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**Good Practices in Legislation on Violence against Women in Turkey and  
Problems of Implementation**

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\* *The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.*

## I. Introduction

The UN Secretary General's 2006 in depth study on violence against women indicates that while in many states have yet to adopt legislation that criminalizes all forms of violence against women, even existing legislation on the issue is often inadequate in its scope and coverage and may contain inappropriate or discriminatory definitions and remedies.<sup>1</sup> Until the end of the 1990s this was definitely the case in Turkey: most of the provisions cited in the study in terms of inadequate or discriminatory legislation on violence existed in the Turkish legal framework, such as inadequate definitions of violence and low penalties for perpetrators, sentence reductions to perpetrators of violence such as rape and abduction, discriminatory penal codes.

However, the last decade has witnessed a groundbreaking shift in the legal approach to violence against women in Turkey, as almost all the inadequate or discriminatory provisions mentioned above have been changed. The primary driving force for these reforms has been the advocacy and lobbying efforts of a strong women's movement in Turkey. These reforms have not only brought forth significant legislative advances, but also have led to a visible shift in terms of public discussion and attention to violence against women and challenging prevalent attitudes and constructs.

This paper aims to present an overview of the legal reforms addressing violence against women in Turkey, including the enactment of protection orders and the reforms of the Turkish civil and penal codes that took place as a result of extensive campaigning of the women's movement in the last decade and to discuss some factors affecting their implementation. Given their comprehensiveness and strength, legal reforms addressing violence against women in Turkey provide a good case to draw attention to the problems of implementation and effectiveness including the lack of comprehensive state policies, integrated support mechanisms, sufficient allocation of resources, scarcities in research and statistics. Thus, this paper also aims to discuss additional measures that should supplement legal frameworks for effective policies to overcome violence against women.

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<sup>1</sup> *In depth study on all forms of violence against women: Report of the Secretary General*, (United Nations: 2006) <http://daccessdds.un.org/doc/UNDOC/GEN/N06/419/74/PDF/N0641974.pdf?OpenElement>. (accessed May 21 2008)

## **II. Background**

Turkey, a country with a majority Muslim population, has a unified, secular and standardized legal system since the foundation of the Turkish Republic in 1923. The principle of secularism is strongly embedded in the Turkish Constitution, which differentiates Turkey's legislative basis from many other Muslim countries. The founding of the Turkish Republic in 1923 was followed by the introduction of several revolutionary legal reforms for women.<sup>2</sup> The Turkish Civil Code of 1926, which banned polygyny and granted women equal rights in matters of divorce and child custody, was adapted from the Swiss Civil Code, which included several articles reducing women to a subordinate position in the family as it was the case in the Swiss Code in the 1920's. For example, the husband was defined as the head of the marriage union, thus granting him the final say over the choice of domicile and children. The Turkish Penal Code, which was adapted from the Italian Penal Code of the fascist Mussolini period, included many provisions legitimizing violence against women, such as sanctioning practices including honor crimes, abduction and rape of women

The rise of a new strong feminist movement in mid 1980s resulted in significant gains for women and paved the way for various legal reforms. The new feminist movement of the 1980s brought private sphere women's human rights violations in Turkey to public attention for the first time. The first widespread campaign of the new feminist movement targeted domestic violence. This campaign was followed a year later by another widespread and energetic feminist campaign against sexual harassment and sexual violence, which began in November 1989. The campaign brought an important achievement in the legal arena. Article 438 of the Turkish Penal Code, which reduced by one-third the sentence given to rapists if the victim were a sex-worker, was repealed by the Grand National Assembly in 1990.

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<sup>2</sup> The reforms included the abolishment of the monarchy and the foundation of a republic; the abolishment of parallel religious laws; the adoption of the European legal systems, the secularization of the state, the adoption of Latin letters as the Turkish alphabet, and the encouragement of Western clothing for women and men.

