made by dominant social groups because they will probably decide the nature of changes between the "cultural loses" and "cultural preservation."¹¹⁵ Cultural relativist thinks that it is not "culture" *per se* responsible for violence against women, but it is the patriarchy which triggers gender-based violence.¹¹⁶ Patriarchy is a prevailing feature of the current Turkish culture prevailing under the new political regime.¹¹⁷

¹¹² Tomac, A. (2011). Debating "Islamic Feminism" between Turkish secular feminist and North American Academic Critiques. A thesis submitted to the Department of Gender Studies, Queen's University.

¹¹³ Berktaş, Fatmagül. *Tarihin Cinsiyeti*, Metis Yayınları, İstanbul 2003, s.55.

¹¹⁴ Berktaş, *Tarihin Cinsiyeti*, p.56.

¹¹⁵ Narayan, U. (2000) 'Essence of culture and a sense of history: a feminist critique of cultural essentialism', in U. Narayan and S. Harding, eds. 2000. *Decentering the center: a philosophy for a multicultural, postcolonial, and feminist world*. Bloomington: Indiana University Press, p. 80-100.

¹¹⁶ Walby, S., 1990. *Theorizing patriarchy*. Oxford: Blackwell.

¹¹⁷ Sirman, N., 2006. Akrabalık, siyaset ve sevgi: sömürge-sonrası koşullarda namusTürkiye örneği. In: S. Mojab and N. Abdo, eds. 2006. *Namus adına şiddet: kuramsal ve siyasal yaklaşımlar*. İstanbul: Bilgi Üniversitesi Yayınları, pp.43-61.

Once women are subjected to violence in Turkey, they go to the police and they register a complaint about the perpetrator of the violent act. However, in general the police treat the case as one pertaining to “private space” and do not take the problem seriously.

There are reasons why women’s rights issue has been primarily ongoing for decades. First of all, men and women differ in the way they use the public sphere, whereby men are a more of an active agent in the public space than women. This prevailing gender inequality has further pushed women into the private sphere. According to Kathleen Mahoney, if there is male hegemony over both public life and institutions, it means that men defines the rights.¹¹⁸ It is a kind of artificial and unfair divide.

In this sense, albeit the fact that women’s rights are human rights, it is greatly violated, and women are underrepresented even in those public decision-making bodies of the global community. So, when women’s rights issue is scrutinized under these circumstances, it can be argued that “.... women have confronted an extraordinary situation and it does not stem from the biological differences and this circumstance could be change and should be changed”¹¹⁹. Finally, women rights basically are human rights and they include the right to be free from the violence, the right to elect and to be elected, the right to work and the right to have equal rights in family law just same as men.

4.1. The Historical Progress of Women’s Rights in Literature

The women’s rights have always been and will likely remain one of the crucial topics in the history of mankind. It is important to analyze the Ancient Greek Tragedy such as “*Oresteia*” and “*Agamenon*” to better understand the historical background of public/private divide.

There is a city called “*Police*” where men have been put in the center.

¹¹⁸ Kathleen Mahoney, *Theoretical Perspectives on Women’s Human Rights and Strategies for Their Implementation*, 21 BROOK. J. INTL L. 799 (1996).

¹¹⁹ Serpil Çakır, “Feminizm: Ataerkil İktidarın Eleştirisi”, 19. Yüzyıldan 21. Yüzyıla Modern Siyasal Gdeolojiler, Ed. H. Birsen Örs, 2. bs. , İstanbul, İstanbul Bilgi Üniversitesi Yayınları, 2008, s. 416.

However, women are regarded as “bearer or carrier”. Since women’s body is like a crockery which is made up of soil and likewise crockery, it has a function to “bear” all the necessary products¹²⁰. The work of important philosophers, such as Aristoteles and Platon, presents the role of women as pre-determined and fixed in the society. People’s position in the society is determined by their sex, as determined by his or her biology, according to Plato’s work called “*Ideal State*.” Such biological differences imply differences in capabilities and dispositions in his work:

“*Can you deny that a woman is by nature very different from a man? ...they will receive lighter duties than men, because of their physical weakness.*”¹²¹

Moreover, women are cast as “witches” in the history, as reflected in the philosophical writing. Powerful men often proclaim baseless accusations to be a 'witch hunt,' othering and marginalizing women.¹²² Even in the 18th century, Jean-Jacques Rousseau in “*Social Contract*” while boldly criticizing social problems of the era mentions the differences between men and women. In his work, he focuses on the women’s fidelity, patriarchal culture and women’s obedience to men.¹²³ According to him, the ideal woman is shy, submissive, well-groomed and silent¹²⁴.

Furthermore, in her book entitled “*A Vindication of the Rights of Woman*” Mary Wollstonecraft has expressed her opinions in response to Rousseau’s claims on the image of ideal women. She argues that “if women are by nature inferior to men, their virtues must be the same in quality” and she states that “women have more sense than their male relatives and women have a capacity to govern their husbands without degrading themselves”¹²⁵ Similarly, Mary Astell, who wrote about marriage issues in 1700s and she questioned that “if all men are born free, how is it that all women are

¹²⁰ Fatmagül Berktaş, Tek Tanrılı Dinler Karşısında Kadın: Hristiyanlık’ta ve İslamiyet’te Kadının Statüsüne Karşılaştırmalı Bir Yaklaşım, 5. bs. , İstanbul, Metis Yayınları, 2014, s. 59.

¹²¹ Platon, Devlet (Politeia), Çev. Sabahattin Eyüboğlu, M. Ali Cimcoz, 22. bs. , İstanbul, Türkiye İş Bankası Kültür Yayınları, 2012, s. 154.

¹²² Silvia Federici, Caliban ve Cadı: Kadınlar, Beden ve Güçsel Birikim, Çev. Öznur Karakaş, İstanbul, Otonom Yayıncılık, 2014, s. 236.

¹²³ Rousseau, Jean Jacques. 1973. Discourse on the origins of inequality. In “*The Social Contract*” and other discourses. London: Dent (Everyman’s Library).

¹²⁴ Jean-Jacques Rousseau, Émile ya da Eğitim Üzerine, Çev. Yaşar Avunç, 5. bs. , İstanbul, Türkiye İş Bankası Kültür Yayınları, 2014, s. 513.

¹²⁵ WILCOX, KIRSTIN R. "Vindicating Paradoxes: Mary Wollstonecraft's "Woman"." *Studies in Romanticism* 48, no. 3 (2009): 447-67. www.jstor.org/stable/27867283.

born slaves?”¹²⁶ Gender has been studied for long in the fields of literature, philosophy, political science and sociology among others. Notions and opinions with regard to the gender are now some of the most significant themes in the early 21st century. Female authors mostly have discussed the terms of biological sex and social gender as new ways of life and investigate how different cultural perceptions can have impact on gendered behaviour contrary to actual biological differences between sexes.

4.2. Women’s Rights in Turkey

“Women ought to show their faces to the world, and they ought to look at the world with their own eyes.”¹²⁷

Mustafa Kemal Atatürk, 1925

Most of the issues related to the women’s rights like integrity and autonomy on body have been around since the mid-19th century. The establishment of Turkish Republic has marked the beginning of an era of developments in the position of women in the society. Atatürk proposed that the women have an equal footing in the way they participate in the society. He viewed women as “pillars of society” and the “wellspring of the nation.”¹²⁸ Therefore, women should be “enlightened, virtuous and dignified to educate a strong new generation.”¹²⁹ He believed that “women should never fall behind men and in fact, it should be a source of pride for us once the women have been one step ahead of men.”¹³⁰ Economic, political and demographic progress achieved in all aspects of life and has furthered the women’s position in the public.

In 1980, second wave feminism became part of the discussions in Turkey. It brought up issues related to the Western movements in 1960 including oppression of women in the family, opposition against virginity test and elimination of violence

¹²⁶ Mary Astell, *Reflections Upon Marriage*, 1700’den aktaran: Juliet Mitchell, “Kadın ve Eşitlik”, Kadın ve Eğitim, Juliet Mitchell, Ann Oakley, Çev. ve Ed. Fatmagül Berktaş, 3. bs. , Pencere Yayınları, 1998, s. 32.

¹²⁷ Arat, N. (1996). Women's Studies in Turkey. *Women's Studies Quarterly*, 24(1/2), 400-411. Retrieved June 20, 2020, from www.jstor.org/stable/40004541

¹²⁸ Taşkıran, Tezer. 1973. *Cumhuriyet'in 50. Yilinda Turk Kadin Haklari*. Ankara. Turkey: Women In Development. 1993. A World Bank Country Study.

¹²⁹ Tezer, *Cumhuriyet'in 50. Yilinda Turk Kadin Haklari*, 1973.

¹³⁰ Emel Doğramacı, a.g.e., s.26. Naklen: *Atatürk Söylev ve Demeçleri II*, s.152.

against women. Berktaş stated that:

Turkish women has also pushed the boundaries of law in the 1980s. One of the objectives of this movement is to enhance participation of women in the social life. Another objective to achieve women's desire to lead lives free from state protectionism, under which women are assigned roles and duties just because of the virtue of being a woman."¹³¹

During the 1980s, various women's groups have emerged all of which aimed to influence government policy in a way to change discriminatory laws. These groups initiated a series of campaigns against sexual harassment and organized street demonstrations and petition campaigns against violence and fundamentalism.¹³² Moreover, in the 1980s, when the women realized the gender-based discrepancy, women initiated a discourse around women's emancipation. The women's movement rebelled against the discrimination, violence, and inequality of women. The women's movement progressively expanded their influence in the society throughout the 1980s and encouraged the women to be much more active in the society and public realm.¹³³

"The increasing public activism of women's groups also provided the women's struggle for equal rights and liberation a new incentive. These organizations were influential in the forming of social and political agendas for the benefit of women. They also enabled women to be more visible in society and in social sciences. In 1986, women's movement literature and women's studies were intertwined.¹³⁴ For instance, Women's Circle assembled and signed a petition by seven thousand women asking for the implementation of the CEDAW.¹³⁵ In 1989, the Association in Support of Contemporary Living arranged a two-day international symposium on women's participation in decision making process and politics."¹³⁶ The women participated the symposium to discuss equal rights-equal participation in the society with the leaders of the political parties and academics. They also initiated campaigns against sexual

¹³¹ Fatmagül Berktaş, "Kadınların İnsan Haklarının Gelişimi ve Türkiye", *Sivil Toplum ve Demokrasi Konferans Yazıları*, No:7, 2008, pp. 1-28.

¹³² Arat, N. (1996). Women's Studies in Turkey. *Women's Studies Quarterly*, 24(1/2), 400-411. Retrieved March 21, 2020, from www.jstor.org/stable/40004541.

¹³³ Arat, *Women's Studies in Turkey*, pp.400-411.

¹³⁴ Arat, pp.400-411.

¹³⁵ Arat, pp.400-411.

¹³⁶ Arat, p.405.

harassment, and organized street demonstrations against gender-based violence. *Dayağa Karşı Yürüyüş* (March against Battering) in Istanbul in 1987, was the peak moment when the violence against women shaped the public debate.

The booklet of a campaign referred the violence against women as “dayak” (battering). It is “a tool for the production and reproduction of power relations.”¹³⁷ When all these things became prevalent, feminists decided to build shelters to form solidarity among women facing violence. They established The Purple Roof which provided aid for battered women.¹³⁸ As a result, Purple Roof Women’s Shelter Foundation set up a women’s shelter in 1995, financed by the municipality. The cause was championed by many municipal actors to raise the voice of the women who experience violence. For example, Ekal stated that

In 2005 the vice president of Kadıköy Municipality has played a significant role in establishing one of the women’s shelters in Turkey.¹³⁹ Women came to shelter along with their children and shared rooms with other battered women. The shelter supplied bed sheets and provided meals, heating, and clothes which are funded by the volunteers of the Purple Roof Shelter.”¹⁴⁰

When women stayed there, they are assisted by psychologists and counselors. They were free to leave, once they gained strength and felt ready. There were also several campaigns, projects, and NGO activities, which aimed at creating awareness around the recurring issues such as sexual harassment of women, and violence against women among other things. After the 1980s, women initiated a series of campaigns, such as “*Our Body Belongs to Us*”, “*No to Sexual Harassment*”, “*Scream! Let Everyone Hear!*” and “*Mor İğne*” to protect women from any kind of sexual assaults¹⁴¹. These kind of campaigns or initiatives have paved the way for the abrogation of the relevant article in the Penal Code, which stipulates that if the rape victim is a sex worker, the

¹³⁷ Dayağa Karşı Kampanya [Campaign against Battering], 1988, *Bagır! Herkes Duysun*, İstanbul: Kadın Çevresi Yayınları.

¹³⁸ Ekal, B. (2014). Women’s Shelters in Turkey. Whose Responsibility? *Ethnologie Française*, 44(2), 237-245. Retrieved March 21, 2020, from www.jstor.org/stable/42772467.

¹³⁹ Ekal, *Women’s Shelters in Turkey. Whose Responsibility?*, p.239.

¹⁴⁰ Ekal, p.239.

¹⁴¹ Sevgi Uçan Çubukçu, “1980 Sonrası Kadın Hareketi: Ataerkilliğe Karşı Meydan Okuma”, Türkiye’de ve Avrupa Birliği’nde Kadının Konumu: Kazanımlar, Sorunlar, Umutlar, Ed. Fatmagül Berktaş, İstanbul, Ka-Der Yayınları, 2004, s. 70.

sentence will be reduced. This is followed by a changing of the civil code in the relation to the requirement of the husband's consent for a married woman to seek paid employment outside home. Apart from these NGOs, other institutions, such as the National Commission for Women, the Women Rights Center under the Auspices of Bar Association, and the Women's Shelter Council joined forces to keep women's rights issue on the public agenda. Other organizations working in this area include the the Republican Women's Association (CKD), KA-DER, KAMER, Flying Broom (Uçan Süpürge), and Hazar. They together established a platform to promote equality of opportunity for men and women.

The EU is one of the important structures for equal opportunities in Turkey. With the candidate position of Turkey, the reform process has gained momentum. In line with this development, women seized the opportunity and they embarked on a quest for equality. The changings of both the Turkish Penal Code (TPC) and the Turkish Civil Code were made in this context. In 2002, "a new Turkish Civil Code entered into force to ensure gender equality"¹⁴². New TPC in 2005 removed the traces of sexism to a great extent. The current labor market regulations and employment laws which all passed in 2003 made important improvement on achieving gender equality in the workplace.¹⁴³ These developments were legislated to ensure job security for women; to protect women from any potential discrimination based on the pregnancy and; to guarantee equal pay for equal work. Thus, flexible work arrangements were ensured through the new Employment Law of 4857.¹⁴⁴

According to the 2018 Progress Reports, further progress was made in achieving "young and female labor force participation and job growth, reduction in unemployment, and prevention of industrial accident and unregistered employment issues."¹⁴⁵ The same reports also highlighted that female labor force participation rate

¹⁴² Alkan, Çakır, "Osmanlı İmparatorluğu'ndan Modern Türkiye'ye Cumhuriyet Rejimi: Süreklilik ve Kırılmalar", a.g.e. , s. 262.

¹⁴³ KGSM. (2008). T.C. Başbakanlık Kadının Statüsü Genel Müdürlüğü. Toplumsal Cinsiyet Eşitliği Ulusal Eylem Planı (2008-2013), Ankara. <http://www.kgsm.gov.tr/>.

¹⁴⁴ KGSM. (2008). T.C. Başbakanlık Kadının Statüsü Genel Müdürlüğü. Toplumsal Cinsiyet Eşitliği Ulusal Eylem Planı (2008-2013), Ankara. <http://www.kgsm.gov.tr/>.

¹⁴⁵ European Commission (EC) (2018), *Turkey 2018 Progress Report*, SWD(2018) 153, Brussels, 17.4.2018.

reached 34,9%.¹⁴⁶

The AKP enacted a law to reduce discrimination against women. Rape in a marriage was criminalized, and life imprisonment was given as a sentence for honor killings.¹⁴⁷ This was a testament to enhance the Turkish women's situation.

Recent literature suggests that young men's expectations of young women are shaped by patriarchal norms.¹⁴⁸ These studies reveal that "while supporting family with the paid employment was the primary and major expectation from "fathers", it was the last expectation from "mothers."¹⁴⁹ It is noted that men have more traditional expectations about family, social and work-life.¹⁵⁰

4.2.1. A Brief History of Women's Rights during the Tanzimat Era

Tanzimat era was a watershed in terms of addressing the major issues facing women, creating awareness around their womanhood, exalting the women in the society. For the sake of this thesis, a brief discussion of the situation from the Tanzimat era until Mustafa Kemal Atatürk's presidency is also provided. This period sheds light on the challenging path the women have travelled through in achieving equal rights in the following centuries.

Albeit limited, the evidence for the period prior to the 16th century Ottoman Empire suggests that women were active participants of the social life. However, Kurnaz stated that

there were differences between the situation of the women in urban and rural

¹⁴⁶T.C. Kalkınma Bakanlığı, Onuncu Kalkınma Planı (2014-2018), Ankara, 2013, <http://www.kalkinma.gov.tr/Lists/Kalkınma%20Planlar/Attachments/12/Onuncu%20Kalk%C4%B1nma%20Plan%C4%B1.pdf>, 18 November 2019, s. 46.

¹⁴⁷ Bilefsky, Dan, and Sebnem Arsu, "Women See Worrisome Shift in Turkey," New York Times , April 25, 2012, Accessed November 3, 2019.

¹⁴⁸ Tubin, R. (2004). Türkiye'de kadının toplumsal cinsiyet rollerine ilişkin üniversite öğrencilerinin tutumları. Kadın Çalışmalarında Disiplinler Arası Buluşma, Sempozyum Bildiri Metinleri, 3.Cilt. Sayfa. 349-357. Yeditepe Üniversitesi Güzel Sanatlar Fakültesi, İstanbul: Mor Ajans.

¹⁴⁹ Vefikuluçay, A. G. D., Zeyneloğlu, A. G. S., Eroğlu, K., & Taşkın, L. (2007). Kafkas Üniversitesi son sınıf öğrencilerinin toplumsal cinsiyet rollerine ilişkin bakış açıları. Hacettepe Üniversitesi Hemşirelik Fakültesi Dergisi, 14(2), 026-038.

¹⁵⁰ Vefikuluçay, A. G. D., Zeyneloğlu, A. G. S., Eroğlu, K., & Taşkın, L. (2007). Kafkas Üniversitesi son sınıf öğrencilerinin toplumsal cinsiyet rollerine ilişkin bakış açıları. Hacettepe Üniversitesi Hemşirelik Fakültesi Dergisi, 14(2), 026-038.

areas. Women in the countryside were particularly engaged in agriculture along with men, while the women in urban was more strictly observed and almost kept away from the outside world.¹⁵¹

In the period of some Sultans was, women's everyday life was especially more difficult than that of others. Ahmet Refik¹⁵² states that under Mehmet the II's rule (1451-1481) women were far less restricted, were not obliged to wear a headscarf and could freely walk around without wearing a niqab. Osman the III (1754-1757), on the other hand, banned women from the public space three days a week. The women who resisted this rule were punished¹⁵³. Doğramacı stated that

Women were also regarded as a second-class citizen in the judicial system and had almost no right to select their husbands freely or reject their suitors.¹⁵⁴ Moreover, in the family, daughters had to share half of their inheritance with their brothers, and women's witnesses in the courts was not equal to that of men.¹⁵⁵

When the Ottomans expanded to the East and adopted the Islamic Law, they put in place much stricter religious rules, as influenced by Arabian, Iranian, and Byzantine cultures. Women were confined to the harem and there was a physical (and mental) separation between men and women, a phenomenon called *haremlik-selamlık*.¹⁵⁶

However, during the Tanzimat era, women had attained some important rights related to marriage. "Women were given the right of marriage before the *kadı* in 1841."¹⁵⁷ In addition to that, "an imperial edict was issued in 1844 ensuring girls' own

¹⁵¹ Şefika Kurnaz, Cumhuriyet Öncesinde Türk Kadını, İstanbul: Milli Eğitim Bakanlığı Yayınları, 1997, p. 13; Tezer Taşkıran, Cumhuriyetin 50. Yılında Türk Kadın Hakları, Ankara: Başbakanlık Kültür Müsteşarlığı Yayınları, 1973, p.19.

¹⁵² Ahmet Refik Altınay, Kadınlar Saltanatı, İstanbul: Tarih Vakfı Yurt Yayınları, 2000, pp. 18- 19.

