

WOMEN'S HUMAN RIGHTS; TURKEY'S WAY TO EUROPE

The average Turkish woman does not yet fully profit from the legislative changes in her daily life. There is an urgent need to speed up implementation and to take further concrete steps. The legislation should be backed up through concrete action plans, strong institutions and sufficient resources. For women to be able to claim rights they have on paper, it is necessary for them to have a degree of economic independence. In Turkey, there is no consistent policy to combat disincentives for women entering the labor market.

Even though it is not possible to introduce legal measures of positive discrimination for the upcoming elections, political parties can still include more women candidates on the election lists and place them in favorable positions on the lists. The outcome of the elections in Turkey and the number of female deputies in the Parliament will be a clear sign as to what extent the mentality on women's rights has changed. The existence of political will is one of the sine qua nons of the efforts to eliminate inequalities, and to promote gender equality.

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Equality between women and men is a matter of human rights, a condition for social justice and a prerequisite for development. Gender equality is also a fundamental value of the European Union. In this respect, as a member of the Committee on Women's Rights and Gender Equality within the European Parliament who works for the incorporation of gender into all areas of public policy, I would like to discuss the relevance of gender equality within EU-Turkey relations and the specific measures that would help to create a clear future vision for Turkey on women's rights.

The European Union has an outspoken commitment to gender equality which is enshrined in the EC Treaty. The EU has a constantly evolving legislation and standards on gender equality which prepares the ground for further improvements in member states. Gender equality policies are reflected in the relations of the EU with the third countries as a part of European Union identity. In the roadmap for equality between women and men (2006-2010), the promotion of gender equality outside the EU is determined as one of the six priority areas.¹ In its relations with third countries especially within the framework of the development cooperation and association agreements, the community explicitly conditions its financial support or membership prospects on the achievements of third countries on gender equality. For the countries that want to be accepted as member of the EU, like Turkey, compliance with the gender equality principle is a pre-condition of membership. In this respect, gender equality and women's rights is one of the major areas of Turkey's accession process to the EU.

Turkey is a very paradoxical country in terms of women's rights. While the ratio of women academicians is around 30%, there are regions where almost half of the women population is illiterate. More than 80 years ago equal rights for men and women were already a founding principle of the Turkish Republic. Women in Turkey enjoyed voting and election rights in 1934, long before women in some other Western European countries, today with a ratio of 4,4% in the parliament women's political participation in Turkey is far below the European and world standards. Until the 1980s and 1990s, there was no major movement towards improving women's rights. However, especially the end of 1990s marked a new phase regarding women's rights in Turkey. The improvement in Turkey-EU relations had a deep impact on the women's rights issue. The turning point was the Helsinki Summit in 1999 that gave candidate country status to Turkey. After this point, a drastic reform process, including tremendous improvements in women's rights, started in Turkey. The prospect of EU membership accelerated already existing efforts of the women's movement in Turkey to improve women's rights. In the last years, Turkish legislation on

¹ The Roadmap outlines six priority areas for EU action on gender equality for the period 2006-2010: equal economic independence for women and men; reconciliation of private and professional life; equal representation in decision-making; eradication of all forms of gender based violence; elimination of gender stereotypes; promotion of gender equality in external and development policies, available at:

http://europa.eu.int/comm/employment_social/news/2006/mar/com06092_roadmap_en.pdf,

women's rights has greatly improved especially with the changes in the Turkish Penal Code, Civil Code, Labor Code, Family law and Municipality law.

Increasingly women's rights came under the spotlight and became one of the key issues in Turkey's accession process to the European Union. In addition to the European Commission's reports that monitor Turkey's general compliance with EU standards, I have prepared two consecutive reports specifically on women's rights in Turkey within the European Parliament. Women's rights issues deserve particular attention and a specific report. Both reports had a very important impact in putting the issue higher on the agenda.

