
Committee on the Elimination of
Discrimination against Women
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Concluding comments of the Committee on the Elimination of
Discrimination against Women: Turkey

Initial report

284. The Committee considered the initial report of Turkey (CEDAW/C/5/Add.46 and Amend.1) at its 161st and 165th meetings, on 29 and 31 January 1990 (CEDAW/C/SR.161 and 165).

285. Introducing her country's report, the representative of the Government said that discrimination against women still persisted in many countries of the world, and also in Turkey. The equality of women and men had received official recognition early in history due to the foresight of Mustafa Kemal Atatürk, and a series of reforms were introduced subsequently to bring women nearer to the goal of equality. She said that under the Constitution there should be no discrimination of any kind, the social structure was free-flowing and democratic and indeed more laws discriminated in favour of women than against them. She also said that in the western parts of the country, women generally shared a position of equality, whereas in the east, old, stereotyped roles of women in the society persisted.

286. An issue that adversely affected the position of women in Turkey was the population growth and the country was making great efforts to make the entire population family planning conscious. Accordingly, many non-governmental organizations were active and successful in supplying women and children with

protective medical care, including contraceptives. Consequently, the rate of increase of the population was gradually slowing down. A national machinery for women's issues had been set up in 1987 and another department responsible for family affairs had recently been installed. Following the launching of a literacy campaign in 1980, the illiteracy figures dropped in absolute and relative terms, with the percentage of girl students who completed schooling on the increase.

287. Although there was no discrimination between men and women in employment, only very few women held top-level jobs as a result of the lower educational level of the average woman and of less vocational training received by women. There were very few female members of Parliament, but for the first time in history, there was a woman minister, the Minister of Labour and Social Security. In the armed forces women could participate only in the educational and administrative spheres but were not allowed to hold the post of district governor.

288. She said that maternity and child health services were free of charge and that the husband could take three days of paid leave at the time of the birth of his child. With regard to the reservations placed on articles 15 and 16 of the Convention, she said that as a result of steps taken by various women's organizations and the mass media, a committee had been set up in the Parliament to review the Civil Law and she hoped that all reservations would be withdrawn before the submission of the second periodic report.

289. Members of the Committee commended the Government of Turkey for acceding to the Convention in 1985 and submitting the report in timely fashion in 1987. In congratulating the distinguished representative for her presentation, it was noted that the report was frank and attempted to state clearly the situation of women in Turkey. In their general comments, members of the Committee noted the discrepancy between the provisions of the Constitution and the reservations made in respect of articles 15 and 16 of the Convention with regard to certain provisions in Turkish Civil Law that were contradictory to the stipulations of the Convention. They asked about the prospects of withdrawing the reservations and also about any proposals for changing the Civil Law and expressed the hope that Turkish Family Law would soon be changed. Members formed the impression that Turkish women were not supported by a strong commitment of the Government in their struggle for equality. They asked of the role of non-governmental organizations and whether they had been involved in preparing the report. Clearer information was required about the different status of urban and rural women and about the needs of rural women in the education and health sectors. Questions were asked about the fields in which women had recorded greater advancement than men and what was meant by the "ideal" equality between the rights of women and men. Members, while applauding the reforms introduced by Mustafa Kemal Atatürk, noted that the current Constitution constituted a step backwards. Commenting on the fact that women were scarcely visible in the streets in Turkey, members asked whether the reason was that Turkish women were not too active in society or whether it was prohibited or dangerous for Turkish women to walk around outside the house. They also asked about the sort of problems women encountered as a result of the social structure for women in the fields of education and employment. They also asked about the implications of the recently emerging fundamentalist movement for women in the fields of education.

290. With regard to article 2, it was noted that the report did not contain any reference to mechanisms for monitoring the implementation of the principle of equality between women and men, and requested further information on the national machinery, its staff and budget. Members also asked whether the review of women's

rights was going in a negative or positive direction and felt that the comment that "discrimination was foreign to the Turkish temperament" was not appropriate, and that that remark, as well as the remark that the low number of women in high-level posts was to be explained by the "poverty of desire" showed a tendency to put the responsibility for the lack of equality on women themselves. However, such an explanation would not be accepted by the members, and it was not enough to explain the lack of concern for women's rights by merely linguistic reasons. It was also asked whether research was made on the status of women and which were the points that disturbed the equality between the two sexes. With reference to the fact that women prisoners had allegedly been subjected to torture and rape, inquiries were made as to whether Turkish women had the same access to legal aid as men.