¹⁵³ Şehmus Güzel, "Tanzimat'tan Cumhuriyet'e Toplumsal Değişim ve Kadın", Tanzimat'tan Cumhuriyet'e Türkiye Ansiklopedisi, Vol. III., İstanbul: İletişim Yayınları, 1981, p. 858.

¹⁵⁴ Emel Doğramacı, Türkiye'de Kadının Dünü ve Bugünü, Ankara: İş Bankası Kültür Yayını, 1997, p. 5.

¹⁵⁵ Doğramacı, Türkiye'de Kadının Dünü ve Bugünü, p.5.

¹⁵⁶ E. Doğramacı, Türkiye'de Kadının Dünü Bugünü, s. 2-3.

¹⁵⁷ Şirin Tekeli, "Birinci ve İkinci Dalga Feminist Hareketlerin Karşılaştırmalı İncelemesi Üzerine Bir Deneme", 75 Yılda Kadınlar ve Erkekler, İstanbul: Tarih Vakfı Yayınları, 1998, p. 340.

consent for marriage and prohibiting *başlık* (the dowry payment).¹⁵⁸ With the purpose of eliminating the negative effects of sexist traditions and the barriers to population growth, the Ottoman authorities adopted the Edict of *Tanzimat*.¹⁵⁹ Although there was a legislative change to advance the women's rights, the trade of *cariyes* (concubines) continued both in and outside the Ottoman Palace.¹⁶⁰

“Another crucial development for women was the right to inheritance which was fortified by the 1858 Land Code.¹⁶¹ It is composed of 132 articles and it entailed a lot of substantial regulations including the inheritance of daughters, whereby sons and daughters can attain equal property rights without any land registry expenditure over the *miri arazi* (state owned land).”¹⁶² According to Ömer Lütfü Barkan, this was an important change on law of inheritance.¹⁶³ He adds that females in the family was able to their inheritance rights over the land with the new Land Code.¹⁶⁴

The Tanzimat era initiated the establishment of many gazette, journals and periodicals to reveal degraded status of women and their problems. *Terakki* was a daily political gazette in 1868 and the first newspaper to make a reference to women's right even though it was not specifically targeting women, *Terakki* which championed the rights of women published articles about ‘ why women's education is necessary’ and the critics on forced marriages and polygamy¹⁶⁵. *Terakki* gave a place to the letters of women's grievances, problems and challenges in family and social life.

¹⁵⁸ According to the old traditions, it was very common for a grooms parents to pay money to the bride's family.

¹⁵⁹ Fatmagül Berktaş, “Osmanlı'dan Cumhuriyet'e Femnizm, Cumhuriyete Devreden Düşünce Mirası: Tanzimat ve Meşrutiyet Birkikimi, İstanbul: İletişim Yayınları, 2009, p.355.

¹⁶⁰ Şefika Kurnaz, Cumhuriyet Öncesinde Türk Kadını, İstanbul: Milli Eğitim Bakanlığı Yayınları, 1997, p. 55

¹⁶¹ Aygül, Ceren. *Change in the status of turkish women during the ottoman modernization and self-evaluation of women in kadınlar dünyası of 1913*. Ankara, Turkey: Middle East Technical University, Dept. Of History 2010. Accessed March 17, 2020.

¹⁶² Ceren, *Change in the status of turkish women during the ottoman modernization and self-evaluation of women in kadınlar dünyası of 1913*, 2010.

¹⁶³ Ömer Lütfü Barkan, “Türk Toprak Hukuku Tarihinde Tanzimat, 1274 (1858) Tarihli Arazi Kanunnamesi”, Tanzimat I, Birinci Baskı. Ankara: Milli Eğitim Basımevi, 1940, p. 360.

¹⁶⁴ Barkan, *Türk Toprak Hukuku Tarihinde Tanzimat, 1274 (1858) Tarihli Arazi Kanunnamesi*, p.360.

¹⁶⁵ Bernard Caporal, *Kemalizm ve Kemalizm Sonrasında Türk Kadını*, Ankara: Türkiye İş Bankası Kültür Yayınları, 1982, p. 55.

4.2.2. Women's Rights and Atatürk Before and After the Foundation of the Turkish Republic

Prior to the Turkish Republic on October 29, 1923, Mustafa Kemal Atatürk made a great contribution to improving the rights of women. After the proclamation of Republic of Turkey, he put all his ideas into action, but he struggled to solve all the existing problems concerning the rights of women¹⁶⁶.

Mustafa Kemal Atatürk valued the Turkish women greatly. In his conversation with Monolof, a Bulgar Turcologist, in Thessaloniki during 1906-1907, he expressed his vision:

the sultanate should be abolished. The structure of the state should be based on the homogeneous elements, and religion and state affairs should be separated from each other. We should establish a new society which will put an end gender-based discrimination.¹⁶⁷

Atatürk participated in a meeting on 21 March 1923, which was arranged by The Women's Branch of Turkish Red Crescent, where he stated:

There is no doubt that women have ever been as diligent and self-sacrificing as the Turkish Anatolian women; and no women can claim that they have coped with as many obstacles and led their society to the salvation as Anatolian women did. Nobody could deny that women have been the genesis of the inspiration of the nation both for this battle and the previous ones. Those blessed Anatolian women have accomplished many things while bearing a child; they carried lots of equipments for the battle under extreme weather conditions. They also made contribution to agricultural economy; they took the products to the market and they made money."¹⁶⁸

Atatürk also placed emphasis on the notion of family. He said: "women should be educated and be presentable in social life, because they are the core of the

¹⁶⁶ S. Esin Dayı, "Cumhuriyet Öncesi ve Sonrasında Türk Kadını", Atatürk Dergisi, III/1, Mayıs 2000, s. 115.

¹⁶⁷ Sibel Duruoğlu, Türkiye'de İlk Kadın Milletvekilleri, Ankara Üniversitesi Sosyal Bilimler Enstitüsü, (Yüksek Lisans Tezi), Ankara, 2007, s. 32.

¹⁶⁸ Gülden Ertuğrul, "Atatürk ve Kadın Hakları", Atatürk Araştırma Dergisi, VIII/22, Türk Tarih Kurumu Basımevi, Ankara, 1991, s. 60-61; Atatürk'ün Söylev ve Demeçleri, s. 151.

family.” Latife Hanım’s versatile personality has impact on Atatürk.¹⁶⁹ She received education in the West, and she was speaking many European and Oriental languages fluently. Therefore, she became the symbol for modern and contemporary Turkish woman.¹⁷⁰

Since the Turkish Republic has been established, Atatürk intended to transform the traditional Turkish Islamic society into a more “Secular”, “Modern”, and “Westernised” Constitutional Republic. Removing polygamy, legalizing divorce, and especially granting women’s suffrage in 1930 were some of his reforms.¹⁷¹ He also made reforms to protect women from ealy age marriages, and pressures in marriage. According to Şirin Tekeli, imprisonment of women in the shadows of tradition included: arranged marriages; divorce laws which leads to decreasing of repudiation of wives; and polygamy and segregation of the sexes, all posing an obstacle to the education and liberation of women.¹⁷² Reforms were necessary to emancipate the women from the restrictions of the patriarchal and gender biased society. Atatürk, in his speech in Izmir, stated that Islamic Law has no role to oppress Muslim Turkish and women could be part of the public life equally.¹⁷³

Moreover, Turkish Civil Code was developed based on the Swiss Code in 1926. According to the new law, the equality between men and women in educational institutions were ensured, and girls could receive modern education. Atatürk also made primary school education mandatory for both genders. He also abolished ferece and veil, and let women wear more modern clothes. There were also some noteworthy reforms emerged from the Civil Code, such as the prohibition of the polygamy, institutionalization of civil marriage, implementation of an egalitarian law for the property and inheritance, and legalization of the divorce, which could be initiated by either partner. Finally, Atatürk granted women full citizenship right, and the right to vote and voted for being a representative of the National Assembly – the latter was

¹⁶⁹ Ayça Ülker Erkan. “The Formation of Feminist Identity: Feminism in the 1930’s Turkey and Britain.” **Kastamonu Eğitim Dergisi** 19:3 (Eylül 2011): 1013-1028.

¹⁷⁰ Leyla Kaplan, “Cumhuriyet ve Kadın”, *Çağdaş Türkiye Tarihi Araştırmaları Dergisi*, III, S. 8, 1999, s.93.

¹⁷¹ Güvenç, B. (2006). *The other: Turks’ quest for identity and image*. İstanbul: Alkim Publishing House.

¹⁷² Tekeli, S., *Kadınlar ve Siyasal Toplumsal Hayat (Kaoins and Political Social Life)*, İstanbul, Birikim Yayınevi, 1982.

¹⁷³ *Atatürk’ün Söylev ve Demeçleri, (Atatürk’s Addresses and Statements) II, 1906-1938*, Ankara, Türk Tarih Kurumu Basımevi, 1952.

recognized on 5th December 1934.¹⁷⁴

Atatürk stated his determination in 1923 on flourishing of women socially, economically, and individually flourish that : *if a society settles for only one of the genders accomplishing what the century requires, then, that society is reduced by half. The reason for our society's failures in the past lies in the neglect of and faults against our women.*”¹⁷⁵

5. INSTITUTIONAL STRUCTURE OF THE EU

EU institutions have gone through transformation through several treaties. Three of them form the EU are: (1) the European Parliament, (2) the European Commission, and (3) the Council of the European Union. The European Council monitors the EU's political direction. However, it cannot pass laws. Other important institutions are the European Court of Justice and the European Court of Auditors.

In the next sub-section, the three important institutions, including the European Parliament, the European Commission, and The Council of the European Union will be analyzed regarding the women's rights issues.

5.1. Institutional Structure of the EU concerning the Women's Rights

5.1.1. The European Parliament

The European Parliament is the EU's law-making body and publicly elected

¹⁷⁴ Özerdim, S. N., *Atatürk Devrimleri Kronolojisi (The Chronology of Atatürk's Revolutions)*, İstanbul, Varlık Yayınevi, 1966.

¹⁷⁵ Chitakunye, D., & Takhar , A. (2018). Examining the Role of Women Entrepreneurs in Emerging Economies (pp. 1-375). Hershey , PA: IGI Global. doi:10.4018/978-1-5225-5112-6.

every five years. When it was established the first time in 1952, the name of Parliament was “Assembly” under the Coal and Steel Community. It had consultative power but no legislative power. The name replaced into the European Parliament in 1962. The European Parliament carries out three significant tasks on human rights issues: (1) discussion meetings, (2) monitoring, and (3) control. The reports are prepared at the same time of performing these tasks. These reports cover the areas of discrimination, minority rights, asylum, children’s rights, racism, and xenophobia¹⁷⁶. The Women’s Rights and Gender Equality Committee is an important sub-committee within the European Parliament.

The FEMM was established in 1984. The name was changed to the Committee on Women’s Rights and Gender Equality in 2004. The FEMM committee oversees if all forms of discrimination based on sex is eliminated; enhancing equal opportunities especially in labor market; enhancing of rights of women both in the EU and third countries and the application of gender mainstreaming¹⁷⁷.

The Committee on Women’s Rights and Gender Equality within the European Parliament prioritizes the issue of gender equality among other things in their agenda. This shows the importance of having a similar kind of committee in the Turkish Parliament.¹⁷⁸ Since the women’s rights issue is a pre-requisite for accessing the EU, it is a primary concern in the country. So, there are some important matters which ardently remains on the agenda for consolidating women’s rights through the European Parliament. The FEMM played a major role in promoting those responsibilities.

Their work and objectives are important for furthering the rights of women in Turkey because they are still confronting several problems. “The main requirement for

¹⁷⁶ Akçay, B. and Göçmen, İ. (2012). *Avrupa Birliği: Tarihçe, Teoriler, Kurumlar ve Politikalar* [European Union: History, Theories, Institutions and Politics]. *Ankara:Seçkin Yayıncılık*. p.46.

¹⁷⁷ European Parliament. (2009) ‘Working Party on Parliamentary Reform. Third Interim Report on Committees and Delegations, PE 417.163/CPG/GT/Ann, accessed at http://www.europarl.europa.eu/eplive/expert/multimedia/20090326MLT52706/media_20090326MLT52706.pdf on 10 April 2015.

¹⁷⁸ Bozkurt, Emine. 2007. *Women’s human rights: Turkey’s way to Europe*. Retrieved from: http://www.esiweb.org/pdf/esi_turkey_tpq_id_84.pdf.

the implementation of gender equality is political will, while its effectiveness depends on how the implementation is organized and imposed.

An average woman in Turkey does not completely benefit from legislative amendments. Therefore, the country must speed up the implementation process and take steps in the right direction.”¹⁷⁹ It is also noted that in Turkey, gender equality cannot be realized in Turkey not because of the legislation but instead because of the patriarchal mentality.”¹⁸⁰

5.1.2. The Council of the European Union

The representation of the Member states are at the highest level in the Council. EU leaders get together to determine the EU’s political agenda. This body determines the political direction and priorities for the development of the EU. It is legally recognized in the Article 2 of the Single European Act.

As of 7 March 2018, the Council of EU declared its strategies especially for the years between 2018-2023 for the promotion of the gender equality. It aims to design and develop initiatives to eliminate discrimination against women. The Council of the European Union is responsible for:

- Preventing and fighting gender stereotypes and sexism;
- Guaranteeing effective prevention of violence against women and girls;
- Ensuring equality between men and women for the justice;
- Promoting women’s full participation in the politics; and
- Protecting Refugee and Migrant women and girls from violence¹⁸¹

5.1.3. The European Commission

The European Commission is an executive body of the EU. “The Commission is responsible for drawing up proposals for new European legislation as well as

¹⁷⁹ İnce Yenilmez, M. (2016). Gender Quotas and Comparative Politics, *Toros Üniversitesi İİSBF Sosyal Bilimler Dergisi – Toros University Journal of Social Sciences*, July, 3 (5) : 109-129.

¹⁸⁰ Bozkurt, Emine. Gender equality and Turkey’s 2023 Goals, *Turkish Policy Quarterly*, Vol. 12, No. 2, Summer 2013, p. 35.

¹⁸¹ <https://www.consilium.europa.eu/en/press/press-releases/2016/06/16/epsco-conclusions-gender-equality/>. Accessed November 9, 2019.

implementing the decisions of the European Parliament and the Council of the EU.”¹⁸² There are 27 representatives from each member state. With the Treaty of Lisbon, the Commission is separated from the Council and it derives its executive authority from the founding treaties.¹⁸³

The European Commission puts an emphasis on violence against women in a range of other policy areas including trade, migration, home affairs, education, transport and equal work opportunities for women.¹⁸⁴ The Commission has cooperated with various stakeholders and facilitated networking with motivated actors in this field to inform each other for the best practices to support victims of gender-based violence. The social media campaign “NON.NO.NEIN” or “Say No! Stop violence against women” was initiated in 2017 and it was highly effective in attracting many people’s attention. This campaign has helped to set up a substructure for the upcoming projects that aimed to give voice to victims of violent treatments.¹⁸⁵ Furthermore, within its purpose, The 2019 European Commission Progress Report highlights that participation of Turkish women in labor market is low and it leads to the wide gap between women and men in the market. It is also reported that there are no legislative mechanisms which balance family and working life.¹⁸⁶

5.2. The Founding Treaties of the European Union for Women’s Rights

The founding agreements have been the cornerstone of the EU in strengthening the women’s rights. The EU has been a highly influential legislative anchor in promoting regulations for eliminating all forms of discrimination against women. In this section, the EU’s founding treaties including Treaty of Rome, Treaty of Maastricht, Treaty of Amsterdam and Treaty of Lisbon will be examined in the way they covered and addressed the issues around women’s rights. They have been the

¹⁸²European Commission. (n.d.). Retrieved March 16, 2020, from https://ec.europa.eu/commission/commissioners/2019-2024_en.

¹⁸³ European Commission. (n.d.). Retrieved from March 18, 2020, from https://europa.eu/european-union/about-eu/institutions-bodies/european-commission_en.

¹⁸⁴ European Commission. (n.d.). Retrieved from March 18, 2020, from https://europa.eu/european-union/about-eu/institutions-bodies/european-commission_en.

¹⁸⁵ https://ec.europa.eu/commission/presscorner/detail/en/MEMO_18_1602 Accessed March 18, 2020.

¹⁸⁶ European Commission (EC) (2019), *Turkey 2019 Progress Report*, SWD(2019) 220, Brussels, 29.5.2019.

source of inspiration to other countries which aspire to join the EU or for those already part of the EU to adopt and to enhance tolerant and democratic policies for the purpose of equal treatment. These treaties have had significant implications for Turkey in the process of the EU accession and hence require a coverage in this sub-section.

5.2.1. Treaty of Rome

In 1957, Treaty of Rome introduced the principle of equal pay for men and women at the first time. Among the six countries of the EU member states signing the Treaty, France had already adopted the legislation on equal pay for equal work.

According to the Article 119, “the application of the principle that men and women should receive equal pay for equal work”. The “pay” means the usual basic minimum wage or salary and any other consideration including cash or in kind, which the worker receives directly or indirectly, in respect of their employment from their employer.¹⁸⁷ The Article 119 constituted the necessary conditions for the establishment and development of principle standards for equal rights.¹⁸⁸ In this situation, men and women could earn the same amount of money for the same work because they work under the same rules and procedures. It is mentioned that:

“During the first stage, each Member State shall ensure and subsequently maintain the application of the principle that men and women should receive equal pay for equal work... Equal pay without discrimination based on sex means:

a. that pay for the same work at piece rates shall be calculated based on the same unit of measurement;

b. that pay for work at time rates shall be the same for the same job”¹⁸⁹
(Article 119, Treaty of Rome, 1957).

Gisela Kaplan argues that with women are represented in an official document in the Treaty of Rome and this is a very important step for the recognition

¹⁸⁷ Saglio, “Les arrêtés Parodi sur les salaires: un moment de la construction de la place de l’État dans le système français de relations professionnelles,” 2007.

¹⁸⁸ Saglio, 2007.

¹⁸⁹ Guerrina, R. (2005), *Mothering the Union: Gender Politics in the EU*, Manchester: Manchester University Press.

of women's issues. She states that the incorporation of women's rights within mainstream politics will finally led that women's rights was considered widely as a concern of the general societal, economic and political question.”¹⁹⁰

Similarly, Catherine Hoskyns puts emphasis on the socio-economic hierarchies mentioned in the Treaty, discussing that “the Article 119 poses questions, always central to the EU's own development, about the relationship between the economic and the social developments, and about whether it is possible to construct an economic market without a social content.”¹⁹¹

5.2.2. Treaty of Maastricht

On 7 February 1992, The Maastricht Treaty was signed for the purpose of promoting the protection of gender equality. “The equal pay for equal work” clause of the Treaty of Rome was substantially expanded in the 1992 Treaty of Maastricht's Article 141. This article designated to ensure equal pay for men and women for work of equal value and specified the equal treatment of men and women in the labor market. The article also ensured equal social rights, freedoms and opportunities in applying for a job or getting a promotion¹⁹².

5.2.3. Treaty of Amsterdam

Ever since the Treaty of Amsterdam came into force in 1999, promoting gender equality became one of the prominent objectives of the European Community. Since 1999, the EU has the capacity to take further steps to fight gender-based discrimination.

The Article 13 requires of members states to take “appropriate action to fight discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.” The general principles of the Article 13 are not legally binding. To give the Article 13 legitimacy, the Commission formed two draft directives which

¹⁹⁰ Kaplan, Gisela. *Contemporary Western European Feminism* (London: Allen & Unwin, 1992) pp. 20-9.

¹⁹¹ Hoskyns, Catherine (1996), *Integrating Gender: Women, Law and Politics in the European Union*, London: Verso, pp.43.

