



# Women, Peace and Security Agenda and Turkey's Refugee and Asylum Policies

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Worldwide there are 26 million refugees and 4.2 million asylum seekers. Half of the world's refugees are women and girls. Women refugees and asylum seekers face challenges such as trauma, health complications, physical harm, injury and all forms of exploitation. Migrant women and girls are commonly subject to multiple and intersecting forms of discrimination based on their sex and additional grounds such as race, religion or ethnicity. Worldwide, the top source of refugees and asylum seekers is Syria, and Turkey hosts the majority of those Syrian refugees and asylum seekers.

Similar to the world's refugee population, almost half of the refugees and asylum seekers in Turkey are women. According to data shared by the Directorate General of Migration Management (DGMM) in Turkey, the proportion of women among Syrian refugees is 46.2 percent. The number of Syrians under the age of 10 is 1,470,902 people (28.8 percent). Thus, the Women Peace and Security (WPS) agenda laid out in United Nation Security Council Resolution 1325 (UNSCR 1325) is highly critical for Turkey's approach. It is crucial to make refugee and asylum policies that effectively work for women. In the design, implementation, monitoring and evaluation of the international and national frameworks, states need to hear women's and girls' voices and respond to their rights and specific needs to ensure that no one is left behind. In Turkey, government agencies, international organisations such as the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), the United Nations High Commissioner for Refugees (UNHCR), the European Union, as well as civil society organisations are working to protect the rights of refugee and asylum-seeking women and girls. Particularly, the UNHCR is committed to improving the conditions of refugee and asylum-seeking women and girls in six areas: (1) meaningful participation, (2) individual registration and documentation, (3) management and

distribution of food and non-food items, (4) economic empowerment, (5) prevention and response to sexual and gender-based violence and (6) the provision of sanitary materials to all women and girls.<sup>i</sup>

This report's aim is multifaceted and covers the issues that are crucial for a WPS agenda with regard to refugee and asylum frameworks in Turkey. Besides the Syrian refugee women under temporary protection, there are also asylum-seeking women from different countries such as Afghanistan, Iraq, Iran and Muslim-majority African countries. While acknowledging the challenges and problems that asylum-seeking women face, the report concentrates on the case of refugee women under temporary protection. It seeks answers to the following question: How can the WPS agenda be promoted in the field of refugees and asylum seekers?

The research is designed as a qualitative study, based upon desk research, analysis of grey literature and four in-depth interviews with researchers and practitioners who work with women refugees and asylum seekers in Turkey.

The report is structured in three parts. The first part reviews the place of women in Turkey's refugee and asylum regime with a particular emphasis on legal framework. Following this review of the refugee and asylum regime in Turkey, the second part deals with the way in which refugee/asylum frameworks are implemented. Then, the last part presents policy recommendations on how to respond to the needs of women and girls who are refugees, migrants and asylum seekers.

## **Women and Turkey's Refugee and Asylum Regime**

While Turkey hosts the largest number of refugees in the world, a geographical limitation to the Convention relating to the Status of Refugees (the 1951 Convention) has been the main principle of the Turkish refugee and asylum regime. The geographical limitation means that Turkey does not grant refugee status to asylum seekers coming from outside Europe. In response to the mass flow of Syrians, Law No. 6458 on Foreigners and International Protection (LFIP), which provides a comprehensive legal framework for the protection of asylum seekers and refugees in Turkey, entered into force in 2014.<sup>ii</sup> Before the LFIP, asylum-related matters were regulated by Regulation No 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey.<sup>iii</sup> With the LFIP, refugees' access to health care, education and social services are secured. To

complement the LFIP, several regulations were adopted concerning Syrians' status and rights as well as access to international protection and to the Turkish labour market.

In the context of the LFIP (2014), Turkey's first migration agency, the DGMM, was established under the Ministry of Interior; subsequently, Provincial DGMM Directorates were established in all 81 Turkish provinces. Since 2018, the Provincial Directorates for Migration Management (PDMM) in Turkey have begun to evaluate international protection applications. With the establishment of the DGMM, the UNHCR's registration activities were terminated. Currently, the DGMM oversees the implementation of the LFIP and coordinates asylum and migration policies in Turkey. Previously, the UNHCR had been responsible for conducting de facto refugee status determination.