291. Regarding article 3, it was asked what prevented women from being appointed as governors and whether women's organizations had a political influence. Clarification was sought as to whether the Convention could be invoked in civil and legal concerns and what the Government was doing to ensure equal rights of women.

292. The meagre information with reference to article 4 was noted, and it was asked whether the Government envisaged adopting temporary special measures. Members inquired whether specific targets were set in the fields of education, health, female participation in politics and in the employment sector.

293. On article 5, information was requested on measures to modify cultural patterns to eliminate prejudice and values which assigned stereotyped roles to women. It was asked whether the women's movements were active in that respect. Their reports in that respect provided contradictory data on the advancement of women, accepting stereotyped attitudes as being positive. With reference to the modest professional aspirations of married women, it was asked whether the Government was satisfied with that situation and whether women and men should not rather adopt equal responsibilities in the family.

294. Concerning article 6, members asked how prostitution was regulated, the percentage of Turkish women engaging in prostitution and whether rehabilitation of prostitute minors was envisaged and whether the prostitution of minors was given any specific legal treatment. Comments were made on the low penalty for rape arising from prostitution. A question was asked to ascertain the attitude of the public in that respect and whether there were plans by the Government to amend that legal provision.

295. Under article 7, members asked what was being done to raise the number of women in Parliament and in politics generally, why the proposal for a quota system was not received favourably, and for statistical data on the number of women in the health, legal, banking, higher administrative and business fields, and as government employees and also about the participation of women in trade unions. Questions were asked why the percentage of women members of Parliament had decreased drastically since 1935 and whether the quota of 10 per cent for women in the judiciary was accurate. If so, whether such a low quota was compatible with the concept of equality.

296. With regard to article 8, more detailed information was requested on women in the diplomatic service.

297. Concerning article 9, members inquired whether Turkish women married to aliens transmit their citizenship to their children.

298. Regarding article 10, members noticed a segregation in secondary education and asked whether fathers who cut short the education of their daughters were punishable and whether the low minimum age of marriage did not constitute a handicap to girls in the education and employment fields. Several questions referred to the high rate of illiteracy and to the reasons for the disparity between women and men concerning literacy programmes. It was asked whether the literacy rate was any different for urban and for rural women and what the situation was concerning minority groups. Members requested a breakdown by gender and percentage of youths in public and in private schools. Questions were asked as to whether co-education was obligatory, whether efforts were being made to change the stereotyped image of women and men in school textbooks, what "the travelling women's courses" meant, the subjects covered by the educational television programmes and why only a few girls sat for the competitive examinations to enter the universities. Further information on the centres for applied arts was requested. Members enquired whether sex education was part of the school curricula and whether girls were encouraged to follow non-traditional careers. It was asked whether the high percentage of the female students in the field of mass communication and the media would find appropriate jobs in order to contribute to a change of the role of women in society. Members inquired also whether the Convention and its aspirations were being publicized.

299. Under article 11, information on comparative data on salaries of women and men in urban and rural areas and further clarification on the social security system were requested. Questions were asked about the extent to which women utilized their maternity leave, whether they could return to the same job afterwards and whether parental leave existed, whether there were training programmes for women who interrupted their paid work, whether women could undertake part-time employment, whether they received unemployment compensation and as to the rate of unemployment. Clarification was sought on the data given in the report on the overall wage-earning labour force. Further information was requested on migrant women workers, on the number of women who worked in the tourist sector and on the voluntary insurance of housewives. Members asked how the problem of sexual harassment was dealt with, whether hidden discrimination in employment still existed and how the rule of equal pay for equal work was enforced both in the public and in the private sector. It was asked whether women were hesitant to take their children to nurseries.