¹⁹² Günuğur, Haluk, *Avrupa Birliği'nin Kurumsal Yapısı ve İşleyişi*, Ankara 2015.

offer a minimum standard for the legal protection against discrimination throughout the European Union, and an Action Programme to promote practical efforts in the member states to combat discrimination.¹⁹³

Three proposals to fight discrimination under the Article 13 was published by The European Commission on November 1999,:

- “A proposal for a directive establishing a general framework for equal treatment in employment and occupation (the Employment Directive);
- A proposal for a directive implementing the principle of equal treatment of people, irrespective of racial or ethnic origin (the Race Directive); and
- A proposal for an Action Programme, to run from 2001-2006, to combat discrimination (the Action Programme).”¹⁹⁴

5.2.4. Treaty of Lisbon

Treaty of Lisbon was ratified by all the EU member states and came into force in December 2009. It is also known as the Treaty on the Functioning of the European Union. The Treaty Establishing Constitution for Europe aims to replace the EU’s founding treaties with a European Constitution, strengthening the existing actions in the EU¹⁹⁵. The Lisbon Treaty stipulates unequivocal and democratic structure, efficiency in the EU policies, European values of freedom, solidarity, and security. It ultimately brings the EU as an actor to the global arena.¹⁹⁶ The Charter of Fundamental Rights indicates that “any discrimination based on any grounds, such as sex, shall be prohibited and that equality between men and women must be ensured in all areas.”¹⁹⁷ It is stated that “the similar regulations can be existing in the most recent Treaty of Lisbon.”¹⁹⁸ However, it is reported that “although all the EU citizens defends the idea

¹⁹³ Jan Niessen and Isabelle Chopin. (2004), *The Development of Legal Instruments to Combat Racism in a Diverse Europe*. Leiden/Boston: Martinus Nijhoff Publishers, pp. 106.

¹⁹⁴ Niessen et al., *The Development of Legal Instruments to Combat Racism in a Diverse Europe*, pp.106.

¹⁹⁵ Europa, “The treaty of Lisbon”, 2010, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:ai0033> (20.03.2020).

¹⁹⁶ Europa, “The Treaty at a Glance” https://europa.eu/lisbon_treaty/glance/index_en.htm (20.03.2020).

¹⁹⁷ European Union (2000) “Charter of Fundamental Rights of the European Union”, *Official Journal of the European Communities* C364: 1-22.

¹⁹⁸ European Union (2007) *Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community*. Lisbon: EU.

of gender equality excessively, it is clear that the recent EU enlargement has decreased the general level of support. Turkey's accession to the EU would further lessen this support."¹⁹⁹ Gerhards stated that

This trend is true for other values, too, such as religious values, family values or political values: the latest accession waves have overall decreased the support for the EU script, and Turkey's accession to the EU as a new member would further weaken it.²⁰⁰



¹⁹⁹ Gerhards, J., Schafer, M., & Kampfer, S. (2009). Gender Equality in the European Union: The EU Script and its Support by European Citizens. *Sociology*, 43(3), 515-534. Retrieved March 20, 2020, from www.jstor.org/stable/42857278

²⁰⁰ Gerhards, J. (2007) *Cultural Overstretch? Differences between Old and New Member States of the EU and Turkey*. London: Routledge.

6. UN CONFERENCES ON WOMEN

The UN made a great impact on women's rights especially through its Charter. The conferences of UN all around the world inspired and motivated the international women's movement and increased the visibility of women. The focus of these conferences is to interest and to concern women's rights. Furthermore, they bring social development projects that aims to mobilize and advocate to change the current situation about women's rights.

The effort for women's rights is part of the agenda of the United Nations (UN) Organization. UN started in 1947 with the establishment of its Commission on the Status of Women, led by Eleanor Roosevelt.²⁰¹ The year 1975 was proclaimed International Women's Year. It was the first of the UN theme years which marked a new epoch "women's era" in the UN and the start of a global women's movement.²⁰² Women for Women's Rights stated that

After the rise of feminism around 1970s, women movements have become part of the UN institutional structure. International Women's Movement petition to the UN initiated a range of conferences on this matter.²⁰³

There are four significant world women's conferences and the Beijing Process subsequently had a prominent effect on both International UN policies and on Member States' national policies. The list of these policies is as follows;

²⁰¹ Women for Women's Rights (WWHR) – New Ways Association, "Birleşmiş Milletler'de Kadının İnsan Hakları ve Türkiye'nin Taahhütleri", İstanbul: Euromat, 2009, pp. 19-40.

²⁰² Women for Women's Rights (WWHR) – New Ways Association, "Birleşmiş Milletler'de Kadının İnsan Hakları ve Türkiye'nin Taahhütleri", İstanbul: Euromat, 2009, pp. 19-40.

²⁰³ Women for Women's Rights (WWHR) – New Ways Association, "Birleşmiş Milletler'de Kadının İnsan Hakları ve Türkiye'nin Taahhütleri", İstanbul: Euromat, 2009, pp. 19-40.

“The 1975 United Nations First World Conference on Women in the Mexico City with the theme of ‘full gender equality, full participation of women in development and women’s contribution to peace.’”²⁰⁴

“The 1980 United Nations Second World Conference on Women in Copenhagen with the theme of ‘women’s involvement in the society and equal opportunities as a right.’”²⁰⁵

“The 1985 United Nations Third World Conference on Women in Nairobi with the theme of ‘birth of a globally feminist strategy.’”²⁰⁶

“The 1995 United Nations Fourth World Conference on Women in Beijing adopted the Beijing Declaration and Platform for Action which is the current principal legal source for advancement of women.”²⁰⁷ In the Fourth World Conference on Women in Beijing, Turkey withdrew all the reservations until 2000 that were proposed in CEDAW and abolished all the reservations that were stipulated in 1999. This conference proposed to abolish the gender-based discrimination between girls and boys at primary and secondary schools. In 1997, the compulsory education became eight years in Turkey instead of five. Turkey aimed that the female rate will be 100% until 2000.²⁰⁸

As a result of these global improvements, the UN has also established institutions and agreements that served as keystones for today’s developments. Steiner, Alston and Goodman stated that

CEDAW established to address the demands raised by the women’s movements by involving NGOs and other actors in the process in 1979.”²⁰⁹

²⁰⁴ Women for Women’s Rights (WWHR) – New Ways Association, “Birleşmiş Milletler’de Kadının İnsan Hakları ve Türkiye’nin Taahhütleri”, İstanbul: Euromat, 2009, pp. 19-40.

²⁰⁵ United Nations, “The Four Global Women’s Conferences 1975-1995: Historical Perspective”, <https://www.un.org/womenwatch/daw/followup/session/presskit/hist.htm> (22.03.2020).

²⁰⁶ United Nations, “The Four Global Women’s Conferences 1975-1995: Historical Perspective”, <https://www.un.org/womenwatch/daw/followup/session/presskit/hist.htm> (22.03.2020).

²⁰⁷ United Nations, “The Four Global Women’s Conferences 1975-1995: Historical Perspective”, <https://www.un.org/womenwatch/daw/followup/session/presskit/hist.htm> (22.03.2020).

²⁰⁸ Lale Taşkın, Uluslararası Sözleşmeler Işığında Kadının Durumu, C.Ü. **Hemşirelik Yüksekokulu Dergisi**, Cilt 8, Sayı 2, 2004, 17.

²⁰⁹ Henry J. Steiner, Philip Alston and Ryan Goodman. “*International Human Rights in Context*”, Oxford: Oxford University Press, 2007, pp. 175-180.

6.1. Istanbul Convention

The council of Europe introduced the Council of Europe Convention on preventing and combating violence against women and domestic violence. On 11 May 2011, the Convention, also known as Istanbul Convention, was opened for signature and on 1 August 2014, it came into force.

The Istanbul Convention is the first international and the most comprehensive legally binding the Council of Europe Treaty specifically considering the issue on violence against women.²¹⁰ “There are specific articles of the Convention that worth mentioning, such as:

- Raising awareness of the general public,
- Pre-school education of kids by their parents as well as school education around these issues, including the promotion of gender equality, mutual respect, and non-violence,
- Training of professionals,
- Participation of the private sector and the media,
- Protection and support for the victims and child witnesses,
- Shelters for victims of violence, and
- Forced marriages, stalking, forced abortion etc.”²¹¹

The Istanbul Convention in the Article 3(a) defines violence against women as:

a violation of human rights and a form of discrimination against women, which shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological, or economic harm or suffering for

²¹⁰ Kuyucu, Nisan: “AİHM İçtihadında Ayrımcılık Yasağı çerçevesinde Kadına Yönelik Şiddet”, Seçkin Yayıncılık, Haziran, 2014.

²¹¹ Sokullu Akıncı, Füsun (2011), “*Increase in the Numbers of Women Victimization and Access to Justice for the Women of Turkey*”, Annales de la Faculte de Droit d’Istanbul, Cilt.43, No.60, İstanbul, ss.169-182.

women, including treats of such act, coercion or arbitrary deprivation of liberty, whether occurring in public and private life.²¹²

It is important to emphasize that Istanbul Convention placed a special emphasis on international cooperation through collecting and sharing data between different states party to the Convention.²¹³ This was to ensure that governments can support each other in ending the violence against women in their countries.²¹⁴ However, President Erdoğan expressed his opinions related to the application of the Convention in a meeting of National Will Platform that “*the convention is not an absolute decision; it can be voidable.*”²¹⁵

However, women in Turkey have been exposed to the patriarchal, authoritative and gender based discriminations. In this context, Prof. Feride Acar states that Turkey’s withdrawal from Istanbul Convention will definitely bring about adverse consequences regarding the Council of Europe’s attitude towards Turkey. She also mentions that Turkey’s critical approach towards İstanbul Convention will be considered as if Turkey recede from universal democracy, human rights, gender equality and prevention of violence. Concisely, it seems that Turkey’s withdrawal from the convention will harm Turkey and the EU relations and it will affect negatively Turkey’s image on the international arena.²¹⁶

The Convention provides an independent expert body, the Group of Experts on Action against Women and Domestic Violence (GREVIO). It is responsible to monitor the implementation of the Convention. It is mentioned that GREVIO, which is created to protect and monitor human rights, is in cooperation with the European Council and the other human rights mechanisms. However, CEDAW and European

²¹² Šimonović, D. (2014). Global and Regional Standards on Violence Against Women: The Evolution and Synergy of the CEDAW and Istanbul Conventions. *Human Rights Quarterly*, 36(3), 590-606. Retrieved March 30, 2020, from www.jstor.org/stable/24518259.

²¹³ Kıymaz Bahçeci, Şehnaz. “Evaluation of Istanbul Convention: Its Contributions and Constraints for Elimination of Violence Against Women in Turkey.” Master’s thesis, Middle East Technical University, 2012.

²¹⁴ Bahçeci Kıymaz, *Evaluation of Istanbul Convention: Its Contributions and Constraints for Elimination of Violence Against Women in Turkey*, 2012.

²¹⁵ Bildircin, M. M. (2019, June 04). *Gericilerin ' Cinsiyet-Eşitliği' Hazımsızlığı*. Retrieved from BirGün: <https://www.birgun.net/haber-detay/gericilerin-cinsiyet-esitligi-hazimsizligi.html>

²¹⁶ Bianet. (2020, July 07). “If Turkey withdraw from İstanbul Convention, our gains against violence will go to waste.” Retrieved from [‘If Turkey withdraws from İstanbul Convention, our gains against violence will go to waste’ - Evrim Kepenek - english \(bianet.org\)](http://bianet.org).

Human Rights Convention have been more effective, setting higher standards than others.²¹⁷

According to Turkey 2018 Progress Report, Turkey was the first country which ratified the Convention, as early as 2014, but the Convention has not still been adapted in the Turkish legislation. However, it has adopted an action plan for 2016-2020 and started to create awareness on this topic.²¹⁸ According to the National Action Plan, preventing women from work or forcing them to quit their jobs is considered the economic violence against women.²¹⁹ Turkey had a major role during the negotiations and the adoption. Turkey has undertaken intense lobbying to be the first signing and ratifying part to the Convention during its term presidency of Council of Europe.²²⁰

Turkey has a significant role in preventing and fighting violence against women. It has enacted the Law number 6284 on violence and the law came into force in 2012. The country has taken important steps to prevent violence against women and protect victims of violence through this law. The Violence Prevention and Monitoring Centers (SONİM) was also established to provide support and to monitor services to prevent gender-based violence. It also has a duty to take efficient protective and preventive measures.²²¹

Istanbul Convention provides the minimum standards for preventing and prosecuting violence against women.²²² The regulators of the Convention drew particular attention to crimes committed in the name of “honour” and concentrated on preventing exemption and amnesty for the perpetrators of such killings. Article 42 of

²¹⁷ Demirkır Ünlü, Müge: *İstanbul Sözleşmesi’nin (Kadına Yönelik Şiddet ve Aile İçi Şiddetin Önlenmesi Ve Bunlarla Mücadeleye Dair Avrupa Konseyi Sözleşmesi) Ulusal Hukuk Açısından Değerlendirilmesi*, Marmara Üniversitesi SBE, Yüksek Lisans Tezi, 2012.

²¹⁸ European Commission (EC) (2018), *Turkey 2018 Progress Report*, SWD(2018) 153, Brussels, 17.4.2018.

²¹⁹ <https://kadininstatusu.aile.gov.tr/izleme-ve-degerlendirme-raporlari> . Accessed on March 31, 2020.

²²⁰ Kıymaz Bahçeci, Şehnaz. “Evaluation of Istanbul Convention: Its Contributions and Constraints for Elimination of Violence Against Women in Turkey.” Master’s thesis, Middle East Technical University, 2012.

²²¹ Ayşe Alican ŞEN, “Türkiye’de Kadına Yönelik Şiddetle Mücadelede Kurumlar Arası İşbirliği Süreci ve 6284 Sayılı Yasanın Uygulanabilirliği”, *Motif Akademi Halk Bilimi Dergisi*, S.22, C.11, 2018, s.148.

²²² Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), adopted 11 May 2011, Istanbul, entered into force 1 August 2014, <http://conventions.coe.int/Treaty/EN/Treaties/Html/210.htm> (29 June 2015).

the Convention mandates that culture, custom, religion, tradition, or honour cannot be accepted as justification for acts of violence. The Convention stipulates that both state parties and Turkey as a candidate country are obliged to take all required precautions to guarantee that such grounds cannot be regarded as justifications by perpetrators in criminal proceedings. The Convention forbids perpetrators of honour based killings for defending themselves even if they are close partners of the victim.²²³ The Article 53 of the Convention articulates a new preventive mechanism for honour based killings, stipulating states to implement protection orders for all kinds of gender-based violence cases.

The Istanbul Convention was adapted to the national legislation through The New Law no.6284, “Protection of the Family and Violence Against Women,” which became effective in 2012. In the same year, an additional provision of the article 14 of Law numbered 5393 said that if municipalities has a population of more than 100,000, they have to open a shelter and Metropolitan municipalities to open guesthouses for women and children.²²⁴

The Parliamentary Investigation Commission, tasked to examine the reasons for the violence against women and to determine the precautions against the violence, was established in 2014. It published its first report in the first six months.²²⁵ On March 2016, the regulation regarding the Violence Prevention and Monitoring Centres was published in Official Gazette number 29656.²²⁶ In 2018, an amendment was made in the article of 23 of the Income Tax Law numbered 193. It stated that the workplaces that have women employees and open nursery or daily care centre would be exempted from the income tax at some percentage.²²⁷

²²³ Council of Europe Convention on Preventing and Combating Violence against Women and Domestic violence (Istanbul Convention), Article 43.

²²⁴ Belediye Kanunu <https://www.mevzuat.gov.tr/MevzuatMetin/1.5.5393.pdf>, 8 Haziran 2019; Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu,6-7.

²²⁵ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği, p.6.

²²⁶ TBMM KEFEK, pp.6-7.

²²⁷ Gelir Vergisi Kanunu <https://www.mevzuat.gov.tr/MevzuatMetin/1.4.193.pdf>, 8 Haziran 2019.

6.2. CEDAW

An international treaty that aimed to support gender equality was necessary. The Women's Convention took a step further in prohibiting discrimination against women and defining measures necessary to have women's rights fully recognized as equal to men's rights.

CEDAW is generally called the "Women's Convention." It is considered as "the definitive international legal instrument requiring respect for, and observance of, the rights of women."²²⁸ The United Nations General Assembly was adopted the Convention in 1979. Turkey in 1985 signed CEDAW, and since then 186 countries have become state parties to CEDAW. It is the first and most comprehensive international agreement focused on the rights of women. It is the international human rights treaty that concentrates specifically on gender equality in all spheres of life. It describes discrimination against women on a universal basis and consists of thirty articles. It includes the representation of women in politics, labour force, and education in addition to the health and social problems of the women.²²⁹

The fact that Turkey ratifies CEDAW was a good opportunity for Turkey to show itself as a modern, secular and European state.²³⁰ In 1997, Turkey submitted its second and third collective regular report to CEDAW. The CEDAW Committee directed questions and provided comments to Turkey that a domestic legislation should be made about violence against women.²³¹ As a response to this comment, the Minister of Women and Family Affairs of the time, İmren Aykut, started to work on a protection order law against Violence Against Women.²³² In 1998, 4320 No Law Protection of the Family was ratified. The law was enacted under the name of "protection of the

²²⁸ Cook, R. (1990), 'Reservations to the Convention on the Elimination of All Forms of Discrimination Against Women', *Virginia Journal of International Law*, 30.

²²⁹ Merry, Sally Engle. Constructing a Global Law-Violence Against Women an the Human Rights System, Paper prepared for the Conference Violence Between Intimates, Globalization and the State, Wellesley College, 2001.

²³⁰ MELLO, Brian/ STRAUZ, " International Norms and Women's Rights in Turkey and Japan", *Journal of Women, Politics & Policy*, 32: 4, 2011, pp. 333-362.

²³¹ Kardam, 2005 cited in Rodriguez, 2009. Justice Through Domestic Violence Legislation: Improving the Implementation of Turkey's Law 4320 on the Protection of the Family. *Journal of Public and International Affairs*. 27 – 44. NJ: Princeton Press

²³² Kardam, "Justice Through Domestic Violence Legislation: Improving the Implementation of Turkey's Law 4320 on the Protection of the Family. *Journal of Public and International Affairs*," 2009.

family” rather than “protection order law.”²³³ It highlights that violence in the family is harmful to the wellbeing of the family, and hence the law shall be called “protection of the family.”²³⁴ It is also noted that CEDAW was a prominent actor in improving the women’s legal status.²³⁵ However, the AKP government had a negative view of the implementation of gender quotas.²³⁶ Although the party showed its commitment to the principles proposed by CEDAW by ratifying it, it has remained indifferent to one of the key principles (gender quotas) of CEDAW.²³⁷

Moreover, though Turkey’s participation in CEDAW, and its reservations, could be perceived as driving factors for evaluating state of women’s rights in Turkey in terms of civil rights, Turkey firstly needs to alter the patriarchal mind of the legislator and the Constitutional Court. Thus, it would speed up the process of the EU integration and it would be more compatible with the EU’s norms regarding the women’s rights.²³⁸

Turkey has had reservations implementing many of the articles stipulated under the European Social Charter in 1996. The Article 8 of the European Social Charter includes the right of employed women maternity leave, which requires the following measures:

- to provide either paid leave and adequate social security benefits or benefits from public funds for employed women to take leave before and

²³³ Doğan, 2008. Türk Hukuk Sitesi. , Ğ. An Observation on Violence Against Women, International Documents, 4320 No. Law on Protection of the Family and Amendments on the Law. *Kadına Yönelik Şiddet, Uluslararası Belgeler, 4320 Sayılı Ailenin Korunmasına İlişkin Yasa ve Bu Yasada Yapılan Değişiklikler Üzerine bir İnceleme*. http://www.turkhukuksitesi.com/makale_930.htm [accessed 8 February 2012]

²³⁴ Doğan, “An Observation on Violence Against Women, International Documents, 4320 No. Law on Protection of the Family and Amendments on the Law,” 2008

²³⁵ Ayata, A., & Tutuncu, F. (2008). Critical Acts without a Critical Mass: The Substantive Representation of Women in the Turkish Parliament. *Parliamentary Affairs*, 61(3), 461–475.

²³⁶ AKP. (2002, 02 11). *AKParti Program*. Retrieved from TBMM Kütüphanesi Açık Erişim (GNAT Library Open Access): <https://acikerisim.tbmm.gov.tr/xmlui/bitstream/handle/11543/926/200205071.pdf?sequence=1&isAllowed=y>

²³⁷ AKP. (2002, 02 11). *AKParti Program*. Retrieved from TBMM Kütüphanesi Açık Erişim (GNAT Library Open Access): <https://acikerisim.tbmm.gov.tr/xmlui/bitstream/handle/11543/926/200205071.pdf?sequence=1&isAllowed=y>

²³⁸ Seda İrem Çakırca, “Turkish Civil Code and CEDAW: Never Shall the Twain Meet?” (2013) 45 (62) *Annales de la Faculte de Droit d’İstanbul* 145, 169-170.

after childbirth up to a total of at least fourteen weeks;

- to consider it unlawful for an employer to give a woman notice of dismissal from the time she notifies her employer that she is pregnant until the end of her maternity leave, or to give her notice of dismissal at such a time that the notice would expire during such a period; and
- to prohibit the employment of pregnant women, who have recently given birth or who are nursing their infants, in underground mining and all other work which is unsuitable due to the dangerous, unhealthy or arduous nature of work and to take appropriate measures to protect the employment rights of these women.²³⁹

Turkey's approach to ensure gender equality in employment, as stipulated under the Article 8, is still unclear compared to the EU.