The first report, in 2005, became a significant instrument to monitor the progress made in the field of women's rights in Turkey and became an important reference point in the accession process. The report emphasizes the major areas of concern in Turkey such as violence against women, the role of civil society, the education of women, the participation of women in the labor market and in politics. It also suggests concrete solutions to the existing problems.²

The second report, in 2007, follows up on the findings of the first report in order to monitor the improvements that have been made on women's rights issues and to analyze what still needs to be done. The report outlines with constructive criticism the developments and the areas where more efforts are needed by giving a balanced description of the situation concerning women's rights in Turkey.³ The report was adopted in the European Parliament with an overwhelming majority which sends a strong signal to all –the Turkish government, political parties, Turkey's social partners, women's rights NGOs and the European Commission– that the people in Europe and their representatives in the Parliament take women's rights in Turkey seriously. This signal underlines that respect for women's rights is an absolute requirement for membership of the EU.

In recent years, Turkey has made very important progress towards improving women's rights, especially in the legal framework. The changing and improving legislative framework on women's rights has overall been a success and the government has demonstrated a clear commitment on the issue. However an environment in which legislation can be implemented has not been fully created. Despite positive developments, Turkish women continue to have problems such as low education level, domestic violence, honor crimes, low labor market participation and low political representation. It is clear that the establishment of gender equality is a challenging process that requires social transformation. Political will is the main condition for the success of the gender equality policy and the effectiveness of gender equality policy depends on the extent to which its implementation is controlled and enforced.

² <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+REPORT+A6-2005-0175+0+DOC+PDF+V0//EN&language=EN>

³ <http://www.europarl.europa.eu/sides/getDoc.do?Type=TA&Reference=P6-TA-2007-0031&language=EN>

Since the main problem is that the average Turkish woman does not yet fully profit from the legislative changes in her daily life, there is an urgent need to speed up implementation and to take further concrete steps. The legislation should be backed up through concrete action plans, strong institutions and sufficient resources. In order to institutionalize gender equality and to concretize the commitment shown by different parties on women's rights, a strategy consisting of several important components should be put in practice. These components include data collection, adoption of effective policies and programs, and the establishment of institutional mechanisms supported by a strong legal framework and sufficient resources. Furthermore, effective coordination and an open attitude of cooperation between different layers of the Turkish government, social partners, NGOs and the European Union is necessary in order to reach different levels of society.

In Turkey, there is a lack of accurate data on the situation of women and the existing data does not yet cover all problems relating to the situation and the rights of women. Specific and reliable data should be gathered and published covering all aspects of women's rights, including data on the illiteracy rate among women, on equal access for women, on problems related to the participation of women in the labor force and on violence against women. The lack of accurate data is an obstacle to monitor and assess the dimensions of the problem. Based on the collected data, the problematic areas could be determined and the effective policies and programs could be adopted. This requires the strengthening of both national mechanisms and women's organizations. Short, medium and long-term concrete strategic programs should be prepared. Financial resources should be allocated towards the implementation of gender equality standards and the misuse of those resources should be punished.

In Turkey there have been important programs and projects that have been put into practice especially in order to tackle violence against women and to increase girls' attendance in schools. The girls' education campaign entitled '*Hey girls, let's go to school*'⁴ and the campaign '*Stop violence against women*' had considerable success and had an important awareness-raising effect. Informing women and society about women's rights constitutes an important contribution to the establishment of gender equality. The lack of awareness restrains women from fully exercising their rights, which in turn leads to lack of behavioral change. There should be efforts, especially *vis-à-vis* women, to educate individuals on gender equality regulations through broad educational campaigns and to generate necessary funding to carry out those efforts.