300. Experts inquired whether girls received training and professional guidance, whether single women had the same rights in the employment sector as married women and whether married women needed their husbands' consent for doing outside work, and if done without the husband's agreement, whether that constituted a ground for divorce. Comments were made on the early age of retirement for women. It was asked whether housewives were automatically covered by their husbands' social security protection and the percentage of women and men not covered by any social security system. Members inquired whether the Government was making any efforts on a bilateral basis to improve the situation of migrant workers and whether it offered special programmes to young women who migrated back to their country of origin after having received special knowledge and skills in their countries of migration. It was asked whether certain types of work were prohibited for women because of health or any other implications.

301. With reference to article 12, members sought clarification on the situation concerning abortion and inquired about the number of family planning centres, the way in which knowledge about family planning was disseminated and whether women had

access to family planning services without their husbands' consent. Population and related statistics indicating the number of births per woman were sought. It was asked whether there was legislation concerning violence against women and shelters for battered women.

302. With regard to article 13, members asked how access of women to bank loans was being guaranteed.

303. Turning to article 14, members requested more information on rural women, they requested the percentage working in rural enterprises, whether such women received social security benefits, literacy training, and whether they were reached by extension workers. Other questions referred to the number of women in the carpet weaving industry, their income and social security coverage and the age at which girls started work in that industry. It was asked whether men remained the decision makers in the family, even after their migration to the cities.

304. Members noted that the reservations expressed by Turkey in respect of articles 15 and 16 reflected the extent to which discrimination still existed in those areas. Under article 15, the questions referred to freedom of movement for the woman, the choice of domicile, the possibility to travel inside the country and abroad without her father's or husband's consent.

305. Under article 16, it was noted that the reports made no mention of the family and household duties of fathers. Further details were requested about de facto unions, the grounds for divorce for women and for men, the rate of divorce and the inheritance rights of girls compared to those of boys. Members took the view that a revision of the family code with respect to the choice of the married woman's family name would be most appropriate.

306. In replying to questions raised by members of the Committee, the representative of Turkey emphasized the importance her country attached to the Convention and its determination to implement its provisions. Women's organizations, the mass media and public opinion were at times working as pressure groups on the political parties. Currently, the country was undergoing transformation through rapid urbanization, industrialization and modernization and the gradual introduction of the nuclear family. The urban women benefited to a greater extent from those changes, whereas, on the other hand, the general problem of unemployment heightened also the dimension of unemployment for women.

307. Non-governmental organizations had been informally consulted while the country report was being prepared. She noted that in Turkey, as in other countries, there was a fundamentalist movement, but their political impact was minimal. The main concern was with women in rural areas and the eradication of traditional social and economic differences prevailing in those areas. Women's associations and the mass media strongly supported literacy and family planning campaigns in rural regions and paid special attention to girls and families who migrated from rural to urban areas. She said that the statement that only a few women were visible in the streets was incorrect.

308. Turning to comments made under article 2, she said that the Constitution and several other laws were all based on the principle of equality. Although the status of women in Turkey was not entirely satisfactory, women themselves were not responsible for that situation. However, through various organizations, women had started to make their voice heard, which was a first positive sign. With regard to

detained women, there was no discriminatory treatment between women and men. She said that the State Planning Organization encompassed the national machinery that had been set up in 1987 to deal with all questions regarding women. It consisted of presidents of several women's associations, representatives of various ministries and universities and worked centrally. It was consulted in the preparation of the most recent five-year plan.

309. Referring to questions raised under article 3, she said that the rule that prevented women from being appointed as governors was a remnant of the past and there was a strong tendency to change that rule. Although women's groups worked as pressure groups, their pressure was not strong enough to affect political decisions.

310. The concept of "ideal equality" referred to complete and full equality between men and women and measures were being taken to recruit more women in certain professions.

311. Turning to article 5, she stated that Turkish women gave priority to their functions as wives and mothers as a result of prevailing traditions. However, special instructive television programmes were geared towards the elimination of prejudices and customs and most men of the present generation considered life as a joint venture and assisted their wives in household duties.

312. Referring to article 6, she said that under the Penal Code the reduction of the penalty for raping a prostitute was accurate and that the court decision had created enormous reactions by women in all strata and by the mass media.