The Article 11 of the Convention stipulates the equal treatment:

“States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, based on equality of men and women, the same rights for both genders, in particular:

- a. The right to work as an inalienable right of all human being; and
- b. The right to equal remuneration, including benefits, and to equal treatment with respect to work of equal value, as well as equality of treatment in the evaluation of the quality of work.”²⁴⁰

Turkey has attempted to take some measures to end gender-based discrimination in the workplace by signing the Convention. Nevertheless, national law was not completely aligned with CEDAW in 1999.²⁴¹ There is a lag in implementation

²³⁹ European Council. (1996). European Social Charter. Retrieved on 06.01.2020 from <https://rm.coe.int/168007cf93>

²⁴⁰ UN Women. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Retrieved on 26.03.2020 from <https://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

²⁴¹ UN Women. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Retrieved on 26.03.2020 from <https://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

of CEDAW's principles. This situation brings to mind the metaphor of "glass ceiling" which is a term first used in the article published in Wall Street Journal in 1986. It refers that there are informal barriers keeping women away to get promotion, to have increased payment and to have further opportunity and it is hard to see that barriers. Women continue to face difficulties in rising in the ranks and experience unequal treatment in the workplace.²⁴²

6.3. The Optional Protocol to the Women's Convention

In June 1993, an Optional Protocol to the Women's Convention was launched. It was also recommended in the Vienna Declaration and Programme of Action and adopted by the UN-sponsored World Conference on Human Rights. In 1994, a group of experts assembled at the Maastricht Centre for Human Rights to draft an Optional Protocol. In March 1999, the UN Commission on the Status of Women adopted the Optional Protocol. CEDAW itself proposed some reasons for the eligibility of an Optional Protocol to the Women's Convention, including:

- To add to existing enforcement mechanisms for women's human rights;
- To encourage states to take steps to implement the Women's Convention;
- To encourage changes in discriminatory laws and practices; and
- To increase the mechanisms for application of UN human rights Conventions.²⁴³

As of September 2000, the Optional Protocol adopted by the United Nations General Assembly in October 1999 was signed by 62 states. The Optional Protocol to the Women's Convention made women to defend their rights in repressive regimes easier. The Protocol has been particularly effective in prohibiting all forms of oppressions against women and enabling women to be included in the international legal processes.

²⁴² Elliot, J., & Smith, R. (2004). Race, Gender and Workplace Power. *American Sociological Review*, 69 (3), 365-386. Retrieved from <https://www.jstor.org/stable/3593052>

²⁴³ Kwong-Leung Tang. (2000). The Leadership Role of International Law in Enforcing Women's Rights: The Optional Protocol to the Women's Convention. *Gender and Development*, 8 (3), 65-73. Retrieved March 26, 2020, from www.jstor.org/stable/4030464

6.4. CEDAW Committee Reviews Status of Women in Turkey

The Article 18 of the CEDAW stipulates that state parties shall give report to the Committee every four years with regard to the progress they have made in applying the CEDAW.²⁴⁴ Turkey submitted its first, second and third combined and fourth and fifth combined report in 1990 and 1997 and 2004 respectively with a group of NGO representatives, political parties, academic and bureaucrats.

After completing the preparations of the sixth periodic report, KSGM (the Directorate General on the Status of Women) submitted the report to CEDAW Committee in 2008. KSGM submitted the report officially to the CEDAW Committee in July 2010. The Committee made recommendations on issues affecting women, such as health and education. KSGM also submitted annual action plans, including campaigns, memorandums and statistics on violence against women²⁴⁵ as well as progress achieved to date including the new Turkish Penal Code and awareness raising activities.

The Shadow Report, which was prepared by Turkish Republic Women's Platform and Civil Society Conduct Authority as an alternative to the sixth Periodic Governmental Reform on Optional Protocol to CEDAW Committee, summarizes the progress made in Turkey as follows:²⁴⁶

The law-making process required the participation of women's rights organizations. The Law on the Protection of the Family still is not in line with the international standards, and almost 42% of married women were not aware of the existence of this law.²⁴⁷ The limited number of shelters, opened and operated by

²⁴⁴ KSGM, *Türkiye'de Kadın Durumu*, T.C. Başbakanlık Kadının Statüsü Genel Müdürlüğü Yayını, Ankara, Temmuz 2011a, p.1.

²⁴⁵ *Birleşmiş Milletler Cedaw Komitesine Sunulmak Üzere Hazırlanan Altıncı Periyodik Türkiye Raporu*, Ankara, 2018, Kaynak: www.ksgm.gov.tr, 27.03.2020.

²⁴⁶ CEDAW Sivil Toplum Yürütme Kurulu ve TCK Kadın Platformu, *Türkiye'nin Kadına Karşı Ayrımcılığı Önleme Komitesi'ne Sunduğu Altıncı Periyodik Rapor için STK Gölge Raporu*, Temmuz 2010, s.22-23-24.

²⁴⁷ CEDAW, "Sivil Toplum Yürütme Kurulu ve TCK Kadın Platformu, *Türkiye'nin Kadına Karşı Ayrımcılığı Önleme Komitesi'ne Sunduğu Altıncı Periyodik Rapor için STK Gölge Raporu*," pp.22-24

Municipality, did not have a dedicated person assigned to solve the issues related to the women. CEDAW Sivil Toplum Yürütme Kurulu ve TCK Kadın Platformu stated that:

There was a serious deficiency on how women's shelters are managed.²⁴⁸ The Family Courts, which had an ultimate authority to put an end to domestic violence and give protection order, were also closed at the weekends when it is more likely that women were exposed violence in the family.²⁴⁹ The Law on the Protection of the Family and Prevention of Violence against Women Courts decision making mechanisms did also not have a mandate to eliminate the violence against women.²⁵⁰ Women and girls were forced to get married at an early age and honor killings were highly prevalent in the East and South East parts of Turkey.²⁵¹

With regards to the women's participation in education, it was mentioned that Turkey should undertake necessary reforms to increase the literacy of women in the rural areas. It was suggested that the Article 4 in CEDAW should be implemented immediately to take provisional measures.²⁵² The Committee recommended that Turkey needed to increase awareness around harassment in the workplace through vocational courses and advisory services in order to reduce the occurrences of such incidences.²⁵³ Moreover, according to the action plans formalized by the government, the status of women and the women-based employment should comply with the EU standards.²⁵⁴

According to the Committee Reviews, Turkey had still ongoing issues, such

²⁴⁸ CEDAW, "Sivil Toplum Yürütme Kurulu ve TCK Kadın Platformu, *Türkiye'nin Kadına Karşı Ayrımcılığı Önleme Komitesi'ne Sunduğu Altıncı Periyodik Rapor için STK Gölge Raporu*," pp.22-24

²⁴⁹ CEDAW, "Sivil Toplum Yürütme Kurulu ve TCK Kadın Platformu, *Türkiye'nin Kadına Karşı Ayrımcılığı Önleme Komitesi'ne Sunduğu Altıncı Periyodik Rapor için STK Gölge Raporu*," pp.22-24

²⁵⁰ CEDAW, "Sivil Toplum Yürütme Kurulu ve TCK Kadın Platformu, *Türkiye'nin Kadına Karşı Ayrımcılığı Önleme Komitesi'ne Sunduğu Altıncı Periyodik Rapor için STK Gölge Raporu*," pp.22-24

²⁵¹ CEDAW, "Sivil Toplum Yürütme Kurulu ve TCK Kadın Platformu, *Türkiye'nin Kadına Karşı Ayrımcılığı Önleme Komitesi'ne Sunduğu Altıncı Periyodik Rapor için STK Gölge Raporu*," pp.22-24

²⁵² CEDAW STYK, T. K. (2010). *Türkiye'nin Kadına Karşı Ayrımcılığı Önleme Komitesi'ne Sunduğu Altıncı Periyodik Rapor için STK Gölge Raporu*.

²⁵³ CEDAW STYK, T. K. (2010). *Türkiye'nin Kadına Karşı Ayrımcılığı Önleme Komitesi'ne Sunduğu Altıncı Periyodik Rapor için STK Gölge Raporu*

²⁵⁴ CEDAW STYK, T. K. (2010). *Türkiye'nin Kadına Karşı Ayrımcılığı Önleme Komitesi'ne Sunduğu Altıncı Periyodik Rapor için STK Gölge Raporu*

as honour killings and early age and forced marriages.²⁵⁵ In this context, Turkey made some legal amendments and changes to improve women's rights with the support from NGOs, such as KA-DER and KAGIDER. These two NGOs made a significant contribution to the welfare of women in the society. As such, the next sub-section will analyze them in more detail.

6.5. Civil Society Organizations

Civil Society Organizations are considered an important medium which fosters democracy and human rights in the society. The women's civil society organizations play an essential role in enhancing the gender equality, women's empowerment, and women's rights, assisting women in overcoming the obstacles and the problems that stem from their gender. The Second United Nations Conference on Human Settlements of 1996 in Istanbul, enabled the breakout of a civil society culture.²⁵⁶ The conference had the aim of addressing the issues of "adequate shelter for all" and "sustainable human settlements development in an urbanizing world".²⁵⁷ The number of civil society organizations had soared from 55,000 to 80,750 from 1996 to 2005 while the number of women's associations had risen from 2,469 in 2004 to 5,064 in 2005.²⁵⁸

The EU accession years had seen the consolidation of civil society organizations (CSO), and NGOs came to exist as more significant and effective actors in Turkish society and the democratisation process. The NGOs increased in both number and capacity and significantly affected the EU and Turkey relations.²⁵⁹ It is also mentioned that "*Turkish civil society organisations' intense involvement in Turkey's accession process both in Turkey and in Europe had a positive impact and*

²⁵⁵ Zaman, "CEDAW, Türkiye Toplantısı Sonuç Bildirgesini Açıkladı", *Zaman Gazetesi*, (18.08.2010)

²⁵⁶ United Nations. Second United Nations Conference on Human Settlements. April 12, 1996.

²⁵⁷ CEDAW STYK, T. K. (2010). *Türkiye'nin Kadına Karşı Ayrımcılığı Önleme Komitesi'ne Sunduğu Altıncı Periyodik Rapor için STK Gölge Raporu*

²⁵⁸ Ketola, Markus. "Early Impacts of EU funding for Turkish NGO's: Whose Agenda." LSE Contemporary Turkish Studies 2nd Doctoral Dissertation Conference. London, 2009.

²⁵⁹ ESLEN ÖZERKAN, G., & MUTLU, S. (2008). Turkey's EU Journey and Turkish Civil Society. *International Issues & Slovak Foreign Policy Affairs*, 17(1), 29-46. Retrieved June 29, 2020, from www.jstor.org/stable/26590973

*should continue to do so.*²⁶⁰ The EU had been one of the prominent fund providers to the Turkish civil society organisations since the official start of the negotiations in 2005.²⁶¹ Moreover, the Turkish women's movement was a noteworthy effort for lobbying and advocacy during the reform process and accelerated the EU accession process very successfully.²⁶² Civil society participants from women's NGOs and academics created a platform to push forward the amendments necessary to the Constitution, the Penal Code, and the Civil Code to remove the gender inequalities.²⁶³

In Turkey, there are some laudable CSOs playing a key role in realising transformation in and commitments to women's rights. They aimed at eliminating all the traditional impediments between public and private spheres and mobilizing women into public life. The following CSOs and NGO's undertake a wide array of activities and responsibilities to defend and protect the rights of women:

- The Purple Roof Women's Shelter Foundation,
- The Foundation for Elimination of Violence against Women,
- The Association of Turkish Women in Turkey,
- Women for Women's Human Rights – New Solutions Foundations for Women and Girls,
- The Foundation of the support for Women Candidates (KA-DER),
- The Foundation of Women and Democracy (KADEM),
- Istanbul Convention Progress Platform,
- We Will Stop Women Murders Platform,
- The Foundation of Women's Solidarity (KADAV),
- KAMER Foundation,
- KEFEK
- Independent Women's Organization (BIANET), and
- KAGIDER (Association of Women Entrepreneurs).

²⁶⁰ Özerkan et al., *Turkey's EU Journey and Turkish Civil Society*, pp.29-46.

²⁶¹ Özerkan et al., *Turkey's EU Journey and Turkish Civil Society*, pp.29-46.

²⁶² Özerkan et al., *Turkey's EU Journey and Turkish Civil Society*, pp.29-46.

²⁶³ Özerkan et al., *Turkey's EU Journey and Turkish Civil Society*, pp.29-46.

6.5.1. Women's way to Europe through "Epoch-making" NGOs: "KA- DER and KAGIDER"

The improvements in women's rights in Turkey can be considered as a good example about how the committed and effective cooperation of the EU and Turkey can have positive impacts. The candidacy period is an accelerator for further improvements toward gender equality. As women's rights organizations in Turkey increased their activities and the EU is willing to put the women's rights issue high on their agenda, the women's rights issue remains at the forefront in Turkey.²⁶⁴

Turkey has attentively strived for making progress in women's rights through CSOs. The issue of women's rights is a *sine qua non* for the accession process and the civil society had a major role in consolidating the situation of women in the society. In the 21st century, the civil society participation is one of the leading factors to address "democratic deficit" in the process of European integration. The European Commission considered the Turkish women's NGOs as contributor to fulfilling the European Union's conditions for Turkey.²⁶⁵ For example, the civil society dialogue would help fulfill the objectives of exalting the status and make the women included in all realms of the society including the labor market and politics.

Women's associations' interaction with the state and other international actors including interest groups, the United Nations and the EU institutions, was an alternative way. The EU assumed a role of the *porte-parole* for gender mainstreaming and Turkey's wish to join the EU brought about changes on the legal and administrative aspects. "The liability for attaining the EU norms was a major motivator for the fulfillment of many developments on legal and administrative level in Turkey such as The Association Law, The Foundations Law, the Civic Code, the Turkish Penal Code, and the Law of Assembly and Demonstrations."²⁶⁶ In this context, Turkey's admission as a candidate country into the European Union after the Helsinki Summit in 1999 blazed a trail in the country. As a candidate country, Turkey was supposed to

²⁶⁴ Bozkurt, Emine. "Women's human rights: Turkey's way to Europe." Turkish Policy Quarterly 6, no. 1 (Spring 2007).

²⁶⁵ European Commission. "COM (2005) 290. *Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: Civil Society Dialogue between the EU and Candidate Countries*. June 29, 2005.

²⁶⁶ Bayraktar, Damla. 2009. "Crossing the Bridge: The Europeanization of Women's NGO's in Turkey." Ph. D. Dissertation, Institut d' Etudes Politiques de Paris.

regulate gender equality reforms to continue its accession negotiations.

In Turkey, the gender equality emerged as a prominent political concern and it paved the way for the increasing dialogue between the state and the civil society. This dialogue helped launch several projects, NGOs and campaigns to give voice to women's rights issues in the society. "To illustrate; in 1993, The Purple Roof Women's Shelter Foundation and the State Ministry of Women and Family and Social Services worked effectively to build a shelter for women who were subjected to domestic violence."²⁶⁷ Turkish Women's Organizations Handbook of Flying Broom Association in Turkey stated that there were 370 women's organizations in Turkey.²⁶⁸ These entailed campaigns and trainings to strengthen and raise awareness of women, calling for legislative with gender sensitive language, shelters for women exposed to violence and protection of women's rights. The efforts focused mostly on the issues of women's human rights and female labour force participation. In addition Sancar, Serpil and Bulut stated that:

Since women's organizations were institutionalized, they have built a capacity to provide several services, such as advisory, sanctuary, and education. It also has an authority to employ professional staffs and to rent centers to carry out its activities. The women's organizations have been championed by various international organizations, such as World Bank, United Nations, World Health Organization, the United Nations Population Fund, European Commission and European Council.²⁶⁹

The next sub-section examines the two associations, namely KA-DER and KAGİDER, in terms of the role they played in driving and motivating the establishment of a network between the EU and Turkey to advocate women's rights. They also played a significant role in developing projects funded by international and national organizations. The two associations are regarded as important players of the women's movement in Turkey in the 2000s.

²⁶⁷ Arat, Y. (1998). Feminists, Islamists, and Political Change in Turkey. *Political Psychology*, 19 (1), 117-131. Retrieved March 27, 2020 from www.jstor.org/stable/3792117

²⁶⁸ Flying Broom. "Turkish Women's Organizations Handbook." 2003.

²⁶⁹ Sancar, Serpil, and Ayça Bulut. *Turkey: Country Gender Profil*. JICA, 2006.

6.5.2. Association for Supporting and Training Women Candidates (KA-DER)

KA-DER is a *sui generis* association in Turkey which struggles to galvanize women to participate in decision making bodies, such as parliament, local administrations, consortia and other bodies. According to its introductory brochure, KA-DER:

“...tries to increase awareness of gender equality in areas of societal life and political culture, as well as strives to increase sensitivity towards women’s problems.

Supports increased participation of women in politics, by campaigning to remove economic, social and legislative barriers, and proposing equality enhancing policies.

Strives, in areas of decision-making and politics, to gain and implement more effective representative measures, such as quota system, to be guaranteed by constitutional and statutory regulations.

Endeavors, within public life, to strengthen both party-affiliated and non-affiliated women and visibly encourages women to become candidates for all positions.

*Works to provide a support network for women in political life and decision-making positions, whilst developing unified strength to address problems and policies in the wider framework of the women’s movement.”*²⁷⁰

KA-DER was established on March 4th, 1997 to increase presence of women in the political sphere. The constituent assembly was administered by Şirin Tekeli, a successful socio-democrat Turkish feminist academic, who took part in the women’s activism of 1980s. The assembly was composed of nineteen working women including

²⁷⁰ KA-DER. *KA-DER Nedir?* (What is KA-DER?) 2009. <http://home.adrena.com.tr/ka-der/?p=nedir> (accessed March 28, 2020).

six academics, three journalists, an executive advisor and a public relations consultant²⁷¹. It was managed by one of the leading and prestigious actors to increase the possibility of connecting with the policy networks.

KA-DER's head office is in Istanbul and it has 12 branches in Turkey's specific provinces, including Ankara, to have a close relationship with the political organs. KA-DER has currently almost 3000 members all around Turkey. The General Assembly congregates twice a year. The top management body in the organization is the General Executive Committee, which has an authority to elect seven members to constitute the Central Executive Committee. The Committee consists of the chairperson, secretary general, the treasurer and other four members. KA-DER's members are women who work in many different non-governmental organizations, political parties and work-based organizations.

The Association's main purpose is to increase women's active engagement with politics. KA-DER executes advocacy and lobbying activities in the international arena and in Turkey to encourage more women to get in the politics.²⁷² KA-DER arranges various awareness raising campaigns, which aim to make legal amendments in the Turkish Civil or Penal Codes and women's quota.²⁷³ The Association offers a wide range of facilities, such as educational activities, communication, gender and politics, campaign building, organization strategies, leadership and the integration with the European Union.²⁷⁴ It also delivers conferences, projects, activities, publications and participates in national and international conferences. Owing to its political objective, KA-DER takes part in networks that champion the political and social rights of women, such as CEDAW Civil Society Exercise Committee. KA-DER has also been one of the founders and the secretariat of the Women's Platform for a New Constitution that was established in 2007 – aimed to amend the Article 10 of the Turkish Constitution that assembled the women under the same roof with children, the elderly and the handicapped.

²⁷¹ Bora, Aksu. "Bir Yapabilirlik Olarak Ka-Der." (Ka-Der as a faisability) In 90'larda Türkiye'de Feminizm, by Aksu Bora and Asena Günel, 109-125. Istanbul: İletişim Yayınları, 2007.

²⁷² Bayraktar, Damla. 2009. "Crossing the Bridge: The Europeanization of Women's NGO's in Turkey." Ph. D. Dissertation, Institut d' Etudes Politiques de Paris.

²⁷³ Bayraktar, "Crossing the Bridge: The Europeanization of Women's NGO's in Turkey," 2009.

²⁷⁴ Bayraktar, "Crossing the Bridge: The Europeanization of Women's NGO's in Turkey," 2009.

KA-DER acknowledges that women, who are motivated to participate in politics, are also supposed to be conscious of the status of women; be adamant on working to ensure women's equality; do their best to redress the balance between a democratic and secular Republic in Turkey; be averse to all sorts of racism, fanaticism, violence, and war; and encourage ecological consciousness.²⁷⁵ KA-DER affirms that it has equal standing and distance to all political parties and the chairperson of KA-DER should not be a member of any political party to be able to maintain the equal distance.