A campaign between 1996 and 1998 finally resulted in the enactment of a new law on domestic violence enabling a survivor of domestic violence to file a court case for a "protection order" against the perpetrator of the violence.<sup>3</sup>

.An extensive reform of the Civil Code took place in 2001, as a result of an intensive campaign run by more than 120 women's NGOs from all around the country, the widest coalition ever formed for a common cause since the emergence of the new feminist movement in the 1980s. The reform resulted in drastic changes regarding the status of women in the family. The new Turkish Civil Code abolished the supremacy of men in marriage, and thus established full equality of men and women in the family.<sup>4</sup>

Inspired by the success of the nationwide campaign for the reform of the civil code despite the strong opposition of a coalition of the nationalists and the religious right in the parliament, WWHR initiated a working group aiming at a holistic reform of the Turkish penal code from a gender perspective in early 2002. Women's Working Group on the Penal Code (WWGPC) included 15 representatives from NGOs and lawyers' associations as well as academics from various regions of Turkey to ensure geographic representation at the national level.<sup>5</sup> The group hoped to take advantage of the momentum around the successful civil code campaign and the window of opportunity offered by Turkey's accession process to the European Union (EU) to engender support for reform of the penal code. Nevertheless, the initiative was quite daring. In contrast to the case of gender equality in the civil code, gender equality in the penal code had never been on the Turkish public's agenda.

The European Commission (EC), which urged Turkey to reform its penal code, was concerned mainly with the abolishment of the death penalty, pre-trial detention provisions and the extension of the scope of freedom of expression, and not with gender equality. In fact, the

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<sup>3</sup> Law number 4320, 'The Law on the Protection of the Family'. For an account of the campaign for protection orders, see [http://www.wwhr.org/law\\_no\\_4320.php](http://www.wwhr.org/law_no_4320.php) (accessed May 16, 2008).

<sup>4</sup> WWHR – NEW WAYS, *Turkish Civil and Penal Codes From A Gender Perspective: The success of two nationwide campaigns*, (Istanbul: WWHR-NEW WAYS, 2005).

<sup>5</sup> The members of the Working Group for the Penal Code included representatives of Women for Women's Human Rights – NEW WAYS, The Purple Roof Foundation, Women's Rights Enforcement Center, Istanbul Governorate Human Rights Desk and Istanbul Governorate Women's Status Unit from Istanbul; the Republican Women's Association from Ankara; Women's Commission of the Bar Association from Diyarbakir; Women's Commission of the Bar Association from Izmir, as well as the academics Professor Aysel Çelikel, the first female dean of the Istanbul University Law Faculty and Professor Mehmet Emin Artuk, one of the few male academics concentrating on sexual crimes and law in Turkey.

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only reference made by the EC concerning women in the penal code was related to honor crimes, but even that was unsatisfactory and misleading as it targeted only one of the articles in the penal code granting reduced penalties for perpetrators of honor killings<sup>6</sup> and completely ignored another article that served the same purpose.<sup>7</sup>

While the group's efforts were under way, a political crisis in Turkey led to early elections in November 2002, which resulted in a stunning victory for the newly formed religious right Adalet ve Kalkinma Partisi - AKP (Justice and Development Party). This development shook the political scene like an earthquake, as a religious right party gained the majority in parliament for the first time in Turkey's history. The Justice Minister of the newly formed AKP government refused to meet representatives of WWGPC for almost half a year. Faced with this dramatic setback and the persistent refusal of the new Minister of Justice to meet with members of the WWGPC, the group decided to transform its efforts into a massive public campaign through setting up a wider national Platform by the addition of other NGOs that supported its demands; increasing its lobbying efforts towards the members of the parliament; more systematic advocacy targeting the media and increased awareness raising on the issue throughout the country by organizing conferences and meetings.

The three-year campaign that triggered numerous, wide-ranging public debates and made frequent front page headlines in the media, occupied the public agenda in Turkey for three years, and generated the widest discussion and broke several taboos on issues related to women's autonomy over their bodies, sexual crimes and various customary practices that aim to control women's sexuality in Turkey. The main aim of the campaign was to transform the underlying philosophy and principles of the old Turkish penal code that constructed women's bodies and sexuality as belonging to their families, fathers, husbands and society; eliminate all articles in the old penal code that led to or supported violence against women and to ensure progressive definitions of sexual crimes. Throughout the campaign, advocates emphasized the *holistic* nature of their demands, stating that their aim was not the revision of a number of articles, but rather a complete reform of the penal code, overhauling the patriarchal framework of the code so as to legally recognize women's autonomy over their bodies and their sexuality and their right to protection from all kinds of violence within Turkish law.

