

# AMNESTY INTERNATIONAL

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## Turkey: Women confronting family violence Summary

*"Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."*

**United Nations Declaration on the Elimination of Violence against Women  
General Assembly Resolution 48/104, 20 December 1993**

In its latest report on violence against women, Amnesty International looks at family violence in Turkey. Among the abuses documented are women who are beaten, raped, and in some cases even killed or forced to commit suicide. Tradition is sometimes used as an explanation for acts of brutality against women for exercising choice in their lives, whilst obscuring the underlying cause of the problem - discrimination in every area of life.

The report, *Turkey: Women confronting family violence* (AI Index: EUR 44/013/2004 <http://web.amnesty.org/library/index/engneur440132004>), is part of Amnesty International's global campaign *Stop Violence Against Women* that outlines and condemns gender-based human rights violations perpetrated against women across the world irrespective of their wealth, race, sexuality and culture.

The report features cases of individual women who have suffered violence at the hands of their family (See *Turkey: Victims of family violence*: AI Index EUR 44/022/2004 <http://web.amnesty.org/library/index/engneur440222004>). It outlines a pattern of abuse and discrimination which can start from birth when families barter their newborn daughters and force young girls into early marriage. The report reveals a culture of violence that can place women in double jeopardy, both as victims of violence and because they are denied effective access to justice. Its recommendations to the Turkish government are focused on the reforms needed to protect all women from violence and their implementation.

### EDUCATION

For women, restricting their right to education restricts their access to information about their rights, in particular their right to choose how they live, their right to be free from violence and their access to justice. According to UNICEF, the UN Children's Fund, 640,000 girls in Turkey are not receiving compulsory education. Of the population aged 15 years and older, 77 per cent of women and 93 per cent of men can read and write. Boys are more likely than girls to be educated beyond primary school level. Schoolbooks

reinforce gender stereotypes of men in leadership roles and women doing housework.

**Depriving girls of education constitutes, among other things, a form of economic discrimination. They are less likely to fulfil their potential in all areas of employment, including in politics.**

Men earn higher wages: women's salaries are between 20 and 50 per cent of those of men. Men own 92 per cent of all property and approximately 84 per cent of gross domestic production. Women are under-represented in political life. After the 2002 elections, only 24 out of 550 members of parliament elected were women.

### **FORCED MARRIAGES EARLY MARRIAGES, FORCED PROSTITUTION**

Forced marriage, in contrast to arranged marriage, has been described as "*any marriage conducted without the valid consent of both parties and may involve coercion, mental abuse, emotional blackmail, and intense family or social pressure. In the most extreme cases, it may also involve physical violence, abuse, abduction, detention, and murder of the individual concerned*".

A study in several provinces in east and southeast Turkey found that 45.7 per cent of women were not consulted about their choice of marriage partner and 50.8 per cent were married without their consent. Women forced into marriages are often under age. Those of them who refuse their family's choice of husband risk violence and even death. Men have used forced marriage to evade punishment for sexual assault, rape and abduction. There are also cases in which families, either deliberately or through neglect, fail to ensure that the sale of their daughter to a potential husband does not end up with their daughter being internally trafficked for forced prostitution. In other instances families fail to protect children from sexual exploitation.

**Forced and underage marriages are in breach of international legal standards and of Turkish criminal law. However, this law is widely ignored in some areas.**

### **A CULTURE OF VIOLENCE**

Turkey has recently emerged from two decades of conflict in the southeast of the country between the Turkish armed forces and the armed opposition group, the Kurdistan Workers Party (PKK). The conflict has polarized and fragmented communities. Forced internal migration has destroyed livelihoods, eroded the agricultural sector and arrested development in the region. In this context of institutionalized violence, crimes against women in the southeast both within the family and outside of it have been ignored and have gone largely unpunished. However, family violence is not confined to any one region of Turkey but is experienced by women all across the country.

The freedom of women is often curtailed with the purpose of controlling their sexuality. According to traditional codes of so-called "honour", which function with many variants in different parts of the world, the conduct of women has the greatest potential to bring "dishonour" on the family. The threat of death or violence may be used to enforce these codes within the community. In many cases deaths are not reported; murders are made to look like suicides and covered up by families; and women are forced or induced to kill themselves.