Since 2004, women's NGOs have made use of the EU's grants earmarked for Turkey. KA-DER benefited from the EU funds even before 2004. MEDA Education Project was introduced to the European Union MEDA Commission in 1998 and was confirmed in May 2000. KA-DER received 400.000 Euros for this project and earned a profit of 339.396 Euros from the MEDA Commission and redeemed the remaining 20% itself.²⁷⁶ KA-DER stated that:

The project was delivered during May 2000-2001 and conducted a 2-day training for 20 women about gender and politics. The training focused on solution-oriented thinking, intercommunication skills, and education on local management, leadership, and participatory democracy, in addition to the influence of European Union in the improving the situation of women.²⁷⁷

KA-DER shares similarity with the EU norms in terms of supporting the rights of women because KA-DER emphasizes the women's participation in politics.²⁷⁸ KA-DER, as an one of the most powerful women's organisations in the EU, makes effort to influence policies and agendas related to gender equality by conducting lobbying activities. KA-DER is also a member of the European Women's Lobby

²⁷⁵ Bayraktar, Damla. 2009. "Crossing the Bridge: The Europeanization of Women's NGO's in Turkey." Ph. D. Dissertation, Institut d'Etudes Politiques de Paris.

²⁷⁶ Yılmaz, Tülay. "Avrupa Birliği Sürecinde Kadın Örgütlenmelerinin Rolü ve Faaliyetleri: Kadın adayları destekleme ve eğitime derneği (KA-DER) örneği." (The role and activities of women's organizations in the EU process: the case of KA-DER) Master's thesis. Isparta, 2005.

²⁷⁷ KA-DER. "2009 Yerel Seçimi-Kadın Belediye Başkanları." (2009 Local Elections- Women Mayors) *Kadın Adayları Destekleme ve Eğitim Derneği*. April 1, 2009a. <http://ka-der.org.tr/en/?p=duyurular&id=13> (accessed March 28, 2020).

²⁷⁸ Sayın, A., 2007. *Kota El Kitabı 'Geçici Özel Önlem Politikası: Kota'*, KA-DER Yayınları, İstanbul.

Coordination in Turkey.²⁷⁹

KA-DER seriously advocates the idea that if women do not exist in the decision making bodies, such as parliament, political organizations, and national and international spheres, problems associated with gender disparity cannot be settled in Turkey.²⁸⁰ Bayraktar stated that

In 1997, women were underrepresented in the parliament and their participation rate was only 2.4%. KA-DER's aim was to boost the number of women deputies to 10% in the parliament.²⁸¹ In the 2007 elections, women representation increased to 9.1% in the parliament. Although KA-DER's achievement in the 2007 elections was praiseworthy, it also showed that this achievement was not sufficient.²⁸² KA-DER's statistics demonstrated that 0.56% of the mayors elected in the local elections in 2004 were women.²⁸³

According to the 2008 World Economic Forum Report, Turkey took the 123th place out of 130 countries²⁸⁴. Women's number in the politics has not increased steadily so far, always lagging the male candidates. However, KA-DER has been a catalyst in speeding up the process for those women who wanted to pursue a career in politics.

6.5.3. Women Entrepreneurs Association (KAGIDER)

KAGIDER was established in September 2002 with the aim of improving women's entrepreneurship and status in economic and social life. The Association's first goal is to make a world in which women establish their existence freely and have an effective role in the decision-making process. The wide gender gap in labour market participation has been a concern: in 2008, women's employment in Turkey was 24% while it was 57% in the EU. The women entrepreneurship rate was 9% in Turkey

²⁷⁹ Yılmaz, T., 2005. Avrupa Birliği Sürecinde Kadın Örgütlenmelerinin Rolü Ve Faaliyetleri: Kadın Adayları Destekleme Ve Eğitim Derneği (KA-DER) Örneği, *Yüksek Lisans Tezi*, Süleyman Demirel Üniversitesi Sosyal Bilimler Enstitüsü Kamu Yönetimi Anabilim Dalı, Isparta.

²⁸⁰ Bayraktar, Damla. 2009. "Crossing the Bridge: The Europeanization of Women's NGO's in Turkey." Ph. D. Dissertation, Institut d' Etudes Politiques de Paris.

²⁸¹ Bayraktar, "Crossing the Bridge: The Europeanization of Women's NGO's in Turkey," 2009.

²⁸² Bayraktar, "Crossing the Bridge: The Europeanization of Women's NGO's in Turkey," 2009.

²⁸³ KA-DER. "İstatistikler." (Statistics) *Kadın Adayları Destekleme ve Eğitim Derneği*. March 2, 2009. <http://ka-der.org.tr/en/?p=istatistik> (accessed March 28, 2020).

²⁸⁴ Hausmann, Ricardo, Laura D. Tyson, and Saadia Zahidi. The Global Gender Gap Report. Geneva: World Economic Forum, 2008.

compared to 28% in the EU.²⁸⁵ There was also a 30-35% wage inequality between women and men.²⁸⁶ KAGIDER has been effective in supporting the increasing of women's participation in workforce and supporting women entrepreneurship meet the EU standards. The EU values have also been adopted by KAGIDER as the EU regards democratic rights as "the superiority of law" and "gender equality". In this context, KAGIDER stated that the EU gives value to the rule of law and to have the equal rights between women and men. Integration of the EU values is a must to have the equal social and economic rights to realize the gender equality. Civil society and academic circles carry great weight in communicating the EU values that are focused on women rights to the Turkish public. KAGIDER has opened its Brussels Office in the center of the EU for the purpose of following the negotiation process with the EU. The only mean is the EU to make the women strong and independent in Turkey.²⁸⁷

KAGIDER aspires to ensure the equal representation of women in parliament, employment, gender budgeting, and gender mainstreaming the civil code.²⁸⁸ KAGIDER's activities embody entrepreneurship projects: entrepreneurship trainings reached 1300 women by 2008; incubation center helped women set up their own business; consultancy and mentorship services in fields of law and marketing were delivered; Women's Entrepreneurship and Leadership Centre was set up; and "Bridge from Women to Women" project that advocated for the women from the Southeastern Turkey was delivered²⁸⁹.

KAGIDER has close links with the industrialists and business people. It was established as a twin organization to TUSIAD, one of the most extensive NGOs in Turkey. KAGIDER's headquarters is in Istanbul and it has no other branches than the Office in Brussels which was founded in March 2008 in the same building as TUSIAD's office. The organization has a hierarchical structure that works based on a professional administration system. KAGIDER's General Administration meets up biennially and is composed of 18 members, changing every four years. Apart from the members, KAGIDER today has six staff members, including the General Secretary,

²⁸⁵ KAGİDER. *Women Entrepreneurs Association of Turkey*. July 2008.

²⁸⁶ KAGİDER. *Avrupa Birliği Yolunda Kadın Projesi*. (Women's Way to Europe Project) July 15, 2008.

²⁸⁷ KAGİDER, <https://www.kagider.org/tr>, March 28, 2020.

²⁸⁸ KAGİDER. *Avrupa Birliği Yolunda Kadın Projesi*. (Women's Way to Europe Project) July 15, 2008.

²⁸⁹ KAGİDER. *Avrupa Birliği Yolunda Kadın Projesi*. (Women's Way to Europe Project) July 15, 2008.

the administrator of Women's Entrepreneurship and Leadership Center, a project director, a person responsible for the management of the office, an assistant, and the Brussels Office staff.²⁹⁰ *"KAGİDER claims to be the follower of the negotiation process with the EU through KAGİDER'S Brussels Office."*²⁹¹ KAGİDER advocates that if Turkey allignes with the EU, it would be the only and effective way to support strong and independent women in Turkey.

Furthermore, there are some other noteworthy women's organizations, working internationally and locally, that have benefited from KAGİDER's funds. They include: Amargi Women Academy, FILMMOR activities, Women's Solidarity Foundation, KA-MER, and KA-DER. KAGİDER has supported 37 women entrepreneurs and reached 139 members since 2007. KAGİDER plays a key role in encouraging women in business life. As such, it is also a way to integrate Turkey with the EU.²⁹²

To sum up, KA-DER and the KAGİDER are the only two non-governmental organizations in Turkey – supporting women and promoting equality and fairness – which opted in the pre-accession process as active members. It can be argued that today women have improved rights and liberties over more than a decade due to these NGOS's constructive and substantial contributions to women empowerment in Turkish society. KA-DER was founded as a reponse to the gap in political attendance between men and women in Turkey. The Association has been considered a way for achieving an important breakthrough in the women's movement on account of its political stance on the gender issues and its associative mechanisms such as advocacy and lobbying. KAGİDER was founded as a twin association to Turkish Industrialists' and Businessmen Association (TUSIAD). The organization advocated the economic participation of women and it is an efficient agent to the European Union's convergence on gender issues.

6.5.4. Turkey and EU Business Development Centre (ABIGEM)

²⁹⁰ "KAGİDER Faaliyet Raporu." (KAGİDER Activity Report) 2009.

²⁹¹ Bayraktar, Damla. 2009. "Crossing the Bridge: The Europeanization of Women's NGO's in Turkey." Ph. D. Dissertation, Institut d'Etudes Politiques de Paris.

²⁹² Sunar, L ve Çopur, H., 2004, Peki Niye Öyleyse Girişimciler Hep Erkek, Sivil Toplum Düşünce ve Araştırma Dergisi, Yıl 2, Sayı 8, s. 34-40.

ABİGEM was founded in Izmir, Kocaeli and Gaziantep under the auspices of the European Union through the regional support of TOBB and EBSO in 2002. It aims to support SMEs to improve their business competitiveness and accelerate their contribution to both national and international economy.²⁹³

ABİGEM has launched a project named “My Own Job Achievement.” The Project aims to support women to set up a steady business in the region and also delivers training activities in a wide range of areas, including financial issues, management, job planning, and market.²⁹⁴ The 1643 women entrepreneur candidates attended various training programs under the Women Entrepreneurs Program in 2004-2005. Among these women, 27 was able to start their own businesses after completing their trainings.²⁹⁵

6.5.5. Women’s Solidarity Foundation (KADAV)

KADAV was established following the Marmara Earthquake in 1999 by a group of women, who came together for the purpose of acting in solidarity supporting those women who are affected socially and economically in a negative way. It gained legal entity status in July 2001. It aims to provide solidarity and opportunity to strengthen the women’s situation as well as to open a way to women to be more liberal. It also advocates gender equality. KADAV has been organizing various campaigns and it has been in cooperation with TCK Women’s Platform and Civil Code Women Platform in Turkey since 2000.²⁹⁶

KADAV not only cooperates with the official institutions and organizations concerning the employment in the region it also works with chambers and unions.

It also provides training on entrepreneurship to those women who set up their own business.²⁹⁷

²⁹³ ABİGEM, <http://www.abigem.org/TR>, 20.04.2020.

²⁹⁴ ABİGEM, <http://www.abigem.org/TR>, 20.04.2020.

²⁹⁵ KA-DER, <http://www.ka-der.org.tr/image/mentorluk.pdf>, 20.04.2020.

²⁹⁶ KADAV, <http://www.kadav.org/>, 21.04.2020.

²⁹⁷ KADAV, www.girisimciliknetwork.gen.tr/kadingirisimciliği.html, 21.04.2020.

6.5.6. GAP Entrepreneur Support and Guidance Centers (GAP-GIDEM)

GAP-GIDEM was established under the principle of sustainable humanitarian development through the partnership of Turkish Development Bank, Chambers of Commerce and Industry (TOBB), KOSGEB, and GAP Regional Development Administration. It aims to develop women entrepreneurs in the GAP region and to deliver The Women Entrepreneurship Development Project to ensure loan facility.²⁹⁸

The Southeastern Anatolian Women Entrepreneurs Association was established by GIDEM. The Committee came together every two months and they exchange information and ideas to improve the women entrepreneurs in the GAP region. It developed a specific Project to Leonardo programme for the women's civil society in Diyarbakır. The Project in the amount of 14,000 Euro was accepted by the EU. Lastly, the Global Fund for Women Foundation (GFW) was invited from the US to Diyarbakır by GIDEM.²⁹⁹

GAP-GIDEM is regarded as a pivotal project as the EU significantly emphasizes women's entrepreneurship as a key role to solve the problem of low participation in the labor market in its empowerment projects. All these projects are substantial considering their high budget which enables them to reach lots of women. Almost 500 women and 4,000 men participated in the training programs. GAP-GIDEM helped with the development of six business plans and nearly 150 women received GIDEM consultancy services.³⁰⁰ GIDEM aims to encourage women to become financially self sufficient through these economic opportunities.

²⁹⁸ GİDEM, <http://www.gap.gov.tr/>, 21.04.2020.

²⁹⁹ GİDEM, www.girisimciliknetwork.gen.tr/kadingirisimciliği.html, 21.04.2020.

³⁰⁰ Competitiveness Agenda for Southeast Anatolia Region. GAP-GIDEM Project: Efficiency, Effectiveness and Impact. (December 2009)

7. EVALUATION OF EU AND TURKEY RELATIONS IN AKP ERA

The European Union is eligible to allocate norms to states even if they are not the member and international actors. Turkey has showed tremendous effort to be a full member of the EU. However, the impact of the EU process on the women's rights has been limited due to Turkey's patriarchal culture. The symbolisation of women in Turkey continues.

Because of the patriarchal culture prevailing in the society, women are regarded as caregivers whereas men as breadwinners. For this reason, their laborforce participation rate is considerably lower than men's. Women are regarded as a mechanism for preserving the society's cultural border. Thus, they act like guards for protecting the tradition, society and collective identity.³⁰¹ Thus, gender inequality in Turkey is caused particularly due to the patriarchy.

The AKP's (Justice and Development Party) conservative ideology draws attention to the role of women within the family and the significance of motherhood.³⁰² According to Özar and Yakut-Çakar, "patriarchal structure in Turkey's domestic life is a consequence of the gendered roles – roles that are ascribed to men and women according to their sexes."³⁰³ This chapter is about the EU-Turkey relations in terms of women's employment situation during the four significant periods. The first era includes the years between 1999-2007. The next one covers the years between 2007-

³⁰¹ Gunduz Z. Y. (2004) The women's movement in Turkey: from Tanzimat towards European Union membership, Perceptions, 9. Retrieved on 23.03.2020 <http://sam.gov.tr/tr/wp-content/uploads/2012/01/Zuhal-Ye+%FEilyurt-G+-nd+-z1.pdf> .

³⁰² Alparslan Nas, "Familialization of women: Gender ideology in Turkey's public service advertisements" *Fe Dergi* 8, no. 1 (2016), 168-182.

³⁰³ Özar, Ş., & Yakut-Çakar, B. (2013). Unfolding the invisibility of women without men in the case of Turkey. In *Women's Studies International Forum* (Vol. 41, pp. 24-34). Pergamon.

2011. It covers the era between 2011-2015. The last period includes the years between 2015-2019.

7.1. First Era: 1999-2007

The EU's approval of Turkey's official candidacy has triggered developments with regards to gender equality and enabled new opportunities to form an interaction with the European countries. In this period, Turkey's aim to align its legal regulations with the EU Acquis reached its peak. The Constitution has played a key role in protecting the rights of women in Turkey. The last version of the 2001 amendments states that "family is the foundation of the Turkish society" and the amendment added the following phrase: "based on the equality between the spouses."³⁰⁴

In 2002, the new Civil Law entered into force that empowered the status of women in family life. Despite the lack of fulfillment of the criteria of Chapter 19, they were significant to reduce the effect of patriarchy in the society.³⁰⁵ According to the new Civil Law, "head of household" phrase, traditionally and legally was assigned to men in the last Law, was removed. The Article 186 of Civil Code states that "the spouses contribute to the household expenses in proportion to their labor and assets."³⁰⁶ In other words, women and men equally contribute to family expenditures. This article promotes women's participation in professional life. A new Labor Law in 2003 stipulated equal pay, equal treatment, and support for professional life.³⁰⁷

The Civil Servants Law takes required measures to guarantee gender equality. In the Article 203 stipulating how family allowance will be paid states that the allowance is paid to only husband in case the wife and husband are both civil servants.

³⁰⁴ Turkish Constitution. Retrieved on 23.03.2020 from https://global.tbmm.gov.tr/docs/constitution_en.pdf.

³⁰⁵ Karataş, Müge Hatice. 2018. "The European Union's Impact on Turkey's Gender Related Employment Policy Since 1999 Helsinki Summit." M.A., İhsan Doğramacı Bilkent University, Ankara.

³⁰⁶ Karataş, "The European Union's Impact on Turkey's Gender Related Employment Policy Since 1999 Helsinki Summit," 2018.

³⁰⁷ Labor Law (Law number: 4857). (2003). Retrieved on 24.03.2020. from http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_127496.pdf

The paragraph is not in compliance with the equal pay principle.³⁰⁸

7.2. Second Era: 2007-2011

In the second period, Turkey's aspiration to become an EU member showed a declining trend. Turkey's alignment with the Acquis decreased during the years between 2007 and 2011 because AKP pushed forth its own perspective on gender equality, concentrating on "women's role as mothers and standard bearers of family values."³⁰⁹

Women took an active role in how AKP imagines the family. The discussion around family structure reclaims that women has traditional gender roles due to the patriarchal society. Thus it male hegemony is legitimized.³¹⁰

President Erdoğan indicated in a press conference on women that "Every abortion is like Uludere."³¹¹ He asserted that enemies of Turkish nation impose abortion to remove Turkey from the world stage.³¹² Because of Turkey's patriarchal attitude, both the EU institutions and the EU countries had suspicions on Turkey's full-membership even though Turkey would fulfill all the requirements set by the EU.

KEFEK has scrutinized and supervised the application of gender equality policy. The Commission has the power to analyze legislative acts and proposals, examine individual applications, create awareness, and organize national and international meetings.³¹³

³⁰⁸Civil Servants Law (Law Number: 657). Retrieved on 24.03.2020 from <https://www.mevzuat.gov.tr/MevzuatMetin/1.5.657.pdf>

³⁰⁹ Aybars, A.I., Copeland, P., & Tsarouhas, D. (2018). Europeanization without substance? EU-Turkey relations and gender equality in employment. *Comparative European Politics*, 1-19.

³¹⁰ Yılmaz, Zafer. " "Strengthening the Family" Policies in Turkey: Managing the Social Question and Armoring Conservative-Neoliberal Populism." *Turkish Studies* 16, no. 3 (2015): 382.

³¹¹ Vela, Justin. "Abortions are like air strikes on civilians": Turkish PM Recep Tayyip Erdoğan's rant sparks women's rage. 30 May 2012.

³¹² Vela, "Abortions are like air strikes on civilians": Turkish PM Recep Tayyip Erdoğan's rant sparks women's rage," 2012.

³¹³ Committee on Equality of Opportunity for Women and Men (KEFEK). (2018). Retrieved on 24.03.2020 from https://komisyon.tbmm.gov.tr/detay_aciklama.php?pKomKod=865

The Commission not only prepares the annual reports, but also participates the meetings abroad. In 2010, the constitution adopted positive discrimination article which aims to take a measure to prohibit discrimination. After that during the same year, in 2010, General Circular No. 14/2010 was published to increase the women's labour force participation and equal opportunity.³¹⁴

7.3. Third Era: 2011-2015

AKP regained the political power in 2011 general elections. In this period, Turkey began to use the notion of "gender justice" rather than gender equality. While gender equality refers to the equality between male and female, gender justice focuses on "different characteristics of men and women by nature". The political discourse is such that women and men have differences by birth. Therefore they should have different roles. Men should look after their family and women should take care of their children.³¹⁵ Moreover, this discourse naturalizes "the natural division of duties derived from biological differences", which is not in compliance with gender equality. Therefore, Turkey began to move away from the EU's gender equality principles.³¹⁶

President Erdoğan claimed that it is not possible for men and women to be equal and "women are God's gifts given to men."³¹⁷ In addition, he encouraged women to give birth to "at least three children" and donate them to the service of the nation."³¹⁸ The representation of women was only in relation to women's perceived utility for the nation as mothers. The dominant political discourse claimed new pro-family politics for the purpose of reclaiming women's role in parallel with traditional and patriarchal

³¹⁴ Türkiye Büyük Millet Meclisi Kadın Erkek Fırsat Eşitliği Komisyonu, **26. Dönem 1. Yasama Yılı Faaliyet Raporu**, Mayıs, Ankara, 2017, 5.