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<sup>6</sup> Article 462 of the old Turkish penal code.

<sup>7</sup> Article 51 of the old Turkish penal code.

Women's organizations succeeded in gaining the support of the public and the media through a professionally led campaign and finally, despite the AKP government's strong resistance at the beginning, the campaign succeeded not only in a complete change of the philosophy of the penal code regarding the recognition of women's autonomy over their bodies, but also in achieving about thirty-five amendments of the penal code. The amendments brought quite progressive legal formulations against sexual crimes, as well as customary practices such as crimes related to honor, abduction or rape of women aiming to force them into marriage, constituting a groundbreaking shift in the overall perspective of the Turkish state and the public on the issue.

### **III. Legal Reforms on Violence against Women in Turkey**

#### **A. Enactment of 'Protection Orders' in 1998**

The adoption of the protection order law was significant in a number of ways: Primarily, because the law allows women subjected to violence -- and third parties who have observed the case of violence in the Turkish case -- to apply directly to the court or the police so that the survivor(s) of the violence, the woman and/or the children can be protected against domestic violence legally without having to leave their home.

The law no. 4320 passed in 1998 in Turkey has allowed for protection orders for domestic violence survivors. In 2007, the law was amended to include not only married people, but also couples living in separation. In addition, the definition of perpetrators was extended to include all family members living under the same roof (in addition to partners), for example, father or mother in law.<sup>8</sup>

According to Article 1 of this law, if a spouse or child or another member of the family living under the same roof or a family member decreed a separation by court or who has a legal right to live in a different abode or living separately even if married is subject to domestic violence, and notification is made either by the victim or by the Public Prosecutor, taking into

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<sup>8</sup> Amendment April 26, 2007, Article no: 5636/2.

consideration the specific circumstances, a Justice of the Family Court can pass one or more of the following rulings or take any other measures that are deemed appropriate:

- a.** Not to use violence or threatening behavior against the other spouse or children (or another member of the family living under the same roof)
- b.** To leave the abode shared with the spouse or children, if there are any, and not to approach the abode occupied by the spouse and children or their places of work
- c.** Not to damage the property of the spouse or children (or of others living under the same roof)
- d.** Not to cause distress to the spouse or children (or others living under the same roof) using means of communication
- e.** To surrender a weapon or other similar instruments to the police
- f.** Not to arrive at the shared abode while under the influence of alcohol or other intoxicating substances nor to use such substances in the shared abode.
- g.** To report to a health facility for examination or treatment.<sup>9</sup>

The above-mentioned measures can be applied for a period not exceeding six months and, if the accused does not abide by the rulings, he or she will be warned that he or she is liable to arrest and confinement. The judge shall take into account the standard of living of the victim and rule on maintenance payments accordingly. Under the first paragraph of the statute, no fee is charged for applications.

According to Article 2 of the law, the court entrusts a copy of the protection order to the Public Prosecutor. The Public Prosecutor monitors the application of the order through the police. In the event of the order being issued, the police, without the need for the victim to submit a written application, will themselves conduct an investigation and transfer the documents to the Public Prosecutor within the shortest possible time.

The Public Prosecutor can file charges at the Penal Court against a spouse who does not abide by an order. A spouse who has not abided by a protection order can be sentenced to a prison sentence of three to six months.

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<sup>9</sup>This clause was added by the amendment made in 2007, Amendment April 26, 2007, Article no: 5636/2.