Another important challenge is creating the institutional mechanisms and structures in society which enable an information flow about women's rights and what these rights mean. There is no doubt that understanding will lead to increased demand for the usage of these rights. In this respect, establishing strong institutions, monitoring their accountability, formulating binding

⁴ Haydi Kızlar Okula, <http://www.haydikizlarokula.org/>

and practical instructions for the implementation of the legal framework and taking the necessary measures to tackle non-compliance is necessary for the endurance of the system. Among all the other institutions, the establishment of a standing committee on Women's Rights and Gender Equality with full legislative powers in the Turkish Parliament that monitors the fulfillment of the obligations of the legislation would be a concrete step to institutionalize gender equality. The success of the Committee on Women's Rights and Gender Equality within the European Parliament to put the gender equality issue higher on the agenda shows clearly how important it is to have a counterpart of this committee in the Turkish Parliament.

Ensuring equal access to education and fighting violence against women are the two areas where concrete measures have been taken. The government has published official circulars and given support to country-wide campaigns. The efforts should continue in these areas. The protection of victims of violence and the fight against honor crimes should continue to be absolute priorities. However, there are two other areas which require special attention. One of the main problematic areas in Turkey is the decreasing participation of women in the official labor market. For women to be able to claim rights they have on paper, it is necessary for them to have a degree of economic independence. With more and more women losing out on the labor market, this independence seems difficult to realize. This trend needs to be stopped and reversed. In Turkey, there is no consistent policy to combat disincentives for women entering the labor market. Moreover, there is a lack of effective mechanisms that harmonize women's family life and labor responsibilities. This situation requires the establishment of effective measures and precautions to secure the principle of equal treatment in the access to employment. In this respect, the preparation and implementation of national plans on women and employment with a limited time-frame and concrete goals by the Turkish government, together with the social partners, would be very useful. Furthermore, the government should adopt a firm anti-discrimination policy. The Turkish trade unions must train and organize women, help them find a way out of the informal labor market and into the formal one. Turkish employers must take responsibility for childcare facilities and social security for women. This problem is the common responsibility of all. The social partners therefore must work together.

Another critical point is the under-representation of women in processes of political decision-making. This is the case in terms of both the number and the rank of women holding political positions, elected or nominated. Fifty-two percent of the Turkish population is made up of women, so these women should be represented fairly to avoid a lack of democracy. When policies are worked out *for*, rather than *with*, a politically excluded constituency, they are unlikely to address all relevant concerns. The empowerment and strengthening of one disadvantaged group can not be done by outsiders. For this reason, women's participation in politics is crucial in order to change the traditional gender roles and to put women's rights issues on the agenda. There is an impor-

tant movement in this area both on the side of political parties and NGOs. Even though, political parties have different views on how to increase the political participation of women, there is a consensus on the necessity and urgency of having more women in the parliament.

The upcoming elections could be a turning point for women's rights in Turkey. It provides a good opportunity for political parties to prove the sincerity of their statements and to take historical measures to improve women's rights. Even though it is not possible to introduce legal measures of positive discrimination for the upcoming elections, political parties can still include more women candidates on the election lists and place them in favorable positions on the lists. In this process the Turkish women's movement and women voters have an important role to play as well. Turkish women's rights organizations must keep on organizing awareness-raising projects and must continue to lobby the government. And women voters who will have major power on the day of election should use their vote wisely by analyzing critically the approach of the different political parties on women's rights. The outcome of the elections in Turkey and the number of female deputies in the Parliament will be a clear sign as to what extent the mentality on women's rights has changed. A better representation of women in Turkish politics will surely lead to stronger participation of women in other spheres.

The improvement of women's rights in Turkey is a very good example of how commitment and effective cooperation between the EU and Turkey can work very positively. The process of becoming an EU member is a catalyst for further progress towards gender equality in Turkey. The women's rights issue is at the forefront in Turkey due to the increasing activities of the women's rights organizations in Turkey and the will of the European Union to place the issue high on the agenda. Turkey is on the right track but improving women's rights is an ongoing process. Instead of providing temporary solutions to particular issues, progressive regulations should be put in practice. The existence of political will is one of the *sine qua nons* of the efforts to eliminate inequalities, and to promote gender equality.