³¹⁵ Aybars, A.İ., Copeland, P., & Tsarouhas, D. (2018). Europeanization without substance? EU-Turkey relations and gender equality in employment. *Comparative European Politics*, 1-19.

³¹⁶ Aybars, A.İ., Copeland, P., & Tsarouhas, D. (2018). Europeanization without substance? EU-Turkey relations and gender equality in employment. *Comparative European Politics*, 1-19.

³¹⁷ *Turkish president declares women and men are equal*. 24 November 2014. <https://www.telegraph.co.uk/news/worldnews/europe/turkey/11250795/Turkish-president-declares-women-and-men-are-not-equal.html> (accessed March 24, 2020).

³¹⁸ Daloglu, Tulin. *Erdogan Insists on Demanding Three Children* . 13 August 2013. <https://www.al-monitor.com/pulse/originals/2013/08/erdogan-asks-turks-to-have-three-children.html#> (accessed March 24, 2020).

gender norms.³¹⁹

Despite the divergence from the EU norms in terms of the equality between both genders, Turkey still made some improvements in ensuring gender. In 2013, Council of Ministers decided that, women with headscarf became eligible to work in public institutions. In the previous years, women with headscarf were not permitted to work in public institutions.³²⁰ The fact that headscarf is banned was a violation of human rights and against the principle of equal treatment.

The government also initiated Additional Employment Incentive by ISKUR, which is also known as Turkish Employment Agency. It is an organization which serves for preventing unemployment and improving the regional economy.³²¹ It is also effective in increasing people's employability through providing unemployment compensation, vocational courses and courses on change of occupation and career development.³²² ISKUR ensures 12 month-insurance premium for every worker under certain conditions³²³ ISKUR encourages employers to employ women. ISKUR also provides insurance premium to workers under certain circumstances. In case a woman is employee, the support will be 12-54 months. The duration for support increases with women employees with professional competence certificate,. Hence, this incentive paves the way for not only recruiting female employees but also fostering women to have a professional competence certificate.

In conclusion, in this period, Turkey made some progress regarding gender equality in employment. The EU can be regarded as a "founder of norms" and an inspiring model for the member states as well as candidates.

³¹⁹ Çitak, Zana, and Özlem Tür. "Women Between Tradition and Change: The Justice and Development Party Experience in Turkey." *Middle Eastern Studies* 44, no.3 (2008) :455-469.

³²⁰ Official Gazette (2013). Retrieved on 24.03.2020 from <https://www.resmigazete.gov.tr/eskiler/2013/10/20131008-10.htm>.

³²¹ Kara, Gamze & Büyükyılmaz, Ozan. (2018). Quality Personnel Employment, Productivity and Contribution to the Regional Economy of Turkish Employment Agency (ISKUR).

³²² Kara, Gamze & Büyükyılmaz, Ozan. (2018). Quality Personnel Employment, Productivity and Contribution to the Regional Economy of Turkish Employment Agency (ISKUR).

³²³ Unemployment Insurance Law. (Law number: 4447). Retrieved on 24.03.2020

7.4. The Fourth Era: 2015-2019

On 8th March 2015, International Women's Day, Prime Minister of Turkey Ahmet Davutoğlu declared Turkey's new national action plan for the period of 2016-2019 to prevent violence against women across the country.³²⁴ He mentioned that the plan embodied the following actions: legal reforms; awareness raising with the purpose of changing people's mindset; protective mechanisms and empowerment of victims, and health-care services for victims.³²⁵

According to the provisions of the Istanbul Convention, all the signing parties are obliged to implement gender-sensitive policies to fight violence against women and domestic violence.³²⁶ In addition, all signing countries are supposed to implement policies to ensure equality between men and women as well as empowerment of women.³²⁷ One of the most noteworthy progress made was the replacement of the Article 4320 on the Protection of Family with the Law 6284.³²⁸ The 6284 is more comprehensive considering the former law: the gender biased language was taken out like the distinction between “*married and unmarried women*”, and “*violence against women and violence*.”³²⁹

The European Parliament's policy report of Gender Equality in Turkey

³²⁴ Ministry of Family and Social Policies, Bulletin: *Bakan İslam: Kadınlarımızın tüm hak ve fırsatlardan eşit şekilde yararlanmasını sağlayana kadar çalışmaya devam edeceğiz*, 9 March 2015, <http://www.aile.gov.tr/haberler/bakan-islam-kadinlarimizin-tum-hak-ve-firsatlardan-esit-sekildeyararlanmasini-saglayana-kadar-calismaya-devam-edecegiz> (12 July 2015).

³²⁵ Ministry of Family and Social Policies, Bulletin: *Bakan İslam: Kadınlarımızın tüm hak ve fırsatlardan eşit şekilde yararlanmasını sağlayana kadar çalışmaya devam edeceğiz*, 9 March 2015, <http://www.aile.gov.tr/haberler/bakan-islam-kadinlarimizin-tum-hak-ve-firsatlardan-esit-sekildeyararlanmasini-saglayana-kadar-calismaya-devam-edecegiz> (12 July 2015)

³²⁶ Council of Europe. (2011, May 11). Council of Europe Convention on preventing and combating violence against women and domestic violence. Retrieved from Council of Europe - Treaty Office: <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008482e>

³²⁷ Council of Europe. (2011, May 11). Council of Europe Convention on preventing and combating violence against women and domestic violence. Retrieved from Council of Europe - Treaty Office: <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008482e>

³²⁸ Official Gazette. (2012, 3 8). Law on Protection of Family and Prevention of Violence Against Women-6284. Retrieved from Official Gazette:

<http://www.resmigazete.gov.tr/eskiler/2012/03/20120320-16.htm>

³²⁹ Official Gazette. (2012, 3 8). Law on Protection of Family and Prevention of Violence Against Women-6284. Retrieved from Official Gazette:

<http://www.resmigazete.gov.tr/eskiler/2012/03/20120320-16.htm>

underlined the limitations in the using the law to fight violence against women.³³⁰ The Law 4320 to protect women and children was changed including all members of extended family, and entered into force in 2008.³³¹ The report emphasizes that the law stresses the domestic violence within the family and not “the violence against women.” It is also remarked that the law does not provide sufficient protections for non-married women who might be subject to domestic violence despite her marital status.³³²

According to the National Act Plan on Combatting Violence against Women (2016-2020), the violence against women in Turkey has increased significantly. According to the first assessment report of GREVIO, “*the lack of data has significantly affected its ability to evaluate Turkey’s implementation of the Istanbul Convention*” because the government believed that releasing the official data might pose a problem.³³³ The Minister of Interior provided the official statistics of domestic violence in 2018.³³⁴ The official numbers show that in 2017, 133,809 women were exposed to domestic violence, and in 2018, 96,417 women were exposed to violence and 393 of them are died.³³⁵

President Erdoğan has also made sensitive statements about the implementation of the Convention in a meeting arranged by National Will Platform. The chairperson of this platform mentioned that “the Istanbul Convention has an aim to form a society without families and hence poses a threat for the future of Muslims.”³³⁶

³³⁰ Müftüler-Baç, M. (2012). Gender Equality in Turkey. In D. G. Policies, Policy Department C: Citizen's Rights and Constitutional Affairs (pp. 1-16). Brussels: The European Parliament's Committee on Gender Equality.

³³¹ Müftüler-Baç, M. (2012). Gender Equality in Turkey. In D. G. Policies, Policy Department C: Citizen's Rights and Constitutional Affairs (pp. 1-16). Brussels: The European Parliament's Committee on Gender Equality.

³³² Müftüler-Baç, M. (2012). Gender Equality in Turkey. In D. G. Policies, Policy Department C: Citizen's Rights and Constitutional Affairs (pp. 1-16). Brussels: The European Parliament's Committee on Gender Equality.

³³³ GREVIO. (2018). Baseline Evaluation Report Turkey. Strasbourg : COUNCIL OF EUROPE.

³³⁴ Bianet. (2018, November 02). 400 Women Daily Subjected to Domestic Violence, 2 Killed Every 3 Days. Retrieved from Bianet (Independent Communication Network) : <https://bianet.org/english/women/202284-400-women-daily-subjected-to-domestic-violence-2killed-every-3-days>

³³⁵ Bianet. (2018, November 02). 400 Women Daily Subjected to Domestic Violence, 2 Killed Every 3 Days. Retrieved from Bianet (Independent Communication Network) : <https://bianet.org/english/women/202284-400-women-daily-subjected-to-domestic-violence-2killed-every-3-days>

³³⁶ Bildircin, M. M. (2019, June 04). *Gericilerin ' Cinsiyet-Eşitliği'Hazımsızlığı*. Retrieved from BirGün: <https://www.birgun.net/haber-detay/gericilerin-cinsiyet-esitligi-hazimsizligi.html>

Following that, President Erdoğan delivered a speech and highlighted that he accepted all the concerns regarding the gender equality policies; there was no need for such things. He added that “*the convention was not an absolute decision; it could be avoidable.*”³³⁷

In a public survey conducted in 2018, it was founded that men saw women as secondary to them particularly in private life.³³⁸ For example, most of the male respondents affirmed that “*women should always be protected by men,*” “*women should not work without their husbands’ consent*” and “*the primary responsibility of women is to take care of housework.*”³³⁹ This may lead the fact that many people still prevail the patriarchal family structure and gender roles in the family. In the survey covering the period 2016-18, it was also found that there was an increasing demand for the gender equality in the workforce: “*women and men should have the same opportunities.*”³⁴⁰ It was argued that women and men should take equal amount of salary, and state should give particular importance to “ensuring gender equality in its agenda.”³⁴¹

The AKP’s 2023 vision for “Women” is covered under the “Social Policies” section.³⁴² There have been neither clauses that refers to the concept of gender quotas nor articles that emphasizes the fact that women’s participation in politics is vital.³⁴³

³³⁷ Bildircin, M. M. (2019, June 04). *Gericilerin ' Cinsiyet-Eşitliği'Hazımsızlığı*. Retrieved from BirGün: <https://www.birgun.net/haber-detay/gericilerin-cinsiyet-esitligi-hazimsizligi.html>

³³⁸ Gender and Women’s Studies Research Center. (2018). The Perception of Gender and Women in Turkey 2018. In M. L. O’Neil, & A. Çarkoğlu. Istanbul: Kadir Has University. Retrieved from Survey: Public Perceptions of Gender Roles and the Status of Women in Turkey:

<https://gender.khas.edu.tr/en/survey-public-perceptions-gender-roles-and-status-women-turkey>.

³³⁹ Gender and Women’s Studies Research Center. (2018). The Perception of Gender and Women in Turkey 2018. In M. L. O’Neil, & A. Çarkoğlu. Istanbul: Kadir Has University. Retrieved from Survey: Public Perceptions of Gender Roles and the Status of Women in Turkey:

<https://gender.khas.edu.tr/en/survey-public-perceptions-gender-roles-and-status-women-turkey>.

³⁴⁰ Gender and Women’s Studies Research Center. (2018). The Perception of Gender and Women in Turkey 2018. In M. L. O’Neil, & A. Çarkoğlu. Istanbul: Kadir Has University. Retrieved from Survey: Public Perceptions of Gender Roles and the Status of Women in Turkey:

<https://gender.khas.edu.tr/en/survey-public-perceptions-gender-roles-and-status-women-turkey>.

³⁴¹ Gender and Women’s Studies Research Center. (2018). The Perception of Gender and Women in Turkey 2018. In M. L. O’Neil, & A. Çarkoğlu. Istanbul: Kadir Has University. Retrieved from Survey: Public Perceptions of Gender Roles and the Status of Women in Turkey:

<https://gender.khas.edu.tr/en/survey-public-perceptions-gender-roles-and-status-women-turkey>.

³⁴² AKP. (2012, September 30). 2023 *Political Vision: Politics, Society, World*. Retrieved from AKP:

<https://www.akparti.org.tr/parti/2023-siyasi-vizyon/>

³⁴³ AKP. (2012, September 30). 2023 *Political Vision: Politics, Society, World*. Retrieved from AKP: <https://www.akparti.org.tr/parti/2023-siyasi-vizyon/>

Erdoğan mentioned at the Women Branches' Central Decision-Making Executive Council Meeting:

*“I perceive gender quota mechanisms as a humiliation to women. There is no need for gender quotas. Women who are qualified and educated deserves to take part in politics. However, women lack certain qualities to participate in politics, and that is why women should stay away from politics.”*³⁴⁴ So, based on Erdoğan's speech, it can be concluded the underrepresentation of women in politics is due to the gender biased assumptions.

7.5. European Union Commission Progress Reports for Turkey, 1999-2019

Ever since the Turkey became a candidate state of the European Union, the European Commission has been publishing annual “Progress Reports”, which evaluates all the existing progress and deficiencies in Turkey. These reports have been assessed by the EU Commission considering Copenhagen criteria since 1998. “They have been significant source in terms of reflecting all the required assessments related to the equality between women and men, and women's human rights. They also provide insights for people to examine the situation of Turkey on women's rights development.”³⁴⁵ “Progress” refers to all the decisions, policies, provisions and regulations that are implemented in Turkey since its Candidacy for the EU.³⁴⁶

It is important to note that datas of these progress reports have been prepared by a group of international non-governmental organizations, the European Parliament, and the European Commission.³⁴⁷ The data is also collected through the evaluations of candidate countries, the objective datas and reports of the Turkish Republic.

When all the Progress Reports starting from 1999 to 2019 were analyzed, it

³⁴⁴ İHA. (2004, April 06). *Erdoğan'dan kadın kotasına vize yok (Erdoğan did not give visa for women's quota)*. Retrieved from Gazete Vatan: <http://www.gazetevatan.com/erdogan-dan-kadin-kotasina-vize-yok25602-gundem/>

³⁴⁵ Acar, Feride. Kadınların İnsan Hakları ve Toplumsal Cinsiyet Eşitliği, İçişleri Bakanlığı Genel Yayın No: 656, 2009, s. 28.

³⁴⁶ Acar, “Feride. Kadınların İnsan Hakları ve Toplumsal Cinsiyet Eşitliği,” pp.28.

³⁴⁷ Acar, “Feride. Kadınların İnsan Hakları ve Toplumsal Cinsiyet Eşitliği,” pp.28.

has been discovered that there have been major setbacks and developments in accomplishing women's human rights and ensuring the equality between women and men. This part focuses on the developments and stagnations regarding the women's rights in the European Commission Progress Reports on Turkey, from 1999 to 2019.

According to 1999 Progress Reports, concerning the status of women, it has been a positive improvement to remove Turkey's reservations against the CEDAW.³⁴⁸ The reservations dated back to 14 years ago for the reason that the Convention contradicted the conditions of the Turkish Civil Code that regulates marriage and family relations. There was another positive development concerning women in 1999. 8,300 and 2,723 of the judges and prosecutors were women and it was predicted that it was going rise to approximately 9,400 the following year.³⁴⁹ Lastly, it was underlined that women's judges and prosecutors were increased from 8,300 to 9,947 in total.³⁵⁰

According to 2000 Progress Report, with respect to equal opportunities there was a significant gender disequilibrium. The report shows that as the enrollement of girls into the school is low, the illiteracy ratio was almost 25% for women while the number is 6% for men in the Eastern Turkey.³⁵¹ It was also noted that there was an apparent legal discrimination between men and women in terms of the family and professional life of women. The domestic violence and honour killing were a continuing issue.

In 2001 Progress Report, it was indicated that as Turkey was a transit country for human trafficking, women and girls from various countries, including Romania, Russia, Ukraine, Moldova, and Georgia, were being trafficked to or through Turkey.³⁵² Regarding this matter, Turkey neither fulfilled minimal standards for the elimination of human trafficking nor implemented ad hoc legislation related to human

³⁴⁸ European Commission. (1999). *Regular Report on Turkey's Progress towards Accession*.

³⁴⁹ European Commission. (1999). *Regular Report on Turkey's Progress towards Accession*.

³⁵⁰ European Commission. (2000). *Regular Report from the Commission on Turkey's Progress towards Accession*. Brussels. 8.11.2000.

³⁵¹ European Commission. (2000). *Regular Report from the Commission on Turkey's Progress towards Accession*. Brussels. 8.11.2000.

³⁵² European Commission. (2001). *Regular Report on Turkey's Progress towards Accession*. SEC(2001) 1756, Brussels, 13.11.2001.

trafficking.³⁵³ According to the 2019 Regular Progress Report, the Directorate General of Migration Management (DGMM) maintains a strategic plan for 2017-21 to improve the regular migration, to regulate the international protection, to fight against trafficking in human beings and to improve integration and communication, as well as to increase institutional capacity.³⁵⁴

Regarding the 2002 Regular Progress Report, there was a significant progress because Turkey ratified the 1969 UN Convention on the Elimination of All Forms of Racial Discrimination in April 2002 and the Optional Protocol to the CEDAW in August 2002.³⁵⁵ The new Civil Code in 2002 put age limitation for marriage, and the legal marriage age for both genders became 18. It was also explored that the women's active participation in politics was quite low and among the 550 Members of the present Parliament, there was only twenty-three women members.³⁵⁶ In 2019 Regular Progress Report, it was mentioned that women were underrepresented in political life. It was reported that women constituted only 17.3% of the members of the Parliament.³⁵⁷ A limited progress was made in complying with the EU *acquis* for the equal treatment between women and men in professional life. The Job Security Act, adopted in August 2002, embodies a provision concerning "burden of proof in cases of discrimination based on sex."³⁵⁸

According to 2003 Regular Progress Report, the new Labour Law proposes some articles which are partially in compliance with the directives on equal pay, equal treatment in employment and the burden of proof. It further adopts the principle of equal treatment between citizens regardless of sex, racial and ethnic origin, religion and ideology.³⁵⁹

³⁵³ European Commission. (2001). *Regular Report on Turkey's Progress towards Accession*. SEC(2001) 1756, Brussels, 13.11.2001.

³⁵⁴ European Commission (EC) (2019), *Turkey 2019 Progress Report*, SWD(2019) 220, Brussels, 29.5.2019.

³⁵⁵ European Commission. (2002). *Regular Report on Turkey's Progress towards Accession*. SEC(2002) 1412, Brussels, 9.10.2002.

³⁵⁶ European Commission. (2002). *Regular Report on Turkey's Progress towards Accession*. SEC(2002) 1412, Brussels, 9.10.2002.

³⁵⁷ European Commission (EC) (2019), *Turkey 2019 Progress Report*, SWD(2019) 220, Brussels, 29.5.2019.

³⁵⁸ Ibid.

³⁵⁹ European Commission. (2003). *Regular Report on Turkey's Progress towards Accession*.

Among the OECD countries, in 2011, Iceland has the highest rate of employed women with the number of 77.3% while Turkey has the lowest rate with 27.8 %³⁶⁰ AKP wanted to guarantee social security of the housewives and supported “the dignity” of domestic labour.³⁶¹ AKP stated that: “*International standards on the rights and freedoms of women, children and working life will be fully implemented in our country.*”³⁶² However, Coşar and Yeğenoğlu claim that women are supposed to participate labour market on condition that women will continue to do their responsibilities in the family as parallel to AKP’s neoliberal conservative ideology.³⁶³ Thus, it is clear that AKP’s stance towards gender role is parallel with traditional patriarchal family structure. Therefore, it does not meet the EU standards with respect to the participation of women in the workforce. Overall, number of women in the labour force is lower than men because “women are generally employed as workers in the service sector or civil servant in public sector.” Women are not preferred to be hired for the senior level management positions but instead they are hired for the entry level or medium level positions.”³⁶⁴

In September 2004, a new Penal Code was adopted and had a positive impact on women’s rights referring to “honour killings,” sexual assault, and removing virginity testing. The new Penal Code stipulates that the person will be subjected to the life imprisonment in the case of “honour killings”. If there is any sexual assault within marriage, and if the victim denounces a crime, this situation will lead to legal interrogation and judicial proceeding. The code envisages that if the marriage is illegal and if there is polygamy, it will lead to imprisonment.

³⁶⁰ Türkiye İstatistik Kurumu (TÜİK) (2013). *İstatistiklerde Kadın*. Ankara: Türkiye İstatistik Kurumu Matbaası.

³⁶¹ AKP. (2002, 02 11). AKParti Program. Retrieved from TBMM Kütüphanesi Açık Erişim (GNAT Library Open Access):

<https://acikerisim.tbmm.gov.tr/xmlui/bitstream/handle/11543/926/200205071.pdf?sequence=1&isAllowed=y>

³⁶² AKP. (2002, 02 11). AKParti Program. Retrieved from TBMM Kütüphanesi Açık Erişim (GNAT Library Open Access):

<https://acikerisim.tbmm.gov.tr/xmlui/bitstream/handle/11543/926/200205071.pdf?sequence=1&isAllowed=y>

³⁶³ Coşar, S., & Yeğenoğlu, M. (2011). The New Grounds for patriarchy in Turkey: Gender Policy in the Age of AKP. *South European Society and Politics* 16(4), 555-573.