In Turkey, there are different categories of international protection and refugee status. If an international protection applicant is originating from Europe, such as from Bulgaria or Bosnia, his/her status is determined as a refugee under Article 1(A)(2) of the 1951 Convention.

Turkey grants conditional refugee status to applicants who are not originated from Europe. Conditional refugees receive resident permits valid for one year, by which time they should be resettled in a third country. Conditional refugees have no right to family reunification, but they can access education, social assistance and health care. Under LFIP, a third category, subsidiary protection status, was introduced. Subsidiary protection gives the right for family reunification, resident permit valid for one year, and access to education, social assistance, health care and the labour market (see LFIP 63, 83 and Section III of the LFIP). Besides those three categories, all Syrians, Palestinian refugees and stateless persons living in Syria are given temporary protection status in Turkey. The legal regime concerning Turkish temporary protection is regulated by Article 91 of the LFIP and the Temporary Protection Regulation.<sup>iv</sup>

So, where are women in Turkey's refugee regime? In the LFIP, the word 'women' is only used once, in defining 'persons with special needs'. According to the LFIP, persons with special needs include an 'unaccompanied minor; a disabled person; an elderly person; a pregnant woman; a single mother or a single father with an accompanying child; or a person who has been subjected to torture, rape or other serious psychological, physical or sexual violence'.<sup>v</sup>

In the LFIP, another reference to women refugees can be found in Article 34 on family residence permits. 34(1) refers to polygamous marriage cases to be included in applications for the family residence permit. With this article, the protection shield is extended to all wives in polygamous marriages. Furthermore, 34(3) requires the mother's consent (and the father's) in the issuance of resident permits to children of divorced parents.

Compared to the LFIP, the Temporary Protection Regulation emphasises protection and psycho-social support for violence victims. In Article 3(1)(L), the definition of persons with special needs is extended to all persons 'who have been subjected to torture, sexual assault or other serious psychological, physical or sexual violence'. Thus, the regulation prioritises the provision of 'health services, psycho-social support, rehabilitation, and all other assistance and support to those with special needs among the foreigners' (ARTICLE 48 (1)). Article 48 also makes reference to Law No. 6284 Protect Family and Prevent Violence against Women.<sup>vi</sup>

Both the LFIP and the Temporary Protection Regulation make reference to assessing possible victims of human trafficking, most of whom are women and girls. According to the US State Department's Trafficking in Persons 2019 Report, the DGMM identified 173 women out of 193 victims of human trafficking.<sup>vii</sup>

As Interviewee 1 pointed out, reference to gender is not expressly included in the definition of refugee in Turkish laws and regulations. In both the LFIP and the Temporary Protection Law, the focus on 'women' is based on the term 'vulnerability'.<sup>viii</sup> Such an approach misses the point that UNSCR 1325 is a human rights resolution to promote the rights of women in conflict situations. Besides the focus on vulnerability, references to 'temporariness' in the Turkish refugee regime also stand in the way of gender mainstreaming in the implementation of UNSCR 1325.

## **Women's Place in the Implementation of Refugee and Asylum Frameworks in Turkey**

### **Admission and Reception Procedures**

As reported by Asylum in Europe Group,<sup>ix</sup> the implementation of refugee/asylum frameworks is not uniform across provinces in Turkey. There are severe differences in the quality of interviews, the assessment of evidence and the identification of vulnerable groups.

The lack of training of migration experts and the lack of available interpreters appeared as the main problems in most provincial DGMM branches. These issues cause significant delays in security checks and preregistration, which may take several months depending on the province. Interviewee 2, who is a protection officer, stated that particularly in border provinces in south-eastern Anatolia, registration and the renewal of residence permits are precarious. In most cases, the criteria for renewal of residence permits and financial support, long waiting times and lack of interpreters can leave women and children unregistered. Refugees and returnee women and girls have a right to documentation, including identity papers and travel documents issued in their own names, but this is often not the case in practice since the DGMM requires women to produce a certificate proving their status as married/divorced or widowed. Another gender-insensitive approach is that divorced or widowed women must prove that they are divorced or widowed to receive the Red Crescent card. As they cannot acquire their documents from Syria, they cannot benefit from the Red Crescent assistance.<sup>x</sup> Interviewee 2 also underlines the lack of gender sensitivity in DGMM interviews. Despite the clear guidelines and protection procedures, most of the officials disregard protection procedures since they do not look at the issue through a gender lens.

