

**29th Council of Europe Conference of Ministers of justice**  
**“Breaking the silence – united against domestic violence”**  
Tromsø, 18-19 June 2009

**SPEECH**

**Mr Sadullah ERGIN, Minister of Justice, TURKEY**

Mr. Chairman,

Esteemed Ministers and Delegates,

Ladies and Gentlemen,

During the last decades the conscious as regards the acknowledgement of violence faced in the private sphere of the people's lives as a breach of human right has been largely increased throughout the world. It is possible today to observe this revival in the schift in the practices and case law of the human rights monitoring bodies of different human rights conventions. As a consequence of this revival also, we are all here today to speak on such an important issue in societies' lives that had been left in silence until recently.

Researches have shown that domestic violence is a phenomenon that is common in all societies in spite of its variation as to type, patterns and trends. The implications of domestic violence, which appears behind closed doors and in an intimate relationship of mutual emotional linkages and responsibilities, can leave psychological and emotional scars more profound than the physical injuries to the body. According to the results of the studies conducted during recent years, persons victimized by violence can develop serious psychological problems, and experience difficulties in terms of involvement in social life and earning their livelihoods. The worst implications of domestic violence however, can be seen as far as children and women are concerned. It has been suggested that infants who are directly exposed to or witness the violence, not only develop health problems but also frequently suffer from behavioral disorders, emotional trauma, and face educational difficulties. As it is thought that the family is the milestone of a healthy society, it will not be possible to bring up healthy generations composed of individuals exposed to domestic violence.

We can never put the blame on culture, history or tradition to legitimize violence. In Turkey, domestic violence was only put on the public agenda after 1980s. In this context a series of intensive efforts, which became state policy, have been launched since then with the collaboration of relevant parties in the field of domestic violence through recent national legislation.

I would like to point out some very important legislative reforms briefly. One of the most important one is “The Law on the Protection of the Family”. It represents an important milestone in terms of the protection of family members victimized by domestic violence. This piece of legislation provides for measures that can be applied by the judges of the Family Courts in order to protect victims of domestic violence. According to this law, the offender is subject to various punitive measures when committing domestic violence such as forcing the offender to abandon the house, the confiscation of arms owned by the offender, the payment of temporary alimony, a ban on disturbing the family through means of communication devices, forcing the offender to take medical treatment and

prohibiting the destruction of the possessions of other family members. Also in this context a communiqué and a circular was issued in order to provide the proper implementation of this law.

Another reform was made in the Civil Code. The new Civil Code abolishes the supremacy of men in marriages and grants equal rights to men and women. The family is defined as an entity “that is based on the equality between spouses”.

Reforms in the Penal code, which came into force in 2005 also needs attention. Some of these important changes are;

- Sexual crimes are regulated as crimes against individuals instead of crimes against society, family or public morality.
- Higher sentences for sexual crimes, criminalisation of marital rape and prevention of sentence reduction for honour related crimes.
- Provisions legitimising rape and abduction in cases which the perpetrator marries the victim have been abolished.

In addition to these basic legislative reforms, due to the seriousness of the problem in our society, a Parliamentary Investigation Commission within Turkish Grand National Assembly has been established in 2005 and it issued a comprehensive report on Causes of Custom and Honor Killings, and Violence against Women and Children; and Identification of Relevant Measures”; According to the results of this report on the extent of the problem and the activities required for developing solutions, the Prime Ministry Circular was issued. This Circular established “Violence against Women Monitoring Committee”. It defined specific tasks for the public institutions, universities, non-governmental organizations, and the media and marked the launch of a comprehensive campaign to combat violence against women. There are various projects and activities underway in this field. One of which is “Combating domestic Violence against Women Project”. Also National Action Plan 2007-2010 has been prepared and is underway now within the framework of this project.

The Action Plan encompasses comprehensive and applicable activities to be developed in accordance with the objectives related to six main fields; namely legal arrangements, social awareness and mental transformation, advancement of women's socio-economic status, protective services, curative and rehabilitation services, and inter-sectoral cooperation.

On the other hand these legal efforts are supported by campaigns aimed at improving social sensitivity. The “Stop Violence against Women Campaign”, “Stop Domestic Violence Campaign” are some of the examples.

In addition to the above-mentioned awareness and sensitivity raising activities on violence against women, there are also in-service training programs for the service providing public sector professionals (law enforcement officers, judicial bodies, health care workers and social workers, etc.). It is within this framework that “The Role of the Police Forces in the Prevention of Violence against Women and the Applicable Procedures Project”, “The Role of the Health Care Personnel in the Prevention of Violence against Women and the Applicable Procedures Project”, and “The Role of the Judicial Personnel in the Prevention of Violence against Women Project” have been launched. Also these efforts have been supplemented by the Action Plan prepared by the Ministry of National Education.

I would like to conclude my remarks with welcoming all initiatives in the fight against domestic violence both at national and international levels and wish you all a very fruitful and successful meeting.