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PRELIMINARY JOINT REPORT

Women's rights and role in the EU and Turkey

RAPPORTEURS

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The decision to draft a joint report on Women's rights and role in the EU and Turkey was taken at the EU-Turkey meeting in Stockholm on 1-2 December 2009. The EU delegation nominated Mr Olsson and the Turkish side Ms Onanç as rapporteurs.

1. Introduction

- 1.1 The objective of this report is to underline the importance of women's rights and gender equality as an important issue in Turkey-EU relations.
- 1.2 Progress for real gender equality and empowerment of women should be fully supported by the Turkish government and the EU. In addition to being an aim in itself equality between men and women is a prerequisite for meeting the EU 2020 objectives.
- 1.3 Organised civil society has a key role to play to empower women to take part fully in the family, economic, social and political life.
- 1.4 In theory gender equality is high on the agenda both in the EU and in Turkey, but not in practice. Gender equality is embedded in the Constitution of Turkey as well as in the Treaty of the EU. Legislation is in general of a high level both in EU Member States and Turkey. Policies for gender equality are common to both sides. However, both of them must improve legislation and policies in order to overcome the existing imperfections.
- 1.5 Gender mainstreaming tools and gender budgeting are not put into operation. As political commitment on gender issues is limited, inequality between men and women is still a reality. The weaker position of women is reinforced by the imbalance that exists between economic and social policies.
- 1.6 In Turkey the integration of temporary special measures into the Constitutional Amendment may help to close the giant gender gap in employment and political representation. The Europe 2020 Strategy also requires the implementation and close monitoring of concrete measures on gender equality, on the basis of the horizontal clause of the Lisbon Treaty¹.
- 1.7 Gender stereotypes in the family, society, labour market and media are major obstacles. "Male" and "female" roles and tasks lead to segregation in the labour market and prevent the full participation of women in decision-making. The traditional work model of the male breadwinner in which the woman takes career breaks to look after the family is still dominating.

¹ Article 8 in the Treaty of the Functioning of the European Union.

1.8 At EU level, social partners and women's organisations supported by other civil society organisations are active in promoting gender equality. The same goes for Turkey, where women's organisations have played an important role in recent changes of legislation and policies.

2. **General remarks**

2.1 To empower women is crucial to achieve real gender equality and should be a common commitment for governments at all levels and the whole of organised civil society. To achieve this there is an urgent need to change stereotypes and traditional male behaviour. The female employment rate must increase and obstacles to participation by women in the labour force, such as domestic responsibilities and care services, must be removed. Men should increase their participation in unpaid responsibilities of the family. The objective of equal distribution of domestic responsibilities should be supported and protected by government policies on care services, parental leave, etc.

2.2 There must be a political vision to achieve real gender equality based on women's rights as expressed in the EU Treaty and the Charter of Fundamental Rights as well as in international conventions. Violence, discrimination and segregation against women in all spheres of society must be combated.

2.3 In order to fight gender stereotypes it is essential that education and training are non-sexist. Greater value should be attached to jobs traditionally viewed as "female". Eradicating sexist stereotypes in the media and the advertising industry is necessary, paying particular attention to the portrayal of violence and degrading images of women.

2.4 The role of women in society should be reinforced by a comprehensive policy approach, creating an enabling environment for real gender mainstreaming in all policies especially social and employment policies supported by legislation and services, and including positive discrimination.

2.5 The reconciliation of work and family life is an engine of growth. Therefore the public authorities have to guarantee high quality social services and adequate social security. All stakeholders should take responsibility for ensuring that household and caring tasks are to be shared in a fair way. Parental leave must be awarded to both women and men employees. A new and substantial childcare system is required in Turkey, which does not put the financial burden on employers, and therefore does not result in employers avoiding employing women.

2.6 Women and their organisations should take part in shaping policies in all fields. Their views should be taken aboard not only by governments and national bodies such as the Turkish Economic and Social Council and the National Employment Commission, but also be an integral part of the positions of business and farmers' organisations, trade unions and all other civil society organisations.