The existence of assistance programmes does not mean that women refugees and asylum seekers can access the assistance theoretically available to them. As pointed out by Interviewee 2, despite the availability of information, women refugees and asylum seekers face difficulties in reaching these services. They are bounded by patriarchal division of labour. Moreover, access to justice is particularly challenging for women due to language barriers. They receive notifications from the courts in Turkish, not in Arabic. Syrian women's cases can be rejected due to the lack of translators in the courts.<sup>xi</sup> The language barrier hinders women's access to the justice system. Another reason is fear of the justice system. Often, they are afraid of losing their status and rights.<sup>xii</sup>

Besides the problems and challenges of admission and reception process, women refugees under temporary protection also face several challenges regarding integration such as *housing, access to the labour market, and access to basic services such as health care and education.*

## **Integration in daily life**

Housing is one of the primary problems of refugee and asylum-seeking women in Turkey. Only 2 percent of Syrian refugees continue to live in temporary accommodation centres.<sup>xiii</sup> Refugees in general but particularly women refugees who live out of the camps, face several social cohesion<sup>xiv</sup> problems as well as difficulties in access to social services and housing. Poor living conditions in cramped and crowded houses have increased the incidence of discrimination and violence against women refugees.<sup>xv</sup> Furthermore, the COVID-19 pandemic has exacerbated the vulnerability of refugee women and girls. During the pandemic, refugee families have lost their livelihoods. The cancellation of social support and social cohesion programmes has caused further social isolation of refugee women, and exposed them to domestic violence.<sup>xvi</sup>

As all of my interviewees underlined, women refugees face significant challenges in obtaining adequate access to the labour market. In their field study, Öztürk et al. found several barriers to employment of Syrian refugee women in Turkey including Turkish language fluency, low education and skill levels, bureaucratic procedures and the problems of childcare and the patriarchal nature of their homes.<sup>xvii</sup> When they find jobs outside their homes, they often work in the underground textile workshops, and face discrimination, violence and ill-treatment. Most of them work in unregistered seasonal jobs and in the service sector. The traditional gender roles assigned to women limit their access to the public space. A small minority of refugee women are able to access the labour market, but mostly in sectors that are seen as so-called female sectors. One of the interviewees argued that vocational training opportunities such as hairdressing or sewing reinforce the gender roles and mainly become socialisation opportunities for refugee women.<sup>xviii</sup>

Another issue that women under temporary protection are facing is the direct and free access to health care services in Turkey. Temporary protection beneficiaries are only entitled to access health care services in the province where they are registered. However, the high mobility of refugees between provinces due to seasonal work, fears about the bounding regulations of registration, and hopes to seek refugee status in other European countries are among the factors that impact the Syrian refugees' access to health services. Thus, the lack of regular access to health care services forces refugee women to get treatment from 'underground' medical facilities. In these non-sterile environments, the interventions made by people who are not experts endanger refugee women's lives. These underground medical

facilities, which conduct illegal abortion and childbirth operations, cause maternal mortality among women refugees.<sup>xix</sup> Particularly, women refugees from vulnerable groups such as sex workers face more acute challenges to accessing health services. They cannot get access to information on sexual health and to health care facilities, HIV testing centres and counselling centres.<sup>xx</sup>

Lastly, Interviewee 3, who is an activist and educator, highlighted the problems of schooling among Syrian girls. Despite the existence of opportunities for refugee children to attend school in Turkey, Syrian girls are more likely to drop out of school. Registration problems, financial difficulties, care responsibilities, conservative family structures and early marriages are counted as the reasons for low levels of schooling among Syrian girls. Especially in the make-shift camps where Syrian seasonal workers live, girls do not have the chance to attend school or take Turkish language courses.<sup>xxi</sup>

### **Sexual and Gender-Based Violence (SGBV/GBV) against Refugee Women in Turkey**

In its report on Addressing Sexual Exploitation and Abuse and Sexual Harassment Strategy, the UNCHR listed the following SGBV-related problems refugee women and girls may face: ‘(1) Physical and sexual assault and abuse, (2) Abandon and abuse of husband, (3) Gun battle and forcing to include to the army, (4) Sexual exploitation and forced prostitution, (5) Pack rape and impregnation, (6) Sexual assault by border officer or gangs during crossing border, (7) Contraction danger by human traffickers and slave traders, (8) Sexual assault as punishment after turnabout, (9) Sexual bullying to regulate legal statue’.<sup>xxii</sup>