313. Turning to article 7, she said that only six women were members of Parliament and there was only one woman minister. No quota had been introduced so far in party administration or on electoral lists, and only recently one party introduced a 25 per cent quota for party bodies at all levels. In December 1989, women constituted 21.20 per cent of lawyers, 12.06 per cent in the judiciary, 31.66 per cent of physicians, 40.22 of pharmacists and 34 per cent of the teaching staff in universities.

314. Regarding article 8, she stated that 11.54 per cent of the career diplomats were women and 24.69 per cent of the high-level jobs in administration were held by women, amongst whom one with the rank of Ambassador. Turkish women also played an active role in international organizations and conferences.

315. Referring to article 9, she said that mothers as well as fathers could transmit their citizenship to their children.

316. Turning to article 10, the representative said that primary schooling was compulsory for boys and girls and legal sanctions were foreseen against parents who withdrew their children from school. She provided detailed statistics on the percentages and number of girls and boys enrolled in primary and secondary level schools of various types during the years 1985 and 1986. Co-education applied to all school levels and she explained that customs, culture and the perception of the role of women determined the choice of girls for certain studies and professions. She said that no discrimination existed in the competitive examinations for entering university education. She said further that an increasing percentage of women was moving into the field of mass communications. There was also a great demand for women students in the field of performing arts. Throughout the country, campaigns which were supported by radio and television programmes had been launched

to improve the literacy rate of women and one of the reasons for the higher literacy rate of men was that they learned to read and write during the obligatory military service. Finally, she said that sex education had not yet become part of school curricula.

317. Referring to questions raised under article 11, the representative said that 64.6 per cent of men and 35.4 per cent of women took part in the paid labour force, most of whom worked in farming and agriculture. She indicated the percentages of women who did unpaid work in the agricultural sector and said that neither women nor men in rural areas were covered by social security benefits. However, they could take out voluntary insurance under the self-employed workers' insurance system. Neither women nor men were covered by unemployment insurance. About 62 per cent of the population was covered by social security benefits, and about 65 per cent of all wage earners were members of trade unions. The minimum age of retirement was 50 for women and 55 for men. University teaching staff retired at the age of 67. Fathers were entitled to three days' paid leave during the child's birth, and women could take up to three years of unpaid leave after childbirth without losing their jobs. Child care facilities also existed. The rule of equal pay for equal work was ensured under the law. The income of a wife was taxed separately and labour legislation applied equally to men and women. Not many complaints for sexual harassment of women at the work place had been received.

318. As a result of internal and external migration, women had to face many socio-cultural problems and women who returned from their country of migration found jobs appropriate to their knowledge and skills, most of them in the tourist sector. Special schools had been set up for children returning from abroad and 40 per cent of the girls who migrated back wanted to continue their higher education.

319. Turning to article 12, she said that family planning services had started in 1965, and family planning services were provided mainly by the Ministry of Health and Social Welfare in co-operation with the mass media and non-governmental organizations. In 1988, there were 128 family planning centres. Abortion was allowed up to the tenth week of pregnancy, and the rate of birth was 2.99 per cent. In big cities, shelters for battered wives and free legal advice were provided.

320. No difference between women and men existed regarding the access to bank loans.

321. Referring to article 14, she said that a small proportion of unpaid family workers were working in the carpet weaving industry, but she could not provide exact figures. In case of the emigration of husbands, the wives became heads of households.

322. Under article 15, she stated that women did not need their husbands' permission to travel.

323. Turning to article 16, she said that the minimum age for marriage for girls was 14, that inheritance rights were the same for girls and boys and that taking up employment against the will of the husband was not considered as a ground for divorce. She then enumerated the grounds for divorce as stipulated by law and said that pursuant to an amendment to the Family Code the woman had the right of choosing her name. She strongly hoped that the reservations placed on articles 15 and 16 would be withdrawn before the submission of the second periodic report.

324. Members of the Committee thanked the representative of Turkey for her great efforts in providing the additional information, statistics and figures in such a short time, and for her replies, which brought about a clearer picture of women regarding the articles of the Convention, they expressed their hope that the subsequent report would adhere closely to the general guidelines, that it would contain detailed statistical data and more information on the status of women in rural areas, on the progress made in employment and in secondary education and on decisions taken by the Legal Reform Committee.