- 2.7 Implementation of legislation and policies should be given highest priority. The renewed EU and Turkey equality strategies² should be based on binding directives and other legislation with quantifiable objectives. The EU institutions must lead by example, making a proactive review of work done and an impact assessment of implementation of existing legislation.
- 2.8 Women's organisations should fully participate in the redesign of the EU and Turkish plans. There should be full commitment from both the public and private sector working together in partnership at all levels – EU, national, regional and local – to implement the plans particularly designed for women in difficult situations.
- 2.9 As a follow up to the objectives, a model based on the Open Method of Coordination (indicators, benchmarks, peer reviews, exchange of good practice) could be used.

3. **Specific policies**

3.1 Stopping violence against women

- 3.1.1 Some figures: 45% of women in Europe have suffered from men's violence and one in five women has been a victim of domestic violence. 42% of women throughout Turkey have suffered from physical or sexual violence committed by their husbands or partners. This rate is 47% in rural areas and 40.3% in urban areas³. Up to 500 000 women and girls living in the EU are affected or threatened by female genital mutilation. An estimated 10-20% of children in Europe are sexually assaulted, but girls are three times more likely than boys to report sexual assault. 79% of victims of trafficking are trafficked for sexual exploitation; more than 80% of these are female. 40-50% of women in the EU have experienced sexual harassment in the workplace. The cost of domestic violence in the EU is estimated at EUR 16 billion per year.
- 3.1.2 Given the high level of **violence** against women and girls, human trafficking for exploitation purposes and the persistence of acts of violence committed under the cloak of traditions and religion, current legislation has to be enforced. A global European strategy accompanied by specific programmes is needed. For instance, women's shelters of quality should be provided for victims in all regions to fulfil the goals set by the UN and EP conventions and resolutions aiming at the elimination of violence against women.
- 3.1.3 Indicators are needed to provide a detailed picture of all aspects of gender based violence, including sexual harassment and trafficking. Statistics at both EU and Turkish level are essential to monitor and assess developments in this field.

² See the EESC opinion on *The roadmap for equality between women and men (2006-2010) and follow-up strategy*, rapporteur: Ms González, CESE 1316/2009 and the 2008-13 Turkish Gender Equality Plan.

³ National Survey on the Domestic Violence against Women. General Directorate on the Status of Women.

3.1.4 Focus should be put on reducing factors that foster violence such as lack of material resources, financial dependence, low levels of education, persistent gender stereotypes and difficulties in access to employment.

3.1.5 To improve women's rights, new **legislative measures** should be considered both in the EU and Turkey. Expanding the "protection order law" to cover partners not residing together, revising the clause on the property regime to apply to property acquired before 2002, punishing honour killing as aggravated homicide and eliminating all references to unjust provocation, forbidding "virginity tests", penalizing discrimination based on sexual orientation, recognising the right to abortion are examples to be mentioned.

3.2 Liberating women from traditional "female" responsibilities

3.2.1 Some figures: Women count for two-thirds of the EU "inactive" population (63 million persons between 25-64 years) due mainly to unpaid care responsibilities. The employment rate of women with children under the age of 12 drops by 12% whereas it increases by 7% for men in the same situation (92% for men with children under 12 against 79% for men without children under 12). In 2005 12.8 million women had care responsibilities for adult dependent persons (against 7.6 million men). European women are four times more likely to work part-time. 30% of women in the EU say they work part-time due to care responsibilities and would prefer to work more hours if care services were available.

3.2.2 Care services are one of the biggest barriers of women's labour force participation in Turkey. The difficulties in reconciling work and family life primarily affect women, since they bear most of the responsibility.

Women would like to work, yet the high costs of hiring someone else to take care of the elderly or the children prevent them from seeking jobs. Public childcare institutions in Turkey are insufficient in terms of number and infrastructure, while private childcare is almost unaffordable (approximately 500-600 Turkish Liras or around EUR 250 per month).