In the case of Turkey, as argued by all interviewees, the phenomena of early marriages, second wives<sup>xxiii</sup> and prostitution are common among refugee women, exacerbating the risk of violence. The Syrian refugees’ mass migration to the provinces next to the Syrian border resulted in an increased number of child brides and polygamy in Turkey.<sup>xxiv</sup> To overcome threats posed by prostitution and sexual assault, early marriages and becoming a co-wife (*Kuma* in Turkish) are considered a means of social protection for refugee women. The rates of early and/or forced marriages, sexual violence, polygamy, unwanted pregnancies, unsafe deliveries and maternal mortality among Syrian refugees are significantly higher than among Turkish women.<sup>xxv</sup> In traditional communities, women exposed to sexual violence may avoid seeking help because of fears of stigmatisation and/or prosecution. As the status

of the second wife is not recognised in Turkish Civil Law, in the case of abuse and violence they have difficulties in accessing their legal rights.

There is also a ‘trade’ dimension of co-wife phenomenon. Refugee women, particularly Syrian women, are introduced and married to Turkish men by brokers.<sup>xxvi</sup> Interviewee 2, a protection officer from south-eastern Anatolia, shared her observations on Syrian refugee families forcing their daughters to marry (mostly as co-wives) elderly Turkish men in return for dowry money. Not just young girls, but also middle-aged refugee women, who are divorced or widowed, think that they have no other chance but become co-wives for protection of themselves and their children.<sup>xxvii</sup> As pointed out by Interviewee 4, violence is the least concern among these women, since they still have basic needs that are not met.

Another major problem is the general stereotypes about the Syrian culture. As underlined by Interviewee 2, Turkish public authorities mostly refrain from getting involved in incidents of domestic violence and early marriages since they view the issue ‘as inherent in Syrian society’s culture’. Lastly, as pointed out by my interviewees, there are severe capacity problems in Centres for the Elimination and Monitoring of Violence (*Şiddet Önleme ve İzleme Merkezi – ŞÖNİM*). Women’s shelters in Turkey fall short of the need. Thus, it is extremely difficult to find a place for refugee women who suffer SGBV/GBV. As three interviewees stated, in south-eastern Anatolia, the need for women’s shelters is very high.<sup>xxviii</sup> Due to capacity problems, some shelters give priority to women with an assault report or a criminal investigation, which is very difficult for refugee/asylum-seeking women.<sup>xxix</sup> Regarding women’s shelters, my interviewees also underlined the period of stay issue. As a rule, women placed in shelters can stay in the facility for up to six months. If they are lucky enough to find a place in a women’s shelter, they return to the house where they experienced violence after the end of six months.<sup>xxx</sup> In sum, the research shows that protection and prevention mechanisms in cases of SGBV/GBV against refugee women in Turkey do not work efficiently.



## **WPS Agenda and Turkey's Refugee and Asylum Policies: Some Recommendations**

UNSCR 1325 calls on 'all parties to armed conflict to take special measures to protect women and girls from gender-based violence' and stresses the need to recognise women's and girls' protection needs in the transition from conflict to post-conflict. Article 12 of UNSCR 1325 'calls upon all parties to armed conflict to respect the civilian and humanitarian character of refugee camps and settlements, and to take into account the particular needs of women and girls, including in their design, and recalls its resolutions 1208 (1998) of 19 November 1998 and 1296 (2000) of 19 April 2000'. Since Turkey is not a conflict or post-conflict state, the case of women refugees and asylum seekers in Turkey is an unusual case. However, by opening its borders to at least four million refugees who escaped from Syria, Turkey has become an important actor in the Syrian conflict understood in broader terms. As half of the Syrian refugees are women and girls, it is crucial to evaluate Turkey's refugee and asylum policies and their implementation within the context of UNSCR 1325. Thus, all levels of governance in the international protection regime in Turkey need to include a gendered approach. To this end, recommendations are listed for four possible areas where WPS can be integrated in the refugee and asylum seekers framework, and to guide a future National Action Plan in Turkey.