³⁶⁴ Marshall, G. A. (2013). *Shaping gender policy in Turkey: Grassroots women activists, the European Union, and the Turkish State*. Sunny Press.

With regards to virginity testing, the new Code stipulates that the person will be sentenced to prison in case of ordering and carrying out this kind of tests without a court order.³⁶⁵ Turkey has showed some progress with the introducing of the new Labour Law in 2004. Additional regulations were adopted with regards to the working conditions of women, especially pregnant women, breastfeeding or have recently given birth. The new law was adopted in July 2004 and it ensures that the civil servants will have maternity leave of sixteen weeks.

The report “Domestic Violence Against Women 2014” prepared by Hacettepe University stated that Turkey have not made progress in reducing domestic violence between 2008 and 2014.³⁶⁶ It is significant to state that the European Court of Human Rights (ECtHR) recognized Turkey as the violator of its obligations to protect women from domestic violence in 2009 in the case of *Nahide Opuz*.³⁶⁷ The victim asserted that she and her mother were exposed to constant domestic violence by her husband for years and her mother was murdered by him as a result of the failure of legal powers to sufficiently protect them. It was affirmed by the Court that “domestic violence affected mostly women and that discriminatory judicial passivity in Turkey has paved the way for domestic violence.”³⁶⁸ Although honour killings are still prevalent in Turkey, the European Union is more effective in preventing the honour based killings because it has more legal authorities and measures compared to Turkey. The Council of Europe adopted “resolution 1327” on “honour crimes.”³⁶⁹ It made a call to member States by stating to change their immigrations law in a way that women victim of honour crime can remain in the country (paragraph 10a). It also calls states to ensure effective and prosecution of “honour” crimes by not accepting “honour” as a mitigating or justifiable motive in criminal proceedings (paragraph 10c).³⁷⁰

³⁶⁵ European Commission. (2004). *Regular Report on Turkey's Progress towards Accession*. COM (2004) 656 final, Brussels, 6.10.2004

³⁶⁶ Hacettepe Üniversitesi, Nüfus Etütleri Enstitüsü, Report: *Türkiye’de Kadına Yönelik Aile İçi Şiddet Araştırması*, Ankara, 2015, <http://www.hips.hacettepe.edu.tr/KKSA-TRAnaRaporKitap26Mart.pdf> (18 June 2015).

³⁶⁷ Case of *Opuz v. Turkey*, App no: 33401/02, ECtHR, 9 June 2009.

³⁶⁸ Case of *Opuz v. Turkey*, App no: 33401/02, ECtHR, 9 June 2009.

³⁶⁹ CoE, Parliamentary Assembly, *Parliamentary Assembly Resolution 1327: So-called ‘Honour Crimes’*, adopted on 4 April 2003.

³⁷⁰ CoE, Parliamentary Assembly, *Parliamentary Assembly Resolution 1327: So-called ‘Honour Crimes’*, adopted on 4 April 2003.

The UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Christof Heyns made an official visit to Turkey in 2012, and he wanted the Turkish authorities to undertake prompt, impartial and effective investigations and prosecutions of all suspected honour killings. He mentioned: *‘Turkey should consider including honour killings under “custom”. “Unjust provocation should not be accepted as a defence or sentence reduction for such crimes, and neither should good conduct during trial serve as mitigation.”*³⁷¹

In the 2005 Regular Progress Report, there were positive developments about the situation of the women. To begin with, the Directorate General for the Status and Problems of Women came into force in November 2004. The aim of this authority was to consolidate the status of women in economic, social, cultural and political life. Then, in 2005, the Directorate initiated a nationwide awareness campaign concerning violence against women in league with the UNFPA. In August 2005, Advisory Board was established on the Status of Women. It included representatives from all Turkish ministries and people from academic institutions and NGOs to elaborate recommendations on the regulation, planning, and application of policies of state regarding the functioning of the Directorate General for the Status and Problems of Women and the status of women. The 2005 Progress Report indicated that women’s attendance in specific jobs was quite high; almost 30% of lawyers, academics and doctors were women. The first woman President Constitutional Court was elected in July 2005³⁷².

In 2006, the number of women in labour force was still low and the female employment rate declined to 20%. Ministry of National Education and UNICEF made a campaign about the girls’ education campaign and assured that 62,000 girls registered in primary schools in 2005, and the campaign was extended to 81 provinces

³⁷¹ UN Human Rights Council, Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions Christof Heyns, *Preliminary Observations on official visit to Turkey*, Ankara, 30 November 2012, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12850&LangID=E> (27 June 2015).

³⁷² European Commission. (2005). *Progress Report*, (Com (2005) 561 final), SEC (2005) 1426, Brussels, 9.11.2005.

in 2006³⁷³. According to the 2019 Progress Report, there were still important problems in education, concerning the quality and attainment for girls.³⁷⁴ Turkey was ranked 101 out of 133 and ranked 131 out of 144 countries by the Global Competitiveness for the Quality of Education, and the gender gap respectively.³⁷⁵

The 2007 Progress Report showed that the number of women, who participated and elected in Parliament in the 2007 elections, doubled compared to the former Parliament. The number of women's shelters was increased as another noteworthy development to 33.³⁷⁶ According to the 2019 Progress Report, 440 women who were subjected to domestic violence were dead. 317 women were subjected to sexual violence in 2018.³⁷⁷

2008 Regular Progress Report stated that Turkey remained the lowest ranking country on women's employment and women's access to education among the EU Member States and the OECD countries. The problems persist. Women's employment is low due to the lack of childcare opportunities, challenges that prevent girls enrolling into secondary and higher-level education and the presence of gendered stereotypes.³⁷⁸ This was highlighted by the Commission several times. However, there were positive developments in employment policy.³⁷⁹ Parliament adopted an Employment Package in May 2008 and aimed to deal with unemployment difficulties with an attention to promote the job opportunities for women. According to the law, Unemployment Insurance Fund will support the social security premium of women employee for five years period. The support will be 100% in the first year and declines respectively to 20%.³⁸⁰

³⁷³ European Commission (EC) (2006), *Turkey 2006 Progress Report*, SEC (2006) 1390, Brussels, 08.11.2006.

³⁷⁴ European Commission (EC) (2019), *Turkey 2019 Progress Report*, SWD(2019) 220, Brussels, 29.5.2019.

³⁷⁵ Ibid.

³⁷⁶ European Commission (EC) (2007), *Turkey 2007 Progress Report*, SEC(2007) 1436 Brussels, 6.11.2007.

³⁷⁷ Ibid.

³⁷⁸ European Commission (EC) (2019), *Turkey 2019 Progress Report*, SWD(2019) 220, Brussels, 29.5.2019.

³⁷⁹ European Commission (EC) (2019), *Turkey 2019 Progress Report*, SWD(2019) 220, Brussels, 29.5.2019.

³⁸⁰ European Commission (EC) (2008) "*Turkey 2008 Progress Report*," SEC(2008) 2699 final, Brussels, November 5.

The 2009 Regular Progress Report demonstrates that the Parliament established the Committee on Equal Opportunities for Men and Women officially in March 2009. The Committee designated improvements on gender equality, shared ideas on draft laws and offered solution to harmonize Turkish legislation and international agreements.

According to 2010-2011 Regular Progress Reports, women's participation in politics, in trade unions and public engagement was quite low. Although in 2010, with respect to employment package, the participation of women in labor market increased 1.5%, it remained low. Additionally, gender equality and fighting violence against women have remained as important issues of concern in the public agenda of Turkey. Early and forced marriages, bullying at work, the domestic violence against women, sexual harassment within the family, representation of women in politics, honour killings and the low rate of women senior positions in public administrative have remained a serious and cause of concern³⁸¹.

The 2012 Regular Progress Report pointed out that Turkey ratified the Council of Europe's Convention on preventing and fighting violence against women and domestic violence on 14 March 2012. It is also crucial to state that the Ministry for Family and Social Policies adopted a National Action Plan to fight Violence against Women (2012-2015). The plan focused on five areas: legislation, awareness raising and change of attitudes, strengthening the situation of women, health care and cooperation between stakeholders³⁸². It is important to mention that cultural stereotypes, the mindsets, the ineffectiveness of the legislation in practice and the insufficient number and the lack of accessibility of shelters caused the increasement in the domestic violence. According to the survey conducted in investigating the role of Turkish police in fighting domestic violence against women, the Turkish police force believed that men and women were not equal and 32 out of 186 officers stated that women deserved violence.³⁸³ The Turkish police officers also mentioned that when

³⁸¹ European Commission (EC) (2011), *Turkey 2011 Progress Report*, SEC(2011) 1201, Brussels, 12.10.2011.

³⁸² European Commission (EC) (2012), *Turkey 2012 Progress Report*, SWD(2012) 336, Brussels, 10.10.2012.

³⁸³ H. Kara, A. Ekici, H. Inankul, 'The Role of Police in Preventing and Combating Domestic Violence in Turkey', in *European Scientific Journal*, Vol 10, No 20, July 2014.

they protected the victims of domestic violence in their home and work place, this might pose a threat to the officer's own family.³⁸⁴ They indicated that once the perpetrator saw the police officer around his wife, it could trigger male anger and create a problem for the officer's family.³⁸⁵

According to the 2013 Regular Progress Report, regarding women's rights and gender equality, the regulation on the Protection of Family and Prevention of Violence against Women of March 2012 and the Ministry for Family and Social Policies' National Action Plan to Combat Violence against Women (2012-15) continued to be practiced. According to the new law, all the municipalities with a population over 1000 are supposed to have a shelter for women who are victims of domestic violence. A law for the administration of shelters was adopted in the beginning of 2013. Moreover, it was stated that the state's social security contributions was creating positive results for female employment and had a great impact on reducing unregistered employment.³⁸⁶ It was also stated that "employment and labour force participation rates increased due to the creation of 757,000 jobs in non-agricultural sectors. In addition, there was a slight increase in female employment rate, reaching 29.4% in 2012."³⁸⁷

Regarding gender inequality, there the representation rate for women in all political parties increased. However, the representation rate for women in decision-making capacity was rather low in the public sector compared to the private sector. There were only three female mayor offices in 2014.³⁸⁸ There has also been an important change in the regulation on civil servants' the dress code. AKP female representatives wore headscarves and it was the end of the old ban. Another change was to allow women representatives in the parliamentary to wear trousers.³⁸⁹

³⁸⁴ H. Kara, A. Ekici, H. Inankul, 'The Role of Police in Preventing and Combating Domestic Violence in Turkey', in *European Scientific Journal*, Vol 10, No 20, July 2014.

³⁸⁵ H. Kara, A. Ekici, H. Inankul, 'The Role of Police in Preventing and Combating Domestic Violence in Turkey', in *European Scientific Journal*, Vol 10, No 20, July 2014.

³⁸⁶ European Commission (EC) (2013), *Turkey 2013 Progress Report*, SWD(2013) 417, Brussels, 16.10.2013

³⁸⁷ European Commission (EC) (2013), *Turkey 2013 Progress Report*, SWD(2013) 417, Brussels, 16.10.2013

³⁸⁸ European Commission. (2014). "*Turkey's 2014 Progress Report*." SWD(2014) 307 Final, Brussels. Retrieved from https://www.ab.gov.tr/files/IlerlemeRaporlari/2014_progress_report.pdf

³⁸⁹ European Commission. (2014). "*Turkey's 2014 Progress Report*." SWD(2014) 307 Final, Brussels. Retrieved from https://www.ab.gov.tr/files/IlerlemeRaporlari/2014_progress_report.pdf

Regarding equal opportunities, there was no development in increasing the rate of women's participation in the labour market in 2015. Due to the limited capacity of facilities used for childcare, nursery or sickcare, women's participation in professional life remained limited and continued fulfill the role of caretakers.³⁹⁰

The 2016-2018 Regular Progress Reports showed that women were partially better represented in the public sector than before at 37.1% in 2016 compared to 36.5% in 2015. It increased to 38.5% in 2017.³⁹¹ It adopted an action plan for 2016-2020 and took initiatives to create awareness on women's issues. Nevertheless, the number of female victims of domestic violence increased, and domestic violence led to the death of 282 women in 2017. There was also a lack of social services and very limited follow up on the cases of domestic violence. By January 2018, only 68 provinces had a Violence Prevention and Monitoring Centre. There were 137 shelters for victims of domestic violence; however, some were shut down in the South-east region of Turkey.³⁹² The progress reports highlighted that limited attention was paid to the rights of women. The number of women who were exposed to violence both within and outside the family increased and so was the need for expansion of the capacity of women's shelters.

According to 2019 Regular Progress Report, Turkey is still considered as a transit country for human trafficking both for sexual and labour exploitation. The officers reported that there were 134 victims of human trafficking as of 31 December 2018, compared to approximately 303 victims in 2017.³⁹³ Turkey has a limited number of shelters to protect those victims from being exploited and needs to provide legal assistance to victims. The progress reports mentioned that men's access to women's shelters, victim identification and the lack of referral system were some of the main reasons related to this issue. Female labour force participation also increased from

³⁹⁰ European Commission (EC) (2015), *Turkey 2015 Progress Report*, SWD(2015) 216, Brussels, 10.11.2015.

³⁹¹ European Commission (EC) (2016), *Turkey 2016 Progress Report*, SWD(2016) 366, Brussels, 9.11.2016.

³⁹² European Commission (EC) (2018), *Turkey 2018 Progress Report*, SWD(2018) 153, Brussels, 17.4.2018.

³⁹³ European Commission (EC) (2019), *Turkey 2019 Progress Report*, SWD(2019) 220, Brussels, 29.5.2019.

38.3% to 58.5% in 2019.³⁹⁴

In conclusion, when all the reports are taken into consideration, it can be said that in Turkey the women's representation in politics, the women's participation in labour force, and women's access to education remain a serious issue of concern. With respect to gender mainstreaming, Turkey ranked 64th among 188 countries on the United Nations Human Development Report in 2018. The reports show that there are serious shortcomings in guaranteeing equal opportunities for women and men in terms of education, property rights and fair distribution of income.

The twelve years of compulsory education has helped hinder and reduce gender disparity. It can be said that Turkey has aimed to become an EU member state by making some progress and amendments to its legislation to improve girls' education. It is the education that creates individual's social, cultural and political identity in the society. It helps them to overcome all the biases and stereotypical gender-based discourses and accept themselves as an individual who has a right to vote, to speak, to think, to participate in politics and to take part in public areas.

We live in the 21st century; women are still not welcomed in certain fields of professions, and in public areas and institutions. This is likely due to the low participation of women in politics as mentioned in the progress reports. Women's low participation in workforce compared to the men explains why Turkey has not yet fully completed both EU's and the Turkish Republic's principles on gender equality.

The women's representation in politics is quite low compared to Western countries. According to the Parliamentary Council surveys, the representation of women in Parliament is 14,9%. Turkey has 82 women deputies and it ranks 132th out of 186 countries. To achieve progress, a country first must provide both genders equal rights and opportunities. Finally, it is important to include more women in politics, public sector, and in all areas of life because they also make a great contribution to promoting democracy.

³⁹⁴ European Commission (EC) (2019), *Turkey 2019 Progress Report*, SWD(2019) 220, Brussels, 29.5.2019.

7.6. Evaluation of the European Commission's Regular Progress Reports on Turkey, 1999-2019

“The Progress Reports” aim to evaluate progress against the Copenhagen criteria both for the candidate and the potential candidate to the European Union. European Commission have been preparing them since 1998. These reports are referred as “Regular Report” between 1998-2005. It was after 2005, they started to be called “Progress Report³⁹⁵.” This section will assess the Progress Reports between 1999 and 2019 in terms of their focus on women's rights, including the relevant negotiations, improvements, contribution of the NGOs for the betterment of the women's situation, monitoring action plans, and international and national agreements.

According to 2003 Regular Report, it was the first time the government established a ministerial position concerning women's issues, which is now the Ministry of Family and Social Policies. Social protection, family issues and social assistance to women are some of its responsibilities.³⁹⁶ Another noteworthy improvement is that the Ministry of Family and Social Policies and the Gendarmerie signed a protocol which aimed to offer Gendarmerie staff trainings for prevention of violence against women and gender equality issues with the purpose of supporting victims of violence.³⁹⁷ The Ministry of Family and Social Policies also signed a protocol with the Ministry of Labour and Social Security. The protocol aims to enhance the female employment and labour participation rates.³⁹⁸ In addition, with the help of the Ministry, “Painter Forewomen Project (2016-2017)” was implemented by Turkish Employment Agency and Private Sector.³⁹⁹

The project aimed at ensuring all the necessary professional knowledge and skills for women. The project planned to train 500 women to improve their

³⁹⁵ Özsoz, M. (2014). *İlerlemenin Matematiği Avrupa Komisyonu Türkiye İlerleme Raporlarına Farklı Bir Bakış*. İktisadi Kalkınma Vakfı. İstanbul: İktisadi Kalkınma Vakfı Yayınları.

³⁹⁶ European Commission. (2003). *Regular Report on Turkey's Progress towards Accession*

³⁹⁷ European Commission. (2003). *Regular Report on Turkey's Progress towards Accession*

³⁹⁸ European Commission (EC) (2012), *Turkey 2012 Progress Report*, SWD(2012) 336, Brussels, 10.10.2012.

³⁹⁹ The Ministry of Family, Labour and Social Services (2019). General Directorate on the Status of Women, “Participation in Business Life” , Ankara, September 2019.

occupational skills and awarded them with professional competency certificates. The number of benefitted women was 365. These trainings were organized in 26 cities and led 266 women to receive occupational competency certificates⁴⁰⁰.

Regarding women's rights and gender equality, the 2012 Law on the Protection of Family and Prevention of Violence against Women provided disincentives to those who used violence against women. However, there was some criticism concerning the implementation of the law because it had significant shortcomings in terms of insufficient staff, and indefinite provisions and competences. The 2014 Regular Progress Report stated that the Ministry for Family and Social Policies' National Action Plan to Combat Violence against Women (2012-15) continued.⁴⁰¹ The civil society organizations did not have an adequate monitoring system and fund for activities. In addition, "Violence Prevention Centres" were established in two cities; however, due to the lack of trained staff and a regulation on their operation, they were not run properly.⁴⁰² Regarding the women's participation in politics, progress reports between 2002 and 2019 reported that women were underrepresented in elected bodies and government.

In 2004, the law constituting the Directorate General for the Status of Women passed. It aimed to empower the position of women in social, economic, cultural and political life.⁴⁰³ In 2007 Progress Report, it was stated that NGOs carried out effective awareness raising campaigns about women's participation in politics and created publicity around the issue of increasing the number of women in the Parliament.⁴⁰⁴ It also aimed to attract public attention to promote female candidates in the July 2007 elections. As a result, the number of women who were elected to the Parliament doubled compared to the previous elections.⁴⁰⁵ However, it was pointed out that the

⁴⁰⁰ The Ministry of Family, Labour and Social Services (2019). General Directorate on the Status of Women, "Participation in Business Life" , Ankara, September 2019.

⁴⁰¹ European Commission (2014). Turkey 2014 Progress Report. SWD(2014) 307, Brussels. Retrieved from https://www.ab.gov.tr/files/IlerlemeRaporlari/2014_progress_report.pdf.

⁴⁰² European Commission (2014). Turkey 2014 Progress Report. SWD(2014) 307, Brussels. Retrieved from https://www.ab.gov.tr/files/IlerlemeRaporlari/2014_progress_report.pdf.

⁴⁰³ European Commission. (2004). *Regular Report on Turkey's Progress towards Accession*. COM (2004) 656 final, Brussels, 6.10.2004

⁴⁰⁴ European Commission (EC) (2007), *Turkey 2007 Progress Report*, SEC(2007) 1436 Brussels, 6.11.2007.

⁴⁰⁵ European Commission (EC) (2007), *Turkey 2007 Progress Report*, SEC(2007) 1436 Brussels, 6.11.2007.

Law on Political Parties and the statutes of the parties still did not include any provisions which could lead to satisfactory political representation of Turkish women in 2009.