However, women's organizations and feminist jurists continue to criticize the law on its inadequacies as it does not explicitly cover unmarried or divorced women and as it does not provide guidelines for the principle of urgent decision.<sup>10</sup>

### **B. Reform of the Turkish Civil Code in 2001 : Equality in the family, matrimonial property regime, marriage age and forced marriages**

In 2001, the reform of the Turkish Civil Code brought forth full equality to women in the family. The reform came about as a result of a campaign by a very broad coalition of women's groups from all around the country. There was a strong resistance from the religious conservatives and nationalists in the parliament to the campaign, especially to the provisions regarding the equal matrimonial property regime. As a result of the campaign by women's groups, the opposing forces had to accept the new property regime, which entitles women to an equal share of the assets accumulated throughout the duration of the marriage.<sup>11</sup> However, due to a last minute law formulated by the opposition parties, this clause was deemed to be valid only for property acquired after January 1, 2002.<sup>12</sup> Women's groups are still continuing their advocacy efforts for the annulment of this law.

According to the Civil Code, the marriage age for women has been raised to 17 to prevent early marriages, which constitutes a form of violence against girl children. In case of forced marriage, women can apply to court for the annulment of the marriage within first 5 years of marriage. Any form of violence or maltreatment constitutes grounds for divorce.

### **C. Reform of the Turkish Penal Code in 2004**

Criminal laws are very significant for the struggle against violence against women, not only in terms of penalizing domestic violence, but also in terms of defining and criminalizing sexual crimes, customary practices or discrimination on the basis of sexual orientation.

The old Turkish Penal Code adapted from the Italian Penal Code was constructed upon the notion that women belong to their families, husbands or community, thus legitimizing human

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<sup>10</sup> Habibe Yılmaz Kayar, "Kadına Yönelik Siddet, 4320 Sayılı Ailenin Korunmasına Dair Kanun Ve Yönetmelik-Uygulama-Degisiklikler – Degismeyenler -Elestiriler-Öneriler" (The Law no 4320 for the Protection of the Family and Directive: Implementation-Changes -Remaining Issues -Critique-Recommendations), The Turkish Law Site, 2007. [http://www.turkhukusitesi.com/makale\\_595.htm](http://www.turkhukusitesi.com/makale_595.htm)

<sup>11</sup> Articles 202, 203 and 205 of the Turkish Civil Code.

<sup>12</sup> Article 10 of Law no: 4722 Governing the Enforcement and the Implementation of Civil Code.



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rights violations such as honor crimes, rape or abduction of women. Though the law was adapted from the Italian Penal Code of the time, it is noteworthy to state that this notion is shared by the modern criminal laws of many countries in the Middle East, which reflect the dual influence of Ottoman and European Codes.<sup>13</sup> These codes construct gender and sexuality around notions of morality and honor, and regard women's sexuality as a potential threat; thus requiring regulation by law. As such the laws are not designed to protect women from sexual violence or discrimination, but rather regard such crimes to be committed primarily against men, family, society or the state and leave room for the legitimization of violence and discrimination against women

Many provisions of the penal code reformed in Turkey in 2004 still exist in similar ways in Middle Eastern countries. For instance, in Egypt and Lebanon, perpetrators of rape receive sentence reductions in case they marry the rape victim. Sentence reductions are applied in case of honor killings, based on the pretext that a murder committed in the name of "honor" is justified and thus legitimate in countries such as Jordan, Morocco, Kuwait or Syria. The laws also extensively discriminate against women in the case of adultery, both by defining adultery differently for men and women and by subjecting women to greater punishments. Penalties for rape or abduction vary according to their marital status or their virginity, discriminating against single or divorced women or non-virgin women.<sup>14</sup>

Therefore, it is essential that the review and reform of criminal laws are included in international reviews and recommendations for legal responses against violence against women.

The Turkish Penal Code went through an extensive reform in 2004 as a result of an intensive campaign of the women's movement, the Campaign on the Reform of the Turkish Penal Code from a Gender Perspective. The Women's Platform on the Turkish Penal Code that led the campaign aimed at a holistic reform of the law, demanding not only the abolishment of all discriminatory provisions; but also an extensive change in the language and philosophy of the

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<sup>13</sup> Sherifa Zuhur, *Gender, Sexuality and the Criminal Laws in the Middle East and North Africa: A comparative study*, (Istanbul: WWHR – New Ways, 2005), 9.