### **1. Ensure the protection of women refugees and asylum seekers from Gender Based Violence**

- GBV is a significant barrier for women's effective participation in peacebuilding and development within their families, communities and societies. However, women refugees in Turkey face numerous forms of gender-based violence. These incidents remain largely underreported as they are hesitant to report incidences of sexual assault. Thus, the development and implementation of effective mechanisms to protect women refugees and asylum seekers from GBV is required.
- To implement the WPS agenda in relation to Turkey's refugee and asylum policies, there should be a two-level protection mechanism. For a more effective protection of women refugees, both levels of the mechanism should be designed from a protection point of view. The first level is the general international protection mechanism, whereas the second level deals explicitly with protection against GBV. There are problems in general protection

mechanisms and in the implementation of Law No. 6284 (Law to Protect Family and Prevent Violence against Women) in the protection of refugee women against GBV.<sup>xxxix</sup> Notably, the protection mechanism against GBV is well established in Turkey, thanks to the hard work of the feminist movement.<sup>xxxix</sup> The effective implementation of both Law No. 6284 in line with Istanbul Convention<sup>xxxix</sup> will be an essential step towards achieving the protection foreseen under UNSCR 1325. Legal guarantees are necessary in light of the persisting risks of gender-based violence affecting refugee women in Turkey.

- Based on a referral from the police, women can be directed to the above-mentioned protection mechanism, ŞÖNİM. However, capacity problems have been posing serious challenges in the implementation of Law No. 6284. In light of the dramatic increase in international refugee and migrant flows, to adequately protect refugee women and girls against GBV, additional numbers of protection staff, gender experts, ŞÖNİM centres and shelters are required.
- It is also important to take the agency of refugee women and girls into consideration, since they have multiple roles and identities as mothers, heads of households, combatants and peace activists. Laws and regulations and their implementation to protect women and girls from GBV should stop perceiving them as helpless victims.
- A rights-based approach is needed. Such a rights-based approach should clearly embed in the National Action Plan and empower women to assert their rights within their families and communities. In this regard, protection mechanisms for refugee girls and young women should ensure empowering educational outlets and opportunities for their participation in decision making regarding their safety.

## **2. Strengthen the mechanisms to prevent GBV against women refugees and asylum seekers**

The issue of prevention of GBV is closely related to protection. UNSCR 1325 calls for improving intervention strategies in the prevention of violence against women, including by prosecuting those responsible for violations of international law; strengthening women's rights under national law; and supporting local women's peace initiatives and conflict resolution processes. As this report indicates, the multiple dimensions and perspectives including legal, cultural, educational, psycho-social and medical issues all address a need for

protective support measures and mechanisms to prevent GBV against women refugees and asylum seekers.

- Following the UNHCR guidelines and the UNSCR 1325 framework, the prevention of GBV against women refugees in Turkey requires a rights-based, <sup>xxxiv</sup> survivor-centred <sup>xxxv</sup> approach to empower women by prioritising their rights, needs and wishes.
- Implementation of preventive measures should ensure that survivors have access to appropriate, accessible and good quality services including health care, psychological and social support, security and legal services. <sup>xxxvi</sup>
- Based on the UN Population Fund (UNFPA) recommendations, <sup>xxxvii</sup> to ensure a rights based, survivor-centred approach for preventing GBV against refugee and asylum-seeking women, the following issues should be covered:

(1) Awareness programmes for refugee/asylum-seeking women about how to access justice through formal and informal justice mechanisms and to encourage the formation of community-based networks.

(2) Legal and infrastructural arrangements ensuring the safety and security of refugee/asylum-seeking women.

(3) Safe spaces for women and children in both in- and out-of-camp settings.

(4) Training programmes for teachers, school staff, local authorities, law enforcement and judicial officers about GBV from a gender perspective and the available prevention/protection mechanisms.

(5) Empowerment of refugee/asylum-seeking women by introducing vocational skills training and livelihood programmes. For example, programmes such as the Association for Solidarity with Asylum Seekers and Migrants Urban Refugee Women's Network Project that was implemented in Gaziantep could be designed as a nationwide programme to create a network for mutual support, empowerment of refugee women and their access to protection, services and assistance.