3.2.3 In order to allow for stronger participation by women in the labour market and foster reconciliation of work and private life, which affects mostly women as they bear most of the responsibility, there is a need for accessible and affordable **care institutions** for children and for care services for elderly and dependent persons, the demand for which will increase with an ageing population.

3.2.4 Professionalisation of the care sector is also needed to get jobs out of the informal economy and to upgrade them. Turkish women entrepreneurs in the professional childcare sector should be supported by the competent ministry and its development organisation (KOSGEB). Certain exemptions from tax and national insurance payments should be arranged in order to support a new Turkish childcare scheme.

3.2.5 Paternity leave and parental leave should be designed to make sure that fathers are encouraged to take equal responsibility in the care of children. Campaigns to raise awareness about the division of domestic work between women and men are also needed.

3.3 Increasing female employment

3.3.1 Some figures: Women's employment rates across the EU vary from 37% to 73%. Women, more than men, tend to be concentrated in a limited number of sectors of the economy: they represent up to 70% of those working in health care, social work, retail and education. GDP would rise an estimated 30% in the EU if the gender gaps in employment were eliminated (working patterns (full/part-time) and pay).

The female employment rate in Turkey is around 24%, which is far behind the former Lisbon Strategy criterion of 60% female employment. The urban female employment rate is 17%, which shows that in cities only one in six women is employed. However, many EU countries are also lagging behind the 60% criterion. Women are mostly employed in agriculture (49%), followed by the service sector (37%) and industry (14%). 14% of working women and 34% of men are (self-employed) entrepreneurs.

3.3.2 Recently the Turkish Government decided upon special measures to address low female employment and gender inequality in employment. In May 2010, the Turkish Prime Minister issued a circular on "Increasing Female Employment and Providing Equal Opportunities". The circular suggests mainstreaming gender equality in employment procedures in public institutions. The principle of equal pay for equal work is underlined, while several initiatives such as collecting gender statistics, consultancy for women searching for a job and training sessions for women on human rights for women have been promised. Moreover, the circular proposes the establishment of a "National Steering and Monitoring Committee on Female Employment", which will be made up of high-level representatives of the ministries of employment, education and agriculture, the State Planning Organisation, civil society organisations, the General Directorate on the Status of Women, civil servants, employer and trade union confederations and universities. The Committee will monitor, analyse and report on the existing situation of female employment and will establish partnerships in order to find solutions.

3.3.3 The Turkish Government and the Ministry of Employment and Social Security are currently working on the National Employment Strategy. In June the first formal draft of the Strategy was shared with civil society institutions and other public bodies. The Strategy suggests actions to combat gender inequality and increase female participation in the labour force to 35% by the year 2023. The circular and the National Employment Strategy are positive developments to be pursued, implemented and further developed. The political power and monitoring capacities of Turkish civil society will be further utilised in this process.

- 3.3.4 Increasing the quantity and quality of **female employment** means increasing their financial independence, societal recognition and self esteem. It is also the engine of sustainable economic growth and development.
- 3.3.5 Although male employment has been most affected by the economic crisis, women are suffering from it in both a direct and an indirect manner. In economic crises, women's access to economic and financial resources gets harder. In Turkey, many jobs previously occupied by women are now given to males. However there is also another phenomenon being observed in Turkey. Participation in the labour market by married women in times of economic crisis rises due to an "additional worker impact"⁴. Married women decide to take up a job in order to compensate for the financial loss caused by the husband's unemployment. It is being assumed that as soon as the economic downturn ends, women will probably withdraw from the labour market.
- 3.3.6 Women are also suffering indirectly from the crisis through its effects on the social policies. Finally, the crisis also leads to an increase of the informal sector which employs many women.
- 3.3.7 Therefore the employment strategy should be comprehensive and integrated. Employment policies should be supplemented with educational and social measures that facilitate women entering the labour market. It is particularly important that women who enter the labour market for the first time are given special training.
- 3.3.8 Tax breaks in the private sector to encourage contracting women and quotas for women in public employment should be considered.
- 3.3.9 Rural female employment is an important issue particularly in Turkey.
- 3.3.10 The informal economy must be reduced, because it does not serve anyone: the insecure employment conditions and the associated low wages also lead to a loss of tax revenues and poverty in old age⁵.
- 3.4 Putting an end to the gender pay gap
- 3.4.1 Some figures: In Turkey, most of the women who participate in the labour force are employed in jobs with low wages without promotion opportunities. The pay gap between the average wages of women and men reaches of 22% in cities⁶. In the EU there is an average hourly pay gap between women and men of 17.6%.