<sup>14</sup> For a detailed account of criminal laws and women in the Middle East, please see Sherifa Zuhur.

law from that of regulating and controlling women's bodies to safeguarding their autonomy over their bodies and sexuality and progressive definitions of sexual crimes.

The change in the approach of the law was essential to the new provisions. Previously all forms of sexual violence were regulated as "crimes against society, public and morality" and were defined around vague patriarchal constructs such as chastity, morality, shame, public customs, or decency. In the reformed law, this terminology has been abolished and sexual crimes are defined as "crimes against sexual inviolability," under the section "crimes against individuals."

Sexual assault is defined as a sexual behavior that breaches the bodily inviolability of someone, which does not require the perpetration of an organ or other object. Article 102 on sexual assault states that (1) Upon the victim's complaint, a person who by sexual behavior breaches the bodily inviolability of someone is punished with imprisonment between two and seven years. (2) In situations where the act is perpetrated by inserting into the body an organ or other object, the sentence is punishment of imprisonment for between seven and twelve years. In cases where this act is perpetrated against a spouse, interrogation and prosecution is dependent upon the victim's complaint.

Increased penalties by one half are foreseen in cases where the crime is perpetrated; a) Against a person in a condition of not being able to physically or psychologically defend himself, b) In such a manner that the influence granted by public office or service is abused, c) Against a person of filial relation by blood or marriage, including the third degree, d) With a weapon or together with more than one person.

Article 103 on sexual abuse of children defines sexual exploitation as "every kind of sexual behavior towards children who have not yet reached sixteen years of age or who have but whose ability to understand the act's legal meaning and consequences is not developed. The punishment is imprisonment for between three and eight years. The previous code included provisions that provided sentence reductions if the "child had consented to the act," which are now removed.

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A major achievement of the reform is the criminalization of marital rape. The law also brings measures to prevent sentence reductions granted to perpetrators of honor killings. Two major amendments have been made in regards to honor killings: Article 29 regulating “unjust provocations” has been limited in scope to “unlawful acts” and the justification to the article relates that the article cannot be applied to honor killings. Formerly, this article was used to grant perpetrators sentence reductions on the basis of the notion that violation of a man’s honor is a justification of murder. Furthermore article 82 on aggravated homicide has been changed to include “clause j: homicides by motivation of custom” as an aggravated circumstance. While this article is now applicable to so called customary killings decreed by family councils, it is criticized by feminists as it still does not apply to various forms of honor killings and leaves room for lower sentences, for example in case a woman is murdered in the name of honor by a lover, partner, husband etc.

The law also eliminates previously existing discrimination against non-virgin and unmarried women. It criminalizes sexual harassment at the workplace and considers sexual assaults by security forces to be aggravated offences. Provisions legitimizing rape and abduction in cases which the perpetrator marries the victim have been abolished; the article granting sentence reduction to mothers killing the newborn children born out of wedlock is removed. Domestic violence is criminalized under “torture” stipulating that anyone causing torment to their spouse or family members will be sentenced to three to eight years of prison.

Despite the overall success of the campaign, four of the platform’s demands were not accepted, thus the platform continues its campaign. These include the definition of honor crimes (not only the so-called customary crimes) as aggravated homicide; the penalization of discrimination based on sexual orientation; the criminalization of virginity testing under all circumstances; and the extension of the legal abortion period from 10 to 12 weeks.

#### **IV. The Ever Pending Challenge: Effective Implementation**

While the above mentioned reforms have arguably been ground-breaking in terms of establishing an effective legal framework for addressing violence against women in Turkey,

in particular with regards to domestic violence and sexual violence, unfortunately it is not possible to speak of an advance of parallel proportions in terms of effective implementation and broad enough impact. While a comprehensive in depth analysis of the inadequacies of implementation extends the scope and focus of this paper, this section will seek to draw attention to a few examples to highlight the ongoing discrepancy.