### **3. Ensure that relief and recovery needs specific to the women refugees and asylum seekers are met**

The Relief and Recovery Pillar of the WPS agenda ensures that relief needs specific to the most vulnerable women and girls are met. It also calls for efforts to support women's active participation and activities in relief and recovery efforts, including providing women with equal access to livelihoods.

- To recover refugee and asylum-seeking women, the introduction of psycho-social support programmes, both personal counselling and group therapy programmes, is required.
- As joint social cohesion programmes organised by the DGMM in south-eastern Anatolia<sup>xxxviii</sup> showed, the expansion of social cohesion programmes that engage both local and refugee women is valuable in the recovery and relief process.

### **4. Facilitate the participation of the women refugees and asylum seekers in decision-making processes regarding their daily lives**

As underlined in UNSCR 1325, women's participation is the key to sustainable peace. The WPS agenda calls for the participation of women at all aspects of maintaining and promoting peace, and security is key to the operational effectiveness, success and sustainability of peace processes and peacebuilding efforts. The Resolution underlines the need for women's involvement in all peace and security agendas as mediators, facilitators and leadership. The evidence that was documented in this report indicates the need to define participation in a broader sense.

- The prospective National Action Plan should advocate for the increased participation of women in all local and national administrative decision-making processes especially in key institutions like DGMM and local governorships in the cities with high refugee population.
- The prospective National Action Plan should advocate for the increased participation of women refugees and asylum seekers in decision-making processes on support measures, aid supplies or gender-sensitive planning and organisation of refugee camps.
- It is necessary to take measures to promote human rights of refugee women and girls and their equal participation in planning and decision-making processes in refugee camps and

non-camp situations. In these decision-making processes, the needs of women refugees and of female-led households should be taken into account in planning and implementation processes.

- The participation of refugee/asylum-seeking women is manifold. First of all, their participation in education and the labour force will pave the way for their empowerment in social life. Empowered refugee/asylum-seeking women might then participate in intra-communal and inter-communal peacebuilding. In this context, existing refugee support programmes could be modified to encourage women refugees' participation.
- Programmes such as the UN Children's Fund (UNICEF) Conditional Cash Transfer for Education, which encourages school enrolment among refugee pupils in Turkey and quota programmes targeting refugees, may be redesigned to prioritise refugee/asylum-seeking women and girls. Such programmes will be extremely beneficial to motivate refugee women's empowerment.

## **Conclusion**

It has been 20 years since UNSCR 1325 was passed. Despite the lack of a National Action Plan in Turkey, a certain level of progress has been made in mobilising women to participate more actively in peace and security processes. However, when evaluating the implementation of UNSCR 1325, it is crucial to include the perspective of women refugees in the Women Peace and Security agenda since there are around two million women under temporary protection. Thus, it is high time for policy makers and civil society actors to incorporate refugee and asylum-seeking women into the legal and infrastructural arrangements to ensure the safety and security of these women. To this end, the preparation of a National Action Plan is crucial for Turkey to fully adopt UNSCR 1325. In doing so, gender-sensitive policies are needed in all phases of the refugee regime in Turkey – from addressing victims of sexual violence, to developing training programmes for DGMMM staff. Thus, Turkey's prospective National Action Plan should ensure the participation of women refugees in peace processes and evaluate policies aimed at their protection in Turkey.

As the evidence shows, a holistic approach to the WPS agenda within the refugee and asylum regime in Turkey is required. Such an approach should integrate all four pillars: Protection, Prevention, Participation, and Relief and Recovery. In this context, multi-sectoral responses

are also needed to listen to and support refugee and asylum-seeking women. Moreover, it is important to note that the success of the WPS agenda in targeting refugee/asylum-seeking women in Turkey requires a joint action between civil society, municipalities, international organisations and state agencies such as DGMM, Red Crescent, Ministry of Interior, Ministry of Education, UNHCR, UNHCHR, UNICEF, the World Health Organization, UNFPA and NGOs. These multi-sectoral approach is also required for the preparation of a National Action Plan in Turkey. Considering the perspective that women refugees will stay in Turkey, it is highly important to bring the WPS agenda into the public and political debate and highlight the importance of the National Action Plan.

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<sup>i</sup> Refworld, *UNHCR's Commitments to Refugee Women*, 12 December 2001,

<https://www.refworld.org/docid/479f3b2a2.html> (accessed 25 January 2021).