**The authorities' frequent failure to thoroughly investigate the violent deaths of and injuries to women renders extremely difficult any attempt to monitor and record such crimes.**

Women in communities with this belief system face enormous difficulties in speaking out against sexual violence. If they disclose sexual assaults, they are perceived as "shameful" for bringing up "private" matters and may even be regarded as "guilty". Whatever the evidence of an assault, blame still tends to be attached to the woman. Even those who do not agree with this attribution of blame may come under public pressure to "punish" the woman. The livelihood of entire families may be affected: a shopkeeper who does not "cleanse his family honour" may lose all his customers, for example.

**In practice the concept of "honour" has been degraded to such a degree that it is used as a justification for a wide spectrum of violent crimes against women. Women can be locked in their homes, ostracized and murdered for being victims of rape.**

### **REDRESS, NOT EXCUSES**

There are many barriers facing women who need access to justice and protection from violence:

Police officers often fail to investigate women's complaints, wrongly believing their role to be to "make peace" in the family.

For different reasons many women are unable to make formal complaints.

Officials express discriminatory attitudes, thus failing to uphold women's rights and increasing the risks they face by making violence against women seem less significant than it is.

Women who are at risk of being killed by their partners or other relatives are rarely offered shelter or assisted in seeking a protection order from the courts.

Lack of confidence in law enforcement officials discourages women from seeking support and protection from the state, and contributes to making violence against women an invisible crime.

There is a severe shortage of shelters.

**In most cases the authorities fail to ensure that the perpetrators of violence in the home are brought to justice in accordance with international standards for fair trial. At every level of the criminal justice system, the authorities fail to respond promptly or rigorously to women's complaints of violence within the family, including beating, rape, sexual assault, harassment, or other violence within the family.**

### **CHALLENGING THE VIOLENCE**

Numerous women's rights groups and other rights organizations across Turkey, both governmental and non-governmental, have in recent years successfully lobbied central government to reform outdated laws. They have established women's centres that help women to access all their rights. As advocates, they campaign to end and prevent so-called "honour killings", and take up the cases of women who need the protection of the law. They have also tried provide shelters for women who are at risk of family violence. Women's rights organizations provide information to women about their rights and organize training programs for women in building confidence and positive beliefs about themselves. However, perpetrators of violence in the family also extend their threats to the activists who work to protect women's rights and women's choices.

**One of the greatest difficulties facing women's groups attempting to eradicate violence against women are responses within communities. Activists have been threatened, as have women lawyers who act on behalf of women subjected to violence. The women's relatives have warned them to stay away from their families.**

### **A DUTY OF PROTECTION AND REDRESS**

International human rights treaties and standards define the obligations of states to secure human rights for their citizens. Recent decades have seen significant advances in the commitment of the international community to scrutinize and combat violations of women's rights. In 1993, participants of the UN-sponsored World Conference on Human Rights in Vienna declared violence against women to be a human rights violation requiring urgent and immediate attention.

Under international law states are obliged to ensure state officials do not commit violations. They must also prevent and punish violations committed by private individuals or groups and to provide appropriate compensation for the victims.

Turkey has ratified a number of international treaties relating to the protection of women's rights, including the **Optional Protocol to the Women's Convention** that offers women a direct means for seeking redress at the international level for violations of their rights. By joining this Protocol, Turkey has

authorized the Committee on the Elimination of Discrimination against Women (CEDAW) to consider complaints by individuals and groups alleging that their rights under the Convention have been violated.

The dialogue between CEDAW and Turkish officials gave a new impetus to the long-term efforts by the women's movement, at many levels of society, to obtain legislation against domestic violence. In particular, the **Law for the Protection of the Family in Turkey**, which came into force in 1998, is progressive legislation against domestic violence. However, there are still some small amendments required to cover gaps in the legislation, and Amnesty International's main concern is that it is not being properly implemented.

#### **PREVENTING VIOLENCE AGAINST WOMEN**

Amnesty International's report *Turkey: Women confronting family violence* ends with a number of recommendations by the *Stop Violence against Women* campaign urging the international community, the Turkish government, community and religious leaders publicly and at every opportunity to declare its commitment to eradicating violence against women.

Public Document

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