The World Conferences on Women organized by the UN played a pivotal role in the improvement of women's political rights. The Fourth World Conference on Women held in Beijing stated that "the obstacles before the equal participation of women in private and public life shall be removed by women participating in the political resolution positions and mechanisms." Since 2007, the EU allocated fund for Turkey to "carry out economic, political, and social reforms through the Instrument for Pre-Accession Assistance (IPA)⁴⁰⁶". In short, although these reforms have been effective to include women in political realm, it is obvious that the Turkish women's participation in politics remained limited. This argument was also supported by Kandiyoti; she claimed that Turkish women are still not free because the major issues on the gender relations like the double standard of sexuality is absent at politic discourse.⁴⁰⁷

The problem of women's shelter in Turkey had been one of the primary issues of concern between 2005 and 2016 Progress Reports. It was mentioned that the Turkish government issued Municipality Law, which recommended that in case a municipality has a population more than 50,000, it will open shelters for women.⁴⁰⁸ Although it was indicated in the Progress Reports that the number of shelters for women exposed to domestic violence increased their capacity, their capacity still remained limited and insufficient. Also, it was remarked that there were no follow-up mechanisms for women who were released from shelters and similar social services.⁴⁰⁹ That is why, both the local services and support mechanisms needed to be strengthened. In 2005, the number of women's shelters and counseling centers for each 10,000 residents were 3.52 in Luxemburg, 1.5 in the Netherlands, 0.84 in Germany, 0.53 in Portugal, 0.48 in

⁴⁰⁶ Delegation of the European Commission to Turkey (2008) "Regional Policy", EU-Turkey Review, Fall, Issue 13, 1-12.

⁴⁰⁷ Kandiyoti, D. (1987). "Emancipated but Unliberated? Reflections on the Turkish Case" in Women, Islam and the State, D. Kandiyoti (ed.), Philadelphia: Temple University Press.

⁴⁰⁸ European Commission (EC) (2016), *Turkey 2016 Progress Report*, SWD(2016) 366, Brussels, 9.11.2016.

⁴⁰⁹ European Commission. (2005). *Progress Report*, (Com (2005) 561 final), SEC (2005) 1426, Brussels, 9.11.2005.

Belgium and only 0.04 in Turkey⁴¹⁰. “The Project on Women’s Shelter for Combating Domestic Violence” aimed to consolidate the efforts to prevent violence against women in 26 provinces. The project was financed under the IPA (Instrument for Pre-Accession Assistance) 2009 program and implemented between the years of 2014 and 2016. In addition, 3 million Euros granted to 19 NGOs in 11 provinces to increase their capacity to combat violence against women. The number of women’s shelters of the Ministry of Family, Labour and Social Services were 110. As of September 2019, 28,511 women received services from women’s shelters; and 7.739 women took awareness raising trainings and 745 women took literacy course. 5,042 women staying at women’s shelters profited from vocational courses and 915 of them got employed⁴¹¹.

Regarding the women’s employment and labour force participation, Progress Reports emphasized that female employment was still lower than all the EU Member States and the lowest among OECD countries.

In addition, the lower illiteracy rate for women makes to work and find a job harder for women in certain fields. Another reason for the female unemployment was gender gap due to the social confirmation of some jobs and occupations such as “female jobs” and “male jobs” in the labour market: women worked in more traditionally approved jobs, such as housework and agricultural or private sector work. Furthermore, it was reported that:

there was a lack of facilities for childcare, nursery and care for the disabled people. These factors hindered women to actively participate in the labour force. With regards to gender pay gap, there was no adequate efforts to practice national action plan for 2008-2013 on gender equality because of the lack of human and financial resources⁴¹².

⁴¹⁰ Hagemann-White C., & Bohn, S. (2007). *Protecting women against violence: Analytical study on the effective implementation of recommendation Rec(2002)5 on the protection of women against violence in Council of Europe member states*. Strasbourg, Sweden: Council of Europe, Directorate General of Human Rights and Legal Affairs, Gender Equality and Anti-Trafficking Division.

⁴¹¹ The Ministry of Family, Labour and Social Services (2019). General Directorate on the Status of Women, “Participation in Business Life” , Ankara, p. 70-76. September 2019.

⁴¹² European Commission (EC) (2010), *Turkey 2010 Progress Report*, SEC(2010) 1327, Brussels, 9 November 2010.

It is significant to note that there were some grant projects which enabled women to seize the employment opportunities and create their own business. IKGPRO said that

The Operational Programme for Supporting Women's Employment was established along with the 15% national contribution, with 26.8 million Euros the budget in total. Only 23.9 million Euros of the total budget was used under the scope of the 131 projects between 2010-2011.”⁴¹³

The Turkish Employment Agency (İŞKUR) benefited from a budget of 38 million Euros allocated by the European Bank for Reconstruction and Development from 20 December 2013 to 31 December 2017.

The credit guarantee fund, with a budget of 30 million Euros, was also established in cooperation with the European Bank for Reconstruction and Development to support those women who are willing to start their businesses. 300 million Euros were also to the credit repository by the European Bank for Reconstruction and Development in order to promote women's labour force participation and entrepreneurship through commercial banks, such as Vakıfbank, QNB Finansbank, Türkiye İş Bank, Türkiye Ekonomi Bank, and Garanti Bank⁴¹⁴.

The Enhancement of Participatory Democracy: The Monitoring Project for Gender Mainstreaming in Turkey” was implemented by the Association for Monitoring Gender Equality. It was also financed by the EU fund IPA with the budget of 1,628,000 Euros. The Project was implemented from 2017 until 2019 in 7 prominent cities (Adana, Istanbul, Kars, Gaziantep, Ankara, Trabzon, and Izmir). It aimed to increase the gender mainstreaming awareness in all fields within the frame of various state institutions and organizations, including civil society organizations and The Ministry of Family and Social Policy. The project was analyzed within the scope of different indicators and monitoring mechanisms to reveal its effect on the society.⁴¹⁵

⁴¹³ İKGPRO. (2017). *KADIN İSTİHDAMININ DESTEKLENMESİ OPERASYONU-1*.

<http://www.ikg.gov.tr/kadin-istihdaminin-desteklenmesi-operasyonu-i/>. (Accessed on:10 February 2020).

⁴¹⁴ İKGPRO. (2018). *İş Hayatında Kadınlar Operasyonu*. <http://www.ikg.gov.tr/is-hayatinda-kadınlar-operasyonu/>. (Accessed on:10 February2020).

⁴¹⁵ CEİD. (2017). *Türkiye'de Katılımcı Demokrasinin Güçlendirilmesi:Toplumsal Cinsiyet Eşitliğinin İzlenmesi Projesi*. <http://ceidizleme.org/sayfa/90>. (Accessed on:26 February 2020).

The project was executed particularly for demonstrating the fact that there was neither adequate progress in terms of gender equality in international level nor sufficient civil society organization activity in Turkey. It revealed that there was a lack of monitoring mechanism in public policy regarding gender mainstreaming.⁴¹⁶

In conclusion, as it is indicated in the progress reports, although there had been some progress in improving the situation of women, there remained serious problems, such as low participation of women in politics and labour force. The number of shelters for women exposed to violence were also not sufficient, and the number of women who received a proper service were limited accordingly. It is significant to state that the EU keeps gender equality as a precondition for Turkey's accession among the other Copenhagen criteria.

Finally, it is possible to comply with the EU standards through NGOs, projects, and action plans and it is also feasible to raise awareness about the status of women in this way. It can be also said that women have always been important for the society and their presence and their contribution cannot be underestimated.

7.7. Progress Reports Prepared by Turkey

The “2012 Progress Report prepared by Turkey” is an official document which informed the reforms delivered in Turkey from the view of Turkish state officials. Although the 2012 first Progress Report covers the years between October 2011 and December 2012, it also includes all the changes realised starting from the pre-accession period up until the 2012 Progress Report. It covers all the progress made towards providing equal opportunities for women and men as well as increasing the women's labour force participation.⁴¹⁷

The report discusses all the legal and administrative amendments made from 1999 until the first Progress Report in 2012. It is mentioned in the progress report that

⁴¹⁶ CEİD. (2017). *Türkiye'de Katılımcı Demokrasinin Güçlendirilmesi:Toplumsal Cinsiyet Eşitliğinin İzlenmesi Projesi*. <http://ceidizleme.org/sayfa/90>. (Accessed on:26 February 2020).

⁴¹⁷ T.C. Avrupa Birliği Bakanlığı, **Türkiye Tarafından Hazırlanan 2012 Yılı İlerleme Raporu Yapılan Çalışmalar ve Kaydedilen İlerlemeler**, Ankara, 2013, 4.

the positive discrimination was added to the constitution with the constitutional amendment in 2010. The law on the prevention of violence against women was made in 2012 and Turkey became the party to the Council of Europe Convention related to the subject at the same year.

It was also mentioned that efforts to form the public policy for the purpose of women empowerment in all fields and enable women to benefit from every opportunity equally continue with determination. It is also pointed out that the Ministry of Justice workers have been educated about how they are supposed to treat and behave towards the victims of violence within the family. It is noted that an action plan has been developed covering the years between 2012-2015 to stop violence against women; the number of shelters has increased; and the number of the regulations and legislations related to protective measure for the victims of violence has increased.⁴¹⁸

It is highlighted in the progress report that Turkey aimed to initiate incentives to open nursery to promote more female labour force participation and to ensure work-life balance in organized industrial zones. A protocol was signed to enhance the quality of women's work life and to increase the women's workforce participation, as carried out in cooperation with Turkish Employment Agency and Ministry of Labor and Social Security.⁴¹⁹ The workplaces, which employ men and women above 18 years old, provide gradual insurance share for 5 years, funded the state through the "Employment Package." When the general elections were analyzed to women's political participation in the two reports 2007 and 2011, it was realized that the women's participation increased from 4% to 14,4%. It was aimed to reach almost 3 million women to increase the literacy rate with the literacy courses provided for mother and daughter by the Turkish Grand National Assembly, KEFEK.⁴²⁰ Regarding the statistical information, women's labour force participation rate remained the same, as indicated by the reports prepared by the European Commission Progress Report on Turkey.⁴²¹ 10,000 women received education and 3,600 women participated in the labor market under the women's employment support operations.⁴²² The number of

⁴¹⁸ T.C. Avrupa Birliği Bakanlığı, 7, 21, 31-33, 44.

⁴¹⁹ T.C. Avrupa Birliği Bakanlığı, 7, 21, 31-33, 44.

⁴²⁰ T.C. Avrupa Birliği Bakanlığı, 7, 21, 31-33, 44.

⁴²¹ T.C. Avrupa Birliği Bakanlığı, 7, 21, 31-33, 44.

⁴²² T.C. Avrupa Birliği Bakanlığı, 34-35, 45, 150-152.

unregistered employment of women dropped to 56% from 2002 to the 2012 Progress Report period.⁴²³

According to the 2013 Progress Report, KEFEK received 46 legislative proposals and 2 draft laws. The women's labor force participation rate increased to 31,3%. The number of unregistered women workers declined to 53,4%. The progress reports also touched upon the number of women entrepreneurs and the participants of vocational courses, organized by ISKUR that reached to 42%.⁴²⁴ The Ministry of Family and Social Policy granted approval to open 1,646 creches and day care centers to support the female labor force participation and to fulfil the needs of both the children and their parents.⁴²⁵ It is claimed 55,579 children of working parents have benefited from the service effectively.⁴²⁶ Progress report stated that the reforms implemented in the Turkish Social Insurance and General Health Insurance Law: 5510, ensured provision of a General Health Insurance free of charge to the victims of violence who need protective measures.⁴²⁷

⁴²³ T.C. Avrupa Birliği Bakanlığı, 7, 21, 31-33, 44.

⁴²⁴ T.C. Avrupa Birliği Bakanlığı, **Türkiye Tarafından Hazırlanan 2013 Yılı İlerleme Raporu Yapılan Çalışmalar ve Kaydedilen İlerlemeler**, Ankara, 2013, 6, 104, 110, 113, 152-154.

⁴²⁵ T.C. Avrupa Birliği Bakanlığı, **Türkiye Tarafından Hazırlanan 2013 Yılı İlerleme Raporu Yapılan Çalışmalar ve Kaydedilen İlerlemeler**, Ankara, 2013, 6, 104, 110, 113, 152-154.

⁴²⁶ T.C. Avrupa Birliği Bakanlığı, **Türkiye Tarafından Hazırlanan 2013 Yılı İlerleme Raporu Yapılan Çalışmalar ve Kaydedilen İlerlemeler**, Ankara, 2013, 6, 104, 110, 113, 152-154.

⁴²⁷ T.C. Avrupa Birliği Bakanlığı, **Türkiye Tarafından Hazırlanan 2013 Yılı İlerleme Raporu Yapılan Çalışmalar ve Kaydedilen İlerlemeler**, Ankara, 2013, 6, 104, 110, 113, 152-154.

8. CONCLUSION

This research aimed to explain the effect of the EU on women's rights in Turkey through some prominent international agreements such as CEDAW and Istanbul Convention. Both treaties play a key role in eliminating inequality between women and men. The law No. 6284, "Protection of the Family and Violence against Women," aimed to put pressure on the state to take precautions to combat violence against women. However, I explored that due to AKP's desire to keep the traditional patriarchal culture, it is quite unlikely to promote gender equality in Turkey. Furthermore, as Feride Acar mentioned, though Turkey had a major and continuous role in the preparation of the Convention, Turkey has not sufficiently implemented the legislations of the Convention.⁴²⁸ In this context, I found out that the problem of violence against women both within and outside of the family is a serious issue in Turkey. It is affecting almost every women at least once in their lives. Women are often exposed to the inequalities in several fields of life including education, employment and in politics.

According to the literature review that I have provided in my thesis, I explored that although Turkey has granted certain rights for women which were imported from the Swiss Code, it has not adequately fulfilled the EU's criteria in implementing the necessary legislation because of its traditional patriarchal attitude towards gender equality. During the literature review, I discovered that the 2004 Penal Code which is in accord with the EU accession conditions paved the way for the significant changes addressing to the life imprisonment for honor killings, prison for polygamy and

⁴²⁸ Kıymaz Bahçeci, Şehnaz. "Evaluation of Istanbul Convention: Its Contributions and Constraints for Elimination of Violence Against Women in Turkey." Master's thesis, Middle East Technical University, 2012.

criminalizing sexual violence within the family. However, it is clear that the number of women who are exposed to the violence are increasing every year in Turkey. Women do not participate the work force compared to the men because of the lack of childcare service, family responsibilities, the low education level of women, and other socio-cultural conditions.

In this thesis, the role Turkey and the EU relations in conjunction with the issue of the women's rights was questioned. Turkey's efforts to be a full member of the EU has been ongoing for a long time. However, Turkey's official candidacy is regarded as milestone for the relations between the EU and Turkey. Politics always played a major role to shape the relation. Actually, political agendas, parties, and strategies of Turkey and the EU directly influence the women's rights. The AKP government often makes statements to highlight the familial duties of the women. Yılmaz Sener claims that "Designating women as the recipients as primary caregivers has furthered this patriarchal trend."⁴²⁹

I also explored that reforms, innovations and rights has been introduced by the founder of the Turkish Republic. With the Turkish Civil Code in the polygamy was abolished and equal rights in matters of divorce, child custody, and inheritance were granted. As regards the issue of the women's rights, the founder of modern Turkey Atatürk stated that women are the "pillar of the society". He has granted women certain rights. Therefore, he enhanced the situation of the women in the society in the early days of the declaration of the Turkish Republic. In this sense, his presence has been an inspiration to the upcoming presidents because he has been a good role model for the society with his accomplishments and his attitude towards the women. Therefore, he both implied the role of women as mother and also, he encouraged women to have an education and be a part of the professional life and politics.

When I examined the literature on the EU and Turkey relations in the light of the women's rights, I explored that women's rights are human rights and it is also one of the most important criteria in the process of Turkey's democratization. I analyzed

⁴²⁹ Yılmaz Sener, M. 2016. Conditional cash transfers in Turkey: A case to reflect on the AKP's approach to gender and social policy. *Research and Policy on Turkey* 1(2): 164–178.

the EU enforcement mechanisms and the mechanisms directly related to improving women's access and exercise of their rights. I discovered that women's political participation in Turkey is far below compared to the women in Europe. Turkey insists on overleaping and not to implement gender quota system. However, it is claimed that it is needed to be implemented because it highlights gender equality in decision making mechanism and it has been already put into effect in the European Parliament. It helps to accelerate Turkey's accession process to the EU. It is indicated by the European Parliament that respect for women's rights is a preliminary requirement for membership of the EU.

I also discovered that although the EU Council of the European Union has enacted laws and regulation to minimize the gender disparity, Turkey has failed to fulfill its obligations to protect the rights of women. In fact, women's low participation in professional life stem from the patriarchal mentality of the society in Turkey. Women are kept responsible for the child-care and domestic work. Therefore, they are viewed as secondary position in the labour force. The EU tries to ensure equal rights and equal opportunities to women. Thus, the EU's founding treaties such as Treaty of Rome, Maastricht, Lisbon and Treaty of Amsterdam play a crucial role in shaping state parties' and candidate states' attitude towards the women. They have been effective in implementing these treaties to improve the women's rights.

International Human Rights Instruments aim to preserve the concept of human rights that refers to the basic rights and liberties which are owned by every human being innately. In these documents those principles are adopted: all people are born equally and freely in terms of honor and rights. Everybody has equal opportunities regardless of any discrepancies for their basic rights and liberties. The discrimination against gender is not accepted. Thus, I discovered the impact of the EU regulations and legislations as an important part of Turkey's harmonization with the *acquis Communautaire* through UN Conferences, Istanbul Convention and CEDAW. They are consolidated with the Optional Protocol and CEDAW Committee Reviews on Status of Women in Turkey. However, as it is indicated before, Istanbul Convention has been undervalued by the AKP because they think that the convention has the potential to harm the family relations and due to the lack of implementation of the Convention obligations, there is an increasing rate in the number of femicide.

I found out that although there have been some discordances between Turkey and the EU, the civil society, particularly KA-DER and KAGİDER, has played an essential role in the integration process. KA-DER has been positioned as an important incentive mechanism to raise awareness about gender inequality and to increase women's participation in politics. It also has positioned itself as an alternative way to solve the gender disparity and to be seen gender disparity as societal problem. The understanding and increasing attention to KA-DER as an NGO has paved the way for making itself as a driving factor in legalizing all the possible potential to improve the status of women during the EU candidacy process. However, since the foundation of KA-DER, its demand for gender quota has not been accepted. Therefore, it seems that Turkey has been in a long and ambivalent way to realize gender equality due to the Turkey's patriarchal mindset. Lastly, I found out that Turkey cooperates with the EU to create business development facilities for women by means of ABİGEM, KADAV and GAP-GİDEM.

The thesis explored that Women's Fund has been established by KAGİDER in 2004 in Turkey to provide financial support NGOs working for empowering women in economic, social and political area. The Fund has aimed to make way for creating fund from national and international institutions. These funds has been aspired to be shared with the NGOs who are campaigning to increase women's participation in economic, social and political area and to provide gender equality in Turkey. In line with these improvements; KAGİDER has been regarded as a quite effective and influential organization and needed by public. It is pointed out that female participation in employment in Turkey is low because of the government's patriarchal attitude on gender equality. However, it is crucial to mention that KAGİDER's mission to incite women in professional life has played a key role in the EU integration process regarding the women's rights issue.

The thesis provides four periods and analyzed the developments and drawbacks during AKP's long tenure. I have mainly concluded that, women in Turkey could not be able to benefit from the equal rights because they are not positioned at

the top level due to AKP's patriarchal perception. They are less allowed to work in public sphere and are not included in the politics. Hence, their duty is diminished to domestic works such as being a mother and looking after the children and serving the husband. However, Turkey has made some improvements in line with the *Acquis Communautaire*. To illustrate this, I have briefly touched upon KEFEK, İSKUR, and Civil Law. I discovered that they have played an effective role in ensuring equal pay for equal work as well as equal opportunities. Finally, I wrote the chapter with the European Commission Progress Reports between 1999-2019. In this way, I have discovered the problems concerning the women's rights in Turkey including domestic violence against women, sexual harassment at work and within the family, the honor killings, early and forced marriages, low participation of women in politics, workforce and education remain a serious and cause of concern.

Lastly, this research included Evaluation of the Progress Reports (1999-2019) and the Progress Report prepared by Turkey. I have explored the solutions and recommendations proposed through the Progress Reports. Concisely, throughout the Progress Report prepared by Turkey, it is pointed out that İSKUR and KEFEK play a crucial role in encouraging women to set up a business, to improve a work-life balance through child care service and to support women to take part in registered works.

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