<sup>ii</sup> Turkey, *Law No. 6458 of 2013 of Foreigners and International Protection (LFIP)*, 4 April 2013,

<https://www.refworld.org/docid/5a1d828f4.html> (accessed 25 January 2021).

<sup>iii</sup> Turkey, *Regulation No. 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey (last amended 2006)*, 19 January 1994,

<http://www.refworld.org/docid/49746cc62.html> (accessed 25 January 2021).

<sup>iv</sup> Turkey, *Law No. 6458 of 2013 on Foreigners and International Protection (LFIP)*, 22 October 2014,

<https://www.refworld.org/docid/56572fd74.html> (accessed 25 January 2021).

<sup>v</sup> Article 3 (1) of the LFIP.

<sup>vi</sup> <http://www.lawsturkey.com/law/law-to-protect-family-and-prevent-violence-against-woman-6284>

<sup>vii</sup> The US Department of State, *Trafficking in Persons Report 2019*, <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf> (accessed 25 January 2021).

<sup>viii</sup> Interview with Interviewee 1, 4 December 2020.

<sup>ix</sup> <https://www.asylumineurope.org/reports/country/turkey/overview-main-changes-previous-report-update>

<sup>x</sup> Interview with Interviewee 2, 2 December 2020.

<sup>xi</sup> <https://www.asylumineurope.org/reports/country/turkey/guarantees-vulnerable-groups-0>

<sup>xii</sup> Interview with Interviewee 1, 4 December 2020.

<sup>xiii</sup> UNHCR, *UNCHR Türkiye İstatistikleri*, <https://www.unhcr.org/tr/unhcr-turkiye-istatistikleri> (accessed 25 January 2021).

<sup>xiv</sup> In UNCHR's 2015 report entitled *Sexual and Gender-Based Violence Prevention and Response in Refugee Situations in the Middle East and North Africa*, social cohesion is defined as 'programs and interventions for the prevention and response to SGBV in a way in which social cohesion among refugee and impacted communities is promoted'.

<sup>xv</sup> A. Doğuş, "Gender Based Violence Against Syrian Refugee Women in Turkey", *Border Crossing* 9, no. 2 (2019): 113–124.

<sup>xvi</sup> Interview with Interviewee 4, 2 December 2020.

<sup>xvii</sup> L. Ozturk, Z. V. Serin and H. Altinoz, "Challenges and Obstacles for Syrian Refugee Women in the Turkish Labor Market", *Societies* 9 (2019): 49.

<sup>xviii</sup> Interview with Interviewee 1, 4 December 2020.

<sup>xix</sup> Interview with Interviewee 1, 4 December 2020.

<sup>xx</sup> Red Umbrella Sexual Health and Human Rights Association, *Syrians under "Temporary Protection" in Turkey and Sex Work*, 2017, <http://bit.ly/2nWo6B3>, 65-71 (accessed 25 January 2021).

<sup>xxi</sup> Interview with Interviewee 3, 2 December 2020.