The Turkish General Directorate of Women's Status January 2008 report on the status of women in Turkey, as well as the most recent report of the UN Special Rapporteur on VAW's mission to Turkey in 2006 both site the lack of comprehensive statistics and research on violence against women as an impediment in measuring and consequently increasing effective implementation.<sup>15</sup> For example, there is no comprehensive study as of yet regarding the implementation of the Protection Order Law. The General Directorate statistics indicate a total of 6147 cases were filed throughout Turkey in 2003 however does not report as to the outcomes.<sup>16</sup> The Diyarbakir Bar Association has reported that between 1998-2005 there have been only 183 cases filed, of which 104 were issued protection orders.<sup>17</sup> A research conducted in 2007 has found that 43% of women in Turkey are not aware of the fact that such a law exists, suggesting one of the causes for limited application<sup>18</sup>

In addition to the fact that crimes of domestic violence and sexual violence are conventionally underreported, in cases when they are, the prosecutions of such crimes are already hindered during medical examination. A recent study conducted on the claims of sexual assault to the Duzce Medical Faculty Department of Forensic Medicine between the years 2000-2005 revealed that only in 12% of the cases the victim was not acquainted with the perpetrator. The study also revealed only finger prints had been lifted as evidence in all cases, thus pointing to the necessity of more thorough evidence collection procedures (given this neglect leads to

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<sup>15</sup> The General Directorate of Women's Status, *The Status of Women in Turkey* (Ankara: 2008), <http://www.ksgm.gov.tr/kadindurumu.pdf>. Report of the Special Rapporteur on violence against women, its causes and consequences, Yakin Ertürk, Addendum MISSION TO TURKEY (2007), <http://daccessdds.un.org/doc/UNDOC/GEN/G07/100/90/PDF/G0710090.pdf?OpenElement>.

<sup>16</sup> The General Directorate of Women's Status, Communication, Documentation and Publication Department & Judicial Records and Statistics General Directorate, Ankara.

<sup>17</sup> Diyarbakir Bar Association, Herkes için Adalet Projesi (Justice for Everyone Project), 2005.

<sup>18</sup> <http://www.bianet.org/kadin/kategori/kadin/72843/7-yilda-yalnizca-183-kadin-hakini-arayabildi>

<sup>18</sup> Ayşe Gül Altınay and Yesim Arat, *Türkiye'de Kadına Yönelik Sıddet (Violence against Women in Turkey)* (Istanbul: 2007), 96.

acquittals). Another significant finding in terms of procedural issues was that all applicants were examined more than once, which can be traumatic for the subject.<sup>19</sup>

The institutional framework falls short on many levels since there is no integrated and established state policy. In terms of shortage of support mechanisms, the most blatant example is the number of women's shelters. Even though the Local Administration Law stipulates the creation of shelters in municipalities with more than 50000 inhabitants, currently the total number of shelters in Turkey is 38. The General Directorate of Women's Status indicates that this number is expected to rise to 50 by the end of 2008.<sup>20</sup> There is not sufficient allocation of resources to complement the legal framework and advance implementation neither for state institutions nor as support to civil society. Even though there have been a limited number of attempts undertaken by Governorships to establish a coordinated intervention mechanism including law enforcement, social services, judiciary, and health official, together with women's organizations, they have been stuck in the planning phases.

## V. Examples of Impact of the Legal Reforms

While the necessary measures for effective implementation remain to be met, the legal reforms have led to subsequent positive developments in terms of precedent court cases. In addition, violence against women has become more of a topic of debate in the parliament and there have been further –though limited in scope and depth– initiatives by the government. Simultaneously, public and media attention to the issue has also increased, which has led to media campaigns and more mainstream awareness.

The campaign for the penal code reform and the subsequent amendment to sentence reductions granted to honor killing perpetrators (though not adequate), has resulted in life long prison sentences in a few recent court rulings on honor killings. In one case in Urfa, 6

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<sup>19</sup> Bora Büken et al., "Evaluation of the Examination Process of Sexual Assault Cases presented to the Forensic Medicine Department of Duzce Medical Faculty Between the Years 2000-2005", *Adli Bilimler Dergisi / Turkish Journal of Forensic Sciences*, 7 (1), (2008): 19- 30.