⁴ World Bank and DPT, 2009, "Female Labor Force Participation in Turkey".

⁵ See the EESC opinion on "Employment of priority categories (Lisbon Strategy)", rapporteur: Mr Greif (OJ C 256 of 27/10/2007).

⁶ KEIG 2009, p. 14.

- 3.4.2 Achieving **wage parity** is crucial to achieve equality. Unequal pay has structural causes, the undervaluing of skills traditionally viewed as female, occupational and sectoral segregation, precarious employment, career breaks, etc. This should be tackled with both legislation and collective agreements promoting transparent job classification systems accompanied by non-sexist criteria for rating jobs. Member States and Turkey should scrutinise their legislation on contracts and pay in order to eliminate indirect and direct discrimination.
- 3.5 Tackling gender based poverty
- 3.5.1 Some figures: In every age group, more women are living in poverty than men: on average, 17% of women and 15% of men in the EU are at risk of poverty. Despite relative prosperity, this poverty rate has not decreased over the last five years. Women have a higher life expectancy but lower savings and security than men in their old age. They consequently form the majority of the elderly poor. 21% of women above the age of 65 (compared 18% of men) are at risk of poverty. Women face a much higher risk of poverty in situations of separation, divorce or death of their partner. For instance, 63% of women fleeing domestic violence in the UK are at risk of poverty. In Turkey the total poverty rate for men was 17.3% in 2006 while for women it was 18.3%. The feminisation of poverty has increased.
- 3.5.2 Increasing female employment would have a positive impact on combating poverty. If all new female entrants took full time jobs, increasing female participation in the labour market from 24% to 29%, this would help reduce poverty by 15%.
- 3.5.3 Women are especially vulnerable to **social exclusion and poverty**. Women's unequal position in the labour market and their dependency on social protections systems are factors that contribute to this situation.
- 3.5.4 Tailoring social rights to individual needs, ensuring a guaranteed minimum income and taking into account periods of inactivity and reduced working hours enabling women to take care of dependents are measures that improve social protection and lower the risk of women falling into poverty.
- 3.6 Improving education
- 3.6.1 Some figures: In the EU, 60% of young women aged 15-24 are enrolled in education and training compared to 57% of young men of the same age. Moreover, 55% of secondary school graduates are female and women represent 59% of university graduates. However, educational choices remain heavily gendered: girls and young women dominate in health and welfare, education, humanities and arts and are considerably less prominent in science, mathematics, computing (20% female graduates), engineering (18%), manufacturing and construction, areas which generally lead to better remunerated employment. Women with low levels of education are particularly unlikely to be in work, compared to both males with low

levels of education and females with higher levels. This is true especially in Greece, Ireland, Italy and Spain where fewer than 47% of females aged 25 to 64 without upper secondary degrees are employed, compared to over 70% of similarly educated males and of women with tertiary education.

In Turkey, in the past two decades, the proportion of illiterate women has dropped from 34% to 20%, while the proportion of women with more than primary school education has more than doubled. The share of women with a university education has increased from 1.8% in 1988 to 5.8% in 2006. The labour force participation rate (Dec. 2008) of primary school graduates is 21% for women and 70% for men. The labour force participation rate of university graduates is 72% for women while it is 84% for men.