- <sup>xxii</sup> UNHCR, *Addressing Sexual Exploitation and Abuse and Sexual Harassment Strategy, Structure and Key Actions*, 2018, <https://www.unhcr.org/5b2cb6284> (accessed 25 January 2021).
- <sup>xxiii</sup> Polygamy was officially criminalised with the adoption of the Turkish Civil Code in 1926. Penalties for illegal polygamy are up to two years' imprisonment.
- <sup>xxiv</sup> K. Kirişçi, *Misafirliğin Ötesine Geçerken Türkiye'nin "Suriyeli Sığınmacılar" Sınavı* (Ankara, USAK & Brookings, 2014).
- <sup>xxv</sup> A. Saleh, S. Aydın and O. Koçak, "A comparative Study of Syrian Refugees in Turkey, Lebanon, and Jordan: Healthcare Access and Delivery", *OPUS International Journal of Social Research* 8, no. 14 (2018); M. Carballo and A. Nerukar, "Migration, Refugees, and Health Risks", *Emerging Infectious Diseases* 7, no. 3 (2001): 556–60.
- <sup>xxvi</sup> Z. Kivilcim, "Legal Violence Against Syrian Female Refugees in Turkey", *Feminist Legal Studies* 4, no. 2 (2016): 193–214.
- <sup>xxvii</sup> Interview with Interviewee 1, 4 December 2020.
- <sup>xxviii</sup> Interviewees 1, 2, 4.
- <sup>xxix</sup> Interview with Interviewee 4, 2 December 2020.
- <sup>xxx</sup> Interview with Interviewee 2, 2 December 2020.
- <sup>xxxi</sup> The case of Nadira Kadirova was one of the most recent reflections of the failure of protection mechanisms vis-a-vis refugee/asylum-seeking women. Twenty-three-year-old Kadirova from Uzbekistan was found dead on 23 September 2019 in the house of Şirin Ünal, an MP from the ruling Justice and Development Party (AKP). She was claimed to have shot herself with Ünal's weapon. The prosecutor's office concluded there was lack of grounds for legal action and closed her investigation file on 5 March 2020.
- <sup>xxxii</sup> See Feride Acar, "The First CEDAW Impact Study", The Centre for Feminist Research, York University and the International Women's Rights Project, 2000; Sevgi Uçan Çubukçu, "Post-1980s Women's Movement in Turkey: A Challenge to Patriarchy", in *The Position of Women in Turkey and in the European Union: Achievements, Problems and Prospects*, ed. Fatmagül Berktaş (Ka-Der Press, 2004); Ayşegül Altınay and Yeşim Arat, *Violence Against Women in Turkey: A Nationwide Survey* (İstanbul: Punto, 2009).
- <sup>xxxiii</sup> Turkey ratified the so-called Istanbul Convention, as it was opened for signature in this city, in 2012. This treaty is a unique legal instrument to tackle violence against women. It covers not only domestic violence but other forms of violence against women including psychological and physical abuse, sexual harassment, rape, crimes committed in the name of so-called "honour", stalking, and forced marriage. The Convention requires states to implement a comprehensive array of practical measures to prevent violence against women, to protect the victims and to prosecute the perpetrators. It also creates a specific independent monitoring mechanism, the GREVIO, in order to ensure the effective implementation of its provisions by the States Parties. Importantly, the Convention sends out a powerful signal to society that domestic violence can never be considered a private or a family matter; it is a human rights violation and should be of concern to society as a whole. The decision to ratify the Convention was adopted unanimously by the Turkish Parliament and the text is supported by all women's rights defenders in Turkey who have demonstrated across the country to call for its full implementation. However, on 20 March 2021, with a presidential decree announcing the withdrawal from the Istanbul Convention.
- <sup>xxxiv</sup> In UNCHR's 2015 report entitled *Sexual and Gender-Based Violence Prevention and Response In Refugee Situations in the Middle East and North Africa*, rights-based approach is defined as 'promoting the direct involvement of refugees in decisions relating to their own protection, and their full enjoyment of human rights, including rights to be protected against GBV'.
- <sup>xxxv</sup> In the same UNCHR report, survivor-centred approach is defined as 'respecting the interest and wishes of the survivor and prioritizing the rights, dignity, wishes, choices, needs and safety of survivors in the design and implementation of prevention and response intervention.'
- <sup>xxxvi</sup> UNFPA, *Minimum Standards for Prevention and Response to Gender-Based Violence in Emergencies*, 2012, [https://www.unfpa.org/sites/default/files/pub-pdf/GBVIE.Minimum.Standard.Publication.FINAL.\\_ENG\\_.pdf](https://www.unfpa.org/sites/default/files/pub-pdf/GBVIE.Minimum.Standard.Publication.FINAL._ENG_.pdf)
- <sup>xxxvii</sup> Ibid.
- <sup>xxxviii</sup> [https://www.tr.undp.org/content/turkey/en/home/projects/kad\\_nlar\\_n-gueclenmesi-ve-sosyal-uyumun-desteklenmesi-projesi.html](https://www.tr.undp.org/content/turkey/en/home/projects/kad_nlar_n-gueclenmesi-ve-sosyal-uyumun-desteklenmesi-projesi.html)



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*\* This paper was funded by the Centre for Applied Turkey Studies (CATS) at Stiftung Wissenschaft und Politik (SWP) in Berlin as part of a joint endeavour of CATS and Women in Foreign Policy (WFP14) on “Twenty Years of UNSCR 1325 ‘Women, Peace and Security’: Perspectives from Turkey“. CATS is funded by Stiftung Mercator and the Federal Foreign Office.*

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