<sup>20</sup> The General Directorate of Women's Status, *The Status of Women in Turkey* (Ankara: 2008), <http://www.ksgm.gov.tr/kadindurumu.pdf> (Accessed May 2, 2008).

months before the new law was adopted, the brother who strangled Emine to death for “going around with boys” was sentenced to life imprisonment, along with six other male relatives who received prison sentences for abetting.<sup>21</sup> In May 2007, a father who had stabbed her daughter to death and claimed she committed suicide got an aggravated life imprisonment sentence.<sup>22</sup>

In April 2007, the High Court approved a case ruling for sexual harassment at the workplace, penalizing the perpetrator with an 8 month prison sentence and approximately 5000 dollars fine. This was a precedent case because the woman had no witness of the harassment.<sup>23</sup> In April 2008, a marital rape case under the new penal code was approved by the High Court, and the perpetrator was sentenced to 10 years.<sup>24</sup> Most recently in early May, a protection order against domestic violence under the amended law 4320 was granted to a divorced woman against her former husband.<sup>25</sup> This precedent decision was highly acclaimed by feminist jurists, and women’s organizations have made a statement to commend the decision and the judge.

In terms of State initiatives, a parliamentary commission was formed in 2006 to investigate violence against women in particular honor killings and issued a report. Again in 2006, the Prime Minister issued an official circular to all public institutions on combating violence against women. The circular was rather comprehensive in terms of preventive measures, an action plan, hotlines, database etc. However, the measures indicated in the circular have not yet been undertaken. The General Directorate has launched a training program for police and health personnel.

<sup>21</sup> “Aile Meclisine de Ceza” (Punishment to the Family Assembly as well), *Aksam*, 16.March.2004. <http://www.aksam.com.tr/arsiv/aksam/2004/03/16/gundem/gundem1.html> (Accessed May 2, 2008); Report of the Special Rapporteur on violence against women, its causes and consequences, Yakin Ertürk, Addendum MISSION TO TURKEY (2007),

<http://daccessdds.un.org/doc/UNDOC/GEN/G07/100/90/PDF/G0710090.pdf?OpenElement>  
<sup>22</sup> “Kizini Olduren Babaya Muebbet Hapis” (Lifelong Prison sentence to father who murdered his daughter), Cihan News Agency, 9.May.2007. <http://www.haberler.com/mahkemedem-kizini-olduren-babaya-muebbet-hapis-haberi/> (Accessed May 2, 2008).

<sup>23</sup> Adnan Keskin, “Cinsel Taciz Magdurlari Yilmayain!” (Sexual Assault Victims don’t Yield!), *Radikal*, 12 April, 2007. <http://www.radikal.com.tr/haber.php?haberno=218197> . (Accessed May 2, 2008).

<sup>24</sup> “Nikahli Tecavüze İlk Mahkumiyet Karari Tamam” (The first prison sentence for marital rape), *Radikal*, 18.April.2008. <http://www.radikal.com.tr/haber.php?haberno=253308> (Accessed May 2, 2008).

<sup>25</sup> The Turkish Law Site, 2008. <http://www.turkhukuk sitesi.com/showthread.php?t=27552> (Accessed May 2, 2008).

## **VI. Conclusion**

In the case of the legal reform process on violence against women in Turkey, a number of factors are striking as effective strategies and achievements: There has been a significant shift in the discourse and legal approach to violence against women in the last ten years. The uninterrupted and determined advocacy efforts of the women's movement over a period expanding two decades have been pivotal to the progress achieved. In addition to introducing considerably adequate provisions to address violence, the language and approach of the legislation has also cleared from discriminatory patriarchal language and has been simplified.

This is important as it increases women's access to the law, and serves towards a long term objective of transforming the attitudes of law and policy makers and relevant institutions. While it is disconcerting that the gap between the laws on paper and implementation remains vast, it should also be taken into consideration that all these reforms happened within a ten-year time frame, and there is yet time and room for more effective implementation. However, an institutionalized political will, and a coordinated comprehensive policy that includes all ministries with specific targets to eliminate violence against women within a defined time frame are essential to this process.