- 3.6.2 In Turkey, a major problem is still the **education** level of women, especially of older women. Therefore systems of life long learning have to be boosted and supported by large investments. The Turkish Ministry of Education should start a comprehensive reform process for technical vocational training which goes beyond gender stereotypes and where graduates find jobs.
- 3.6.3 Participatory non-formal education should be enhanced. One example is The Women's Human Rights Training Programme KIHEP run by a woman's NGO and SHCEK together. This project has resulted in reducing domestic violence, increased self confidence, returning to school, finding paid jobs, participating in local and central government politics, etc.
- 3.6.4 Educational material used for children and young people should be reviewed to eliminate gender stereotypes. Also teachers have to be monitored. One good practice in Sweden is the existence of an independent commission for equality in schools which scrutinises education from different points of view.
- 3.7 Entrepreneurship
 - 3.7.1 Some figures: In Europe, only 3% of the presidents of the largest publicly quoted companies are women and the top 300 European companies have only an average of 10% of women on their boards. In Turkey there are 80.000 registered female entrepreneurs, compared to 1.250.000 male entrepreneurs. The rate of female managers in mid-level management in the private sector is almost 40%, while the rate is just 18% for top-level management.
 - 3.7.2 Entrepreneurship in its broadest sense to stimulate an innovative and creative mindset must be encouraged. Such a broad notion is one important factor for women's empowerment and will release the potential of women entrepreneurship in all fields.
 - 3.7.3 The EU Entrepreneurship Action Plan on increasing women's start ups should be implemented through measures such as providing better access to finance, developing

entrepreneurial networks that provide organisational and advisory services, organising education and training, promoting good practices, etc.

3.7.4 There must be increased support to women's self help organisations, networks, resource centres, university-private sector and civil society partnership projects. Providing training, mentoring and role models to women entrepreneur candidates is crucial. Measures to increase entrepreneurship and leadership among women should be duly supported and financed. The European Network to promote Women's Entrepreneurship can play an important role in all this.

4. **Governance**

4.1 Gender mainstreaming should be integrated in the reforms undertaken in Turkey to comply with the accession process. At EU level gender analysis must be mainstreamed into all of EU spheres of action. The gender equality approach should be included in National Development Plans.

4.2 Gender budgeting should be introduced in Turkey, EU and its Member States to assess the impact of public measures relating to gender.

4.3 It is important to ensure the participation of civil society in policy shaping and implementation. For instance, gender mainstreaming will only be possible through effective representation of women's civil society organisations in national level policy making. The process of civil society representation in international, regional, national and local public or mixed public-civil society bodies should be a transparent process of participatory democracy ruled by objective criteria.

4.4 There should be a greater presence of women decision-makers in business and political life. Creating new employment areas and ensuring that they are open to women is one of the basic responsibilities of the public and the private sector. In this regard, active employment policies devoted to the mitigation of unemployment should be formed and include a comprehensive women employment policy.

4.5 All civil society organisations should show openness for increasing the representation of women in their organisations.

4.6 Ministers for gender equality should be high-level posts in government with powers to propose legislation and endowed with financial resources to implement policies. They must engage in a true dialogue on gender related issues with women's organisations, social partners and civil society organisations.

4.7 The EU institutions as well as the Turkish Parliament must also take their responsibility in this dialogue. The respective parliamentary commissions should take the lead. The mandate

of the Turkish parliamentary commission should be strengthened beyond advising and consulting.

- 4.8 Education on gender awareness and women's rights as foreseen in national, EU and international law should be a fundamental part of training for policy makers and civil servants at all levels, including those that enforce the legislation.
- 4.9 A particular gender equality body should be established in Turkey according to the acquis and in cooperation with the civil society organisations.
- 4.10 In both the EU and Turkey there should be increased women representation in the respective Economic and Social Committees. Representation should also be improved in the Turkish National Employment Commission. The appointment of a woman co-negotiator for the EU process knowledgeable on gender issues would also help integrate gender as a cross-cutting perspective into the EU accession process.
- 4.11 In the JCC there should be better representation of women's interests in all of the three tier structure of the JCC, namely employer, employees and other interest groups.
- 4.12 Positive discrimination should be implemented until a balanced structure between women and men in working life is established, and the State should encourage it.
- 4.13 The 2008-2013 National Gender Equality Plan for Turkey should be monitored periodically and all the ministries should have responsible units to control coherence with the Plan.
